

Maryland Register

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Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before January November 26, 2012, 5 p.m.

Pursuant to State Government Article, §7-206, Annotated Code of Maryland, I hereby certify that this issue contains all documents required to be codified as of November 26, 2012.

Brian Morris
Acting Administrator, Division of State Documents
Office of the Secretary of State



Information About the Maryland Register and COMAR

MARYLAND REGISTER

The Maryland Register is an official State publication published every other week throughout the year. A cumulative index is published quarterly.

The Maryland Register is the temporary supplement to the Code of Maryland Regulations. Any change to the text of regulations published in COMAR, whether by adoption, amendment, repeal, or emergency action, must first be published in the Register.

The following information is also published regularly in the Register:

- Governor's Executive Orders
- Attorney General's Opinions in full text
- Open Meetings Compliance Board Opinions in full text
- State Ethics Commission Opinions in full text
- Court Rules
- District Court Administrative Memoranda
- Courts of Appeal Hearing Calendars
- Agency Hearing and Meeting Notices
- Synopses of Bills Introduced and Enacted by the General Assembly
- Other documents considered to be in the public interest

CITATION TO THE MARYLAND REGISTER

The Maryland Register is cited by volume, issue, page number, and date. Example:

- 19:8 Md. R. 815—817 (April 17, 1992) refers to Volume 19, Issue 8, pages 815—817 of the Maryland Register issued on April 17, 1992.

CODE OF MARYLAND REGULATIONS (COMAR)

COMAR is the official compilation of all regulations issued by agencies of the State of Maryland. The Maryland Register is COMAR's temporary supplement, printing all changes to regulations as soon as they occur. At least once annually, the changes to regulations printed in the Maryland Register are incorporated into COMAR by means of permanent supplements.

CITATION TO COMAR REGULATIONS

COMAR regulations are cited by title number, subtitle number, chapter number, and regulation number. Example: COMAR 10.08.01.03 refers to Title 10, Subtitle 08, Chapter 01, Regulation 03.

DOCUMENTS INCORPORATED BY REFERENCE

Incorporation by reference is a legal device by which a document is made part of COMAR simply by referring to it. While the text of an incorporated document does not appear in COMAR, the provisions of the incorporated document are as fully enforceable as any other COMAR regulation. Each regulation that proposes to incorporate a document is identified in the Maryland Register by an Editor's Note. The Cumulative Table of COMAR Regulations Adopted, Amended or Repealed, found online, also identifies each regulation incorporating a document. Documents incorporated by reference are available for inspection in various depository libraries located throughout the State and at the Division of State Documents. These depositories are listed in the first issue of the Maryland Register published each year. For further information, call 410-974-2486.

HOW TO RESEARCH REGULATIONS

An Administrative History at the end of every COMAR chapter gives information about past changes to regulations. To determine if there have been any subsequent changes, check the "Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed" which is found online at www.dsd.state.md.us/CumulativeIndex.pdf. This table lists the regulations in numerical order, by their COMAR number, followed by the citation to the Maryland Register in which the change occurred. The Maryland Register serves as a temporary supplement to COMAR, and the two publications must always be used together. A Research Guide for Maryland Regulations is available. For further information, call 410-260-3876.

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CITIZEN PARTICIPATION IN THE REGULATION-MAKING PROCESS

Maryland citizens and other interested persons may participate in the process by which administrative regulations are adopted, amended, or repealed, and may also initiate the process by which the validity and applicability of regulations is determined. Listed below are some of the ways in which citizens may participate (references are to State Government Article (SG), Annotated Code of Maryland):

- By submitting data or views on proposed regulations either orally or in writing, to the proposing agency (see "Opportunity for Public Comment" at the beginning of all regulations appearing in the Proposed Action on Regulations section of the Maryland Register). (See SG, §10-112)
- By petitioning an agency to adopt, amend, or repeal regulations. The agency must respond to the petition. (See SG §10-123)
- By petitioning an agency to issue a declaratory ruling with respect to how any regulation, order, or statute enforced by the agency applies. (SG, Title 10, Subtitle 3)
- By petitioning the circuit court for a declaratory judgment on the validity of a regulation when it appears that the regulation interferes with or impairs the legal rights or privileges of the petitioner. (SG, §10-125)
- By inspecting a certified copy of any document filed with the Division of State Documents for publication in the Maryland Register. (See SG, §7-213)

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Martin O'Malley, Governor; **John P. McDonough**, Secretary of State; **Brian Morris**, Acting Administrator; **Gail S. Klakring**, Senior Editor; **Mary D. MacDonald**, Editor, Maryland Register and COMAR; **Elizabeth Ramsey**, Editor, COMAR Online, and Subscription Manager; **Tami Cathell**, Help Desk, COMAR and Maryland Register Online.

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**Availability of Monthly List of
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The Maryland Department of Legislative Services receives copies of all publications issued by State officers and agencies. The Department prepares and distributes, for a fee, a list of these publications under the title “Maryland Documents”. This list is published monthly, and contains bibliographic information concerning regular and special reports, bulletins, serials, periodicals, catalogues, and a variety of other State publications. “Maryland Documents” also includes local publications.

Anyone wishing to receive “Maryland Documents” should write to: Legislative Sales, Maryland Department of Legislative Services, 90 State Circle, Annapolis, MD 21401.

**CLOSING DATES AND ISSUE DATES
 through JULY 26, 2013**

Issue Date	Emergency and Proposed Regulations 5:00 p.m.*	Final Regulations 10:30 a.m.	Notices, etc. 10:30 a.m.
December 28**	December 10	December 17	December 14
January 11**	December 20	January 2	December 27
January 25	January 7	January 16	January 14
February 8**	January 18	January 30	January 28
February 22	February 4	February 13	February 11
March 8**	February 15	February 27	February 25
March 22	March 4	March 13	March 11
April 5	March 18	March 27	March 25
April 19	April 1	April 10	April 8
May 3	April 15	April 24	April 22
May 17	April 29	May 8	May 6
May 31**	May 13	May 21	May 20
June 14**	May 23	June 5	June 3
June 28	June 10	June 19	June 17
July 12**	June 24	July 2	June 28
July 26	July 8	July 17	July 15

COMAR Online

The Code of Maryland Regulations is available at www.dsd.state.md.us as a free service of the Office of the Secretary of State, Division of State Documents. The full text of regulations is available and searchable. Note, however, that the printed COMAR continues to be the only official and enforceable version of COMAR.

The Maryland Register is also available at www.dsd.state.md.us.

For additional information, visit www.sos.state.md.us, Division of State Documents, or call us at (410) 974-2486 or 1 (800) 633-9657.

* Due date for documents containing 8 to 18 pages — 48 hours before date shown; due date for documents exceeding 18 pages — 1 week before date shown

NOTE: ALL DOCUMENTS MUST BE SUBMITTED IN TIMES NEW ROMAN, 9-POINT, SINGLE-SPACED FORMAT. THE REVISED PAGE COUNT REFLECTS THIS FORMATTING.

** Note closing date changes

The regular closing date for Proposals and Emergencies is Monday.

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31.03.16.01—.09 • 39:25 Md. R. 1633 (12-14-12)

31.08.05.02,.03 • 39:20 Md. R. 1345 (10-5-12)

31.08.12.02—.06 • 39:20 Md. R. 1346 (10-5-12)

31.16.11.01—.03 • 39:20 Md. R. 1348 (10-5-12)

31.17.03.02,.10 • 39:17 Md. R. 1175 (8-24-12)

The Judiciary

COURT OF APPEALS OF MARYLAND

DISCIPLINARY PROCEEDINGS

This is to certify that by an Opinion of this Court dated November 19, 2012, **GERALD ISADORE KATZ**, 7804 Brickyard Road, Potomac, Maryland 20854, has been indefinitely suspended from the further practice of law in this State and his name as an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 16-760(e)).

* * * * *

This is to certify that the name, **DARYL DAVID JONES**, c/o Emile J. Henault, III, Esquire, Henault & Sysko, Chartered, 306 N. Crain Highway, North, Glen Burnie, Maryland 21061, has been replaced upon the register of attorneys in this Court as of November 20, 2012. Notice of this action is certified in accordance with Maryland Rule 16-781(1).

* * * * *

This is to certify that by Order of this Court dated October 23, 2012, **SHARON LOUISE GUIDA**, 2746 Maryland Avenue, Baltimore, Maryland 21218, has been disbarred by consent, effective November 23, 2012, from the further practice of law in this State, and her name as an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 16-772(d)).

[12-25-36]

STANDING COMMITTEE ON RULES OF PRACTICE AND PROCEDURE

Notice of Open Meeting

The Standing Committee on Rules of Practice and Procedure will hold an open meeting on Friday, January 4, 2013, in the Judiciary Education and Conference Center, 2011-D Commerce Park Drive, Annapolis, Maryland, commencing at 9:30 A.M., to consider any questions relating to rules changes as may be brought before the meeting.

For further information contact Sandra F. Haines, Reporter, (410) 260-3630.

[12-25-25]

SCHEDULE

Thursday, January 3, 2013 Bar Admissions

- Misc. 15 In the Matter of the Application of Drew Everett Stewart for Admission to the Bar of Maryland
AG 98 In the Matter of the Petition for Reinstatement of Rex B. Wingerter to the Maryland Bar (2011 T.)
No. 36 Jody Lee Miles v. State of Maryland
No. 40 A & E North, LLC v. Mayor and City Council of Baltimore

Friday, January 4, 2013

- No. 34 Paul B. DeWolfe, in his official capacity as the Public Defender for the State of Maryland, et al. v. Quinton Richmond, et al. (2011 T.)

- No. 6 Norman Bruce Derr v. State of Maryland (2010 T.)
No. 37 Orville Cooper v. State of Maryland

Monday, January 7, 2013

- No. 41 Cohen & Greene, P.A. v. Joan Frances Dicarolo
AG 74 Attorney Grievance Commission of Maryland v. Paul Winston Gardner, II (2011 T.)
No. 45 Felix L. Johnson, Jr., Deceased v. Mayor and City Council of Baltimore

Tuesday, January 8, 2013

- AG 81 Attorney Grievance Commission of Maryland v. Jeffrey David Kahl (2011 T.)
No. 39 Falls Road Community Ass'n, Inc., et al. v. Baltimore County, Maryland, et al.
No. 42 Constantine Koste v. Town of Oxford, et al.

On the day of argument, counsel are instructed to register in the Clerk's Office no later than 9:30 a.m. unless otherwise notified.

After January 8, 2013 the Court will recess until February 7, 2013.

BESSIE M. DECKER
Clerk

[12-25-32]

COURT OF SPECIAL APPEALS

SCHEDULE FOR JANUARY 2, 3, 4, 7, 8, 9, 10, 11, 14, 15, 16, 2013

Wednesday, January 2, 2013

Courtroom No. 1

- No. 01574/11 Donnell Nance vs. David Gordon, M.D. et al.
No. 02152/11 Brian Nettles et al. vs. Housing Authority of Baltimore City
No. 02264/11 Shallon Brown vs. Diane Rosenberg, et al. Substitute Trustees
No. 01918/11 Lakeisha Pierson vs. Sheriff John W. Anderson
No. 01332/11 Flaim Brothers, Inc. vs. Copley Associates, LLC

Courtroom No. 2

- No. 00088/12* In Re: Adoption of Jonathan S.
No. 00002/12** Joanna Joyce Findlay vs. State of Maryland
No. 00737/12** Joanna Joyce Findlay vs. State of Maryland
No. 02203/11 Laura Steinbach vs. Giant Food LLC
No. 00005/12 Baltimore Police Department et al. vs. Joshua Tripp Ellsworth

*8-207(a)
**Consolidated Cases

Thursday, January 3, 2013

Courtroom No. 1

- No. 02561/11 David Dinh vs. Jonathan Wood et al.
No. 02318/11 Nehemias Portillo Portillo vs. N & A Food Services, Inc. et al.
No. 02177/11 Phani Kumar Gundepudi vs. State of Maryland

THE JUDICIARY

1606

No. 02538/11 Dedrick Tyrone Wilkerson vs. State of Maryland
No. 00541/12 Andrea Hanes vs. Bryce Lee Hanes

Courtroom No. 2

No. 01037/11 Gray & Son, Inc. vs. Clarence Johnson
No. 02171/11 Sukhjeet Gill vs. Kuljit Gill
No. 02516/11 Sukhjeet Gill vs. Kuljit Gill
No. 01296/11 Workforce Services et al. vs. Marleny P. Amador
No. 02109/11 City Homes, Inc. vs. Brittany Hazelwood
No. 01774/11 Leslie Anne Siebold vs. Karen Lin Greene

Friday, January 4, 2013

Courtroom No. 1

No. 01825/11 Cedarville Park, Inc. et al. vs. Sharon Ryan
No. 02077/11 John Boniface Maier, II vs. Heather Ann Maier
No. 02334/11 Gregory Pringle vs. Montgomery County Planning Board of the M-NCPPC
No. 01575/11 Charles Richardson vs. Kerry Jernigan
No. 02160/11** Lacy Janda-Miller et vir vs. Thomas P. Dore et al. Substitute Trustees
No. 02161/11** Lacy C. Janda-Miller vs. Thomas P. Dore et al.

**Consolidated Cases

Courtroom No. 2

No. 02154/11 Pedro Pozo Salvador vs. Dalila Salvador
No. 01815/11 William Pease et ux. vs. Wachovia SBA Lending Inc.
No. 00432/12* In Re: Adoption/Guardianship of Rhianna D.
No. 01802/11 Joseph K. Morely vs. Jacob Geesing et al. Substitute Trustees
No. 01695/11 Alain Selenou-Tema vs. Rosalie Chantal Tchidjou Kamga

*8-207(a)

Monday, January 7, 2013

Courtroom No. 1

No. 00013/12 Chesapeake Wildlife Heritage, Inc. et al. vs. Chesterhaven Beach Partnership LLP et al.
No. 02807/11 Jovon Roberto Lee vs. State of Maryland
No. 02140/11 4 Aces Bail Bonds, Inc., et al. vs. State of Maryland
No. 02411/11 Salisbury Christian School, Inc. vs. Soule & Associates P.C.

Courtroom No. 2

No. 00560/12* In Re: Adoption/Guardianship of Chelsea O., Savanna O., Shiane O. Katelyn O., and Kyle O.
No. 02370/11 Acropolis Construction Co. Inc. vs. Georgette D. Stavrakis et vir.
No. 02444/11 Lori A. Robinette et al. vs. Luann Hunsecker
No. 02116/11 Oxford Yacht Agency, Inc. vs. Gale Dee

*8-207(a)

Tuesday, January 8, 2013

Courtroom No. 1

No. 00567/11 Louis Kressin et al. vs. Marian Gordon etc. et al.
No. 01778/11 Brian Payne et ux. vs. Jeffrey Fisher et al. Substitute Trustees
No. 02490/11 Dennis L. Silver, Jr. vs. State of Maryland
No. 01786/11 Shaobei Xu vs. Supervisor of Assessments of Howard County

No. 02389/11 William Arthur Manning vs. State of Maryland

Courtroom No. 2

No. 02479/11 Russell Mirabile et al. vs. Baltimore County Department of Public Works
No. 01885/11** Karly C. Bailey vs. Benjamin S. Carson, MD. et al.
No. 01887/11** Karly C. Bailey vs. Benjamin S. Carson, MD et al.
No. 01285/11* Felicia Henry vs. Clifton Allison
No. 02348/11 Comptroller of the Treasury vs. NIHC, INC.
No. 01168/11 Michael Benjamin et ux. vs. David Moore et ux.

*8-207(a)

**Consolidated Cases

Wednesday, January 9, 2013

Courtroom No. 1

No. 02413/11 Daniel Joseph Dodge vs. State of Maryland
No. 02844/11 David Wayne Bolding, II vs. State of Maryland
No. 02616/11 Connie Corby Tompkins vs. Michael Cogan Esq. et al.
No. 00221/12 Pohanka Auto North, Inc. et al. vs. Jelena Marie McNab et al.
No. 01973/11 Cornelia Israel et vir. vs. Stevenson Village Condominium Association, Inc.

