



Maryland Register

Issue Date: June 4, 2010

Volume 37 • Issue 12 • Page 785—820

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Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before May 17, 2010, 5:00 p.m.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 May 17, 2010.

Gail S. Klakring
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
- Governor's Appointments to State Offices
- 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

Each COMAR title has a Table of Contents and Index. 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 410-974-2486.

SUBSCRIPTION INFORMATION

For subscription forms for the Maryland Register and COMAR, see the back pages of the Maryland Register. Single issues of the Maryland Register are \$5.00 per issue, plus \$2.00 for postage and handling.

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; **Gail S. Klakring**, Acting Administrator; **Mary D. MacDonald**, Editor, Maryland Register and COMAR; **Elizabeth Ramsey**, Editor, COMAR Online; **Marcia M. Diamond**, Subscription Manager, COMAR; **Tami Cathell**, Help Desk, COMAR and Maryland Register Online.
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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.

Availability of Monthly List of Maryland Documents

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.

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September 10	August 23	September 1	August 30
September 24**	September 3	September 15	September 13
October 8	September 20	September 29	September 27
October 22**	October 4	October 13	October 8
November 5**	October 18	October 26	October 25
November 19**	November 1	November 9	November 8
December 3**	November 15	November 19	November 18
December 17	November 29	December 8	December 6
January 3***	December 13	December 20	December 17
January 14	December 27	January 5	January 3
January 28**	January 10	January 19	January 14

* Due date for documents containing 25 to 60 pages—48 hours before date shown

Due date for documents exceeding 60 pages—1 week before date shown

** Note closing date changes

*** Note issue date change

The regular closing date for Proposals and Emergencies is Monday.

REGULATIONS CODIFICATION SYSTEM

Under the COMAR codification system, every regulation is assigned a unique four-part codification number by which it may be identified. All regulations found in COMAR are arranged by title. Each title is divided into numbered subtitles, each subtitle is divided into numbered chapters, and each chapter into numbered regulations.

09.12.01.01D(2)(c)(iii)
 Title Chapter Section Paragraph
 Subtitle Regulation Subsection Subparagraph

A regulation may be divided into lettered sections, a section divided into numbered subsections, a subsection divided into lettered paragraphs, and a paragraph divided into numbered subparagraphs.

Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed

This table, previously printed in the Maryland Register lists the regulations, by COMAR title, that have been adopted, amended, or repealed in the Maryland Register since the regulations were originally published or last supplemented in the Code of Maryland Regulations (COMAR). The table is no longer printed here but may be found on the Division of State Documents website at www.dsd.state.md.us.

Table of Pending Proposals

The table below lists proposed changes to COMAR regulations. The proposed changes are listed by their COMAR number, followed by a citation to that issue of the Maryland Register in which the proposal appeared. Errata pertaining to proposed regulations are listed, followed by "(err)". Regulations referencing a document incorporated by reference are followed by "(ibr)". None of the proposals listed in this table have been adopted. A list of adopted proposals appears in the Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed.

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- CH0714** HB0926 (Enrolled). Dels Proctor and Vallario. State Retirement and Pension System - Retiree Organization - Direct Mailings
- CH0715** HB0927. Del Nathan-Pulliam, et al. State Board of Social Work Examiners - Out-of-State Applicants - Licensure
- CH0716** HB0934 (Amended). Del McIntosh, et al. Vehicle Laws - Commercial Vehicles - Handheld Telephones Utilizing Push-to-Talk Technology
- CH0717** HB0963. Del G. Clagett, et al. Child Support Enforcement - Interception of Abandoned Property
- CH0718** HB0966 (Enrolled). Washington County Delegation. Washington County - Salary Study Process
- CH0719** HB0982 (Amended). Del Niemann, et al. Solid Waste Management - Recycling and Source Reduction - Study
- CH0720** HB1032 (Amended). Del Kirk, et al. Motor Fuel Suppliers - Games of Chance
- CH0721** HB1062 (Amended). Del Healey, et al. Property Tax Credit - Urban Agricultural Property
- CH0722** HB1112. Carroll County Delegation. Carroll County - Green Building Tax Credit
- CH0723** HB1117. Dels Riley and James. Harford County Property Tax Credit - Homes near a Refuse Disposal System - Extension to Additional Properties
- CH0724** HB1135 (Amended). Del Ross, et al. Property Tax Credit - Grocery Stores - Low-Income Areas
- CH0725** HB1155 (Enrolled). Del Lafferty, et al. Transportation - Consolidated Transportation Program - Evaluation and Selection of Proposed Capital Projects
- CH0726** HB1161 (Amended). Del Jones, et al. Tax Increment Financing and Special Taxing Districts - State Hospital Redevelopment
- CH0727** HB1188 (Amended). Del Hubbard. State Board of Professional Counselors and Therapists - Membership
- CH0728** HB1199 (Enrolled). Del Malone. Motor Vehicles - Salvage - Standards and Requirements
- CH0729** HB1200 (Amended). Calvert County Delegation. Calvert County - Special Taxing Districts
- CH0730** HB1206 (Amended). Del Frick, et al. Commercial Law - Consumer Protection - Refund Anticipation Loans and Checks
- CH0731** HB1295. Del Krysiak, et al. Workers' Compensation - Uninsured Employers' Fund - Uninsured Employer Assessments
- CH0732** HB1323 (Amended). Del Jennings, et al. Civil Air Patrol Leave Act of 2010
- CH0733** HB1302 (Amended). Del Kipke, et al. Health Occupations - Dental Hygienists - Practice in Long-Term Care Facilities
- CH0734** HB1375 (Amended). Del Mizeur. Kids First Express Lane Eligibility Act
- CH0735** HB1389 (Amended). Del Vallario, et al. Traffic Cases - State Police Helicopters and Ambulance, Fire, and Rescue Companies
- CH0736** HB1399 (Enrolled). Dels Lafferty and Stein. Residential Mortgage Loans - Required Notice of Housing Counseling Programs and Services
- CH0737** HB1443 (Amended). Del Elmore, et al. State Retirement and Health Benefits - Early Service Retirement Allowance and Health Insurance Benefits - Eligibility
- CH0738** HB1454. Del McConkey. Family Law - Child Support - Change of Address or Employment
- CH0739** HB1464. Del Myers, et al. Land Bank Authorities - Establishment by Municipal Corporations
- CH0740** HB1470 (Enrolled). Del Rudolph, et al. Title Insurance - Title Insurers and Title Insurance Producers - Regulation and Reports
- CH0741** HB1508 (Amended). Del Rudolph. Environment - Coal Combustion By-Products - Disposal and Noncoal Mine Reclamation Sites
- CH0742** HB1514. Dels Beidle and Stein. Real Property - Condominiums - Cancellation of Insurance
- CH0743** HB1362 (Enrolled). Del Boteler, et al. Education - Public Schools - Virtual Schools

[10-12-37]

The Judiciary

COURT OF APPEALS OF MARYLAND

DISCIPLINARY PROCEEDINGS

This is to certify that by an Order of this Court dated May 10, 2010, PHILIP MICHAEL STOFFAN, 6290 Scenic Woods Circle, North Muskegon, Michigan 49445, has been disbarred by consent 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 16-713).

* * * * *

This is to certify that by Order of this Court dated May 10, 2010, ROBERT PHILIP THOMPSON, 12 E. Pleasant Street, Baltimore, MD 21202, has been placed on inactive status by consent, effective immediately, from the further practice of law in this State and his name an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 16-772).

* * * * *

This is to certify that by Opinion and Order of this Court dated May 12, 2010, LORIN HENRY BLEECKER, 11300 Rockville Plaza, One Central Plaza, Suite 710, Rockville, MD 20852, has been disbarred from the further practice of law in this State and his name an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 16-713).

* * * * *

[10-12-34]

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 Thursday, June 17, 2010, 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.

[10-12-30]

COURT OF SPECIAL APPEALS

Schedule for July 7, 12, 13, 14, 2010

Wednesday, July 7, 2010

Courtroom No. 1

No. 02257/09* In Re: Trinity Q.
 No. 02615/09* In Re: Adoption/Guardianship of Miguel P.
 No. 02800/09* In Re: Adoption/Guardianship of Montana H.
 No. 02822/09* In Re: Adoption/Guardianship of Mea J.
 No. 02885/09* In Re: Adoption/Guardianship of Tatianna B.
 *8-207(a)

Monday, July 12, 2010

All cases submitted on brief

Courtroom No. 1

No. 00333/09 Larry Darnell Pollin vs. State of Maryland
 No. 02152/09* In Re: Jared I.
 No. 02966/08 Corbin Lewis Booker vs. State of Maryland
 No. 00638/09 Glen Marvin Grace vs. State of Maryland
 No. 00618/09 Barry Dion Turner vs. State of Maryland
 No. 00631/09 Haymond Burton, Jr. vs. State of Maryland
 No. 00906/09 Michael Morris vs. State of Maryland
 No. 00899/09 Eric Tyrone Thompson vs. State of Maryland
 No. 00907/09 Juan Carlos Carrero-Vasquez vs. State of Maryland
 *8-207(a)

Courtroom No. 2

No. 00477/09 Jason Allen vs. State of Maryland
 No. 01784/09* Blake G. Bussell vs. Komesi Bussell
 No. 02414/08 Haven Navonte Simmons vs. State of Maryland
 No. 00384/09 G'von Antonio Burris a/k/a Gvon Antonio Burris vs. State of Maryland
 No. 00501/09 Anthony Cesar Penaloza vs. State of Maryland
 No. 00507/09 Oscar Rivera vs. State of Maryland
 *8-207(a)

