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## INSURANCE LAW BULLETIN

### Re: **Maryland Department of Health and Mental Hygiene Ordered to Refund Fine Imposed on Dental Managed Care Organization**

The Department of Health and Mental Hygiene (“DHMH”) imposed a substantial fine on a managed care organization (“MCO”), claiming Senate Bill 590 requires dental MCOs to achieve certain annual targets for utilization of dental care services. The MCO requested a hearing, and the matter was delegated to an administrative law judge.

The MCO moved for summary decision, arguing Senate Bill 590 did not establish dental utilization targets, but rather directed DHMH to promulgate a regulation setting forth a Five Year Oral Health Care Plan including dental utilization targets. The administrative law judge agreed and recommended refund of the fine.

DHMH filed exceptions with the Secretary of DHMH, who adopted the administrative law judge’s recommendation as a final decision. The MCO, therefore, will receive a refund of the fine.

For further information or a copy of the decision, please contact **Bryan D. Bolton** at 410-659-7754 or [bbolton@fblaw.com](mailto:bbolton@fblaw.com). Please visit our website at [www.fblaw.com](http://www.fblaw.com).

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