Courtroom No. 2

No. 00334/12* Chas Venus Gordon vs. Bernard M. Gordon, Jr.
No. 02142/11 William L. Wrightson, III et ux. vs. Wendy W. Ashburn
No. 02035/11 Michael Cramer vs. Michelle Cramer
No. 02372/11 Marilyn Clark et al. vs. Prince George's County Maryland et al.
No. 02265/11 Katia K. Peters vs. BJ's Wholesale Club

*8-207(a)

Thursday, January 10, 2013

Courtroom No. 1

No. 01276/11 Dehn Motor Sales, LLC t/a Insurance vs. vs. Joseph A. Schultz, Jr. et al.
No. 01527/11 John Joseph Lee vs. Mark Wittstadt et al., Substitute Trustees
No. 01509/11 Ericka R. Wiggs vs. Ko-Me LLC t/a Mile High Restaurant or Mile High Club
No. 02759/11 Mark Johnson vs. State of Maryland
No. 02252/11 Sherman Oswald Holland vs. State of Maryland

Courtroom No. 2

No. 02542/10 James Lambert, Jr. vs. State of Maryland
No. 02263/11 Eugene Newberry, Jr. vs. Rachel Francischetti
No. 01505/11 Kathy J. Gordon vs. Tammie L. Lewis et al.
No. 02347/11 Landmark Funding LLC vs. Liberty Surplus Insurance Corp.
No. 01954/11 Henry Purcell Wright vs. State of Maryland

Friday, January 11, 2013

Courtroom No. 1

No. 02202/11 New Design Road, LLC vs. Manchester Limited Partnership et al.
No. 00565/12* Janvier Richards vs. Edward Burke
No. 01511/11 Clemmie Williams vs. Alexander L. Bowen
No. 01975/11 City of Bowie, Maryland vs. Alfred Collins et al.
No. 02583/11 Kirk Albertson vs. State of Maryland

No. 02059/11 Nathan Brown, Jr. vs. Housing Authority of Baltimore City
*8-207(a)

Courtroom No. 2

No. 02833/11 William Siam Simpson, III vs. State of Maryland
No. 00664/12* Bertha Angeles vs. Mario Zamora
No. 01191/12*** Bernadine I. Smith et al. vs. Johns Hopkins Community Physicians, Inc.
No. 02238/11 Charmagne Dobbins vs. State Farm Mutual Automobile Insurance Company
*8-207(a)
***8-207(b)

Monday, January 14, 2013

All cases submitted on brief

Courtroom No. 1

No. 00280/12* Brenton Grant vs. Deborah Grant
No. 02497/11 Jong Hyon a/k/a Jony Hyon vs. State of Maryland
No. 00743/12* Michael W. Kirby vs. Alma Saldana - Santana
No. 02126/11 Kivi Kennedy vs. State of Maryland
No. 02849/11 In Re: Jeffrey B.
No. 02533/11 Ade Yemi Scott vs. State of Maryland
No. 00677/11 Timothy Rawlings vs. State of Maryland
No. 02057/11 Barry Keith Brooks vs. State of Maryland
No. 01117/10 Darnell Jeter vs. State of Maryland
No. 02719/11 Sergio Byron Cardona vs. State of Maryland

*8-207(a)

Courtroom No. 2

No. 01024/12* In Re: Ayden N.
No. 02205/11 Anthony Jerome Crews, Sr. vs. Anna Burns
No. 02206/11 Anthony Crews vs. Renee Wells
No. 01409/10 Craig Neal vs. State of Maryland
No. 02172/11 Troy Sherman Nash vs. State of Maryland
No. 00362/12 Michael Gary Butka vs. Holly Lynn Williams
No. 02221/11 Robert Horowitz et ux. vs. McLean School of Maryland, Inc. et al.
No. 00222/12 Christopher Outlaw vs. State of Maryland
No. 02715/11 Khaliq Khan vs. State of Maryland
No. 02730/11 Gil Dexter Milbourne vs. State of Maryland
No. 02111/09 John D. Wilkins vs. Yolanda E. Person
No. 02735/11 Victor Safchuck, Jr. vs. State of Maryland

*8-207(a)

Tuesday, January 15, 2013

All cases submitted on brief

Courtroom No. 1

No. 02717/11 Shadomian Gaither vs. State of Maryland
No. 02158/11 Michael Wiggins vs. State of Maryland
No. 02222/11 Devon Edward Morgan vs. State of Maryland
No. 00157/12 Victor Jennings vs. State of Maryland
No. 01498/11 Barbara J. Gadson vs. Southern Maryland Hospital and Medical Center
No. 01859/11 Prakash Raghobar vs. State of Maryland
No. 02486/11 Jason Matthew Gross vs. State of Maryland

Courtroom No. 2

No. 00729/12* In Re: Lucas P.
No. 01249/12* In Re: Ashley S. and Caitlyn S.
No. 02416/11 Percell Arrington vs. State of Maryland

No. 00332/12 Malkiyah Sarah Goldberg f/k/a Nekeria Q. Jenkins-Graham vs. Edward R. Graham
No. 02391/11 Stephanie Knarr vs. Kirby Bowling
No. 02747/11 Leonard Haney vs. State of Maryland
No. 02712/11 Rodney Gregory Henri vs. State of Maryland
No. 01906/11 Benton Stokes vs. State of Maryland
No. 02217/11 Jerome Ware vs. State of Maryland
No. 02225/11 Samuel J. Whaley vs. State of Maryland
No. 02296/11 Vernon Hudson vs. State of Maryland
*8-207(a)

Wednesday, January 16, 2013

All cases submitted on brief

Courtroom No. 1

No. 01767/11 Colvin Bert vs. Comptroller of the Treasury
No. 02028/11 John Dunaway vs. George Gisin et al.
No. 02309/11 William Bruce Benser vs. State of Maryland
No. 00456/11 Gregory Howard vs. State of Maryland
No. 01409/11 Zvi Covaliu vs. Dina Omacy
No. 02167/11 Wilbert Arthur Cowan vs. State of Maryland
No. 02773/11** Mike Colfield vs. State of Maryland
No. 02777/11** Davis Jazzmor vs. State of Maryland
No. 02880/11 Manuel Duane Waddell vs. State of Maryland
No. 02750/11 Joseph Sumpter vs. State of Maryland

**Consolidated Cases

Courtroom No. 2

No. 02321/11 Mayner Pope vs. Fred Hanna et al.
No. 01480/11 Kimberly Jackson vs. Edward S. Cohn et al., Substitute Trustees
No. 02535/11 Markena Townsend vs. State of Maryland
No. 02326/11 Lendelle Sanchez vs. State of Maryland
No. 02722/11 Shamire Moore vs. State of Maryland
No. 02736/11 Victor Wayne Safchuck, Jr. vs. State of Maryland
No. 01864/11 David Junior Shaffer vs. State of Maryland
No. 02507/11 Charles Dennis vs. State of Maryland
No. 01959/11 James Edward Taylor vs. State of Maryland

On the day of argument, counsel are instructed to register in the Office of the Clerk **no later than 9 a.m.** The Court is located at 361 Rowe Boulevard, in the Robert C. Murphy Courts of Appeals Building. After January, 2013, the Court will recess until February, 2013.

LESLIE D. GRADET
Clerk

ADMINISTRATIVE ORDER

Pursuant to Maryland Rule 8-522(a), I hereby direct that oral argument in the month of January be limited to 20 minutes per side, subject to the discretion of the hearing panel to allow additional argument, not exceeding a total of 30 minutes per side.

This directive applies only to cases scheduled in January, 2013.

Chief Judge's signature appears on original Administrative Order

Dated: November 15, 2012

[12-25-15]

Regulatory Review and Evaluation

Regulations promulgated under the Administrative Procedure Act will undergo a review by the promulgating agency in accordance with the Regulatory Review and Evaluation Act (State Government Article, §§10-130 — 10-139; **COMAR 01.01.2003.20**). This review will be documented in an evaluation report which will be submitted to the General Assembly's Joint Committee on Administrative, Executive, and Legislative Review. The evaluation reports have been spread over an 8-year period (see **COMAR 01.01.2003.20** for the schedule). Notice that an evaluation report is available for public inspection and comment will be published in this section of the Maryland Register.

TITLE 14 INDEPENDENT AGENCIES

Subtitle 03 MARYLAND COMMISSION ON CIVIL RIGHTS

Opportunity for Public Comment

In accordance with the Regulatory Review and Evaluation Act (State Government Article, §§10-130—10-139, Annotated Code of Maryland), the Maryland Commission on Civil Rights (MCCR) is currently reviewing and evaluating the following chapters of COMAR 14.03:

- COMAR 14.03.02 Anti-Discrimination Relating to Persons with Disabilities
- COMAR 14.03.03 Penalties

The purpose of the review and evaluation is to determine whether existing regulations continue to accomplish the purposes for which they were adopted, clarify ambiguous or unclear language, and repeal any obsolete or duplicative provisions. Pursuant to its work plan the MCCR will evaluate the need to retain, amend, or repeal the regulations based on whether the regulations are:

- Still necessary to the public interest;
- Drafted in a clear and understandable manner;
- Still supported by statutory authority and judicial opinions and consistent with federal regulations and other State regulations;
- Still effective in accomplishing the intended purpose of the regulations;
- Obsolete, duplicative, or otherwise appropriate for amendment or repeal.

The MCCR would like to provide interested parties with the opportunity to participate in the review and evaluation process by submitting comments on the regulations. The comments may address any concerns about the regulations. If the comments include suggested changes to the regulations, please be specific as possible and provide language for the suggested changes.

Comments must be received by:

- For COMAR 14.03.02, March 3, 2013
- For COMAR 14.03.03, March 3, 2013

Comments should be directed to Glendora C. Hughes, General Counsel, and transmitted by mail to 6 St. Paul Street, 9th Floor, Baltimore, Maryland 21202, by fax to 410-333-1841, or by email to glendora.hughes@maryland.gov.

[12-25-26]

Emergency Action on Regulations

Symbol Key

- Roman type indicates text existing before emergency status was granted.
- *Italic type* indicates new text.
- [Single brackets] indicate deleted text.

Emergency Regulations

Under State Government Article, §10-111(b), Annotated Code of Maryland, an agency may petition the Joint Committee on Administrative, Executive, and Legislative Review (AELR), asking that the usual procedures for adopting regulations be set aside because emergency conditions exist. If the Committee approves the request, the regulations are given emergency status. Emergency status means that the regulations become effective immediately, or at a later time specified by the Committee. After the Committee has granted emergency status, the regulations are published in the next available issue of the Maryland Register. The approval of emergency status may be subject to one or more conditions, including a time limit. During the time the emergency status is in effect, the agency may adopt the regulations through the usual promulgation process. If the agency chooses not to adopt the regulations, the emergency status expires when the time limit on the emergency regulations ends. When emergency status expires, the text of the regulations reverts to its original language.

Title 09

DEPARTMENT OF LABOR, LICENSING, AND REGULATION

Subtitle 35 ELEVATOR SAFETY REVIEW BOARD

09.35.01 General Regulations

Authority: Public Safety Article, §§12-822.1, 12-823, 12-824, 12-833.1, 12-834, and 12-837, Annotated Code of Maryland

Notice of Emergency Action

[12-309-E]

The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to new Regulation .01 under **COMAR 09.35.01 General Regulations**.

Emergency status began: November 14, 2012.

Emergency status expires: April 30, 2013.

Editor's Note: The text of this document will not be printed here because it appeared as a Notice of Proposed Action in 39:23 Md. R. 1543—1544 (November 16, 2012), referenced as [12-309-P].

EDWARD M. HORD
Chairman
Elevator Safety Review Board

Final Action on Regulations

Symbol Key

- Roman type indicates text already existing at the time of the proposed action.
- *Italic type* indicates new text added at the time of proposed action.
- Single underline, italic indicates new text added at the time of final action.
- Single underline, roman indicates existing text added at the time of final action.
- ~~[[Double brackets]]~~ indicate text deleted at the time of final action.

Title 01 EXECUTIVE DEPARTMENT

Subtitle 04 OFFICE OF CRIME CONTROL AND PREVENTION

Notice of Final Action

[12-258-F]

On August 8, 2012, the Governor's Office of Crime Control and Prevention adopted:

(1) Amendments to and the recodification of existing Regulations **.02, .04, .07** and **.09—.11** under **COMAR 07.01.15 Domestic Violence Program** to be Regulations **.02, .04, .07, and .09—.11** under **COMAR 01.04.01 Domestic Violence Program**, the repeal of existing Regulation **.12** under **COMAR 07.01.15 Domestic Violence Program**, and the recodification of existing Regulations **.01, .03, and .05, .06, and .08** under **COMAR 07.01.15 Domestic Violence Program** to be Regulations **.01, .03, .05, .06, and .08** under **COMAR 01.04.01 Domestic Violence Program**;

(2) Amendments to and the recodification of existing Regulations **.02, .03, and .08—.10** under **COMAR 07.01.14 Rape Crisis Program** to be Regulations **.02, .03, .08—.10** under **COMAR 01.04.02 Rape Crisis Program**, and the recodification of existing Regulations **.01, and .04—.07** under **COMAR 07.01.14 Rape Crisis Program** to be Regulations **.01, and .04—.07** under **COMAR 01.04.02 Rape Crisis Program**; and

(3) Amendments to and the recodification of existing Regulations **.02, and .08—.10** under **COMAR 07.01.16 Crime Victims' Services Program** to be Regulations **.02, and .08—.10** under **COMAR 01.04.03 Crime Victims' Services Program**, and the recodification of existing Regulations **.01, and .03—.07** under **COMAR 07.01.16 Crime Victims' Services Program** to be Regulations **.01, and .03—.07** under **COMAR 01.04.03 Crime Victims' Services Program**.

This action, which was proposed for adoption in 39:19 Md. R. 1239—1241 (September 21, 2012), has been adopted as proposed.

Effective Date: December 24, 2012.

TAMMY M. BROWN
Executive Director
Office of Crime Control and Prevention

Title 05 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Subtitle 01 GENERAL PROVISIONS

05.01.02 Public Information Requests

Authority: State Government Article, §§10-613 and 10-621, Annotated Code of Maryland

Notice of Final Action

[12-263-F]

On November 26, 2012, the Secretary of Housing and Community Development adopted amendments to Regulation **.14** under **COMAR 05.01.02 Public Information Request**. This action, which was proposed for adoption in 39:20 Md. R. 1311—1312 (October 5, 2012), has been adopted as proposed.

Effective Date: December 24, 2012.

RAYMOND A. SKINNER
Secretary of Housing and Community Development

Title 07 DEPARTMENT OF HUMAN RESOURCES

Subtitle 02 SOCIAL SERVICES ADMINISTRATION

07.02.04 Social Services Eligibility Requirements Based on Income

Authority: Human Services Article, §§4-205 and 4-207, Annotated Code of Maryland
Federal Statutory Reference: 42 U.S.C. §§621 and 9902

Notice of Final Action

[12-270-F]

On November 30, 2012, the Secretary of Human Resources adopted the repeal of existing Regulation **.08** and adopted new Regulation **.08** under **COMAR 07.02.04 Social Services Eligibility Requirements Based on Income**. This action, which was proposed for adoption in 39:20 Md. R. 1312—1313 (October 5, 2012), has been adopted as proposed.

Effective Date: December 24, 2012.

THEODORE DALLAS
Secretary of Human Resources

**Subtitle 07 CHILD SUPPORT
ENFORCEMENT ADMINISTRATION
07.07.19 Administrative Earnings Withholding**

Authority: Family Law Article, §§10-114, 10-120—10-138, and 12-105,
Annotated Code of Maryland
Agency Note: Federal Regulatory Reference—45 CFR §§302.35 and 303.100

Notice of Final Action
[12-271-F]

On November 14, 2012, the Secretary of Human Resources adopted amendments to Regulation .02 under **COMAR 07.07.19 Administrative Earnings Withholding**. This action, which was proposed for adoption in 39:20 Md. R. 1313 (October 5, 2012), has been adopted as proposed.

Effective Date: December 24, 2012.

THEODORE DALLAS
Secretary of Human Resources

**Title 08
DEPARTMENT OF NATURAL
RESOURCES**

Subtitle 02 FISHERIES SERVICE

08.02.08 Shellfish — General

Authority: Natural Resources Article, §4-901, Annotated Code of Maryland

Notice of Final Action
[12-281-F]

On December 4, 2012, the Secretary of Natural Resources adopted amendments to Regulation .10 under **COMAR 08.02.08 Shellfish — General**. This action, which was proposed for adoption in 39:21 Md. R. 1385—1386 (October 19, 2012), has been adopted as proposed.

Effective Date: December 24, 2012.

JOHN R. GRIFFIN
Secretary of Natural Resources

Subtitle 02 FISHERIES SERVICE

08.02.11 Fishing in Nontidal Waters

Authority: Natural Resources Article, §4-602, Annotated Code of Maryland

Notice of Final Action
[12-284-F]

On December 4, 2012, the Secretary of Natural Resources adopted amendments to Regulations .01 and .03 under **COMAR 08.02.11 Fishing in Nontidal Waters**. This action, which was proposed for adoption in 39:21 Md. R. 1386—1388 (October 19, 2012), has been adopted as proposed.

Effective Date: January 1, 2013.

JOHN R. GRIFFIN
Secretary of Natural Resources

**Subtitle 02 FISHERIES SERVICE
08.02.21 Yellow Perch**

Authority: Natural Resources Article, §4-215, Annotated Code of Maryland

Notice of Final Action
[12-280-F]

On December 4, 2012, the Secretary of Natural Resources adopted amendments to Regulation .04 under **COMAR 08.02.21 Yellow Perch**. This action, which was proposed for adoption in 39:21 Md. R. 1388 (October 19, 2012), has been adopted as proposed.

Effective Date: December 24, 2012.

JOHN R. GRIFFIN
Secretary of Natural Resources

**Title 09
DEPARTMENT OF LABOR,
LICENSING, AND
REGULATION**

Subtitle 10 RACING COMMISSION

09.10.02 Harness Racing

Authority: Business Regulation Article, §11-210, Annotated Code of Maryland

Notice of Final Action
[12-244-F]

On November 20, 2012, the Maryland Racing Commission adopted amendments to Regulation .43 under **COMAR 09.10.02 Harness Racing**. This action, which was proposed for adoption in 39:18 Md. R. 1202 (September 7, 2012), has been adopted as proposed.

Effective Date: December 24, 2012.

J. MICHAEL HOPKINS
Executive Director

Title 10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 01 PROCEDURES

10.01.21 Medical Orders for Life-Sustaining Treatment (MOLST) Form — Procedures and Requirements

Authority: Health-General Article, §§2-104, 5-608, 5-608.1, and 5-609,
Annotated Code of Maryland

Notice of Final Action

[12-206-F]

On December 4, 2012, the Secretary of Health and Mental Hygiene adopted new Regulations .01—.07 under a new chapter, **COMAR 10.01.21 Medical Orders for Life-Sustaining Treatment (MOLST) Form — Procedures and Requirements**. This action, which was proposed for adoption in 39:16 Md. R. 1087—1089 (August 10, 2012), has been adopted with the nonsubstantive changes shown below.

Effective Date: January 1, 2013.

Attorney General's Certification

In accordance with State Government Article, §10-113, Annotated Code of Maryland, the Attorney General certifies that the following changes do not differ substantively from the proposed text. The nature of the changes and the basis for this conclusion are as follows:

Regulation .04B, C(1), C(2), and D: Replace “6 months after effective date” and “effective date of these regulations” with the actual dates for clarity.

Regulation .04E(3) and (4): The word “competent” has been added before “patient” to make explicit what was already implicit in the regulations.

Regulation .04H: A provision has been added expressly recognizing that an individual may request that a facility complete a MOLST form on his or her behalf even in circumstances when the law does not require the completion of a MOLST form and that a facility is not prohibited from fulfilling that request. This makes explicit what was already implicit in the regulations. It imposes no new obligation on any person or facility.”

MOLST Form — instruction page: Inserted the words “a competent” before the word “patient” in the last sentence of the first paragraph. The word “competent” has been added to make explicit what was already implicit in the regulations.

(NOTE: The corrected form appears in its entirety at the end of the Proposed Action on Regulations section of this issue of the Maryland Register.)

.03 Nature and Contents of the MOLST Form and Instructions.

The content of the form and the form's instructions are as follows:

This document appears at the end of the Proposed Action on Regulations section of this issue of the Maryland Register.

.04 Use of the MOLST Form.