Tuesday, July 13, 2010

All cases submitted on brief

Courtroom No. 1

No. 00099/09 Anastasia Smith Reitz vs. Tarrance C. McAndrews
 No. 00857/09 Wayne Mines vs. State of Maryland
 No. 00261/09 Donnell Johnson vs. State of Maryland
 No. 00617/09 James Edward Breakfield vs. State of Maryland
 No. 00648/09 Danny Griffin vs. State of Maryland
 No. 00669/09 Stephen Douglas Davidson vs. State of Maryland
 No. 00943/09 Rodney Donte Stephenson vs. State of Maryland
 No. 00945/09 Kevin Maurice Shorter vs. State of Maryland
 No. 00957/09 Kenneth Gerald Stabb vs. State of Maryland

Courtroom No. 2

No. 00519/09 Aaron Logan Jordan vs. State of Maryland
 No. 00550/09 In Re: Keith W.
 No. 00575/09 Ashley Catherine Lewis vs. State of Maryland
 No. 00687/09 Kevin Dabass Giddens vs. State of Maryland
 No. 00721/09 Deangelo Antwan Hargrove vs. State of Maryland
 No. 00753/09 Daniel Genies vs. State of Maryland

Wednesday, July 14, 2010

All cases submitted on brief

Courtroom No. 1

No. 02897/09* In Re: Stephen G.
 No. 00126/09 In Re: Christina D.
 No. 00118/09 Scott Allen Pryor vs. State of Maryland
 No. 00680/09 Russell Eugene Sines vs. State of Maryland
 No. 00681/09 Randy Anthony Weaver vs. State of Maryland
 No. 00686/09 Lionel Lamont Peterson vs. State of Maryland
 No. 01110/09 Demetrius Dontay Green a/k/a Demetrius Green vs. State of Maryland
 No. 01194/09 Michael Oldhan Kent vs. State of Maryland
 No. 01315/09 In Re: Melvin M.
 *8-207(a)

Courtroom No. 2

No. 02898/08 Michael Wayne Adams vs. State of Maryland
No. 00653/09 Dwayne Anderson a/k/a Dominic Johnson vs.
State of Maryland
No. 02965/08 Martin Luther Leach, Jr. vs. State of Maryland
No. 00593/09 Kevin Michael Shelton vs. State of Maryland
No. 00609/09 Joseph Lenberg Campbell vs. State of Maryland
No. 00611/09 Vaughn Dwayne Patterson vs. State of Maryland
No. 00829/09 Michael Farmer vs. State of Maryland
No. 00860/09 Alexander Bannerman vs. State of Maryland
No. 00898/09 Tory Bates vs. State of Maryland

On the day of argument, counsel are instructed to register in the Office of the Clerk **not later than 9 a.m.** The Court is located at 361 Rowe Boulevard, in the Robert C. Murphy Courts of Appeals Building. After July 14, 2010, the Court will recess until August, 2010.

LESLIE D. GRADET
Clerk

ADMINISTRATIVE ORDER

Pursuant to Maryland Rule 8-522(a), I hereby direct that oral argument in the month of July 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 July, 2010.

Chief Judge's signature appears on
original Administrative Order

Dated: May 19, 2010

[10-12-36]

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 09

DEPARTMENT OF LABOR, LICENSING, AND REGULATION

Subtitle 22 BOARD OF COSMETOLOGISTS

09.22.01 General Regulations

Authority: Business Occupations and Professions Article, §5-205, Annotated Code of Maryland

Notice of Final Action

[09-361-F]

On January 4, 2010, the State Board of Cosmetologists adopted amendments to Regulation .13 under **COMAR 09.22.01 General Regulations**. This action, which was proposed for adoption in 36:23 Md. R. 1821 (November 6, 2009), has been adopted as proposed.

Effective Date: June 14, 2010.

ROBERT WOOD
Executive Director
State Board of Barbers

Title 10

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.04 Home Health Services

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

Notice of Final Action

[10-111-F]

On May 20, 2010, the Secretary of Health and Mental Hygiene adopted amendments to Regulation .07 under **COMAR 10.09.04 Home Health Services**. This action, which was proposed for adoption in 37:7 Md. R. 577—578 (March 26, 2010), has been adopted as proposed.

Effective Date: June 14, 2010.

JOHN M. COLMERS
Secretary of Health and Mental Hygiene

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.36 General Medical Assistance Provider Participation Criteria

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

Notice of Final Action

[10-112-F]

On May 20, 2010, the Secretary of Health and Mental Hygiene adopted amendments to Regulation .03 under **COMAR 10.09.36 General Medical Assistance Provider Participation Criteria**. Also at this time, the Secretary is withdrawing the proposed amendments to Regulation .09 which were printed in the same Notice of Proposed Action.

This action, which was proposed for adoption in 37:7 Md. R. 578—579 (March 26, 2010), has been adopted as proposed.

Effective Date: June 14, 2010.

JOHN M. COLMERS
Secretary of Health and Mental Hygiene

Subtitle 09 MEDICAL CARE PROGRAMS

Notice of Final Action

[10-126-F]

On May 25, 2010, the Secretary of Health and Mental Hygiene adopted amendments to:

(1) Regulations .19 and .19-3 under **COMAR 10.09.65 Maryland Medicaid Managed Care Program: Managed Care Organizations**; and

(2) Regulations .12 and .14 under **COMAR 10.09.76 Primary Adult Care Program**.

This action, which was proposed for adoption in 37:8 Md. R. 633—636 (April 9, 2010), has been adopted as proposed.

Effective Date: June 14, 2010

JOHN M. COLMERS
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 03 COMPTROLLER OF THE TREASURY

Subtitle 02 ALCOHOL AND TOBACCO TAX

03.02.06 Fire Safety Performance Standard for Cigarettes

Authority: Business Regulation Article, §16-607(1), Annotated Code of Maryland

Notice of Proposed Action

[10-060-R]

The Comptroller of the Treasury proposes to adopt new Regulations .01—.05 under a new chapter, **COMAR 03.02.06 Fire Safety Performance Standard for Cigarettes**. Because substantive changes have been made to the original proposal as published in 37:3 Md. R. 181—182 (January 29, 2010), this action is being repropose at this time.

Statement of Purpose

The purpose of this action is to specify certain requirements for certifications submitted to the Comptroller by cigarette manufacturers; to provide that copies of package markings to be distributed by manufacturers and wholesalers may be made in an electronic format; to describe the Fire Safety Certification List issued by the Comptroller, and when cigarettes will be removed from such list; to provide manufacturers with the opportunity for a hearing if a cigarette is removed from the list; to require manufacturers to maintain copies of cigarette tests for 3 years, and make such reports available to the Comptroller; to provide that cigarettes seized without a proper package marking will be presumed to have violated the performance standard under Business Regulation Article, §16-602, Annotated Code of Maryland, and be subject to the civil penalties as provided in Business Regulation Article, §16-602, Annotated Code of Maryland; and to provide for inspections of licensees by authorized

personnel, and to define that personnel to include inspectors or other persons designated by the Comptroller.

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 Joanne Tetlow, Esquire, Tax Consultant II, Comptroller of Maryland, 80 Calvert Street, Room 310, Annapolis, MD 21401, or call (410) 260-7494, or email to [jttetlow@comp.state.md.us](mailto:jtetlow@comp.state.md.us), or fax to (410) 974-5564. Comments will be accepted through July 6, 2010. A public hearing has not been scheduled.

Ed. Note: Pursuant to State Government Article, §10-113, Annotated Code of Maryland, if a promulgating agency substantively alters the text of regulations that have been previously proposed in the Maryland Register, the altered text must be published in the Maryland Register as though it were initially proposed. The text of regulations appearing immediately below has been altered substantively from the initially proposed text.

Symbols: Roman type indicates existing text of regulations. *Italic* type indicates initially proposed new text. **Helvetica Bold Italic** type indicates new text that substantively alters the text as initially proposed. [Single brackets] indicate existing text proposed for repeal. [[[Triple brackets]]] indicate text proposed for deletion which substantively alters the originally proposed text.

.01—.02 (originally proposed text unchanged)

.03 *Fire Safety Cigarette Certification List*.

A. (originally proposed text unchanged)

F. Direct and indirect effects on public: NONE
 Eliminating the asset limit (+) \$227,760

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

A. and F. Few TCA applicants and recipients have countable assets. In the period from November 2008 through October 2009, 82 households were denied or closed because assets exceeded the \$2,000 limit. In a sample of these 82 cases, two also had income that was over the limit and they would have been ineligible for a reason other than assets. Of these 80 cases, approximately half of the remaining 80 cases (40) would not have been denied or closed and would have been eligible for TCA. The average TCA benefit is \$438.40 cases × \$438=\$17,520 per month × 12 months = \$210,240 annually.

Approximately 40 cases were closed or denied and were eligible the month after the closure or denial when their assets fell below the limit. Under the new rules these 40 cases would not have been denied or closed and would have received 1 month of benefits. 40 cases × \$438=\$17,520.
 \$210,240+ \$17,520 =\$227,760

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 LaVonne Oliver, Regulations Coordinator, DHR, Office of Government, Corp. and Comm. Affairs, 311 W. Saratoga Street, Baltimore, Maryland 21201, or call 410-767-2149, or email to regulations@dhr.state.md.us, or fax to 410-333-0637. Comments will be accepted through July 6, 2010. A public hearing has not been scheduled.

.04 Application Process.

- A. — B. (text unchanged)
- C. Assessment.
 - (1) — (2) (text unchanged)
 - (3) Based on the assessment of needs, the local department shall offer support services to an individual which may include, but are not limited to:
 - (a) — (b) (text unchanged)
 - (c) [Food stamps] *Food Supplement Program benefits*;
 - (d) — (j) (text unchanged)
 - (4) — (5) text unchanged
- D. (text unchanged)
- E. Verification.
 - (1) The local department shall verify the following factors of FIP eligibility:
 - (a) (text unchanged)
 - [(b) Countable assets;]
 - [(c)] (b) — [(d)](c) (text unchanged)
 - (2) — (4) (text unchanged)
- F. (text unchanged)

.11 Financial Eligibility.

- A. [Financial Eligibility Requirements.
 - (1) The local department shall evaluate and count resources available to the applicant or recipient to use for current living expenses.
 - (2)] The assistance unit is not eligible for TCA if the total[
 - (a) Net] *net* income of the case calculated as described in Regulation .13 of this chapter is more than the allowable payment

amount for the unit size as described in Regulation .17 of this chapter [; or

(b) Assets of the case, calculated as described in Regulation .12 of this chapter, are more than the allowable amount].

[(3)] B. When the expenses of a case exceed the known income or assets, the local department shall require the applicant or recipient to provide additional explanations or verifications.

[B.] (proposed for repeal)

.12 Assets.

[A. The asset limit for a TCA case is \$2,000.] *The local department shall:*

A. *Exclude assets of an individual when determining TCA eligibility; and*

B. [Excluded Assets. The local department shall exclude all assets from the \$2,000 limit except as described in §C of this regulation.] *Count the assets of a sponsor when determining TCA eligibility for a sponsored immigrant as described in Regulation .15 C of this chapter.*

[C.] (proposed for repeal)

.15 Sponsored [Legal] Qualified Immigrants.

A. This regulation applies to [legal] *qualified* immigrants who are required by federal law to have a sponsor who has signed an I-864 Affidavit of Support.

B. (text unchanged)

C. Assets of Sponsors. [All assets as described in Regulation .12C of this chapter in excess of \$2,000 of the sponsor and sponsor's spouse are counted as available to the sponsored immigrant.]

(1) *All assets of the sponsor and sponsor's spouse as described in §C(2) of this regulation in excess of \$2,000 are counted as available to the sponsored immigrant.*

(2) *Countable assets include:*

- (a) *Cash on hand;*
- (b) *Money in a savings account; and*
- (c) *Money in a checking account.*

D. — H. (text unchanged)

BRENDA DONALD
 Secretary of Human Resources

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

Subtitle 10 RACING COMMISSION

09.10.01 Thoroughbred Rules

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

**Notice of Proposed Action
 [10-159-P]**

The Maryland Racing Commission proposes to amend Regulation .18 under **COMAR 09.10.01 Thoroughbred Rules**. This action was considered at a public meeting held on February 16, 2010, notice of which was given by publication in 37:3 Md. R. 293 (January 29, 2010), pursuant to State Government Article §10-506(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to require a trainer to obtain certain approvals before a horse is permitted to wear certain equipment during the running of a race and also to require certain approvals before a trainer can request to discontinue the use of the equipment.

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 J. Michael Hopkins, Executive Director, Maryland Racing Commission, 300 East Towsontown Boulevard, Towson, MD 21286, or call 410-296-9682, or email to mhopkins@dllr.state.md.us, or fax to 410-296-9687. Comments will be accepted through July 6, 2010. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Maryland Racing Commission during a public meeting to be held on June 15, 2010, at Laurel Park at 12:30 p.m.

.18 Equipment Changes.

A. Permission [for a horse] to add [blinkers to his equipment or to discontinue the use of them], *or discontinue the use of, blinkers or any other device that would restrict the vision of a horse from behind* shall be approved by the starter before being granted by the stewards.

B. (text unchanged)

J. MICHAEL HOPKINS
Executive Director
Maryland Racing Commission

Subtitle 19 COMMISSION OF REAL ESTATE APPRAISERS AND HOME INSPECTORS — REAL ESTATE APPRAISERS

09.19.05 Code of Ethics

Authority: Business Occupations and Professions Article, §§16-208, 16-216, 16-220, 16-302(d) and (g), and 16-503(b) and (f), Annotated Code of Maryland

Notice of Proposed Action

[10-158-P-I]

The Commission of Real Estate Appraisers and Home Inspectors proposes to amend Regulation .01 under **COMAR 09.19.05 Code of Ethics**. This action was considered at a public meeting of the Commission held on October 13, 2009, notice of which was given in 36:20 Md. R 1571 (September 25, 2009) pursuant to State Government Article, §10-506 (c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to incorporate by reference the 2010—2011 Edition of the Uniform Standards of Professional Appraisal Practice (USPAP), which was enacted by the Appraisal

Standards Board of the Appraisal Foundation, effective January 1, 2010, and with which licensed and certified real estate appraisers are required, by federal mandate, to comply.

Comparison to Federal Standards

There is a corresponding federal standard to this proposed action, but the proposed action is not more restrictive or stringent.

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 Patricia Schott, Administrator, Commission of Real Estate Appraisers and Home Inspectors, 500 N. Calvert Street, Baltimore, MD 21202, or call 410-230-6165, or email to pschott@dllr.state.md.us, or fax to 410-333-6314. Comments will be accepted through August 3, 2010. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Commission of Real Estate Appraisers and Home Inspectors during a public meeting to be held on August 10, 2010, at 500 N. Calvert Street, Baltimore, MD 21202.

Editor’s Note on Incorporation by Reference

Pursuant to State Government Article, §7-207, Annotated Code of Maryland, the Uniform Standards of Professional Appraisal Practice 2010-2011 Edition (The Appraisal Foundation), including Preamble, Ethics Rule, Competency Rule, Scope of Work Rule, Jurisdictional Exception, Supplemental Standards, Definitions and Standards 1, 2, and 3 with all related Standard Rules, Statements on Appraisal Standards, Advisory Opinions, Frequently Asked Questions, and index, has been declared a document generally available to the public and appropriate for incorporation by reference. For this reason, it will not be printed in the Maryland Register or the Code of Maryland Regulations (COMAR). Copies of this document are filed in special public depositories located throughout the State. A list of these depositories was published in 37:1 Md. R. 9 (January 4, 2010), and is available online at www.dsd.state.md.us. The document may also be inspected at the office of the Division of State Documents, 16 Francis Street, Annapolis, Maryland 21401.

.01 Incorporation by Reference.

A. (text unchanged)

B. Document Incorporated. Uniform Standards of Professional Appraisal Practice [2008—2009] 2010—2011 Edition (The Appraisal Foundation), including Preamble, Ethics Rule, Competency Rule, Scope of Work Rule, Jurisdictional Exception, Supplemental Standards, Definitions and Standards 1, 2, and 3 with all related Standard Rules, Statements on Appraisal Standards, Advisory Opinions, Frequently Asked Questions, and index, is incorporated by reference.

PATRICIA SCHOTT
Administrator

Commission of Real Estate Appraisers and Home Inspectors

Title 10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 34 BOARD OF PHARMACY

10.34.20 Format of Prescription Transmission

Authority: Health Occupations Article, §12-205(a)(3)(ii), Annotated Code of Maryland

Notice of Proposed Action

[10-157-P]

The Secretary of Health and Mental Hygiene proposes to amend Regulations .01 — .04 under **COMAR 10.34.20 Format of Prescription Transmission**. This action was considered by the Board of Pharmacy at a public meeting held on December 16, 2009, notice of which was given by publication on the Board of Pharmacy website, www.mdbop.org, from December 9—16, 2009, pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to revise COMAR 10.34.20 to reflect verification of electronic prescriptions through an electronic intermediary certified by the Maryland Health Care Commission. The revisions include clarification of the manner in which prescriptions may be transmitted and a rewording of record-keeping requirements.

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 Street, Room 512, Baltimore, MD 21201, or call 410-767-6499, or email to regs@dnhm.state.md.us, or fax to 410-767-6483. Comments will be accepted through July 6, 2010. A public hearing has not been scheduled.

.01 Scope.

[A.] This chapter applies to the conveyance or transmission of prescription orders from authorized prescribers to pharmacies in the State.

[B. Regulation .03B of this chapter does not apply to the transmission of orders for patients in:

- (1) Hospitals;
- (2) Comprehensive care facilities; or
- (3) Extended care facilities.]

.02 Requirements for Prescription Validity.

A. A valid prescription shall be:

[A.] (1) Valid in the professional judgment of the pharmacist responsible for filling the prescription; *and*

[B.] (2) Conveyed [in a form which]:

- [(1) Contains the signature of the prescriber,
- (2) Contains an alternative method of communication acceptable for commerce in the State, which indicates that the

authorized prescriber has personally originated or approved the prescription,

(3) Provides for audio or visual interaction between the authorized prescriber or the agent of the authorized prescriber who is under the direct supervision of the authorized prescriber and the pharmacist, or

(4) Is processed by a commercial intermediary, which guarantees the confidentiality and security of the transmission process in a manner approved by the Board; and

C. Conveyed in a manner which:

(1) Ensures that the prescription electronically transmitted to the pharmacy contains no alterations by any intervening parties,

(2) Ensures that the prescription electronically transmitted to the pharmacy contains the same exact information it contained when originated by the authorized prescriber,

(3) Prevents unauthorized access and changes to the electronically transmitted prescription, and

(4) Does not interfere with a patient's freedom to choose a pharmacy.]