A. (proposed text unchanged)

B. *Beginning* [[6 months after the effective date of this chapter] July 1, 2013, the following health care facilities are required to accept, update if appropriate, and complete the MOLST form for each patient during the admission process in accordance with the form's instructions:

(1)—(5) (proposed text unchanged)

C. *An assisted living program or a nursing home shall also complete the MOLST form for a patient:*

(1) *Admitted before*[[the effective date of these regulations]] January 1, 2013; and

(2) *Who continues to reside in the assisted living program or nursing home* [[6 months after the effective date of this chapter]] after July 1, 2013.

D. *Beginning* [[6 months after the effective date of this chapter]] July 1, 2013, a hospital shall:

(1)—(2) (proposed text unchanged)

E. *When initially completing a MOLST form or updating an existing MOLST form, a health care facility shall:*

(1)—(2) (proposed text unchanged)

(3) *Inform the competent patient or authorized decision maker that the MOLST form will become part of the medical record and can be accessed through the procedures used to access a medical record; and*

(4) *Give the competent patient or authorized decision maker a copy of the completed form within 48 hours or sooner if the patient is discharged or transferred.*

F.—G. (text unchanged)

H. Any individual may request that a health care facility complete a MOLST form on his or her behalf, even if completion of a MOLST form is not required under these regulations or otherwise required by law. A health care facility that completes a MOLST form under these circumstances shall provide a copy of the completed form within 48 hours to the individual requesting completion of the form.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.20 Personal Care Services

Authority: Health-General Article, §§2-104(b), 15-103, and 15-105,
Annotated Code of Maryland

Notice of Final Action

[12-260-F]

On November 19, 2012, the Secretary of Health and Mental Hygiene adopted amendments to Regulation .07 under **COMAR 10.09.20 Personal Care Services**. This action, which was proposed for adoption in 39:19 Md. R. 1241—1242 (September 21, 2012), has been adopted as proposed.

Effective Date: December 24, 2012.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 09 MEDICAL CARE PROGRAMS

Notice of Final Action

[12-235-F]

On November 19, 2012, the Secretary of Health and Mental Hygiene adopted:

(1) Amendments to Regulation .01 under **COMAR 10.09.62 Maryland Medicaid Managed Care Program: Definitions;**

(2) Amendments to Regulations .01, .02, and .04 under **COMAR 10.09.63 Maryland Medicaid Managed Care Program: Eligibility and Enrollment;**

(3) Amendments to Regulation **.08** under **COMAR 10.09.64 Maryland Medicaid Managed Care Program: MCO Application;**

(4) Amendments to Regulations **.02, .03, .08, .19-3, and .20** under **COMAR 10.09.65 Maryland Medicaid Managed Care Program: Managed Care Organizations;**

(5) Amendments to Regulation **.04** under **COMAR 10.09.66 Maryland Medicaid Managed Care Program: Access;**

(6) Amendments to Regulations **.07, .12, .20, .21, and .27** under **COMAR 10.09.67 Maryland Medicaid Managed Care Program: Benefits;**

(7) Amendments to Regulations **.04** and **.17** under **COMAR 10.09.69 Maryland Medicaid Managed Care Program: Rare and Expensive Case Management;** and

(8) Amendments to Regulation **.04** under **COMAR 10.09.75 Maryland Medicaid Managed Care Program: Corrective Managed Care.**

The Secretary is withdrawing the proposed amendments to Regulation **.06** under **COMAR 10.09.64 Maryland Medicaid Managed Care Program: MCO Application** and new Regulation **.06** under **COMAR 10.09.67 Maryland Medicaid Managed Care Program: Benefits.**

This action, which was proposed for adoption in 39:18 Md. R. 1203—1207 (September 7, 2012), has been adopted with the nonsubstantive changes shown below.

Effective Date: December 24, 2012.

Attorney General's Certification

In accordance with State Government Article, §10-113, Annotated Code of Maryland, the Attorney General certifies that the following changes do not differ substantively from the proposed text. The nature of the changes and the basis for this conclusion are as follows:

COMAR 10.09.67.27B(14): Incorrect cross reference is being deleted.

COMAR 10.09.67.27B(15): COMAR reference was changed from 109.09.19 to 10.09.19 to correct COMAR reference.

.27 Benefits — Limitations.

A. (proposed text unchanged)

B. *An MCO is not required to provide any of the following benefits or services which are reimbursed directly by the Department:*

(1)—(13) (proposed text unchanged)

(14) Effective July 1, 2009, reimbursement for dental services for enrollees younger than 21 years old and pregnant women [[including the dentist's professional fees for the services described in Regulation .06 of this chapter];

(15) *Transportation services provided through grants to local governments pursuant to COMAR [[109.09.19]] 10.09.19;*

(16)—(17) (proposed text unchanged)

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 29 BOARD OF MORTICIANS AND FUNERAL DIRECTORS

10.29.09 Requirements for Apprenticeship

Authority: Health Occupations Article, §§7-205 and 7-306, Annotated Code of Maryland

Notice of Final Action

[12-237-F]

On November 19, 2012, the Secretary of Health and Mental Hygiene adopted amendments to Regulations **.03** and **.04** under **COMAR 10.29.09 Requirements for Apprenticeship.** This action,

which was proposed for adoption in 39:18 Md. R. 1207—1208 (September 7, 2012), has been adopted as proposed.

Effective Date: December 24, 2012.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 34 BOARD OF PHARMACY

10.34.11 *Disciplinary Sanctions, Monetary Penalties, and Civil Fines*

Authority: Health Occupations Article, §§1-606, 12-313, 12-314, 12-409, 12-410, 12-601, 12-6B-09, 12-6B-10, 12-6C-11, and 12-707, Annotated Code of Maryland

Notice of Final Action

[12-231-F]

On November 19, 2012, the Secretary of Health and Mental Hygiene adopted the repeal of existing Regulations **.01—,07** and new Regulations **.01—,11** under **COMAR 10.34.11 Disciplinary Sanctions, Monetary Penalties, and Civil Fines.** This action, which was proposed for adoption in 39:17 Md. R. 1159—1166 (August 24, 2012), has been adopted as proposed.

Effective Date: December 24, 2012.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 44 BOARD OF DENTAL EXAMINERS

10.44.05 *Licensure for Dentists Licensed in Another State*

Authority: Health Occupations Article, §§4-303.1(d) and 4-306, Annotated Code of Maryland

Notice of Final Action

[12-250-F]

On November 19, 2012, the Secretary of Health and Mental Hygiene adopted the repeal of existing Regulations **.01 — .05** under **COMAR 10.44.05 Licensure by Waiver of Practical Clinical Examination for Dentists** and new Regulations **.01 — .06** under **COMAR 10.44.05 Licensure for Dentists Licensed in Another State.** This action, which was proposed for adoption in 39:19 Md. R. 1271—1272 (September 21, 2012), has been adopted as proposed.

Effective Date: December 24, 2012.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 44 BOARD OF DENTAL EXAMINERS

10.44.09 *Licensure for Dental Hygienists Licensed in Another State*

Authority: Health Occupations Article, §§4-303.1(d) and 4-306, Annotated Code of Maryland

Notice of Final Action

[12-251-F]

On November 19, 2012, the Secretary of Health and Mental Hygiene adopted the repeal of existing Regulations **.01—,05** under

COMAR 10.44.09 Licensure by Waiver of Practical Clinical Examination for Dental Hygienists and new Regulations **.01—06** under **COMAR 10.44.09 Licensure for Dental Hygienists Licensed in Another State**. This action, which was proposed for adoption in 39:19 Md. R. 1272—1274 (September 21, 2012), has been adopted as proposed.

Effective Date: December 24, 2012.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 44 BOARD OF DENTAL EXAMINERS

10.44.15 Dentists and Dental Hygienists — Licensure by Examination

Authority: Health Occupations Article, §§4-302, 4-303.1(d), 4-305, and 4-306, Annotated Code of Maryland

Notice of Final Action
[12-246-F]

On November 19, 2012, the Secretary of Health and Mental Hygiene adopted the repeal of existing Regulations **.01 — .08** under **COMAR 10.44.15 Examination for Licensure** and new Regulations **.01 — .09** under **COMAR 10.44.15 Dentists and Dental Hygienists — Licensure by Examination**. This action, which was proposed for adoption in 39:19 Md. R. 1274—1275 (September 21, 2012), has been adopted as proposed.

Effective Date: December 24, 2012.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Title 11 DEPARTMENT OF TRANSPORTATION

Subtitle 03 MARYLAND AVIATION ADMINISTRATION

Notice of Final Action
[12-236-F-I]

On November 7, 2012, the Executive Director of the Maryland Aviation Administration adopted amendments to:

(1) Regulation **.01-1** under **COMAR 11.03.01 Baltimore/Washington International Thurgood Marshall Airport**; and

(2) Regulation **.10** under **COMAR 11.03.02 Martin State Airport**.

This action, which was proposed for adoption in 39:18 Md. R. 1210—1211 (September 7, 2012), has been adopted as proposed.

Effective Date: December 24, 2012.

PAUL J. WIEDEFELD
Executive Director
Maryland Aviation Administration

Subtitle 04 STATE HIGHWAY ADMINISTRATION

11.04.04 Oversize and Overweight Vehicles — Escort Vehicles, Signing, and Lighting

Authority: Transportation Article, §§2-103(b), 4-205(f), 8-204(b)—(d), 24-112, Annotated Code of Maryland

Notice of Final Action
[12-275-F]

On November 20, 2012, the Administrator of the State Highway Administration adopted amendments to Regulation **.06** under **COMAR 11.04.04 Oversize and Overweight Vehicles — Escort Vehicles, Signing, and Lighting**. This action, which was proposed for adoption in 39:20 Md. R. 1336—1337 (October 5, 2012), has been adopted as proposed.

Effective Date: December 24, 2012.

MELINDA B. PETERS
Administrator
State Highway Administration

Subtitle 04 STATE HIGHWAY ADMINISTRATION

11.04.10 Specific Information or Business Signs

Authority: Transportation Article, §§4-205(f), 4-405, 8-204(b), and 8-605, Annotated Code of Maryland

Notice of Final Action
[12-265-F]

On November 20, 2012, the Administrator of the State Highway Administration adopted amendments to Regulations **.01—07** under **COMAR 11.04.10 Specific Information or Business Signs**. This action, which was proposed for adoption in 39:20 Md. R. 1337—1339 (October 5, 2012), has been adopted as proposed.

Effective Date: December 24, 2012.

MELINDA B. PETERS
Administrator
State Highway Administration

Subtitle 15 MOTOR VEHICLE ADMINISTRATION — VEHICLE REGISTRATION

11.15.35 Mopeds, Motor Scooters, and Off-Highway Recreational Vehicles

Authority: Transportation Article, §§12-104(b), 11-134.1, 11-134.5, 13-102, 13-106, 17-104.1, and 21-1306.1; Insurance Article, §19-505, Annotated Code of Maryland

Notice of Final Action
[12-240-F]

On October 25, 2012, the Administrator of the Motor Vehicle Administration adopted new Regulations **.01—05** under a new chapter, **COMAR 11.15.35 Mopeds, Motor Scooters, and Off-Highway Recreational Vehicles**. This action, which was proposed

for adoption in 39:18 Md. R. 1211—1212 (September 7, 2012), has been adopted as proposed.

Effective Date: December 24, 2012.

JOHN T. KUO
Administrator
Motor Vehicle Administration

Title 14 INDEPENDENT AGENCIES

Subtitle 01 STATE LOTTERY AGENCY

14.01.14 Video Lottery Facility Minimum Internal Control Standards

Authority: State Government Article, §9-1A-04, Annotated Code of Maryland

Notice of Final Action

[12-264-F]

On November 19, 2012, the Maryland State Lottery Agency adopted amendments to Regulations **.04, .08, .37, .38, and .45** and new Regulation **.50** under **COMAR 14.01.14 Video Lottery Facility Minimum Internal Control Standards**. This action, which was proposed for adoption in 39:20 Md. R. 1343 — 1344 (October 5, 2012), has been adopted as proposed.

Effective Date: December 24, 2012.

STEPHEN L. MARTINO
Director
State Lottery Agency

Title 15 DEPARTMENT OF AGRICULTURE

Subtitle 01 OFFICE OF THE SECRETARY

15.01.05 Cost Sharing — Water Pollution Control Program

Authority: Agriculture Article, §§2-103, 8-703, 8-704, and 8-803.1, Annotated Code of Maryland; Ch. 306, Acts of 1982 (Uncodified)

Notice of Final Action

[12-279-F]

On December 4, 2012, the Secretaries of Agriculture and the Environment jointly adopted amendments to Regulations **.02, .09, and .10** under **COMAR 15.01.05 Cost Sharing — Water Pollution Control Program**. This action, which was proposed for adoption in 39:21 Md. R. 1397 — 1398 (October 19, 2012), has been adopted as proposed.

Effective Date: December 24, 2012.

EARL F. HANCE
Secretary of Agriculture

ROBERT M. SUMMERS, Ph.D.
Secretary of the Environment

Subtitle 07 APIARY INSPECTION

Notice of Final Action

[12-287-F]

On December 4, 2012, the Secretary of Agriculture adopted:

(1) New Regulations **.08** and **.09** under **COMAR 15.07.01 General Regulations**; and

(2) The repeal of existing Regulations **.01 — .09** under **COMAR 15.07.02 Varroa Mite Control for Bees Transported Into or Through Maryland**.

This action, which was proposed for adoption in 39:21 Md. R. 1398 — 1399 (October 19, 2012), has been adopted as proposed.

Effective Date: December 24, 2012.

EARL F. HANCE
Secretary of Agriculture

Title 17 DEPARTMENT OF BUDGET AND MANAGEMENT

Subtitle 04 PERSONNEL SERVICES AND BENEFITS

17.04.04 Separations, Reemployment, and Reinstatement

Authority: State Personnel and Pensions Article §§2-801, 4-106, and Title 11, Annotated Code of Maryland

Notice of Final Action

[12-262-F]

On November 26, 2012, the Secretary of Budget and Management adopted amendments to Regulation **.04** under **COMAR 17.04.04 Separations, Reemployment, and Reinstatement**. This action, which was proposed for adoption in 39:20 Md. R. 1345 (October 5, 2012), has been adopted as proposed.

Effective Date: December 24, 2012.

T. ELOISE FOSTER
Secretary of Budget and Management

Title 26 DEPARTMENT OF THE ENVIRONMENT

Subtitle 11 AIR QUALITY

26.11.02 Permits, Approvals, and Registration

Authority: Environment Article, §§1-101, 1-404, 2-101—2-103, 2-301—2-303, and 2-401—2-404, Annotated Code of Maryland

Notice of Final Action

[12-196-F]

On November 9, 2012, the Secretary of the Environment adopted amendments to Regulation **.09** under **COMAR 26.11.02 Permits, Approvals, and Registration**.

This action, which was proposed for adoption in 39:16 Md. R. 1118—1119 (August 10, 2012), has been adopted with the nonsubstantive changes shown below.

Effective Date: December 24, 2012.

Attorney General's Certification

In accordance with State Government Article, §10-113, Annotated Code of Maryland, the Attorney General certifies that the following changes do not differ substantively from the proposed text. The nature of the changes and the basis for this conclusion are as follows:

COMAR 26.11.02.09A(3) and (4): Corrections made to comply with statutory requirements.

.09 Sources Subject to Permits to Construct and Approvals.

A. A person may not construct or modify or cause to be constructed or modified any of the following sources without first obtaining, and having in current effect, the specified permits to construct and approvals:

(1) —(2) (proposed text unchanged)

(3) New Source Performance Standard Source (NSPS source), as defined at COMAR 26.11.01.01—permit to construct required, ~~[[except for generating stations constructed by electric companies]]~~ *except for electric generating stations that receive a certificate of public convenience and necessity (CPCN) under Public Utilities Article, §§7-207 and 7-208, Annotated Code of Maryland;*

(4) National Emission Standards for Hazardous Air Pollutants Source (NESHAP source), as defined at COMAR 26.11.01.01B(21)(a)—permit to construct required, ~~[[except for generating stations constructed by electric companies]]~~ *except for electric generating stations that receive a certificate of public convenience and necessity (CPCN) under Public Utilities Article, §§7-207 and 7-208, Annotated Code of Maryland;*

(5) —(6) (proposed text unchanged)

B. — D. (proposed text unchanged)

ROBERT M. SUMMERS, Ph.D.
Secretary of the Environment

Withdrawal of Regulations

Title 10

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.26 Community Pathways and New Direction Waivers for Individuals with Developmental Disabilities

Authority: Health-General Article, §§2-104(b), 15-103, and 15-105,
Annotated Code of Maryland

Notice of Withdrawal

[12-259-W]

The Secretary of Health and Mental Hygiene withdraws the repeal of existing Regulations .01—.17 under **COMAR 10.09.26 Community Based Services for Developmentally Disabled Individuals Pursuant to a 1915(c) Waiver** and adoption of new Regulations .01—.30 under **COMAR 10.09.26 Community Pathways and New Direction Waivers for Individuals with Developmental Disabilities** as published in 39:19 Md. R. 1242—1255 (September 21, 2012).

JOSHUA. M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Proposed Action on Regulations

For information concerning citizen participation in the regulation-making process, see inside front cover.

Symbol Key

- Roman type indicates existing text of regulation.
- *Italic type* indicates proposed new text.
- [Single brackets] indicate text proposed for deletion.

Promulgation of Regulations

An agency wishing to adopt, amend, or repeal regulations must first publish in the Maryland Register a notice of proposed action, a statement of purpose, a comparison to federal standards, an estimate of economic impact, an economic impact on small businesses, a notice giving the public an opportunity to comment on the proposal, and the text of the proposed regulations. The opportunity for public comment must be held open for at least 30 days after the proposal is published in the Maryland Register.

Following publication of the proposal in the Maryland Register, 45 days must pass before the agency may take final action on the proposal. When final action is taken, the agency must publish a notice in the Maryland Register. Final action takes effect 10 days after the notice is published, unless the agency specifies a later date. An agency may make changes in the text of a proposal. If the changes are not substantive, these changes are included in the notice of final action and published in the Maryland Register. If the changes are substantive, the agency must repropose the regulations, showing the changes that were made to the originally proposed text.

Proposed action on regulations may be withdrawn by the proposing agency any time before final action is taken. When an agency proposes action on regulations, but does not take final action within 1 year, the proposal is automatically withdrawn by operation of law, and a notice of withdrawal is published in the Maryland Register.