(a) *In a manner that contains the handwritten, pen-to-paper signature of the prescriber;*

(b) *In a manner that is transmitted to the pharmacy electronically, provided that the prescription is:*

(i) *Transmitted via electronic intermediaries that are certified by the Maryland Health Care Commission;*

(ii) *Received by the permit holder's computer, facsimile machine, or other electronic device; and*

(iii) *Maintained by the permit holder in accordance with Regulation .03 of this chapter; or*

(c) *In an oral manner where:*

(i) *Only a pharmacist may take an original oral prescription by a voice messaging system or by phone with the pharmacist reading back the prescription to the prescriber or the prescriber's agent; and*

(ii) *The pharmacist promptly reduces the oral prescription to writing.*

B. *The requirement of §A(2)(b)(i) of this regulation does not apply to prescriptions transmitted electronically within:*

(1) *A closed system of a group model health maintenance organization as defined in Health-General Article, §19-713.6, Annotated Code of Maryland; or*

(2) *Any other closed system that does not utilize an intermediary for transmission of prescriptions.*

.03 Prescription Records.

[A.] The pharmacy permit holder shall maintain prescription records in a form that [is]:

[(1)] A. [Readily] *Is readily and accurately retrievable;*

[(2)] B. [Sufficiently durable so that it will not fade or deteriorate] *Is maintained for at least 5 years from the date of dispensing; and*

[(3)] C. [Able to maintain] *Protects the confidentiality and security of the prescription information[, which identifies the individual for whom the prescription was intended].*

[B. In addition to the information required by Health Occupations Article, Title 12; Health-General Article, Title 21; and Criminal Law Article, §§5-306 and 5-701—5-704, Annotated Code of Maryland, the pharmacist shall note the prescription's mode of transmission on the prescription when the prescription does not include an original signature of an authorized prescriber.]

.04 Controlled Dangerous Substances.

[Controlled] *Transmission and dispensing of controlled* dangerous substances shall [only] be [dispensed] in accordance with applicable State and federal statutes and regulations.

JOHN M. COLMERS
Secretary of Health and Mental Hygiene

Subtitle 34 BOARD OF PHARMACY

10.34.23 Pharmaceutical Services to [Residents] Patients in [Long-Term] Comprehensive Care Facilities

Authority: Health Occupations Article, §§12-205, 12-301, 12-401, 12-403, 12-501, 12-503, 12-504, 12-505, and 12-506, [12-509,] Annotated Code of Maryland

Notice of Proposed Action

[10-160-P]

The Secretary of Health and Mental Hygiene proposes to amend Regulations .01 and .02, repeal existing Regulation .03, and amend and recodify existing Regulations .04—.11 to be Regulations .03—.10 under **COMAR 10.34.23 Pharmaceutical Services to Patients in Comprehensive Care Facilities**. This action was considered by the Board of Pharmacy at a public meeting held on January 20, 2010, notice of which was given by publication on the Board of Pharmacy website, www.mdbop.org, from January 1—20, 2010, pursuant to the State Government Article, §10-506(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to revise this chapter to reflect the current practice of pharmacy in a comprehensive care facility and to revise outdated terminology and regulatory references. The action deletes the broader definition of “long term care facility” and adds the definition of “comprehensive care facility”, which narrows the focus of these regulations to facilities that admit patients suffering from disease, disabilities, or advanced age, requiring medical service and nursing service rendered by or under the supervision of a registered nurse. The policies and procedures of the permit holder must now include access to a pharmacy, provisions for safe and efficient dispensing and delivery, and appropriate labeling and storage. Requirements have been added for packaging medications received from another pharmacy. The regulation that covers drug control and accountability now sets forth requirements for (1) returns and discontinued medications; and (2) the content of prescriptions, chart orders, and verbal orders; and (3) the manner in which prescriptions, chart orders, and verbal orders are received by the pharmacy.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. Pharmacies that service comprehensive care facilities may be required to rewrite their policies and procedures, which should be reviewed periodically as a matter of course. Most revisions in this proposal reflect or refine the current practice of pharmacy. Revisions may include adapting pharmacy labels to reflect requirements in the regulations or adapting already existing packaging procedures.

II. Types of Economic Impact.

	Revenue (R+/R-)	
	Expenditure (E+/E-)	Magnitude
A. On issuing agency:	(E-)	Minimal
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+)	
	Cost (-)	Magnitude
D. On regulated industries or trade groups:	(-)	Unquantifiable
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	(+)	Unquantifiable

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

A. The Board of Pharmacy would have to revise the Long Term Care Inspection Form, which is revised periodically as a matter of course.

D. The cost to pharmacies that service comprehensive care facilities is difficult to determine because some pharmacies may already comply with the revisions. Other pharmacies may have to make minimal adjustments to labeling content and packaging procedures.

F. There may be a reduction in medication errors or labeling errors for patients in comprehensive care facilities.

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, MD 21201, or call 410-767-6499, or email to regs@dhhm.state.md.us, or fax to 410-767-6483. Comments will be accepted through July 6, 2010. A public hearing has not been scheduled.

.01 Scope.

This chapter applies to [all] pharmacies and *licensed* pharmacists serving *comprehensive care* facilities as defined in Regulation .02 of this chapter, except for pharmacies providing only emergency services for these facilities.

.02 Definitions.

- A. (text unchanged)
- B. Terms Defined.

[(1) "Correctional facility" means a place of incarceration maintained by a government agency where persons are confined after committing a violation of the law.]

(1) "Chart order" means a lawful order entered on the chart or a medical record of a patient of a comprehensive care facility by an authorized prescriber or the authorized prescriber's designated agent for a drug or device.

(2) Comprehensive Care Facility.

(a) "Comprehensive care facility" means a facility which admits patients suffering from disease, disabilities, or advanced age, requiring medical service and nursing service rendered by or under the supervision of a registered nurse.

(b) "Comprehensive care facility" does not mean an establishment which provides only:

(i) Acute care; or

(ii) Assisted living care.

[(2)] (3) "Emergency drug kit" means a [box] container or electronic storage system containing medications which [may]:

(a) May be required for the emergency need of a [resident] patient; and [which may]

(b) Are not [be] available from [any other] an authorized source in a timely manner.

[(3)] (4) "Interim box" means a container or an electronic system holding [small amounts] minimal quantities of medications [intended]:

(a) Agreed upon by the comprehensive care facility's pharmaceutical services committee, as defined in COMAR 10.07.02.15; and

(b) Intended to expedite immediate initiation of emergency or nonemergency dosing until the pharmacy is able to provide a regular supply.

[(4)] Long-Term Care Facility.

(a) "Long-term care facility" means a setting which arranges for the provision of pharmaceutical services to residents, including but not limited to the following:

(i) "Comprehensive care facility" as defined in COMAR 10.07.02.01B(6);

(ii) "Correctional facility" as defined in §B(1) of this regulation;

(iii) "Domiciliary care home" as defined in COMAR 10.07.03.01B(6);

(iv) "Extended care facility" as defined in COMAR 10.07.02.01B(12); and

(v) "Nursing facility" as defined in COMAR 10.07.02.01B(25).

(b) "Long-term care facility" does not mean an establishment which provides only acute care.]

(5) "Licensed pharmacist" means, unless the context requires otherwise, a pharmacist who is licensed by the Board to practice pharmacy.

(6) "Packaging" means the process by which a medication is:

(a) Removed from a:

(i) Non-patient specific manufacturer's original container; or

(ii) Patient specific container directly received from another pharmacy licensed in Maryland or operated by the government of the United States provided that the manufacturer's name is present on the container; and

(b) Placed into a new container by a licensed pharmacist or registered pharmacy technician under the supervision of a pharmacist.

[(5)] (7) "Pharmaceutical services" means the care within practice standards, laws, regulations, and guidelines which is afforded by [the] a licensed pharmacist [or licensed pharmacy] to the [residents of a] patients of a comprehensive care facility.

[(6)] (8) "Pharmacy" means a holder of a pharmacy permit issued by the Board [of Pharmacy], located either on the premises of or outside the [long-term] comprehensive care facility and which

provides pharmaceutical services to [residents in a long-term] patients in a comprehensive care facility.

[(7)] (9) (text unchanged)

(10) "Registered pharmacy technician" means an individual who is registered with the Board to perform delegated pharmacy acts.

[(8)] (11) "Verbal order" means a directive that is orally communicated to a [person authorized] licensed pharmacist to accept a prescription order by a person who is authorized to communicate a prescription.

[(9)] (12) (text unchanged)

[.04].03 [Policy] Policies and Procedures.

The permit holder shall establish and operate under [written] a policies and procedures manual which [comply]:

A. Complies with this [subtitle and which define] chapter;

B. Defines the scope and method of pharmacy services provided to the [residents] patients of the comprehensive care facility[. The pharmacy shall provide the written policies and procedures manual to the personnel of the pharmacy and, upon request, to an agent of the Board.];

C. Determines when personnel may have access to the pharmacy area;

D. Provides for the safe and efficient dispensing and delivery of pharmaceutical products as outlined in this subtitle;

E. Includes:

(1) Labeling requirements and distribution methods for medication provided in a single container, slot, blister package, or other method of delivering an entire single dosing unit; and

(2) The conditions in which an interim box may be replenished or prepared, delivered, and stored by the comprehensive care facility;

F. Is provided to:

(1) The personnel of the pharmacy;

(2) The comprehensive care facility; and

(3) Upon request, an agent of the Board; and

G. Is in a form that is:

(1) Written or electronic; and

(2) Readily retrievable.