Title 07

DEPARTMENT OF HUMAN RESOURCES

Subtitle 07 CHILD SUPPORT ENFORCEMENT ADMINISTRATION

07.07.01 Child Support Enforcement — Definitions

Authority: Family Law Article, §§10-113, 10-113.2, 10-114, and 12-102, Annotated Code of Maryland; Agency Note: Federal Regulatory Reference— [42 U.S.C. §652(f)] 45 CFR §303.7(b)

Notice of Proposed Action

[12-338-P]

The Secretary of Human Resources proposes to amend Regulation .02 under **COMAR 07.07.01 Child Support Enforcement — Definitions**.

Statement of Purpose

The purpose of this action is to make a technical change to correct a typographical error and to conform to federal changes in terminology. Maryland regulations are changing the current references to “Interstate Central Registry” and “interstate” to read “Maryland Central Registry” and “intergovernmental”, respectively, to conform to federal terms.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Andrea Shuck, Acting Regulations Coordinator, Department of Human Resources, Office of Government, Corp. and Comm. Affairs, 311 W. Saratoga Street, Room 270, Baltimore, MD. 21201-3521, or call 410-767-2149, or email to AShuck@dhr.state.md.us, or fax to 410-333-0637. Comments will be accepted through January 14, 2013. A public hearing has not been scheduled.

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(3-1) (text unchanged)

(4) “Certify” means to furnish the name, other identification, and amount of arrearage of an individual owing a delinquent support obligation for:

(a)—(c) (text unchanged)

(d) A lottery intercept; [or]

(e)—(g) (text unchanged)

(5)—(15) (text unchanged)

(16) “[Interstate] *Maryland* Central Registry” means the unit in the Administration that coordinates requests for support enforcement in [interstate] *intergovernmental* cases.

(17)—(38) (text unchanged)

THEODORE DALLAS
Secretary of Human Resources

Title 08 DEPARTMENT OF NATURAL RESOURCES

Subtitle 04 BOATING

08.04.06 Marine Gathering Permits

Authority: Natural Resources Article, §8-725.7, Annotated Code of Maryland

Notice of Proposed Action

[12-334-P]

The Secretary of Natural Resources proposes to adopt new Regulations .01 and .02 under a new chapter, **COMAR 08.04.06 Marine Gathering Permits**.

Statement of Purpose

The purpose of this action is to require event coordinators to obtain a permit, which would give law enforcement and EMS advanced notice of marine gatherings. This will also hold persons responsible for properly managing their event. By setting event boundaries, time frames, and event security, these events can occur with minimal impact on communities, EMS, and law enforcement.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Captain Jerry Kirkwood, Adjutant to the Superintendent, Maryland Natural Resources Police, Tawes State Office Bldg., 580 Taylor Ave., E-3, Annapolis, MD 21401, or call 410-260-8841, or email to MarineGatheringsPublicComment@dnr.state.md.us, or fax to 410-260-8878. Comments will be accepted through January 14, 2013. A public hearing has not been scheduled.

.01 Definitions.

A. In this chapter, the following terms have the meaning indicated.

B. Terms Defined.

(1) "Marina" means a facility for the mooring, docking, or storing of more than ten vessels on tidal navigable waters, including a commercial, noncommercial, or community facility.

(2) Marine Gathering.

(a) "Marine gathering" means an intentional congregation of at least 100 vessels in the waters of the State that, by its nature, circumstances, or location, creates extra or unusual hazards to life or property.

(b) "Marine gathering" does not include:

(i) A race, a regatta, a parade, an exhibition, or other marine event for which a permit is required by the United States Coast Guard;

(ii) A docking competition; or

(iii) Vessels docked or moored at a marina.

(3) "Permit" means a marine gathering permit issued in accordance with this chapter.

.02 Marine Gathering Permit.

A. Permit Required.

(1) Except as provided in §A(2) of this regulation, an individual shall obtain a permit from the Natural Resources Police prior to sponsoring or holding a marine gathering.

(2) A permit is not required if the marine gathering will last less than 3 hours.

B. Permit Application. Prior to sponsoring or holding a marine gathering, an individual shall:

(1) Apply for a permit by submitting a completed application on a form provided by the Department; and

(2) Submit a nonrefundable application fee of \$100.

C. Timing of Application. An application for a permit shall be submitted to the Department not later than 45 days before the event.

D. Possession of Permit. A permit holder shall have the permit in possession for the duration of the event.

JOHN R. GRIFFIN
Secretary of Natural Resources

Title 09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

Subtitle 12 DIVISION OF LABOR AND INDUSTRY

09.12.81 Elevator, Escalator, and Chairlift Safety

Authority: Public Safety Article, §§12-805 and 12-806, Annotated Code of Maryland

Notice of Proposed Action

[12-333-P-I]

The Commissioner of Labor and Industry proposes to amend Regulation .02 under **COMAR 09.12.81 Elevator, Escalator, and Chairlift Safety**.

Statement of Purpose

The purpose of this action is to adopt, through incorporation by reference, ASME A18.1a-2001 Addenda to ASME A18.1-1999 Safety Standard for Platform Lifts and Stairway Chairlifts; ASME A18.1b-2001 Addenda to ASME 18.1-1999 Safety Standard for Platform Lifts and Stairway Chairlifts; ASME A18.1-2003 (Revision of ASME A18.1-1999) Safety Standard for Platform Lifts and Stairway Chairlifts; ASME A18.1-2005 (Revision of ASME A18.1-2003) Safety Standard for Platform Lifts and Stairway Chairlifts; and ASME A18.1-2008 (Revision of ASME A18.1-2005) Safety Standard for Platform Lifts and Stairway Chairlifts, as amended.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Debbie Stone, Regulations Coordinator, Department of Labor, Licensing, and Regulation, Division of Labor and Industry, 1100 N. Eutaw Street, Room 606, Baltimore, Maryland 21201, or call 410-767-2225, or email to dstone@dllr.state.md.us, or fax to 410-767-2986. Comments will be accepted through January 14, 2013. A public hearing has not been scheduled.

Editor’s Note on Incorporation by Reference

Pursuant to State Government Article, §7-207, Annotated Code of Maryland, ASME A18.1a-2001 Addenda to ASME A18.1-1999 Safety Standard for Platform Lifts and Stairway Chairlifts; ASME A18.1b-2001 Addenda to ASME 18.1-1999 Safety Standard for Platform Lifts and Stairway Chairlifts; ASME A18.1-2003 (Revision of ASME A18.1-1999) Safety Standard for Platform Lifts and Stairway Chairlifts; ASME A18.1-2005 (Revision of ASME A18.1-2003) Safety Standard for Platform Lifts and Stairway Chairlifts; and ASME A18.1-2008 (Revision of ASME A18.1-2005) Safety Standard for Platform Lifts and Stairway Chairlifts, as amended, have been declared documents generally available to the public and appropriate for incorporation by reference. For this reason, they will not be printed in the Maryland Register or the Code of Maryland Regulations (COMAR). Copies of these documents are filed in special public depositories located throughout the State. A list of these depositories was published in 39:2 Md. R. 104 (January 27, 2012), and is available online at www.dsd.state.md.us. These documents may also be inspected at the office of the Division of State Documents, 16 Francis Street, Annapolis, Maryland 21401.

.02 Safety Standard for Platform Lifts and Stairway Chairlifts.

A. Scope

(1) — (3) (text unchanged)

(4) *ASME A18.1a-2001 Addenda to ASME A18.1-1999 Safety Standard for Platform Lifts and Stairway Chairlifts is incorporated by reference, as amended, and is effective February 18, 2013.*

(5) *ASME A18.1b-2001 Addenda to ASME A18.1-1999 Safety Standard for Platform Lifts and Stairway Chairlifts is incorporated by reference, as amended, and is effective February 18, 2013.*

(6) *ASME A18.1-2003 (Revision of ASME A18.1-1999) Safety Standard for Platform Lifts and Stairway Chairlifts is incorporated by reference, as amended, and is effective February 18, 2013.*

(7) *ASME A18.1-2005 (Revision of ASME A18.1-2003) Safety Standard for Platform Lifts and Stairway Chairlifts is incorporated by reference, as amended, and is effective February 18, 2013.*

(8) *ASME A18.1-2008 (Revision of ASME A18.1-2005) Safety Standard for Platform Lifts and Stairway Chairlifts is incorporated by reference, as amended, and is effective February 18, 2013.*

B. In addition to the requirements of Part XX, Inclined Stairway Chairlifts and Inclined and Vertical Wheelchair Lifts, of the A17.1-Safety Code for Elevators, and the requirements of ASME A18.1-1999 Safety Standard for Platform Lifts and Stairway Chairlifts, and all subsequent amendments, §§C—F of this regulation apply.

C.—F. (text unchanged)

J. RONALD DEJULIIS
Commissioner of Labor and Industry

**Subtitle 28 BOARD OF EXAMINERS
OF LANDSCAPE ARCHITECTS**

09.28.03 Fees

Authority: Business Regulation Article, §§2-106.1 and 2-106.2; Business Occupations and Professions Article, §§9-206, 9-207, 9-305.1, and 9-306; Annotated Code of Maryland

Notice of Proposed Action

[12-345-P]

The Board of Examiners of Landscape Architects proposes to amend Regulation .03 under **COMAR 09.28.03 Fees**. This action was considered by the Board at a public meeting held on June 18, 2012, notice of which was published in 38:11 Md. R. 730 (June 1, 2012).

Statement of Purpose

The purpose of this action is to amend the examination fee schedule to conform to the exam structure and pricing developed by the national organization, Council of Landscape Architectural Registration Boards (CLARB).

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. Exam candidates previously paid a total sum of \$1,401 to take the five-part examination. The total cost of the revised four-part computerized exam is \$1,650. There is an increase of \$249 per candidate. However, candidates no longer pay the \$60 test administration fee to the Maryland Board. Approximately 50 candidates take the exam per year through the Maryland Board resulting in a loss of revenue to the Maryland Board of approximately \$3,000 per year.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:		
Board of Examiners of Landscape Architects	(R-)	\$60 per candidate
B. On other State agencies:	NONE	
C. On local governments:	NONE	
D. On regulated industries or trade groups:		
Exam candidates	(-)	\$249 per candidate
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

A. The Board previously collected exam fees for two sections of the exam which it administered and a \$60 test administration fee from each candidate. The exam fees were passed through to the national organization. With the conversion to all computer based

format, the Board will not be involved in the administration of any sections of the exam and will not collect any exam fees. The Board will lose the revenues it collected for the test administration fee.

D. The total cost of the previous five-part exam was \$1,401. The total cost for the four-part computerized exam is \$1,650, resulting in an overall increase of \$249.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Pamela J. Edwards, Executive Director, Board of Examiners of Landscape Architects, 500 N. Calvert Street, Room 308, Baltimore, MD 21202, or call 410-230-6262, or email to pamedwards@dllr.state.md.us, or fax to 410-333-0021. Comments will be accepted through January 15, 2013. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Board of Examiners of Landscape Architects during a public meeting to be held on March 18, 2013, 1:30 p.m., at 500 N. Calvert Street, Third Floor Conference Room, Baltimore, MD 21202.

.03 Fees and Costs.

A. — B. (text unchanged)

C. An applicant for the licensing examination shall pay the following examination fees directly to the [Board or its designee,] *Council of Landscape Architectural Registration Boards (CLARB)* as these fees are established by [the Council of Landscape Architectural Registration Boards:] *CLARB*:

[(1) For the June, 2010, examination:

(a) Section C—Site Design — \$276;

(b) Section E—Grading, Drainage, and Stormwater Management — \$276;

(2) For the December, 2010, examination:

(a) Section C—Site Design — \$280;

(b) Section E—Grading, Drainage, and Stormwater Management — \$280;

(3) For the June, 2011, examination:

(a) Section C—Site Design — \$280;

(b) Section E—Grading, Drainage, and Stormwater Management — \$280;

(4) For the December, 2011, examination:

(a) Section C—Site Design — \$288;

(b) Section E—Grading, Drainage, and Stormwater Management — \$288.

(5) For the June, 2012, examination:

(a) Section C—Site Design — \$288;

(b) Section E—Grading, Drainage, and Stormwater Management — \$288.]

(1) *Section 1: Project and Construction Administration — \$325;*

(2) *Section 2: Inventory and Analysis — \$325;*

(3) *Section 3: Design — \$500;*

(4) *Section 4: Grading, Drainage, and Construction Documentation — \$500.*

[D.] — [K.] (proposed for repeal)

CHRISTOPHER L. SCHEIN
Chairman

State Board of Examiners of Landscape Architects

**Title 10
DEPARTMENT OF HEALTH
AND MENTAL HYGIENE**

**Subtitle 09 MEDICAL CARE
PROGRAMS**

10.09.06 Hospital Services

Authority: Health-General Article, §2-104(b), 15-102.8, 15-103, and 15-105, Annotated Code of Maryland

Notice of Proposed Action

[12-335-P]

The Secretary of Health and Mental Hygiene proposes to amend Regulations .03, .10, .15, and .15-1 under **COMAR 10.09.06 Hospital Services**.

Statement of Purpose

The purpose of this action is to amend this chapter to implement a provision of the Budget Reconciliation and Financing Act of 2012 which authorizes the Department to impose a Medicaid claims processing fee on District of Columbia (D.C.) hospitals. These amendments also raise Medicaid reimbursement rates for D.C. hospitals.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. This impact includes the July 1, 2012, legislated claims processing fee of 6 percent which equates to \$6,004,753 for fee for service claims. It also includes an increase of 9 percent in rates to D.C. Hospitals which equates to \$8,263,421. This is a net increase of 3 percent for D.C. hospitals.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	(E+)	\$8,263,421
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:	(-)	\$6,004,753
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

A and D. There will be a positive impact to D.C. hospitals due to the 9 percent increase in rates paid by the fee-for service program. That increase will be offset by a claims processing fee of 6 percent.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michele Phinney, Director, Office of Regulation and Policy Coordination, Department of Health and Mental Hygiene, 201 W. Preston Street, Room 512, Baltimore, Maryland 21201, or call 410-767-6499 (TTY 800-735-2258), or email to dhmh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through January 14, 2013. A public hearing has not been scheduled.

.03 Conditions for Participation.

A. (text unchanged)

B. Specific requirements for participation in the Program as a hospital services provider require that the provider:

(1)—(8) (text unchanged)

(9) If a District of Columbia hospital, shall allow all HealthChoice managed care organizations to pay no more and no less than the reimbursement rates in [COMAR 10.09.06.15B] *COMAR 10.09.06.15B(3)* and [COMAR 10.09.06.15-1A] *COMAR 10.09.06.15-1A(3)* unless the parties mutually agree to an alternative arrangement in a contract on or after July 1, 2011.

C. (text unchanged)

.10 Billing and Reimbursement Principles.

A.—R. (text unchanged)

S. *For all dates of service beginning July 1, 2012, a quarterly claims processing fee of 6 percent shall be imposed on all claims paid to a hospital located in the District of Columbia.*

.15 District of Columbia Hospital Reimbursement.

A. (text unchanged)

B. Outpatient Services.

(1)—(3) (text unchanged)

(4) *Effective for dates of service starting July 1, 2012, the rates calculated in accordance with §B(2) and (3) of this regulation shall be increased by 9 percent.*

[(4)] (5)—[(6)] (7) (text unchanged)

.15-1 District of Columbia Hospital Reimbursement — Revised Inpatient Methodology.

A. Inpatient Services Rate Calculation.

(1)—(3) (text unchanged)

(4) *Effective for dates of service starting July 1, 2012, the rates calculated in accordance with §B(2) and (3) of this regulation shall be increased by 9 percent.*

[(4)] (5)—[(11)] (12) (text unchanged)

B. (text unchanged)

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 24 MARYLAND HEALTH CARE COMMISSION

10.24.01 Certificate of Need for Health Care Facilities

Authority: Health-General Article, §§19-109(a)(1) and 19-120, Annotated Code of Maryland

Notice of Proposed Action

[12-342-P]

The Maryland Health Care Commission proposes to amend Regulation .01 under **COMAR 10.24.01 Certificate of Need for Health Care Facilities**. This action was considered by the Commission at an open meeting held on October 18, 2012, notice of which was given through publication in the Maryland Register, pursuant to State Government Article, §10-506, Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to allow Maryland jurisdictions that do not contain a general acute care hospital within their borders to qualify as interested parties in the review of hospital relocation projects subject to Certificate of Need review requirements without having to demonstrate an adverse effect from the approval of the project, if the hospital relocation project involves a hospital located in a contiguous jurisdiction.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. This proposed action will have a very limited economic impact if Queen Anne’s County and/or Caroline County seek to intervene as an interested party in the rare instances in which an acute general hospital in an adjacent county seeks a Certificate of Need to relocate to a new site. Because of the adjacency requirement, this possible intervention is limited to hospital relocation projects in Talbot, Dorchester, and Kent Counties. If Queen Anne’s County or Caroline County becomes an interested party, the local government may incur legal and consulting expenses that could vary greatly, depending on the amount and types of analysis and argument these county chooses to make — and whether the county hires outside counsel or does the work “in house.”

Project reviews conducted by the issuing agency, the Maryland Health Care Commission, typically take more time than the review of uncontested cases. Additionally, an interested party has a right to take a judicial appeal of an adverse Commission action. However, actual budgetary requirements of the agency with respect to project review and appeal will not change as a result of this proposed action.

If one or both of the two counties become interested parties as a result of the proposed action, it will probably have an incremental cost impact on the regulated hospital applicant, increasing the expenses incurred in the regulatory process. This is because an applicant in a contested review will respond to arguments made and positions taken by interested parties. This is expected to increase an applicant’s consultant and legal expenses, unless such work is done “in house.”

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	

A. On issuing agency: NONE

B. On other State agencies:	NONE	
C. On local governments:	E+	Indeterminable (Queen Anne's and Caroline Counties only)
	Benefit (+) Cost (-)	Magnitude
<hr/>		
D. On regulated industries or trade groups:	(+)	Minor
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

C. If the two affected counties choose to become interested parties as a result of the proposed action, they may incur expenditures of an indeterminate amount.

D. For three general hospitals, this change will potentially increase the number of interested parties that can oppose a very rare type of capital project, hospital replacement. If a project review draws interested party opposition, because of this proposed action (there is no certainty that it will-it only creates the opportunity), this will result in an incremental cost increase for the applicant hospital to respond to the opposing interested party. This response will increase legal and consultant expenditures by the applicant hospital. However, because of the small number of affected hospitals and the rarity of hospital replacement projects, and because it will only increase legal and other consultant cost associated with CON regulation incrementally, the magnitude of economic impact is very minor, when the overall cost of CON regulation is considered.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Paul Parker, Director, Center for Hospital Services, Maryland Health Care Commission, 4160 Patterson Ave., Baltimore, Maryland 21215, or call (410) 764-3261, or fax to (410) 358-1311. Comments will be accepted through 4:30 p.m., January 21, 2013. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Commission during a public meeting to be held on February 21, 2013, at 1 p.m., at 4160 Patterson Ave, Baltimore, Maryland 21215.

.01 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) — (19) (text unchanged)

(20) "Interested party" means a person recognized by a reviewer as an interested party and may include:

(a) — (c) (text unchanged)

(d) A local health department in the jurisdiction or, in the case of regional services, in the planning region in which the proposed service is to be offered; [and]

(e) A jurisdiction that does not contain a general hospital in the review of proposed replacement projects by or on behalf of general hospitals located in contiguous jurisdictions; and

[(e)] (f) (text unchanged)

(21) — (40) (text unchanged)

CRAIG P. TANIO, M.D.
Chairman

Maryland Health Care Commission

Subtitle 37 HEALTH SERVICES COST REVIEW COMMISSION

10.37.01 Uniform Accounting and Reporting System for Hospitals and Related Institutions

Authority: Health-General Article, §§19-207, 19-211, 19-212, [19-212.1.] 19-215, 19-216, 19-217, 19-220, 19-224, and 19-303, Annotated Code of Maryland

Notice of Proposed Action

[12-331-P]

The Health Services Cost Review Commission proposes to amend Regulations .03 and .06 under **COMAR 10.37.01 Uniform Accounting and Reporting System for Hospitals and Related Institutions**. This action was considered and approved for promulgation by the Commission at a previously announced open meeting held on November 7, 2012, notice of which was given pursuant to State Government Article, §10-506(c), Annotated Code of Maryland. If adopted, the proposed amendments will become effective on or about March 18, 2013.

Statement of Purpose

The purpose of this action is to increase the civil penalties associated with the failure to timely file required reports with the Commission.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. Hospitals that fail to comply with the Commission's reporting requirements will now face the consequence of an increased fine. The increased fine will help assure compliance with Commission reporting requirements.

II. Types of Economic Impact.

Revenue (R+/R-)	
Expenditure (E+/E-)	Magnitude

- A. On issuing agency: NONE
- B. On other State agencies: NONE
- C. On local governments: NONE

Benefit (+)	
Cost (-)	Magnitude

- D. On regulated industries or trade groups: (-) Minimal

E. On other industries or trade groups: NONE

F. Direct and indirect effects on public: NONE

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

D. These regulations encourage hospitals to comply with the Commission’s reporting requirements to submit reports on a timely manner. It is assumed that most reports will be submitted within the mandated time frames; therefore, the expected magnitude is assumed to be minimal.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Diana Kemp, Regulations Coordinator, Health Services Cost Review Commission, 4160 Patterson Avenue, Baltimore, MD 21215, or call 410-764-2576, or email to diana.kemp@maryland.gov, or fax to 410-358-6217. Comments will be accepted through January 14, 2013. A public hearing has not been scheduled.

.03 Reporting Requirements; Hospitals.

A.—M. (text unchanged)

N. Failure to File Reports.

(1) A hospital under the jurisdiction of the Commission which does not file any report under the Enabling Act of the Commission, Health-General Article, Title 19, Subtitle 2, Annotated Code of Maryland, or under the regulations of the Commission, is liable for a civil penalty of up to [\$250] \$1,000 per day for each day the filing of the report is delayed unless an extension is granted as provided in §O of this regulation.

(2)—(6) (text unchanged)

O.—Q. (text unchanged)

.06 Non-Profit Hospitals and Related Institutions: Disclosure of Interest by Trustees.

A.—C. (text unchanged)

D. Failure or Delay in Filing Statements.

(1) Any trustee who does not file the statement on the date it is due is liable for a civil penalty or fine of [\$25] \$250 per day for each day the filing of the statement is delayed, unless an extension is granted and a stay of filing is granted as provided in §§E, F, and G of this regulation.

(2) (text unchanged)

E.—I. (text unchanged)

JOHN M. COLMERS
Chairman
Health Services Cost Review Commission

Subtitle 37 HEALTH SERVICES COST REVIEW COMMISSION

10.37.10 Rate Application and Approval Procedures

Authority: Health-General Article, §§19-207, 19-212, 19-216, and 19-219, Annotated Code of Maryland

Notice of Proposed Action

[12-332-P]

The Health Services Cost Review Commission proposes to propose to amend Regulation .06 under **COMAR 10.37.10 Rate Application and Approval Procedures**. This action was considered and approved for promulgation by the Commission at a previously announced open meeting held on November 7, 2012, notice of which was given pursuant to State Government Article, §10-506(c), Annotated Code of Maryland. If adopted, the proposed amendments will become effective on or about March 13, 2013.

Statement of Purpose

The purpose of this action is to increase the monetary fines the Commission may impose for those hospitals that fail to comply with the Commission’s alternative rate methodology reporting requirements.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. Hospitals that fail to comply with the Commission’s reporting requirements will now face the consequence of an increased fine. The increased fine will help assure compliance with Commission reporting requirements.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	

	Benefit (+)	Magnitude
	Cost (-)	
D. On regulated industries or trade groups:	(-)	Minimal
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

D. These regulations encourage hospitals to comply with the Commission’s reporting requirements to submit reports on a timely basis. It is assumed that most reports will be submitted within the mandated time frames; therefore, the expected magnitude is assumed to be minimal.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Diana Kemp, Regulations Coordinator, Health Services Cost Review Commission, 4160 Patterson Avenue, Baltimore, MD 21215, or call 410-764-2576, or email to diana.kemp@maryland.gov, or fax to 410-358-6217. Comments will be accepted through January 14, 2013. A public hearing has not been scheduled.

.06 Application for Alternative Method of Rate Determination.

A.—E. (text unchanged)

F. Required Reports under ARM System.

(1)—(5) (text unchanged)

(6) Penalties.

(a) The Commission may impose penalties of up to [\$250] \$1,000 per day for failing to file reports as required under this section.

(b)—(c) (text unchanged)

G. (text unchanged)

JOHN M. COLMERS

Chairman

Health Services Cost Review Commission

Subtitle 37 HEALTH SERVICES COST REVIEW COMMISSION

10.37.12 Cross-Subsidization

Authority: Health-General Article, §§19-207, 19-212, and 19-216, Annotated Code of Maryland

Notice of Proposed Action

[12-330-P]

The Health Services Cost Review Commission proposes to amend Regulations .02 and .03 under **COMAR 10.37.12 Cross-Subsidization**. This action was considered and approved for promulgation by the Commission at a previously announced open meeting held on November 7, 2012, notice of which was given pursuant to State Government Article, §10-506(c), Annotated Code of Maryland. If adopted, the proposed amendments will become effective on or about March 18, 2013.

Statement of Purpose

The purpose of this action is to increase the monetary penalties the Commission may impose for those hospitals that fail to comply with the Commission’s fixed-priced contracting reporting requirements.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. Hospitals that fail to comply with the Commissioner’s reporting requirements will now face the consequences of an increased fine. The increased fine will help assure compliance with Commission reporting requirements.

II. Types of Economic Impact.

A. On issuing agency: NONE

B. On other State agencies: NONE

C. On local governments: NONE

	Revenue (R+/R-)	
	Expenditure (E+/E-)	Magnitude
D. On regulated industries or trade groups:	NONE	
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	
	Benefit (+)	
	Cost (-)	Magnitude

D. On regulated industries or trade groups: (-) Minimal

E. On other industries or trade groups: NONE

F. Direct and indirect effects on public: NONE

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

D. These regulations encourage hospitals to comply with the Commission’s reporting requirements to submit reports on a timely manner. It is assumed that most reports will be submitted within the mandated time frames; therefore, the expected magnitude is assumed to be minimal.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Diana Kemp, Regulations Coordinator, Health Services Cost Review Commission, 4160 Patterson Avenue, Baltimore, MD 21215, or call 410-764-2576, or email to diana.kemp@maryland.gov, or fax to 410-358-6217. Comments will be accepted through January 14, 2013. A public hearing has not been scheduled.

.02 Hospital Charges to Purchasers or Classes of Purchasers.

A. (text unchanged)

B. Without the prior approval of the Commission, neither a hospital, a related entity, nor any entity or person acting on behalf of or in concert with a hospital shall enter into a fixed-price contract, or knowingly participate in or receive the benefit of any arrangement, directly or indirectly, pertaining to the delivery of hospital services. A hospital that has knowledge of such an arrangement shall promptly notify the Commission in accordance with this section in order that the Commission may determine whether the arrangement constitutes an unapproved discount. In order to obtain prior approval of the Commission, the hospital shall file a written application in accordance with COMAR 10.37.10.06. The filing of this application constitutes the filing of a required report under Commission law and regulation. Failure to file an application before the date on which a fixed-price contract is entered into, or the hospital or related entity knowingly participates in or receives benefit of such an arrangement, may subject the organization or organizations to fines up to [\$250] \$1,000 per day for each day the arrangement exists without prior approval.

C. —D. (text unchanged)

.03 Penalties.

A. The Commission may impose penalties of up to [\$250] \$1,000 per day, which shall be instead of the \$100 per day penalty for failing to file reports as set forth in COMAR 10.37.01.03N, for a required report submitted by a hospital that includes information which has the effect of violating Regulation .02 of this chapter. The report shall be considered substantially inaccurate and untimely filed.

B. (text unchanged)

JOHN M. COLMERS
Chairman
Health Services Cost Review Commission

Subtitle 44 BOARD OF DENTAL EXAMINERS

10.44.22 Continuing Education

Authority: Health Occupations Article, §4-205, Annotated Code of Maryland

Notice of Proposed Action
[12-341-P]

The Secretary of Health and Mental Hygiene proposes to amend Regulations .02 and .04 under **COMAR 10.44.22 Continuing Education**. This action was considered by the Board of Dental Examiners at a public meeting held on October 3, 2012, notice of which was given under the Notice of Public Meetings link on the Board's website pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to require dentists to complete a 2-hour continuing education course in proper prescribing and disposal of drugs as a condition of license renewal.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michele Phinney, Director, Office of Regulation and Policy Coordination, Department of Health and Mental Hygiene, 201 W. Preston, Room 512, Baltimore, Maryland 21201, or call 410-767-6499 (TTY 800-735-2258), or email to dhmh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through January 14, 2013. A public hearing has not been scheduled.

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(5) (text unchanged)

(6) "Licensee" means a licensed dentist or a licensed dental hygienist.

[(6)] (7) (text unchanged)

.04 Requirements.

A.—D. (text unchanged)

D-1. A dentist seeking renewal shall complete a 2-hour Board-approved course on proper prescribing and disposal of prescription drugs.

E.—I. (text unchanged)

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

**Title 11
DEPARTMENT OF
TRANSPORTATION**

**Subtitle 15 MOTOR VEHICLE
ADMINISTRATION — VEHICLE
REGISTRATION**

**11.15.16 Issuance, Renewal, Display, and
Expiration of Registrations**

Authority: Transportation Article, §§12-104(b), 13-403, 13-408, 13-410, 13-412, 13-413, 13-904, 13-912, 13-938, and 13-950—13-952, Annotated Code of Maryland

Notice of Proposed Action
[12-340-P]

The Administrator of the Motor Vehicle Administration proposes to amend Regulations .01-1 and .05 under **COMAR 11.15.16 Issuance, Renewal, Display, and Expiration of Registrations**.

Statement of Purpose

The purpose of this action is to allow vehicle owners to obtain a temporary authorization certificate based on certain recognized events approved by the Administration. Also, this action allows the Administration to withhold refunds of registration fees due to owners or co-owners for vehicles that have been flagged or suspended, until the flag is removed. In addition, this action clarifies that a refund may not be processed if the registration plates and stickers are not returned to the Administration.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Tracey C. Sheffield, Regulations Coordinator, MVA, 6601 Ritchie Highway N.E., Room 200, Glen Burnie, MD 21062, or call (410) 768-7545, or email to tsheffield@mdot.state.md.us, or fax to (410) 768-7506. Comments will be accepted through January 14, 2013. A public hearing has not been scheduled.

.01-1 Temporary Authorization Certificate.

A. Issuance.

(1) The Administration may issue a temporary authorization certificate permitting a vehicle to be driven:

(a) (text unchanged)

(b) For a [nationally] recognized [athletic] event approved by the Administration.

(2) — (4) (text unchanged)

B. The manufacturer, distributor, or dealer of a vehicle may apply to the Administration for the issuance of a temporary authorization certificate for the purpose of permitting a vehicle to be driven for a [nationally] recognized [athletic] event approved by the Administration.

C. — D. (text unchanged)

.05 Multi-Year Registrations — Staggered Classes.

A. — C. (text unchanged)

D. Refund of Registration Fees.

(1) — (2) (text unchanged)

(3) If a request for a refund is submitted for a registration that is *flagged*, *suspended*, or *flagged and suspended where a fee is required prior to release of the flag, suspension, or both*, the Administration may not process the request until the *flag is released and or the suspension is withdrawn*.

(4) *A refund may not be processed if the registration plates and stickers are not returned to the Administration.*

JOHN T. KUO

Administrator

Motor Vehicle Administration

Title 14

INDEPENDENT AGENCIES

Subtitle 15 [MARYLAND HIGHER EDUCATION INVESTMENT PROGRAM] COLLEGE SAVINGS PLANS OF MARYLAND

14.15.01 Master Agreement for Contract Holders

Authority: Education Article, §18-1905, Annotated Code of Maryland

Notice of Proposed Action

[12-339-P]

The College Savings Plans of Maryland (formerly the Maryland Higher Education Investment Program) Board proposes to:

(1) Repeal Regulations **.01— .03** under **COMAR 14.15.01 Master Agreement for Contract Holders**; and

(2) Amend **Subtitle 15 Maryland Higher Education Investment Program** to be **Subtitle 15 College Savings Plans of Maryland**;

This action was considered by the Board of the College Savings Plans of Maryland at an open meeting of the Board held on September 27, 2012, notice of which was given by posting on the website of the College Savings Plans of Maryland (<http://www.collegesavingsmd.org/our-board.aspx>) pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to repeal regulations that the Board of the College Savings Plans of Maryland has determined to be outdated and unnecessary. The regulations are considered outdated because they consist of a copy of the Master Contract for the Maryland Prepaid College Trust as it was effective in 1999. That Master Contract is reviewed and updated annually. It was determined that the regulations were unnecessary because the material covered by the regulations (a copy of the Master Contract) is provided to account holders annually. The most current Master Contract is also available to account holders and others at any time on the College Savings Plans of Maryland website.

A secondary purpose of the proposal relates to the correction of the name of the agency to the College Savings Plans of Maryland in the heading of Title 14.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Joan Marshall, Executive Director, College Savings Plans of Maryland, 217 E. Redwood Street, Suite 1350, Baltimore, MD 21202, or call 443-769-1024, or email to jmarshall@collegesavingsmd.org, or fax to 410-333-2295. Comments will be accepted through January 14, 2013. A public hearing has not been scheduled.

JOAN MARSHALL

Executive Director

College Savings Plans of Maryland

Subtitle 25 MARYLAND STADIUM AUTHORITY

Notice of Proposed Action

[12-344-P]

The Maryland Stadium Authority proposes to:

(1) Amend Regulation **.01** under **COMAR 14.25.01 General**; and

(2) Adopt new Regulation **.19** under **COMAR 14.25.02 Prohibited Activities**.

This action was considered at an open meeting of the Maryland Stadium Authority on September 13, 2012.

Statement of Purpose

The purpose of this action is to protect the public and employees at the Camden Yards Sports Complex from the involuntary exposure to environmental tobacco smoke by prohibiting smoking within the Stadium Structures at the Camden Yards Sports Complex, and within a 25-foot buffer area adjacent to any entry, outdoor air intake, or operable window of the Stadium Structures at the Camden Yards Sports Complex.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michael J. Frenz, Executive Director, Maryland Stadium Authority, 333 West Camden Street, Suite 500, Baltimore, Maryland 21201, or call 410-333-1560, or email to mfrenz@mdstad.com, or fax to 410-333-1888. Comments will be accepted through January 14, 2013. A public hearing has not been scheduled.

14.25.01 General

Authority: *Economic Development Article, §§10-604, 10-613(a)(4), and 10-616(b)*, Annotated Code of Maryland

.01 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(6) (text unchanged)

(7) *“Smoking” means the burning of a lighted cigarette, cigar, pipe, or any other matter or substance that contains tobacco.*

(8) *“Stadium Structures” means and includes the facades, fences, and admission gates that comprise the outer perimeter of the baseball stadium and the football stadium at the Camden Yards Sports Complex.*

[(7)] (8) (text unchanged)

14.25.02 Prohibited Activities

Authority: *Economic Development Article, §§10-604, 10-613(a)(4), and 10-616(b)*, Annotated Code of Maryland

.19 Smoking in Stadiums.

Smoking is prohibited by any person located in any of the following areas:

A. *In any spaces within the Stadium structures, whether such spaces are covered or uncovered, walled or exposed, or open or closed to public access; and*

B. *Within 25 feet of any entry, outdoor air intake, or operable window of the Stadium Structures at the Camden Yards Sports Complex.*

MICHAEL J. FRENZ
Executive Director
Maryland Stadium Authority

**Title 20
PUBLIC SERVICE
COMMISSION**

Notice of Proposed Action

[12-337-P]

The Public Service Commission proposes to:

(1) Amend Regulation .02 under **COMAR 20.07.04 Applications Pursuant to the Public Utilities Article;**

(2) Amend Regulations .07 and .08 under **COMAR 20.40.02 Utility Code of Conduct;**

(3) Repeal existing Regulation .01, recodify existing Regulations .02 and .04 to be Regulations .01 and .03, and amend and recodify existing Regulation .03 to be Regulation .02 under **COMAR 20.45.02 Records and Reports;**

(4) Amend Regulations .03 and .11 under **COMAR 20.45.04 Customer Relations;**

(5) Amend Regulation .03 under **COMAR 20.45.05 Service Standards;**

(6) Repeal existing Regulations .02 and .03, amend Regulation .01, and adopt new Regulation .02 under **COMAR 20.45.07 Provision of Facilities;**

(7) Amend Regulation .11 under **COMAR 20.50.12 Service Quality and Reliability Standards;**

(8) Amend Regulation .02 under **COMAR 20.55.03 Records and Reports;**

(9) Amend Regulation .02 under **COMAR 20.61.03 Renewable Energy Credit;**

(10) Amend Regulation .04 under **COMAR 20.70.03 Records and Reports;**

(11) Amend Regulation .04 under **COMAR 20.75.03 Records and Reports;** and

(12) Amend Regulations .02 and .06, and adopt new Regulation .08 under **COMAR 20.79.01 General.**

This action was considered at a scheduled rule making meeting on October 11, 2012.