[.05].04 Personnel.

A. Director of Pharmacy. The permit holder shall appoint a licensed pharmacist as director of pharmacy who is:

(1) (text unchanged)

(2) Knowledgeable in, and thoroughly familiar with, the specialized functions of [long-term] comprehensive care facility pharmaceutical services;

(3)—(5) (text unchanged)

B. Staff.

(1) The permit holder [shall]:

(a) May employ [ancillary personnel] registered pharmacy technicians as required to provide pharmaceutical services to the [residents of the] patients of the comprehensive care facilities [which it serves competently and safely]; and [shall]

(b) Shall provide [written] policies and procedures that specify the duties that may be performed by [ancillary personnel] registered pharmacy technicians under the [direct and personal] supervision of a licensed pharmacist and the duties that may be performed only by a licensed pharmacist.

(2) The permit holder may employ [persons] unlicensed personnel to provide [secretarial and clerical] operational support as [required to assist with record keeping, report submission, and any other administrative duties] defined in COMAR 10.34.21.02B.

[.06].05 Physical Requirements.

A. Storage. The director [or the director's pharmacist] of pharmacy or designee shall ensure that [all] medications and supplies within the

pharmacy are properly stored *according to the manufacturer's specifications and State and federal laws and regulations* with respect to [sanitation, temperature, light, ventilation, moisture control, segregation, and security according to the manufacturer's specifications.]:

- (1) Sanitation;
- (2) Temperature;
- (3) Light;
- (4) Ventilation;
- (5) Moisture control;
- (6) Segregation; and
- (7) Security.

B. Equipment and Materials.

(1) The director [or the director's pharmacist] *of pharmacy or designee* shall ensure that the pharmacy contains appropriate [professional and technical equipment, supplies, and physical]:

- (a) Equipment;
- (b) Supplies; and
- (c) Physical facilities for proper compounding, preparation, and dispensing of medications[, including parenteral preparations, if applicable.] as outlined in COMAR 10.34.19.

(2) The director [or the director's pharmacist] *of pharmacy or designee* shall ensure that the pharmacy contains appropriate reference materials to enable personnel to prepare and dispense medications properly as outlined in COMAR 10.34.07.

C. Security.

[(1) The director or the director's pharmacist designee shall develop policies and procedures regarding personnel who have access to the pharmacy area and shall ensure that the policies and procedures are written and readily available as reference to the pharmacy personnel.]

[(2)] (1) The director *of pharmacy or designee* shall ensure that no individual enters the pharmacy area unless a *licensed* pharmacist is on duty.

[(3) The director or the director's pharmacist designee shall ensure that the pharmacy area is enclosed as outlined in COMAR 10.34.05.02A and B.

(4) The director shall ensure that the enclosure of the pharmacy area protects the prescription medication stock against unauthorized entry as outlined in COMAR 10.34.05.02A and B.]

(2) *The permit holder and the director of pharmacy or designee shall ensure compliance with COMAR 10.34.05.*

[.07] .06 Medication and Device Distribution and Pharmaceutical Services.

[A. The director shall ensure that the policies and procedures of the pharmacy provide for the safe and efficient dispensing and delivery of pharmaceutical products as outlined in this subtitle, and that a copy of the policies and procedures manual is in the pharmacy area for inspection by the Board.]

[B.] A. The director [or the director's pharmacist] *of pharmacy or designee* shall be responsible for the safe and efficient dispensing, delivery, control of, and accountability for [all] medications and [for] devices [requiring a prescription under federal or State law] *dispensed or distributed by the permit holder.*

B. The director *of pharmacy or designee* shall work in cooperation with the [other] professional staff of the *comprehensive care* facility in [meeting this responsibility and in ordering.]:

- (1) *Meeting the responsibilities set forth in §C of this regulation; and*
- (2) *Ordering, storing, and accounting for pharmaceutical materials. [Accordingly, the]*

C. *The director of pharmacy or designee shall be responsible for, at a minimum:*

(1) The preparation [under aseptic conditions of parenteral and other] *of medications compounded in the pharmacy as applicable;*

(2) The proper preparation, storage, and distribution of [parenteral admixtures] *compounded sterile preparations according to COMAR 10.34.19* to the extent that the functions are performed at the pharmacy;

(3) The [prepackaging and prelabeling] *packaging and labeling* of medications;

(4) [The repackaging of medications at the pharmacy;

(5)] Records of [all] transactions of the pharmacy as may be required by applicable law and as may be necessary to maintain accurate control over and accountability for [all] pharmaceuticals, including [current resident] *patient medication profiles;*

[(6)] (5) Participation in those aspects of the *comprehensive care* facility's quality assurance improvement program which relate to pharmaceutical care and effectiveness; and

[(7)] (6) Implementation of the policies and decisions of the appropriate committee or committees of the *comprehensive care* facility related to these regulations and to other regulations of the facility.

[.08] .07 Medication [Prepackaging and Repackaging] Packaging.

A. [The pharmacist shall verify the manual or automated selection of prepackaged and prelabeled doses of medication and the repackaging of medication in unit dose packages or any other form of repackaging performed by ancillary personnel for the following:]

A licensed pharmacist shall verify the:

- (1) *Selection of medication to be packaged; and*
- (2) *Completed packaging of medication performed by registered pharmacy technicians for the following:*

[(1)] (a) (text unchanged)

[(2)] (b) Completeness; [and]

[(3)] (c) Appropriateness; and

(d) *Compliance with the U.S. Food and Drug Administration and current United States Pharmacopeia approved packaging.*

B. The *licensed* pharmacist shall ensure that labeling of the medication container includes the:

(1)—(2) (text unchanged)

(3) Name of the [distributor or manufacturer] *pharmacy;*

[(4) Lot number of the distributor or manufacturer;] and

[(5)] (4) Expiration date of the medication.

C. Unless the *licensed* pharmacist has reason to reduce the time period, the expiration date of the medication is the lesser of:

(1) 12 months from the date of [repackaging] *packaging;*

(2)—(3) (text unchanged)

D. *Packaged from the Manufacturer's Original Container.* The pharmacy may use a lot number and expiration date assigned by the pharmacy instead of the distributor or manufacturer information [if] *in a master log [is] if kept with respect to [all] drugs that are [repackaged] packaged within the pharmacy facility from the original manufacturer's container* which includes the:

(1)—(4) (text unchanged)

(5) *Lot number assigned by the distributor or manufacturer;*

[(5)] (6) Quantity [repackaged] *packaged;*

[(6)] (7)—[(7)] (8) (text unchanged)

[(8) Lot number assigned by the distributor or manufacturer;]

(9) Date of [repackaging] *packaging;*

(10) Name of person [repackaging] *packaging; and*

(11) *Name and initials of verifying licensed pharmacist.*

E. *Packaged from Another Pharmacy.* *The licensed pharmacist may package medication received from another pharmacy licensed in Maryland or operated by the government of the United States provided that:*

(1) *The licensed pharmacist determines that the medication has been handled in a manner which preserves the strength, quality, purity, and identity of the drug or device during an interim period between the time it was dispensed by the original pharmacy and received by the packaging pharmacy;*

(2) *The licensed pharmacist packages and dispenses all at one time the entire quantity of the prescription medications received from another pharmacy for packaging;*

(3) *The manufacturer's name is present on the container received from the other pharmacy; and*

(4) *The licensed pharmacist maintains a master log that includes the following information:*

(a) *Name of the drug;*

(b) *Lot number assigned by the packaging pharmacy;*

(c) *Strength;*

(d) *Manufacturer;*

(e) *Name, address, and telephone number of the original dispensing pharmacy;*

(f) *Prescription number for the original dispensing pharmacy;*

(g) *Quantity packaged;*

(h) *Expiration date as assigned by the original dispensing pharmacy;*

(i) *Date of packaging;*

(j) *Name of individual packaging;*

(k) *Name and initials of verifying licensed pharmacist; and*

(l) *Name of the patient.*

[.09].08 Labeling of Patient Medications.

A. The director [or the director's pharmacist] of pharmacy or designee shall ensure that [all] medications dispensed by the pharmacy and intended for use within the *comprehensive care* facility are dispensed in appropriate containers and are labeled with the:

(1)—(3) (text unchanged)

(4) Name of the [resident] *patient*;

(5)—(6) (text unchanged)

(7) Expiration date of the drug [when required by law];

(8)—(9) (text unchanged)

B. Labeling requirements for medication provided per dosing period in a single container, slot, blister package, or any other method of delivering an entire single dosing unit may be established as policies and procedures of the *comprehensive care* facility. [The director or the director's pharmacist designee shall ensure that the method of delivering medication utilized by the pharmacy ensures that the patient receives the proper medication and that all other information identified in Regulation .08 of this chapter is provided on the individual doses or in some other form.

C. Medications in Parenteral Admixtures. Whenever a medication is added to a parenteral admixture by a pharmacist or another individual under the pharmacist's supervision, the pharmacist shall ensure that the admixture is labeled with a distinctive supplementary label indicating the:

(1) Name of the drug and the amount of the drug added;

(2) Expiration date of the parenteral product; and

(3) Identification of the pharmacist responsible for the preparation of the admixture.]