Statement of Purpose

The purpose of this action is to revise Public Service Commission regulations pursuant to the Governor’s Executive Order No. 01.01.2011.20.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to David J. Collins, Executive Secretary, Public Service Commission, 6 St. Paul Street, Baltimore, Maryland 21202-6806, or call 410-767-8067, or email to , or fax to . Comments will be accepted through January 14, 2013. A public hearing has not been scheduled.

Subtitle 07 PRACTICE AND PROCEDURE

20.07.04 Applications Pursuant to the Public Utilities Article

Authority: Public Utilities Article, §§2-112, 2-115, 2-121, 3-101, 3-104, 4-101—4-207, 4-503, 5-103, 5-201—5-203, 5-205, 6-101—6-104, 7-210, and 9-103, Annotated Code of Maryland

.02 Applications for Authority to Issue Stocks, Bonds, Notes and Other Evidences of Indebtedness.

A.—B. (text unchanged)

C. Final Order. An order of the Commission granting an application, or any part of it, shall:

(1)—(2) (text unchanged)

(3) Require the applicant to make a report [at least once every 6 months] *when funds have been fully expended* showing in detail the use and application by it of the money so realized[, until the moneys shall have been fully expended]; and

(4) (text unchanged)

Subtitle 40 ELECTRIC AND GAS COMPANIES — AFFILIATE REGULATIONS

20.40.02 Utility Code of Conduct

Authority: Public Utilities Article, §§2-113, 2-121, 7-505, 7-604, and 7-606, Annotated Code of Maryland

.07 Cost Allocation Manual (CAM).

A. (text unchanged)

B. [Utility Responsibilities.] *Any time a utility files a general rate case,*

[(1) A] a utility shall file its CAM with the Commission[:].

[(a) Initially within 90 days after this regulation becomes final; and

(b) Annually after that by April 30 as required under Regulation .08 of this chapter.]

(2)—(4) (text unchanged)

.08 Record and Reporting Requirements.

A. [On or before April 30 of each calendar year, a utility shall file with the Commission a report for the previous calendar year ending December 31 containing the following items:] *Each Cost Allocation Manual filed as directed in Regulation .07 of this chapter shall contain the following items:*

[(1) A Cost Allocation Manual;]

[(2)](1)—[(4)](3) (text unchanged)

B.—E. (text unchanged)

Subtitle 45 SERVICE SUPPLIED BY TELEPHONE COMPANIES

20.45.02 Records and Reports

Authority: State Government Article, §7-207(a); Public Utilities Article, §§2-118, 2-121, 5-101, 5-302, and 6-203—6-210; Annotated Code of Maryland

[.03] .02 Data to be Filed with the Commission.

A. (text unchanged)

[B. Exchange Map.

(1) Each telephone utility shall file exchange maps, or descriptions, with the Commission, showing the exchange service

area for each telephone exchange operated, and the maps, or descriptions, shall be in sufficient detail to reasonably permit locating the exchange service area boundaries in the field.

(2) With every revised map or description, the utility so filing shall submit proof of notice of the proposed revision to each utility whose exchange area adjoins the exchange area boundary lines or is located reasonably near the unfiled territory which would be changed by the revisions, unless otherwise provided by the statutes or Commission order.

C. Construction Program Filing. The utility shall file with the Commission the construction program view in accordance with COMAR 20.45.07.02B.]

[D.] B. (text unchanged)

[E. Improved Measurement Reports. As the utility changes or improves its measurement procedures affecting the reports as required by these regulations, the comparative data shall be changed and the Commission apprised of the nature of the change coincident with the first report under the new procedure.

F. Service Records and Reports. Each utility shall furnish to the Commission, at such times and in such form as the Commission may require, the results of any required tests and services or any required records. The utility shall also furnish the Commission the information concerning the utility's failure to meet the minimum standards covered in these regulations, explanation showing the reason for the failures, estimated duration of the service problem, and a brief summary of the plans for returning the operating entity to the satisfactory level of performance.]

[G.] C.—[H.] D. (text unchanged)

20.45.04 Customer Relations

Authority: Public Utilities Article, §§2-113, 2-121, and 5-101; State Government Article, §7-207(a); Annotated Code of Maryland

.03 Public Information.

[In each business office open to the public for the conduct of business, each] *Each* utility shall maintain and keep available for inspection by customers and applicants for service[:].

[A. Copies] *copies* of all tariffs applicable to the area served by the business office, as provided by Regulation .02, of this regulation[:].

[B. The maps required to be filed with the Commission by COMAR 20.45.02.03B and which are applicable to the area served, showing exchange, base rate area and zone (if applicable) boundaries in sufficient size and detail that all customer locations can be determined and mileage or zone charges quoted;

C. Information as to the present and future availability of specific classes of service at an applicant's location within a reasonable period of time;

D. Information concerning plans for major service changes in the area served by the business office; and

E. Information pertaining to services and rates as proposed in a pending tariff or rate increase filing.]

.11 Directory.

A. Alphabetical directories shall generally be [published once yearly,] *made available*, listing the name, address, and telephone number of each customer, except public telephones and numbers unlisted at the customer's request.

B. *Upon request from the customer*, [The] *the* utility shall provide each customer, *free of charge*, a copy of the *printed* directory or directories covering his area. [Additional copies shall be made available upon request. A copy of the directories issued shall be filed with the Commission.]

C.—I. (text unchanged)

[J. Reasonable advance notice shall be given to all customers affected when a utility has cause to change a large group of numbers, even if the changes coincide with the issuance of a directory.]

[K.] *J.* Within 48 hours (excluding Saturday, Sunday, and holidays) of a number change, directory assistance and information operator records shall be updated as required to reflect the changes. Whenever possible, intercept records [should] should reflect the change in advance of the actual number change.

20.45.05 Service Standards

Authority: Public Utilities Article, §§2-121, 5-101, and 5-303, Annotated Code of Maryland

.03 Customer Contact Objectives.

A.—B. (text unchanged)

[C. Ninety percent of calls to major business offices from customers or the public shall be answered within 20 seconds after the operator has sufficient information to route the call to the proper location within the business office.]

[D.] *C.*—[F.] *E.* (text unchanged)

20.45.07 Provision of Facilities

Authority: Public Utilities Article, §§2-118, 2-121, and 5-101, Annotated Code of Maryland

.01 Planning Policy.

[A.] In planning telephone service, it shall be the responsibility of each utility to provide the type and quantities of facilities that will meet the expected communications service demands of the public in the most economical manner possible that is consistent with current and long range service standards and modernization objectives.

[B. In planning the modernization of a plant, the objective shall be to systematically replace and augment the older plant as rapidly as practical consistent with sound management judgment in meeting current customer service requirements and objectives.]

.02 Plant Modification.

In planning the modernization of a plant, the objective shall be to systematically replace and augment the older plant as rapidly as practical consistent with sound management judgment in meeting current customer service requirements and objectives.

Subtitle 50 SERVICE SUPPLIED BY ELECTRIC COMPANIES

20.50.12 Service Quality and Reliability Standards

Authority: Public Utilities Article, §§7-213, 13-201, and 13-202, Annotated Code of Maryland

.11 Annual Performance Reports.

A. On or before [February] *April* 1 of each year, each utility shall file an annual performance report which shall include, at a minimum, the following:

(1)—(13) (text unchanged)

B.—D. (text unchanged)

Subtitle 55 SERVICE SUPPLIED BY GAS COMPANIES

20.55.03 Records and Reports

Authority: State Government Article, §7-207(a); Public Utilities Article, §§2-121, 5-101, 5-302, and 6-203—6-207; Annotated Code of Maryland

.02 Information to be Filed.

Each utility shall file with the Commission the following items necessary in the administration of these regulations:

A.—D. (text unchanged)

E. Map of System. A map showing the utility's operating area. This map shall be revised annually unless *no* revision is [unnecessary] *necessary*, [in which event the utility shall notify the Commission that the map on file is current. The map should show] *to reflect a material change in the items listed below. The map on file should reflect the current status of the following items:*

(1)—(7) (text unchanged)

F.—M. (text unchanged)

Subtitle 61 RENEWABLE ENERGY PORTFOLIO STANDARD PROGRAM

20.61.03 Renewable Energy Credit

Authority: Public Utilities Article, §§2-121, 5-101, and 7-701—7-713, Annotated Code of Maryland

.02 REC Creation from Renewable On-Site Generation.

A. Except under §C of this regulation, a renewable on-site generator may receive a Maryland-eligible REC associated with on-site generation if:

(1)—(2) (text unchanged)

(3) An authorized representative of the *non-solar* renewable on-site generator files a *non-solar* renewable on-site generator report with the Commission under §B of this regulation within 1 week of each recording with GATS.

B. The *non-solar* renewable on-site generator report required under §A of this regulation shall be on a form provided by the Commission and contain at least the following information:

(1)—(2) (text unchanged)

C.—E. (text unchanged)

Subtitle 70 SERVICE SUPPLIED BY WATER COMPANIES

20.70.03 Records and Reports

Authority: Public Utilities Article, §§2-121, 5-101, 5-302, and 6-201—6-210, Annotated Code of Maryland

.04 Information to be Filed With the Commission.

A.—C. (text unchanged)

D. Map of System. Each utility shall file with the Commission a map showing the utility's water system. This map shall be revised annually unless [the] *no* revision is [unnecessary] *necessary*, [in which event the utility shall notify the Commission that the map on file is current. If practicable, the map should show] *to reflect a material change in the items listed below. The map on file should reflect the current status of the following items:*

(1)—(6) (text unchanged)

E. (text unchanged)

F. Fatal Accident Notice. In the event of a fatal accident, prompt notice shall be given to the Commission by telephone [or telegraph].

G.—I. (text unchanged)

Subtitle 75 SERVICE SUPPLIED BY SEWAGE DISPOSAL COMPANIES

20.75.03 Records and Reports

Authority: Public Utilities Article, §§2-121, 5-101, 5-302, and 6-201—6-207, Annotated Code of Maryland

.04 Information to be Filed With the Commission.

A.—C. (text unchanged)

D. Map of System. Each utility shall file with the Commission a map showing the utility’s operating area. This map shall be revised annually unless [a] no revision is [unnecessary] necessary, to reflect a material change in the items listed below. [in which event the utility shall notify the Commission that the map on file is current. If practicable, the map should show the following:]*The maps on file should reflect the current status of the following items:*

(1)—(5) (text unchanged)

E. (text unchanged)

F. Fatal Accident Notice. In the event of a fatal accident, prompt notice shall be given to the Commission by telephone [or telegraph].

G.—I. (text unchanged)

Subtitle 79 APPLICATIONS CONCERNING THE CONSTRUCTION OR MODIFICATION OF GENERATING STATIONS AND OVERHEAD TRANSMISSION LINES

20.79.01 General

Authority: Public Utilities Article, §§2-113, 2-121 and 7-205—7-208, Annotated Code of Maryland

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(10) (text unchanged)

(11) Generating Station.

(a) (text unchanged)

(b) “Generating station” does not include an integral plant or unit less than or equal to [373] 1500 kilowatts if it is installed with equipment that prevents the flow of electricity to the electric system during time periods when the electric system is out of service.

(12)—(21) (text unchanged)

.06 Modifications to the Facilities at a Power Plant.

A. (text unchanged).

B. A physical alteration, replacement, change in the method of operation, or any other change to an electric generating unit or other facilities at a power plant that will result in an increase in air emissions is subject to the requirement to obtain approval from the Commission under Public Utilities Article, §7-205(b), Annotated Code of Maryland, if the change will result in an increase of either [1] 75,000 tons or more per year in emissions of [a] CO₂ or an increase of 1 ton or more in emission of any other regulated pollutant.

C.—D. (text unchanged)

.08 Completeness Determination and Availability of CPCN Applications and Related Materials for Proposed New and Modified Power Plants

A. A person shall submit a CPCN application to construct a new or modified generating station to the Commission, which shall, within

45 days of issuing an order either delegating the CPCN application to the Utility Law Judge Division, or keeping it at the Commission, acknowledge receipt of the request and indicate whether the request is either:

(1) Complete and the Commission will proceed to review the request; or

(2) Deficient, in which case the Commission shall specify the nature of the deficiency.

B. A copy of the CPCN application to construct a new or modified generating station, as well as any public comments and State agency comments and recommendations thereon, shall be available for public inspection at the offices of the Commission.

DAVID J. COLLINS
Executive Secretary

**Title 21
STATE PROCUREMENT
REGULATIONS**

**Subtitle 11 SOCIOECONOMIC
POLICIES**

21.11.12 State Apprenticeship Training Fund

Authority: State Finance and Procurement Article, §§17-603—17-606, Annotated Code of Maryland

Notice of Proposed Action

[12-343-P]

The Commissioner of Labor and Industry proposes to adopt new Regulations .01—09 under a new chapter, **COMAR 21.11.12 State Apprenticeship Training Fund**.

Statement of Purpose

The purpose of this action is to implement the State Apprenticeship Training Fund, Ch. 687, Acts of 2009. The State Apprenticeship Training Fund requires contractors and some subcontractors on public work contracts to make contributions to: (1) a registered apprenticeship program, (2) an organization that operates registered programs, or (3) the State Apprenticeship Training Fund.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Debbie Stone, Regulations Coordinator, Department of Labor, Licensing, and Regulation, Division of Labor and Industry, 1100 N. Eutaw Street, Room 606, Baltimore, Maryland 21201, or call 410-767-2225, or email to dstone@dllr.state.md.us, or fax to 410-767-2986. Comments will be accepted through January 14, 2013.

A public hearing will be held on January 7, 2013, at 10 a.m., at 1100 North Eutaw Street, Room #108, Baltimore, Maryland 21201, for the purpose of affording interested persons the opportunity to

submit data or comments in writing or orally. Any interested person desiring to participate in this hearing should give written notification of intention to appear not later than January 3, 2013, to Commissioner of Labor and Industry, Attention: Debbie Stone, Regulations Coordinator, Division of Labor and Industry, 1100 N. Eutaw Street, Room 606, Baltimore, Maryland 21201, or call (410) 767-2225, or fax to (410) 767-2986, or email dstone@dllr.state.md.us.

.01 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Approved apprenticeship program" means an apprenticeship program or an organization with an apprenticeship program which has been registered with, and approved by, the Maryland Apprenticeship and Training Council or the United States Department of Labor.

(2) "Commissioner" means the Commissioner of Labor and Industry.

(3) "Covered craft" means a classification of workers listed in the prevailing wage determination applicable to a prevailing wage project.

(4) "Fund" means the State Apprenticeship Training Fund.

.02 Hourly Contribution Rate.

A. If a contractor participates in an apprenticeship training program for each covered craft, the contractor satisfies their obligation under State Finance and Procurement Article, §17-603(a)(1), Annotated Code of Maryland, by making contributions of at least 25 cents per person per hour.

B. If a subcontractor participates in an apprenticeship training program for each covered craft, the subcontractor satisfies their obligation under State Finance and Procurement Article, §17-604(a)(1), Annotated Code of Maryland, by making contributions of at least 25 cents per person per hour.

C. Contractors and subcontractors that do not participate in an apprenticeship training program shall pay at least 25 cents per person per hour for each employee in each covered craft on the prevailing wage project to a registered apprenticeship program, an organization that has a registered apprenticeship program, or the Fund.

D. Contractors and subcontractors who make contributions to the Fund shall do so on a monthly basis.

E. Contractors and subcontractors who make contributions to a registered apprenticeship program or an organization that has a registered apprenticeship program shall make contributions on a monthly basis or consistent with a collective bargaining agreement or other contractual arrangement.

F. If there is a prevailing wage determination that includes a fringe benefit contribution for apprenticeship that exceeds 25 cents per hour, a contractor or subcontractor that makes contributions to the Fund shall pay to the employee wages in the amount that the fringe benefit contribution for apprenticeship exceeds 25 cents per hour.

.03 Contractor and Subcontractor Registration.

A. Contractors performing work on a prevailing wage project shall complete the registration process at the Division of Labor and Industry's website at <https://www.dllr.state.md.us/prevwage>.

B. Subcontractors who are performing work valued at \$100,000 or more on a prevailing wage project shall complete the registration process at the Division of Labor and Industry's website at <https://www.dllr.state.md.us/prevwage>.

C. Prior to the commencement of work, a registered contractor or registered subcontractor shall log onto the Division of Labor and

Industry's website at <https://www.dllr.state.md.us/prevwage> and complete the required project log information including:

(1) The prevailing wage project number;

(2) Contract value;

(3) Identification of subcontractors to perform work on the project and subcontract value amount;

(4) Designation of the program or Fund where the contractor or subcontractor will make contributions; and

(5) Any other information that the Commissioner requires.

.04 Contractor and Subcontractor Notification to Subcontractors.

A. Contractors and subcontractors who hire subcontractors performing work valued at \$100,000 or more on a public work contract subject to the Maryland Prevailing Wage Law shall provide the subcontractors with written notice of the following requirements:

(1) Subcontractors shall complete the registration process at the Division of Labor and Industry's website at <https://www.dllr.state.md.us/prevwage>;

(2) Prior to the commencement of work, a subcontractor shall log onto the Division of Labor and Industry's website at <https://www.state.md.us/prevwage> and complete the required project log information including:

(a) The prevailing wage project number;

(b) Contract value;

(c) Identification of all subcontractors to perform work on the project and subcontract value amount;

(d) Designation of the program or Fund where the subcontractor will make contributions; and

(e) Any other information that the Commissioner requires;

and

(3) Subcontractors performing work on a prevailing wage project valued at \$100,000 or more are required to make payments to approved apprenticeship programs or to the Fund for each employee employed in classifications listed on the prevailing wage determination.