C. *The director of pharmacy or designee shall be responsible for the safe and efficient dispensing, delivery, control of, and accountability for medications and devices dispensed or distributed by the permit holder.*

D. *The director of pharmacy or designee shall work in cooperation with the other professional staff of the comprehensive care facility in meeting the responsibilities set forth in §B of the regulation and in ordering, storing, and accounting for pharmaceutical materials.*

E. *Compounded Sterile Preparations. When compounding sterile preparations a licensed pharmacist or a registered pharmacy technician under the licensed pharmacist's supervision, shall comply with the compounding and labeling requirements of COMAR 10.34.19.*

[.10].09 Drug Control and Accountability.

A. [Discontinued Medications.

(1) The director of pharmacy or designee shall develop a process for the pharmacy to be notified of medications which have been discontinued.

(2) Only sealed, unopened packages or individual unit dose blisters may be returned to the inventory of the pharmacy.

(3) Drugs classified as Schedule II, Schedule III, Schedule IV, and Schedule V may not be returned to the inventory of the pharmacy.

(4) Drugs requiring refrigeration may not be returned to the inventory of the pharmacy.

(5) Section A(2)—(4) of this regulation does not apply to a pharmacy using a distribution system which classifies all medication as pharmacy inventory until after actual utilization of the medication by a patient.]

B. *Medications may be accepted for return if:*

(1) *The returned medication is properly labeled and properly sealed in the manufacturer's package or an individually labeled unit dose of a drug or a device;*

(2) *The licensed pharmacist determines that the returned medication has been handled in a manner which preserves the strength, quality, purity, and identity of the drug or device during an interim period between the sale of the drug or device and its return to the pharmacy; and*

(3) *The permit holder otherwise complies with COMAR 10.34.10.07.*

C. *Discontinued Medications — Controlled Dangerous Substances.*

(1) *Except as provided in §§B(2) and C(2) of this regulations, drugs classified as Schedule II, Schedule III, Schedule IV, and Schedule V may not be returned to the inventory of the pharmacy.*

(2) *Schedule III, Schedule IV, and Schedule V medications may be returned to inventory of a pharmacy when the pharmacy uses a distribution system that classifies medications as pharmacy inventory until the utilization of the medication by the patient.*

D. *A compounded sterile preparation may not be returned to the inventory of a pharmacy.*

E. *Drugs requiring refrigeration may not be returned to the inventory of a pharmacy.*

[B.] F. *Emergency Drug Kit.*

(1) The director [or the director's] of pharmacy or designee shall ensure that the emergency drug kit is secured with a tamper-evident seal or electronic security system which will indicate the opening of the kit.

(2) Labeling. The director [or the director's] of pharmacy or designee shall ensure that the emergency drug kit meets the following specifications:

(a) (text unchanged)

(b) The exterior of the emergency drug kit is labeled to indicate the:

(i)—(ii) (text unchanged)

(iii) [Expiration dates of the drugs contained in the emergency drug kit] *List of contents with expiration dates, with the date of the first item to expire in bold print; and*

(iv) *The quantity of each drug contained in the emergency drug kit; and*

(c) [All medications] *Medications* contained in the emergency drug kit are labeled with the:

(i)—(iv) (text unchanged)

(v) [Any other] *Other* information required by the medical staff.

(3) Replacement of Medications.

(a) A *licensed pharmacist or licensed pharmacist's designee* shall replace the emergency drug kit or [restock any] *replenish* used

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or expired drugs contained in the emergency drug kit within 72 hours of notification of use or expiration.

(b) A licensed pharmacist shall perform the final check on the contents of the emergency drug kit.

[C.] G. Interim Box. An interim box may be provided by the pharmacy and kept at the comprehensive care facility if comprehensive care facility policies and procedures address an interim box and the pharmacy complies with these policies and procedures.

[D.] H. Prescriber Orders.

(1) A licensed pharmacist shall dispense medications from the pharmacy only upon receipt of a valid written prescription, chart order, or verbal [orders] order from an authorized prescriber.

(2) A chart order shall be considered a prescription drug order provided that the prescription drug order contains:

- (a) The full name of the patient;
(b) The date of issuance;
(c) The name, strength, and dosage form of the drug prescribed;
(d) The name, type, and specifications of any device;
(e) The directions for use;
(f) If written, the authorized prescriber's signature or the signature of the authorized prescriber's agent (including the name of the authorized prescriber);

(g) If electronically transmitted, prescription requirements as described in COMAR 10.34.20; and

(h) If verbal, the name of the prescriber and the prescriber's agent, if applicable.

[(2)] (3) (text unchanged)

[(3)] (4) The licensed pharmacist shall document immediately a verbal order in writing.

[(4)] (5) [The pharmacist shall document a written order to verify the verbal order.] A licensed pharmacist may receive a verbal order:

- (a) By telephone with the licensed pharmacist reading back the prescription to the prescriber or the prescriber's agent; or
(b) By a voice messaging system.

[E.] I. Controlled Dangerous Substances.

(1) Drug Accountability. The permit holder shall ensure that personnel employed by the pharmacy abide by [all] the laws and regulations as defined in Health-General Article, Title 27, Annotated Code of Maryland, and COMAR 10.19.03.

(2) Storage and Security. The permit holder shall establish effective procedures for storage and security of Schedule II controlled dangerous substances including limitation of access to these drugs in the pharmacy to licensed pharmacists and registered pharmacy technicians.

[F.] J. Drug Recalls. The director [or the director's pharmacist] of pharmacy or designee shall develop and implement a recall procedure that can be readily activated to ensure that [all] drugs which have been recalled are returned to the pharmacy [for proper disposition], sequestered, and handled as appropriate to the level of the recall.

[G.] K. Adverse Drug Reactions.

(1) The director [or the director's pharmacist] of pharmacy or designee shall participate on the appropriate committee of the comprehensive care facility to establish procedures to report and record adverse drug reactions.

(2) The director [or the director's pharmacist] of pharmacy or designee shall ensure the procedures established include, at a minimum:

- (a) The reporting of significant adverse drug reactions to the attending prescriber or designee and other parties as specified by the committee of the comprehensive care facility; and
(b) The recording in writing of an adverse reaction on the [resident's] patient's chart at the time it is reported.

[H.] L. Records and Reports. The director [or the director's pharmacist] of pharmacy or designee shall maintain records and reports as may be required by law, this chapter, and the policies of the comprehensive care facility.

[.11] .10 Quality Management.

The director of pharmacy or designee, in cooperation with the pharmaceutical services committee of the comprehensive care facility, shall be responsible for developing procedures for an ongoing quality management program that includes a mechanism for reviewing and evaluating pharmaceutical services as defined in this chapter.

JOHN M COLMERS
Secretary of Health and Mental Hygiene

Title 11
DEPARTMENT OF
TRANSPORTATION

Subtitle 06 MARYLAND TRANSIT
ADMINISTRATION

11.06.01 Free Speech Activities on Maryland
Transit Administration Premises

Authority: Transportation Article, §7-204(c), Annotated Code of Maryland

Notice of Proposed Action

[10-162-P]

The Administrator of the Maryland Transit Administration proposes to repeal existing Regulations .01—.12 and adopt new Regulations .01—.06 under COMAR 11.06.01 Free Speech Activities on Maryland Transit Administration Premises.

Statement of Purpose

The purpose of this action is to repeal Maryland Transit Administration (MTA) regulations relating to free speech activities on agency premises. This action will eliminate the permit requirements currently in COMAR relating to free speech activities on MTA property.

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 James Knighton, Director, External Affairs, Maryland Transit Administration, 6 Saint Paul Street, Baltimore, MD 21202, or call 410-767-0820, or email to jknighton@mtamaryland.com, or fax to 410-333-0901. Comments will be accepted through July 6, 2010. A public hearing has not been scheduled.

.01 Application.

These regulations apply to all persons engaging in free speech activities, as defined in this chapter, on MTA premises. These

regulations are necessary to preserve the facilities of MTA for their dedicated purpose, to provide for the safe and efficient operation of the MTA system, and to provide guidance on the use of available MTA facilities for non-MTA purposes. In the event of any conflict between the provisions of this chapter and applicable federal laws and regulations, the provisions of the federal laws and regulations shall control to the extent of that conflict.

.02 Definitions.

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

B. Terms Defined.

(1) "Administration" means the Maryland Transit Administration of the Department of Transportation established pursuant to Transportation Article, §7-201, Annotated Code of Maryland.

(2) "Administrator" means the Maryland Transit Administrator, whose office is established pursuant to Transportation Article, §7-202, Annotated Code of Maryland, or the Administrator's designee.

(3) "Authorized" means acting under or pursuant to a written contract, permit, or other evidence of right issued by the MTA.

(4) "Bus" means a motor vehicle that is designed and used to carry people, is operated by the MTA on a fixed route and predetermined schedule, or is operated under contract to MTA by an authorized private carrier.

(5) "Commercial speech" means expression related solely to the economic interests of the speaker and its audience. Commercial speech does not include transactions related to any free speech activity as defined herein.

(6) "Department" means the Maryland Department of Transportation established pursuant to Transportation Article, §2-101, Annotated Code of Maryland.

(7) "Emergency" means those conditions or situations resulting from fire, flood, riot, unusual congested conditions, weather, labor strikes or walkouts, outages of power or public services, catastrophe, emergency security measures, or other causes determined by the Governor, the Secretary of the Maryland Department of Transportation, the Administrator, the MTA Chief of Police, or the MTA Manager of Safety and Risk Management to endanger the health, safety, or welfare of persons using MTA services or MTA employees on or upon MTA facilities and equipment, or the MTA facilities and equipment themselves.

(8) "Free area" means those portions of MTA facilities open to the general public during such time the facility is open to the general public, but does not include the portion of any area of a MTA facility beyond or inside the turnstile or fare gates and any area within 15 feet of an escalator, elevator, tracks, emergency exit, stairway, fare gate, kiosk, ticket vending machine, money changer, information center, main terminal entrance, locations where transit patrons are in line, or bus stop or shelter.

(9) "Free speech activity" means any manner of organized exercise of rights and privileges that deal with political, religious, or social matters and are noncommercial.

(10) "Group of individuals" means three or more individuals.

(11) "Light Rail" means the light rail line owned and operated by MTA in Baltimore County, Baltimore City, and Anne Arundel County.

(12) "MARC" means commuter rail service operated under contract to the Maryland Transit Administration.

(13) "Metro" means the heavy rail subway line operated by MTA in Baltimore County and Baltimore City.

(14) "MTA" means the Maryland Transit Administration of the Department of Transportation established pursuant to Transportation Article, §7-201, Annotated Code of Maryland.

(15) "MTA facility" or "MTA facilities" mean all property owned, leased, operated, or controlled, whether by ownership or easement, by the MTA in connection with its operation of transit service, and includes any one or more or combination of tracks, rights-of-way, bridges, tunnels, subways, rolling stock, stations, terminals, parking areas, equipment, fixtures, buildings, structures, other real or personal property, and services incidental to or used or designed for use in connection with the rendering of transit service by any means, including rail, bus, motor vehicle, or other mode of transportation.

(16) "MTA service" means transportation by means of transit vehicles or through transit facilities of persons and their packages in service operated by MTA, or by an entity under contract to MTA.

(17) "Persons" means any individual, organization, firm, partnership, corporation, company, association, or joint stock association, and includes any trustee, receiver, committee, assignee, or other representative of them.

(18) "Solicit or solicitation" means requesting transit patrons give alms, funds, donations, contributions, signatures, personal information, or other information for a non-MTA purpose.

(19) "Transit patron" means a person in and upon any MTA facility or equipment for the purpose of using available public transportation service.

(20) "Transit vehicle" means a mobile device used in rendering transit service.

.03 Free Speech Activity.

A. A person desiring to have a group of individuals engage in free speech activity on, in, or within an MTA facility shall notify the MTA Office of Customer Information of the intent to do so at least 5 weekdays in advance of the event to permit MTA ample time to ensure availability of free space, and allocate sufficient resources to maintain efficient operations.

B. Notification of the intent to conduct a free speech activity in, on or within an MTA facility shall be submitted to the MTA Office of Customer Information on a form prescribed by the Administrator. The form shall be available at www.mta.maryland.gov or obtained from the MTA Office of Customer Information. The form shall be submitted online or sent to the MTA Office of Customer Information at 6 St. Paul Street, Baltimore, Maryland 21202. Each notification shall include:

(1) The full name, mailing address, and telephone number of the persons:

(a) Sponsoring, promoting, or conducting the proposed activities; and

(b) Supervising and responsible for the proposed activity;

(2) If the persons engaging in free speech activities are doing so on behalf of an organization, the name of that organization;

(3) If the group is an organization which is required to have a resident agent in Maryland, the name of resident agent in Maryland;

(4) A description of the proposed activities indicating the method of communication to be involved;

(5) The locations, dates, and times of the intended activity;

(6) The number of persons anticipated to be engaged in the activities at each MTA facility sought to be used; and

(7) The specific MTA service or facility sought to be used for the planned free speech activity.

C. Within 3 weekdays from receipt of a notification of intent to conduct a free speech activity, the MTA Office of Customer Information shall contact the person making the notification and inform the person whether there are any conflicts with other events or users for the free area.

D. Limitations.

(1) Free speech activity may only be exercised in free areas in the MTA facility identified in the notification.

(2) Free speech activity may only occur during times the MTA facility is open to the general public.

(3) In conducting a free speech activity at, on, or in an MTA facility, a person may not:

(a) Erect a table, chair, booth, or other structure;

(b) Distribute food, drink, or tobacco products;

(c) Post any commercial signs, advertisements, circulars, or printed material;

(d) Carry any signs or placards that are more than 18'' by 18'' or are affixed to a pole;

(e) Affix any material to any part of the MTA facility including its fixtures and temporary structures; or

(f) Permit leaflets or other printed material to be left unattended.

(4) Persons engaged in free speech activity may not intentionally touch or make physical contact with another person unless that other person has consented to physical contact.

.04 Solicitation on MTA Vehicles Prohibited.

A person may not solicit transit patrons on any vehicle owned and operated by the MTA or under contract to the MTA. This prohibition includes, but is not limited to, the solicitation of alms, funds, donations, contributions, signatures, personal information, or other information for non-MTA purposes.

.05 Emergencies.

A. The Governor, Secretary of the Maryland Department of Transportation, Administrator, MTA Chief of Police, or the MTA Manager of Safety and Risk Management may declare an emergency.

B. In the event of an emergency:

(1) An announcement shall be made;

(2) All free speech activities shall cease for the duration of the emergency; and

(3) Non-MTA use of MTA facilities shall not resume until authorized by the Administrator.

C. MTA assumes no liability for any losses resulting from a suspension of free speech activity due to an emergency.

.06 Distribution of Printed Matter.

The following guidelines apply to the sale and distribution of printed matter to the general public from vending or distribution machines located upon a MTA facility:

A. A person may not engage in a sale without the prior approval of, and being subject to the terms and conditions prescribed by, the Administrator.

B. A person desiring to place and operate a vending machine for the sale and distribution of printed material to the general public upon MTA stations and premises shall first obtain a written permit from the Administrator or his designee.

C. Permit applications shall be approved on a first-come, first-served basis. The number of permits at any station entrance shall be governed by the area deemed available by the Administrator or the Administrator's designee to accommodate the vending machines, yet preserve the safe, free, and orderly flow of transit and rail patrons' ingress and egress at the MTA station entrances and exits. Vending machines shall be located where designated by the Administrator or the Administrator's designee.

D. Chaining or anchoring of any vending machines to MTA station facilities is not permitted.

E. Vending machines may display signs pertaining only to the publication and may not carry any other advertising messages.

F. To assure maximum use of the available station entrance areas for commercial speech vending machine permits, vending machines shall be not larger than absolutely necessary to accommodate the printed matter to be sold and distributed.

G. Permits shall require that all wrappings, bindings, and similar materials peculiar to the vending operation be collected and removed by the person carrying out the vending activity.

H. Permits shall require that vending machines be kept and maintained in a neat and clean condition by the permittee.

I. Permits may be revoked for noncompliance with or any violation of this regulation.

J. MTA assumes no liability or responsibility of any nature for damage, destruction, loss, or theft of the vending machines, including the contents of them.

K. Permits, to be valid, shall be:

(1) Signed by the permittee and the MTA; and

(2) On a month-to-month basis, subject to cancellation or revocation, upon cause and written notice.

RALIGN T. WELLS
Administrator
Maryland Transit Administration

**Title 21
STATE PROCUREMENT
REGULATIONS**

**Subtitle 02 STATE PROCUREMENT
ORGANIZATION**

21.02.05 Department of General Services

Authority: State Finance and Procurement Article, §§4-204, 12-101, 12-107(b)(3), 12-108, and 13-108(a)(1), Annotated Code of Maryland

Notice of Proposed Action
[10-155-P]

The Department of General Services proposes to amend Regulation **.04** under **COMAR 21.02.05 Department of General Services**.

Statement of Purpose

The purpose of this action is to exempt purchases of commodities by using agencies that do not exceed \$1,000 per item and not to exceed \$5,000 per year for each agency from the Department of General Services regularly scheduled purchase program.

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 Haifley, Director of Procurement, Department of General Services, 301 W. Preston Street, M6, Baltimore, MD 21201, or call 410-767-4429, or email to michael.haifley@dgs.state.md.us, or fax to 410-333-5164. Comments will be accepted through July 6, 2010. A public hearing has not been scheduled.

.04 Commodity Procurement.

A. Delegation of Purchasing Authority to Using Agencies.

(1)—(3) (text unchanged)

(4) Scheduled Purchase Items and Contract Items Supersede any Exempt or Delegated Procurement. The Department operates a regularly scheduled purchase program through which a using agency may plan and order needed commodities. The Department also develops term contracts for various commodities. A using agency may not purchase from an alternate source an item which is available through the regularly scheduled purchase program or an item which is available through a term requirements or indefinite quantity contract *except where an item can be purchased from another vendor when the total cost is less than that of the item on a schedule resulting from an intergovernmental agreement and the price of the purchase does not exceed \$1,000. A written determination shall be made that compares all elements of cost demonstrating the lower cost. Additionally, the total cost per year for all items purchased from an alternate vendor(s) may not exceed \$5,000 for each agency.*

B.—G. (text unchanged)

ALVIN C. COLLINS
Secretary of General Services

Title 33 STATE BOARD OF ELECTIONS

Notice of Proposed Action

[10-163-P]

The State Board of Elections proposes to amend:

- (1) Regulation **.02** under **COMAR 33.07.05 Special Assistance**;
- (2) Regulation **.38** under **COMAR 33.10.02 AccuVote-TS**; and
- (3) Regulation **.06** under **COMAR 33.17.06 Early Voting Activities**.