B. Contractors and subcontractors shall retain a copy of the written notice required in §A of this regulation that was provided to covered subcontractors for inspection and review by the Commissioner for 3 years after the completion of their work on a public work project.

.05 Contractor and Subcontractor Obligations Related to Contributions.

Contractors and subcontractors are required to:

A. Indicate on their prevailing wage payroll record their contributions under State Finance and Procurement Article, §17-603 or 17-604, Annotated Code of Maryland; and

B. Certify that the contributions were received by an approved apprenticeship program or the Fund.

.06 Notification to Division of Labor and Industry of Changes to Designated Approved Apprenticeship Programs or Fund.

A. Contractors and subcontractors shall log onto the Division of Labor and Industry's website at <https://www.dllr.state.md.us/prevwage> and indicate each approved apprenticeship program or the Fund to which it will make contributions.

B. If a contractor or subcontractor intends to change a designation, it shall log onto the Division of Labor and Industry's website at <https://www.dllr.state.md.us/prevwage> to indicate the change in designation 30 days prior to that change.

.07 Approved Apprenticeship Program Obligations.

A. Upon notice from the Division of Labor and Industry that the approved apprenticeship program has been designated for contributions by a contractor or subcontractor, an approved

apprenticeship program shall register on the Division of Labor and Industry's website at <https://www.dllr.state.md.us/prevwage>.

B. An approved apprenticeship program shall complete the requested information on contributions received from contractors and subcontractors for each covered craft for each prevailing wage project at the Division of Labor and Industry's website at <http://www.dllr.state.md.us/prevwage> on or before the last day of the month immediately following each calendar quarter.

C. Certify that all funds received are used solely for the purpose of improving or expanding apprenticeship training in the State.

.08 Audit of an Approved Apprenticeship Program.

The Commissioner may require an independent audit by a certified public accountant of an approved apprenticeship program to verify that contributions received are used consistent with this subtitle.

.09 Enforcement Procedures.

A. The Commissioner may investigate whether State Finance and Procurement Article, Title 17, Subtitle 6, Annotated Code of Maryland, has been violated:

- (1) On the Commissioner's own initiative;
- (2) On receipt of a written complaint; or
- (3) On referral from another State agency.

B. The Commissioner may require a contractor, subcontractor, or an approved apprenticeship program to produce records as part of its investigation.

C. The Commissioner may enter a place of business to:

- (1) Interview individuals; or
- (2) Review and copy records.

D. If after an investigation, the Commissioner determines that there is a violation of State Finance and Procurement Article, Title 17, Subtitle 6, Annotated Code of Maryland, or a regulation adopted to carry out the title, the Commissioner shall issue an administrative charge that shall:

- (1) Describe in detail the nature of the alleged violation;
- (2) Cite the provision of law or regulation that is alleged to have been violated; and
- (3) State the penalty, if any.

E. Within a reasonable amount of time after the issuance of the administrative charge, the Commissioner shall send a copy of the administrative charge to the alleged violator by certified mail with notice of the opportunity to request a hearing.

F. Within 15 days after the alleged violator receives the administrative charge, the employer may submit a written request for a hearing on the administrative charge and proposed penalty.

G. If a hearing is not requested within 15 days, the administrative charge, including any penalties, shall become a final order of the Commissioner.

H. If there is a request for a hearing, the Commissioner may delegate the hearing to the Office of Administrative Hearings in accordance with State Government Article, Title 10, Subtitle 2, Annotated Code of Maryland.

I. A proposed decision of an administrative law judge shall become a final order of the Commissioner unless, within 15 days of the issuance of the proposed decision:

- (1) The Commissioner orders review of the proposed decision; or
- (2) The alleged violator submits to the Commissioner a written request for review of the proposed decision.

J. After review of the proposed decision under §I of this regulation, with or without a hearing on the record, the Commissioner shall issue an order that affirms, modifies, or vacates the proposed decision

J. RONALD DEJULIIS
Commissioner of Labor and Industry

Title 31
MARYLAND INSURANCE
ADMINISTRATION
Subtitle 03 INSURANCE PRODUCERS
AND OTHER INSURANCE
PROFESSIONALS
31.03.16 SHOP Exchange Navigators —
Licensing

Authority: Insurance Article, §§2-109 and 31-112, Annotated Code of Maryland

Notice of Proposed Action
[12-336-P]

The Insurance Commissioner proposes to adopt new Regulations **.01—.09** under a new chapter, **COMAR 31.03.16 SHOP Exchange Navigators — Licensing**.

Statement of Purpose

The purpose of this action is to add regulations governing the licensure of SHOP Exchange Navigators as required under Insurance Article, 31-112, Annotated Code of Maryland.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Nancy Egan, Assistant Director, Government, Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore, Maryland 21202, or call 410-468-2488, or email to negan@mdinsurance.state.md.us, or fax to 410-468-2020. Comments will be accepted through January 14, 2013. A public hearing has not been scheduled.

.01 Purpose.

The purpose of this chapter is to establish certain requirements that must be satisfied in order to qualify for a SHOP Exchange navigator license.

.02 Applicability.

This chapter applies to any person seeking to act as a SHOP Exchange navigator.

.03 Definitions.

A. In this chapter, the following terms have the meaning indicated.

B. Terms Defined.

(1) "Administration" means the Maryland Insurance Administration.

(2) "Applicant" means a person who is applying for a SHOP Exchange navigator license.

(3) "Application" means a written request for a license in a form approved by the Commissioner.

(4) “Commissioner” means the Maryland Insurance Commissioner.

(5) “Effective Date” means the date on which a license takes effect.

(6) “Examination” means the written pre-licensing examination given under the authority of the Commissioner pursuant to Insurance Article, §31-112(d), Annotated Code of Maryland.

(7) “License” means a SHOP Exchange navigator license.

(8) “Licensee” means a SHOP Exchange navigator.

(9) “Maryland Health Benefit Exchange” means the public corporation established under Insurance Article, §31-102, Annotated Code of Maryland.

(10) “SHOP Exchange” has the meaning set forth in Insurance Article, §31-101(w), Annotated Code of Maryland.

(11) “SHOP Exchange navigator” has the meaning set forth in Insurance Article, §31-101(x), Annotated Code of Maryland.

(12) “SHOP Exchange navigator license” has the meaning set forth in Insurance Article, §31-101(y), Annotated Code of Maryland.

(13) “Training Program” means the educational program offered to an applicant by the SHOP Exchange that must be completed subject to Insurance Article, §31-112(c)(2)(v), Annotated Code of Maryland.

.04 Licensing Requirements.

A. Before a person may act as a SHOP Exchange navigator in the State, the person shall obtain a license issued by the Commissioner.

B. To qualify for a license, an applicant:

- (1) Shall be at least 18 years of age;
- (2) Shall successfully complete the training program;
- (3) Shall complete and pass both sections of the examination;
- (4) Shall submit an application and any additional information the Commissioner deems necessary to the Administration;
- (5) Shall pay to the Administration initial license and application fees if permitted by law;
- (6) Shall be of good character and trustworthy; and
- (7) May not have committed any act the Commissioner finds would warrant suspension or revocation of a license under Insurance Article, §31-112(e), Annotated Code of Maryland.

.05 Examination.

A. To qualify to take the examination, an applicant must submit evidence of successful completion of the training program.

B. The examination shall be:

- (1) Divided into a State-specific section and a general section;
- (2) Based on a content outline that is approved by the Commissioner in consultation with the Maryland Health Benefit Exchange;
- (3) Reviewed by the Commissioner on a periodic basis, in consultation with the Maryland Health Benefit Exchange, to ensure that it accurately measures an applicant’s competency in the required areas of knowledge;
- (4) In writing, but may be administered electronically to an applicant;
- (5) Conducted in specified locations throughout the State which have been approved by the Commissioner;
- (6) Conducted in facilities that comply with the Americans with Disabilities Act of 1990 as amended by 42 U.S.C. Section 12101, et seq.; and
- (7) Administered quarterly, or more frequently if deemed appropriate by the Commissioner.

C. Each section of the examination shall be scored separately.

D. The Commissioner shall establish a minimum passing score, in consultation with the Maryland Health Benefit Exchange, for each section of the examination.

E. An applicant who fails a single section of the examination may retake the failed section of the examination within 1 year of the initial examination date. If the applicant does not pass the failed section within that time, the applicant must retake both sections of the examination to be eligible to pass the examination. The examination may be taken no more than three times in a 6-week period.

.06 Changes to Information in the Application.

A. Within 30 days after a change to any information in an initial or renewal application, a licensee shall file with the Commissioner, in a form required by the Commissioner, the change in information.

B. If a licensee fails to timely file with the Commissioner a change to the information specified in §A of this regulation, the licensee is in violation of Insurance Article, §31-112(e)(1)(i), Annotated Code of Maryland.

.07 License Term.

A. An initial license expires on the last day of the licensee’s birth month following the second anniversary of the effective date of the initial license.

B. A renewal license expires on the second anniversary of its effective date.

.08 License Renewal.

A. To qualify to renew a license, a licensee:

- (1) Shall submit to the Commissioner a renewal application approved by the Commissioner;
- (2) Shall pay a license renewal fee if permitted by law;
- (3) Shall submit to the Commissioner any additional information the Commissioner deems necessary;
- (4) Shall complete the continuing education requirements as set forth in §A(7) of this regulation;
- (5) Shall be of good character and trustworthy;
- (6) May not have committed any act the Commissioner finds would warrant suspension or revocation of a license under Insurance Article, §31-112(e), Annotated Code of Maryland;
- (7) Shall complete 16 credit hours of continuing education during the prior license period as approved by the Administration in consultation with the Maryland Health Benefit Exchange. The credit hours shall include the following:
 - (a) A minimum of 9 credit hours in health insurance; and
 - (b) A minimum of 3 credit hours in ethics;
- (8) Shall have paid all undisputed taxes and unemployment insurance contributions payable to the Comptroller of Maryland and the Maryland Secretary of Labor, Licensing, and Regulation or have provided for payment in a manner satisfactory to the unit responsible for collection; and
- (9) Shall have paid any amount in arrears on an applicant’s child support obligation, if any, or have provided for payment in a manner satisfactory to the unit responsible for collection.

B. A renewal application is considered timely filed if:

- (1) The application contains all of the required information;
- (2) The renewal license fee, if permitted by law, has been received by the Administration; and
- (3) The application is:
 - (i) Mailed and postmarked on or before the expiration date of the license; or
 - (ii) Submitted electronically and received by an information processing system that the Administration has designated for the purpose of receiving electronic applications prior to the expiration date of the license.

C. If, at least 2 calendar weeks before a license expires, the licensee makes sufficient application for renewal of the license, the license shall not expire until:

- (1) The Administration takes final action on the renewal application; and

(2) The time for seeking judicial review of the action expires or any judicial stay of the Administration's final action expires.

.09 Expired License Reinstatement.

A. An individual whose license has expired:

(1) Is prohibited from acting as a SHOP Exchange navigator in the State; and

(2) For up to 1 year after the expiration date of the license, may obtain reinstatement of the expired license by:

(i) Submitting to the Commissioner a reinstatement application approved by the Commissioner;

(ii) Meeting all of the renewal requirements under Regulation .08(A) and (B) of this chapter; and

(iii) Paying to the Administration the reinstatement fee, if permitted by law.

B. An individual who does not qualify for reinstatement under §A(2) of this regulation may apply for an initial license as described in Regulation .04 of this chapter.

C. The Commissioner may waive the reinstatement procedures for a SHOP Exchange navigator who is unable to comply with the renewal and reinstatement procedures due to:

(1) Military service; or

(2) Other extenuating circumstances, including a long-term medical disability.

THERESE M. GOLDSMITH
Insurance Commissioner

Maryland Medical Orders for Life-Sustaining Treatment (MOLST)

Patient's Last Name, First, Middle Initial

Date of Birth

 Male Female

This form includes medical orders for Emergency Medical Services (EMS) and other medical personnel regarding cardiopulmonary resuscitation and other life-sustaining treatment options for a specific patient. It is valid in all health care facilities and programs throughout Maryland. This order form shall be kept with other active medical orders in the patient's medical record. The physician or nurse practitioner must accurately and legibly complete the form and then sign and date it. The physician or nurse practitioner shall select only 1 choice in Section 1 and only 1 choice in any of the other Sections that apply to this patient. If any of Sections 2-9 do not apply, leave them blank. A copy or the original of every completed MOLST form must be given to the patient or authorized decision maker within 48 hours of completion of the form or sooner if the patient is discharged or transferred.

CERTIFICATION FOR THE BASIS OF THESE ORDERS: Mark any and all that apply.

I hereby certify that these orders are entered as a result of a discussion with and the informed consent of:

- the patient; or
 the patient's health care agent as named in the patient's advance directive; or
 the patient's guardian of the person as per the authority granted by a court order; or
 the patient's surrogate as per the authority granted by the Health Care Decisions Act; or
 if the patient is a minor, the patient's legal guardian or another legally authorized adult.

Or, I hereby certify that these orders are based on:

- instructions in the patient's advance directive; or
 other legal authority in accordance with all provisions of the Health Care Decisions Act. All supporting documentation must be contained in the patient's medical records.

- Mark this line if the patient or authorized decision maker declines to discuss or is unable to make a decision about these treatments. **The patient's or authorized decision maker's participation in the preparation of the MOLST form is always voluntary.** If the patient or authorized decision maker has not limited care, except as otherwise provided by law, CPR will be attempted and other treatments will be given.

CPR (RESUSCITATION) STATUS: EMS providers must follow the *Maryland Medical Protocols for EMS Providers*.

Attempt CPR: If cardiac and/or pulmonary arrest occurs, attempt cardiopulmonary resuscitation (CPR). This will include any and all medical efforts that are indicated during arrest, including artificial ventilation and efforts to restore and/or stabilize cardiopulmonary function.

[If the patient or authorized decision maker does not or cannot make any selection regarding CPR status, mark this option. Exceptions: If a valid advance directive declines CPR, CPR is medically ineffective, or there is some other legal basis for not attempting CPR, mark one of the "No CPR" options below.]

1 No CPR, Option A, Comprehensive Efforts to Prevent Arrest: Prior to arrest, administer all medications needed to stabilize the patient. If cardiac and/or pulmonary arrest occurs, do not attempt resuscitation (No CPR). Allow death to occur naturally.

Option A-1, Intubate: Comprehensive efforts may include intubation and artificial ventilation.

Option A-2, Do Not Intubate (DNI): Comprehensive efforts may include limited ventilatory support by CPAP or BiPAP, but do not intubate.

No CPR, Option B, Palliative and Supportive Care: Prior to arrest, provide passive oxygen for comfort and control any external bleeding. Prior to arrest, provide medications for pain relief as needed, but no other medications. Do not intubate or use CPAP or BiPAP. If cardiac and/or pulmonary arrest occurs, do not attempt resuscitation (No CPR). Allow death to occur naturally.

PHYSICIAN'S OR NURSE PRACTITIONER'S SIGNATURE (Signature and date are required to validate order)

Practitioner's Signature

Print Practitioner's Name

Maryland License #

Phone Number

Date

Orders in Sections 2-9 below do not apply to EMS providers and are for situations other than cardiopulmonary arrest. Only complete applicable items in Sections 2 through 8, and only select one choice per applicable Section.

2	ARTIFICIAL VENTILATION 2a. _____ May use intubation and artificial ventilation indefinitely, if medically indicated. 2b. _____ May use intubation and artificial ventilation as a limited therapeutic trial. Time limit _____ 2c. _____ May use only CPAP or BiPAP for artificial ventilation, as medically indicated. Time limit _____ 2d. _____ Do not use any artificial ventilation (no intubation, CPAP or BiPAP).
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3	BLOOD TRANSFUSION 3a. _____ May give any blood product (whole blood, packed red blood cells, plasma or platelets) that is medically indicated.		3b. _____ Do not give any blood products.
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4	HOSPITAL TRANSFER 4a. _____ Transfer to hospital for any situation requiring hospital-level care.		4b. _____ Transfer to hospital for severe pain or severe symptoms that cannot be controlled otherwise. 4c. _____ Do not transfer to hospital, but treat with options available outside the hospital.
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5	MEDICAL WORKUP 5a. _____ May perform any medical tests indicated to diagnose and/or treat a medical condition.		5b. _____ Only perform limited medical tests necessary for symptomatic treatment or comfort. 5c. _____ Do not perform any medical tests for diagnosis or treatment.
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6	ANTIBIOTICS 6a. _____ May use antibiotics (oral, intravenous or intramuscular) as medically indicated. 6b. _____ May use oral antibiotics when medically indicated, but do not give intravenous or intramuscular antibiotics.		6c. _____ May use oral antibiotics only when indicated for symptom relief or comfort. 6d. _____ Do not treat with antibiotics.
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7	ARTIFICIALLY ADMINISTERED FLUIDS AND NUTRITION 7a. _____ May give artificially administered fluids and nutrition, even indefinitely, if medically indicated. 7b. _____ May give artificially administered fluids and nutrition, if medically indicated, as a trial. Time limit _____		7c. _____ May give fluids for artificial hydration as a therapeutic trial, but do not give artificially administered nutrition. Time limit _____ 7d. _____ Do not provide artificially administered fluids or nutrition.
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8	DIALYSIS 8a. _____ May give chronic dialysis for end-stage kidney disease if medically indicated.		8b. _____ May give dialysis for a limited period. Time limit _____ 8c. _____ Do not provide acute or chronic dialysis.
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9	OTHER ORDERS _____ _____ _____ _____
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PHYSICIAN'S OR NURSE PRACTITIONER'S SIGNATURE (Signature and date are required to validate order)		
Practitioner's Signature	Print Practitioner's Name	
Maryland License #	Phone Number	Date

INSTRUCTIONS

Completing the Form: The physician or nurse practitioner shall select only 1 choice in Section 1 and only 1 choice in any of the other Sections that apply to this patient. If any of Sections 2-9 do not apply, leave them blank. Use Section 9 to document any other orders related to life-sustaining treatments. The order form is not valid until a physician or nurse practitioner signs and dates it. Each page that contains orders must be signed and dated. A copy or the original of every completed MOLST form must be given to a competent patient or authorized decision maker within 48 hours of completion of the form or sooner if the patient is discharged or transferred.

Selecting CPR (Resuscitation) Status: EMS Option A-1 – Intubate, Option A-2 – Do Not Intubate, and Option B include a set of medical interventions. You cannot alter the set of interventions associated with any of these options and cannot override or alter the interventions with orders in Section 9.

No-CPR Option A: Comprehensive Efforts to Prevent Cardiac and/or Respiratory Arrest / DNR if Arrest – No CPR. This choice may be made either with or without intubation as a treatment option. Prior to arrest, all interventions allowed under *The Maryland Medical Protocols for EMS Providers*. Depending on the choice, intubation may or may not be utilized to try to prevent arrest. Otherwise, CPAP or BiPAP will be the only devices used for ventilatory assistance. In all cases, comfort measures will also be provided. No CPR if arrest occurs.

No-CPR Option B: Supportive Care Prior to Cardiac and/or Respiratory Arrest. DNR if Arrest Occurs – No CPR. Prior to arrest, interventions may include opening the airway by non-invasive means, providing passive oxygen, controlling external bleeding, positioning and other comfort measures, splinting, pain medications by orders obtained from a physician (e.g., by phone or electronically), and transport as appropriate. No CPR if arrest occurs.

The DNR A-1, DNR A-2 (DNI) and DNR B options will be authorized by this original order form, a copy or a fax of this form, or a bracelet or necklace with the DNR emblem. EMS providers or medical personnel who see these orders are to provide care in accordance with these orders and the applicable *Maryland Medical Protocols for EMS Providers*. Unless a subsequent order relating to resuscitation has been issued or unless the health care provider reasonably believes a DNR order has been revoked, every health care provider, facility, and program shall provide, withhold, or withdraw treatment according to these orders in case of a patient's impending cardiac or respiratory arrest.

Location of Form: The original or a copy of this form shall accompany patients when transferred or discharged from a facility or program. Health care facilities and programs shall maintain this order form (or a copy of it) with other active medical orders or in a section designated for MOLST and related documents in the patient's active medical record. At the patient's home, this form should be kept in a safe and readily available place and retrieved for responding EMS and health care providers before their arrival. The original, a copy, and a faxed MOLST form are all valid orders. There is no expiration date for the MOLST or EMS DNR orders in Maryland.

Reviewing the Form: These medical orders are based on this individual's current medical condition and wishes. Patients, their authorized decision makers and attending physicians or nurse practitioners shall review and update, if appropriate, the MOLST orders annually and whenever the patient is transferred between health care facilities or programs, is discharged, has a substantial change in health status, loses capacity to make health care decisions, or changes his or her wishes.

Updating the Form: The MOLST form shall be voided and a new MOLST form prepared when there is a change to any of the orders. If modified, the physician or nurse practitioner shall void the old form and complete, sign, and date a new MOLST form.

Voiding the Form: To void this medical order form, the physician or nurse practitioner shall draw a diagonal line through the sheet, write "VOID" in large letters across the page, and sign and date below the line. A nurse may take a verbal order from a physician or nurse practitioner to void the MOLST order form. Keep the voided order form in the patient's active or archived medical record.

Revoking the Form's DNR Order: In an emergency situation involving EMS providers, the DNR order in Section 1 may be revoked at any time by a competent patient's request for resuscitation made directly to responding EMS providers.

Bracelets and Necklaces: If desired, complete the paper form at the bottom of this page, cut out the bracelet portion below, and place it in a protective cover to wear around the wrist or neck or pinned to clothing. If a metal bracelet or necklace is desired, contact Medic Alert at 1-800-432-5378. Medic Alert requires a copy of this order along with an application to process the request.

How to Obtain This Form: Call 410-706-4367 or go to marylandmolst.org



Use of an EMS DNR bracelet is OPTIONAL and at the discretion of the patient or authorized decision maker. Print legibly, have physician or NP sign, cut off strip, fold, and insert in bracelet or necklace.

DNR A-1 Intubate DNR A-2 Do Not Intubate DNR B

Pt. Name _____ DOB _____

Phys./NP Name _____ Date _____

Phys./NP Signature _____ Phone _____

General Notices

Notice of ADA Compliance

The State of Maryland is committed to ensuring that individuals with disabilities are able to fully participate in public meetings. Anyone planning to attend a meeting announced below who wishes to receive auxiliary aids, services, or accommodations is invited to contact the agency representative at least 48 hours in advance, at the telephone number listed in the notice or through Maryland Relay.

ATHLETIC COMMISSION

Subject: Public Meeting
Date and Time: December 19, 2012, 2 — 4 p.m.
Place: 500 N. Calvert St., Fin. Reg 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Patrick Pannella (410) 230-6223
 [12-25-31]

ATHLETIC COMMISSION

Subject: Public Meeting
Date and Time: December 20, 2012, 2 — 4 p.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Patrick Pannella (410) 230-6223
 [12-25-12]

BOARD FOR THE CERTIFICATION OF RESIDENTIAL CHILD CARE PROGRAM ADMINISTRATORS

Subject: Public Meeting
Date and Time: January 11, 2013, 9:30 a.m. — 12 p.m.
Place: 4201 Patterson Ave., Baltimore, MD
Contact: Richard Proctor (410) 764-5911
 [12-25-30]

CONSUMER COUNCIL OF MARYLAND

Subject: Public Meeting
Date and Time: January 4, 2013, 9:15 — 11 a.m.
Place: 200 St. Paul Pl., 16th Fl., Baltimore, MD
Contact: Stephanie A. Hodge (410) 576-6557
 [12-25-34]

BOARD OF COSMETOLOGISTS

Subject: Public Meeting
Date and Time: January 7, 2013, 9:30 a.m. — 4 p.m.
Place: 500 N. Calvert St., 2nd Fl. Conf. Rm., Baltimore, MD
Add'l. Info: Centre St.t Entrance
Contact: Robert Wood (410) 230-6195
 [12-25-27]

GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION

Subject: Public Meeting
Date and Time: January 14, 2013, 1 — 3 p.m.
Place: Governor's Office of Crime Control and Prevention, Baltimore, MD
Contact: Jessica Winpigler (410) 821-2852
 [12-25-13]

DEPARTMENT OF GENERAL SERVICES/ARCHITECTURAL/ENGINEERING/PROCUREMENT/GPSSB

Subject: Public Meeting
Date and Time: December 27, 2012, 9:30 a.m.
Add'l. Info: The agenda for the meeting is as follows:

A. The Board shall acknowledge receipt of the Department of General Services' Letter of Certification; receive and act upon the Qualification Committee's recommendation that, based upon the evaluation of respondent firms' technical proposals, the ranking of the firms be approved and authorization be granted to initiate negotiations, in accordance with the A/E Procurement regulations, for the following project:

Project No. A-000-120-001
 Campus-Wide Fire Alarm System Replacement
 Maryland School for the Deaf, Frederick, Maryland
 Using Agency: Maryland School for the Deaf

B. The Board shall review the Negotiation Committee's recommendation and determine that negotiations have been conducted in accordance with regulations, and the price proposals are deemed fair, competitive, and reasonable, and if accepted shall certify and authorize Administrator to present selection to the Board of Public Works for the following projects:

1. Project No. BC-230-080-001
 New Catonsville District Courthouse, Catonsville, Maryland
 Using Agency: Department of General Services

2. Project No. PZ-475-100-001

Renovation and Reconfiguration of Building K

Maryland State Police Headquarters, Pikesville, Maryland

Using Agency: Maryland State Police

C. The Board will also review other matters which may be presented for its consideration.

Please call Myrna L. Harris at 410-767-0979 (Voice) or, for persons with hearing or speech disabilities, call via the Maryland Relay Service at 1-800-735-2258, to request any reasonable accommodations you may require.

Place: 201 W. Preston St., Rm. L-3, Baltimore, MD

Contact: Myrna L. Harris (410) 767-0979
 [12-25-35]

DEPARTMENT OF HEALTH AND MENTAL HYGIENE/PHARMACY AND THERAPEUTICS COMMITTEE

Subject: Call for Physician, Pharmacist and Consumer Nominations

Add'l. Info: The Maryland Department of Health and Mental Hygiene is currently recruiting physicians, pharmacists and consumers to serve on the Maryland Medicaid Program's Pharmacy and Therapeutics (P&T) Committee beginning in May, 2013.

The Committee shall be composed of no less than 12 Members, appointed by the Secretary for a 3-year term. At least five members shall be physicians, licensed in Maryland and one being a psychiatrist; five members shall be pharmacists, licensed in Maryland and one having expertise with mental health drugs; and two members shall be consumer representatives residing in the State.

Duties and Powers of Committee

Rules: The Committee shall operate under Standard Operating Procedures and comply with rules adopted by DHMH, including notice of any meeting of the Committee pursuant to the requirements of the Administrative Procedures Act.

Regular Meetings: The Committee shall meet at least twice a year, and may meet at other times at the discretion of DHMH. To the extent feasible, the Committee shall

review all drug classes included in the Preferred Drug List at least every 12 months. Executive sessions shall be closed to the public.

Attendance: Members of the Committee may be removed if they miss two consecutive Committee meetings

Preferred Drug List Development: The Committee reviews classes of medications and recommends to DHMH which medications should be included in the Preferred Drug List for prescribing to Medicaid recipients. The Preferred Drug List is comprised of cost-effective medically appropriate drug therapies for Medicaid recipients. The Committee shall develop its Preferred Drug List recommendations by considering the clinical efficacy, safety, and cost effectiveness of drug products. Analyses shall be based upon reviews of relevant clinical information, including but not limited to, FDA approved labeling, supporting studies, published head to head comparisons and peer reviewed medical journal articles.

Prior Authorization: The Committee may also make recommendations to DHMH regarding the prior authorization of any prescribed drug covered by Medicaid. Magellan Medicaid Administration is currently providing administrative and technical support to the Department of Health and Mental Hygiene with regard to the P&T Committee. For an application packet, please email Megan Shook at megan.shook@maryland.gov. Application deadline is Wednesday, January 2, 2013.

For further information, contact Megan Shook, Program Specialist, Maryland Medicaid Pharmacy Program, Dept. of Health and Mental Hygiene, Suite 408, 201 W. Preston Street, Baltimore, MD 21201-2399, Phone/Voice mail (410)767 6896, megan.shook@maryland.gov.

Contact: Alex Taylor (410) 767-5878
[12-25-10]

**BOARD OF HEATING,
VENTILATION, AIR-
CONDITIONING, AND
REFRIGERATION CONTRACTORS
(HVACR)**

Subject: Public Meeting
Date and Time: January 9, 2013, 9:30 a.m. — 12 p.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Steve Smitson (410) 230-6169
[12-25-16]

**HOME IMPROVEMENT
COMMISSION**

Subject: Public Meeting
Date and Time: January 3, 2013, 10 a.m. — 12 p.m.
Place: 500 N. Calvert St., 2nd Fl. Conf. Rm., Baltimore, MD
Contact: Steven Smitson (410) 230-6169
[12-25-14]

**DIVISION OF LABOR AND
INDUSTRY/MARYLAND
OCCUPATIONAL SAFETY AND
HEALTH (MOSH)**

Subject: Public Meeting
Date and Time: January 2, 2013, 10 a.m.
Place: 10946 Golden West Dr., Ste. 160, Hunt Valley, MD
Add'l. Info: The MOSH Advisory Board will meet to discuss issues related to occupational safety and health. Interested persons should call the contact person to confirm the meeting.
Contact: Debbie Stone (410) 767-2225
[12-25-33]

**BOARD FOR PROFESSIONAL LAND
SURVEYORS**

Subject: Public Meeting
Date and Time: January 2, 2013, 10 a.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Pamela J. Edwards (410) 230-6262
[12-25-29]

**MARYLAND HEALTH CARE
COMMISSION**

Subject: Public Meeting
Date and Time: December 20, 2012, 1 p.m.
Place: Maryland Health Care Commission, 4160 Patterson Ave., Conf. Rm. 100, Baltimore, MD
Contact: Valerie Wooding (410) 764-3460
[12-25-01]

**MARYLAND HEALTH CARE
COMMISSION**

Subject: Public Meeting
Date and Time: January 17, 2013, 1 p.m.
Place: Maryland Health Care Commission, 4160 Patterson Ave., Conf. Rm. 100, Baltimore, MD
Contact: Valerie Wooding (410) 764-3460
[12-25-08]

**MINORITY BUSINESS ENTERPRISE
ADVISORY COMMITTEE**

Subject: Public Meeting
Date and Time: December 19, 2012, 8:30 a.m. — 5 p.m.
Place: Harry R. Hughes Dept. of Transportation Bldg., 7201 Corporate Center Dr., Hanover, MD
Contact: Pam Gregory (410) 865-1253
[12-25-02]

**BOARD OF PODIATRIC MEDICAL
EXAMINERS**

Subject: Public Meeting
Date and Time: January 10, 2013, 1 p.m.
Place: 4201 Patterson Ave., Rm. 110, Baltimore, MD
Contact: Sheri Henderson (410) 764-4785
[12-25-17]

**BOARD OF PODIATRIC MEDICAL
EXAMINERS**

Subject: Public Meeting
Date and Time: February 14, 2013, 1 p.m.
Place: 4201 Patterson Ave., Rm. 110, Baltimore, MD
Contact: Sheri Henderson (410) 764-4785
[12-25-18]

**BOARD OF PODIATRIC MEDICAL
EXAMINERS**

Subject: Public Meeting
Date and Time: March 14, 2013, 1 p.m.
Place: 4201 Patterson Ave., Rm. 110, Baltimore, MD
Contact: Sheri Henderson (410) 764-4785
[12-25-19]

**BOARD OF PODIATRIC MEDICAL
EXAMINERS**

Subject: Public Meeting
Date and Time: April 11, 2013, 1 p.m.
Place: 4201 Patterson Ave., Rm 110, Baltimore, MD
Contact: Sheri Henderson (410) 764-4785
[12-25-20]

**BOARD OF PODIATRIC MEDICAL
EXAMINERS**

Subject: Public Meeting
Date and Time: May 9, 2013, 1 p.m.
Place: 4201 Patterson Ave., Rm. 100, Baltimore, MD
Contact: Sheri Henderson (410) 764-4785
[12-25-21]

GENERAL NOTICES

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BOARD OF PODIATRIC MEDICAL EXAMINERS

Subject: Public Meeting
Date and Time: June 13, 2013, 1 p.m.
Place: 4201 Patterson Ave., Rm. 110, Baltimore, MD
Contact: Sheri Henderson (410) 764-4785
[12-25-22]

BOARD OF PODIATRIC MEDICAL EXAMINERS

Subject: Public Meeting
Date and Time: July 11, 2013, 1 p.m.
Place: 4201 Patterson Ave., Rm. 110, Baltimore, MD
Contact: Sheri Henderson (410) 764-4785
[12-25-23]

BOARD OF PODIATRIC MEDICAL EXAMINERS

Subject: Public Meeting
Date and Time: September 12, 2013, 1 p.m.
Place: 4201 Patterson Ave., Rm. 110, Baltimore, MD
Contact: Sheri Henderson (410) 764-4785
[12-25-24]

POLICE TRAINING COMMISSION

Subject: Public Meeting
Date and Time: January 10, 2013, 2 — 5 p.m.
Place: Public Safety Education and Training Center, 6852 4th St., Sykesville, MD
Contact: Thomas C. Smith (410) 875-3605
[12-25-09]

BOARD OF PUBLIC ACCOUNTANCY

Subject: Public Meeting
Date and Time: January 8, 2013, 9 a.m. — 12 p.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Dennis L. Gring (410) 230-6224
[12-25-11]

REAL ESTATE COMMISSION

Subject: Public Meeting
Date and Time: January 16, 2013, 10:30 a.m.
Place: Dept. of Labor, Licensing, and Regulation, 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Patricia Hannon (410) 230-6199
[12-25-04]

REAL ESTATE COMMISSION

Subject: Public Hearing
Date and Time: January 16, 2013, 12:30 a.m.
Place: Dept. of Labor, Licensing, and Regulation, 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Patricia Hannon (410) 230-6199
[12-25-05]

RETIREMENT AND PENSION SYSTEM — BOARD OF TRUSTEES

Subject: Public Meeting
Date and Time: January 15, 2013, 10 a.m.
Place: Sun Trust Bldg., 120 E. Baltimore St., 16th Fl. Boardroom, Baltimore, MD
Add'l. Info: Meeting date and location are subject to change. Anyone interested in attending should contact the MD Retirement Agency for confirmation. Please note, the meeting may include a closed session. Sign language interpreters and/ or appropriate accommodation for qualified individuals with disabilities will be provided upon request; please call 410-625-5609 or 1-800-735-2258 TTY.
Contact: Patrice Sowah (410) 625-5609
[12-25-03]

NORTHEAST MARYLAND WASTE DISPOSAL AUTHORITY

Subject: Public Meetings Notice Procedure
Add'l. Info: The Authority gives notice of meetings by posting a notice on its website under the section entitled "Press Releases/Notices" and at the entrance of its offices. In addition, when the publication schedule permits the Authority will also give notice in the Maryland Register. Notice is hereby given that the Authority's website address is: nmwda.org; its offices are located at Tower II, Suite 402, 100 S. Charles Street, Baltimore, Maryland. Notice is also hereby given that portions of Authority meetings may be held in closed session.
Contact: M. Catherine Coble (410) 333-2730
[12-25-28]

WORKERS' COMPENSATION COMMISSION

Subject: Public Meeting
Date and Time: January 24, 2013, 9 — 11 a.m.
Place: 10 E. Baltimore St., Baltimore, MD
Add'l. Info: Portions of this meeting may be held in closed session.
Contact: Amy Lackington (410) 864-5300
[12-25-07]

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- 06 Diseases
- 07 Hospitals
- 08 Health Facilities Grants

#### Part 2

- 09 Medical Care Programs

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- 12 Adult Health
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- 18 Human Immunodeficiency Virus (HIV) Infection and  
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- 20 Kidney Disease Program
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- 25 Maryland Health Care Commission
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- 58 Board of Professional Counselors and Therapists
- 59 Catastrophic Health Emergencies

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  - 06 Mass Transit Administration
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- 11 Motor Vehicle Administration – Administrative Procedures
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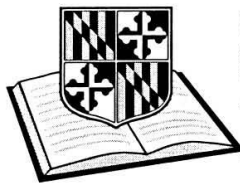
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