This action was considered at an open meeting held on April 29, 2010, notice of which was given pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to amend regulations to ensure consistency with Election Law Article, Annotated Code of Maryland, and define the procedures for system verification of a voting system.

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 Nikki Baines Trella, Election Reform Director, State Board of Elections, P.O. Box 6486, Annapolis, MD 21401, or call 410-269-2843, or email to ntrella@elections.state.md.us, or fax to 410-974-2019. Comments will be accepted through July 6, 2010. A public hearing has not been scheduled.

Subtitle 07 ELECTION DAY ACTIVITIES

33.07.05 Special Assistance

Authority: Election Law Article, §9-406, Annotated Code of Maryland

.02 Assistance Needed to Cast Ballot.

A. (text unchanged)

B. Voter's Options.

(1) As provided in Election Law Article, Annotated Code of Maryland, the voter may select anyone to assist the voter, except:

(a) — (b) (text unchanged)

(c) An officer or agent of the voter's employer or union; [or]

(d) *For a voter casting a provisional ballot, a candidate who is on the voter's ballot; or*

[(d)] (e) A challenger or watcher who has been designated as such for this election.

(2) (text unchanged)

C. — F. (text unchanged)

Subtitle 10 VOTING SYSTEMS — SYSTEM REQUIREMENTS AND PROCEDURES

33.10.02 AccuVote-TS

Authority: Election Law Article, §2-102(b)(4), 2-202(b), 9-102[(a)] (b) and [(e)] (i), [10-301(e),] and 11-308, Annotated Code of Maryland

.38 System Verification.

A. (text unchanged)

B. Verification.

(1) — (3) (text unchanged)

(4) *A verification performed under §B(1)(b) of this regulation shall include:*

(a) *Assembling all voting unit memory cards for the precincts being verified;*

(b) *Tabulating the vote totals for the precincts being verified; and*

(c) *Comparing the vote totals with the vote totals generated from the Election Management System used for the official tabulation.*

[(4)] (5) This verification shall be completed before the local board certifies the results of an election.

C. — D. (text unchanged)

Subtitle 17 EARLY VOTING

33.17.06 Early Voting Activities

Authority: Election Law Article, §9-406, Annotated Code of Maryland

.06 Special Assistance.

A. (text unchanged)

B. Assistance Needed to Cast Ballot.

(1) (text unchanged)

(2) Selection of Individual to Assist.

(a) As provided in Election Law Article, Annotated Code of Maryland, the voter may select anyone to assist the voter, except:

(i) — (ii) (text unchanged)

(iii) An officer or agent of the voter's employer or union;

[or]

(iv) *For a voter casting a provisional ballot, a candidate who is on the voter's ballot; or*

- [(iv)] (v) A challenger or watcher who has been designated as such for this election.
- (b) (text unchanged)
- (3) — (4) (text unchanged)
- C. — D. (text unchanged)

LINDA H. LAMONE
State Administrator of Elections

Subtitle 17 EARLY VOTING

Notice of Proposed Action

[10-156-P]

The State Board of Elections proposes to amend:

- (1) Regulation .05 under **COMAR 33.17.06 Early Voting Activities**; and
- (2) Regulations .01 and .04 under **COMAR 33.17.07 Non-Voting Hours Procedures**.

This action was considered at an open meeting held on March 25, 2010, notice of which was given pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to remove references to a voting system and supplies that are not used in Maryland and establish procedures for generating certain election results.

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 Nikki Baines Trella, Election Reform Director, State Board of Elections, P.O. Box 6486, Annapolis, MD 21401, or call 410-269-2843, or email to ntrella@elections.state.md.us, or fax to 410-974-2019. Comments will be accepted through July 6, 2010. A public hearing has not been scheduled.

33.17.06 Early Voting Activities

Authority: Election Law Article, §§ 2-102(b)(4), 2-202(b), and 10-301.1(h), Annotated Code of Maryland

.05 Ballots — In General.

- A. (text unchanged)
- [B. Regular Ballots. The local board shall ensure that a voter does not remove a ballot issued at an early voting center.]
- [C.] B. Provisional Ballots.
 - (1) — (2) (text unchanged)
 - (3) *The local board shall ensure that a voter does not remove a provisional ballot issued at an early voting center.*

33.17.07 Non-Voting Hours Procedures

Authority: Election Law Article, §§ 2-102(b)(4), 2-202(b), and 10-301.1(h), Annotated Code of Maryland

.01 Voting Equipment Supplies.

At the end of each night of early voting, the local board shall ensure that:

- A. — B. (text unchanged)
- C. The following supplies are returned to the local board office:
 - (1) [Voted and spoiled ballots;
 - (2)] (text unchanged)
 - [(3)] (2) (text unchanged)
- D. — E. (text unchanged)

.04 Post-Early Voting Activities.

A. On the last day of early voting, a local board shall transport all voting units used during early voting to the local board office [or other location where results will be aggregated and reported on election night] *for secure storage*.

B. [At] *Except as provided in §C of this regulation, at 8 p.m. on election day or at the conclusion of any court ordered extension of voting hours in any county, each local board shall:*

- (1) On each voting unit used during early voting, print a totals report; [and]
- (2) Aggregate [and report the] early voting results; *and*
- (3) *Report the early voting results.*

C. *At 2 p.m. on election day, a local board may begin printing totals reports and aggregating early voting results as provided under §B(1) and (2) of this regulation, provided:*

- (1) *The local board has submitted a written security plan to the State Administrator at least 45 days before the election that provides procedures that will be taken to ensure that election results will not be released to the public prior to the end of the election; and*
- (2) *The State Administrator has reviewed and approved the plan.*

LINDA H. LAMONE
State Administrator of Elections

Special Documents

SUSQUEHANNA RIVER BASIN COMMISSION

Notice of Public Hearing and Commission Meeting

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice of Public Hearing and Commission Meeting.

SUMMARY: The Susquehanna River Basin Commission will hold a public hearing as part of its regular business meeting on June 11, 2010, in Harrisburg, Pa. At the public hearing, the Commission will consider: 1) action on certain water resources projects; 2) action on two projects involving a diversion; and 3) amendments to the current Regulatory Program Fee Schedule. Details concerning the matters to be addressed at the public hearing and business meeting are contained in the Supplementary Information section of this notice.

DATE: June 11, 2010, at 8:30 a.m.

ADDRESS: Hilton Harrisburg, One North Second Street, Harrisburg, Pa. 17101.

FOR FURTHER INFORMATION CONTACT: Richard A. Cairo, General Counsel, telephone: (717) 238-0423, ext. 306; fax: (717) 238-2436; e-mail: rcairo@srbc.net or Stephanie L. Richardson, Secretary to the Commission, telephone: (717) 238-0423, ext. 304; fax: (717) 238-2436; e-mail: srichardson@srbc.net.

SUPPLEMENTARY INFORMATION: In addition to the public hearing and its related action items identified below, the business meeting also includes actions or presentations on the following items: 1) presentation by the IMAX production staff at the Harrisburg Whitaker Center for Science and the Arts on development of an educational production on the future of Chesapeake Bay; 2) concluding report on the Paxton Creek Stormwater Management Project; 3) hydrologic conditions in the basin; 4) proposed rulemaking covering 18 CFR Parts 806 and 808; 5) ratification/approval of grants/contracts; 6) consideration of a FY-2012 budget and related matters; and 7) election of a new Chairman and Vice Chairman to serve in the next fiscal year. The Commission will also hear a Legal Counsel's report.

Public Hearing — Projects Scheduled for Action:

Project Sponsor and Facility: Carrizo Oil & Gas, Inc. (East Branch Wyalusing Creek – Bonnice), Jessup Township, Susquehanna County, Pa. Application for surface water withdrawal of up to 0.720 mgd.

Project Sponsor: Chester County Solid Waste Authority. Project Facility: Lanchester Landfill, Salisbury and Caernarvon Townships, Lancaster County, Pa. Application for groundwater withdrawal of 0.190 mgd (30-day average) from two wells and three collection sumps.

Project Sponsor: Chester County Solid Waste Authority. Project Facility: Lanchester Landfill, Salisbury and Caernarvon Townships, Lancaster County, Pa. Application for consumptive water use of up to 0.075 mgd.

Project Sponsor and Facility: Chief Oil & Gas LLC (Chest Creek – Kitchen), Chest Township, Clearfield County, Pa. Application for surface water withdrawal of up to 0.216 mgd.

Project Sponsor and Facility: East Resources, Inc. (Cowanesque River – Egleston), Nelson Township, Tioga County, Pa. Application for surface water withdrawal of up to 0.267 mgd.

Project Sponsor and Facility: KMI, LLC (West Branch Susquehanna River – Owner), Mahaffey Borough, Clearfield County, Pa. Application for surface water withdrawal of up to 5.000 mgd.

Project Sponsor and Facility: Linde Corporation (Lackawanna River – Carbondale Industrial Development Authority), Fell Township, Lackawanna County, Pa. Application for surface water withdrawal of up to 0.905 mgd.

Project Sponsor: New Morgan Landfill Company, Inc. Project Facility: Conestoga Landfill, Bethel Township, Berks County, Pa. Modification to increase consumptive water use approval (Docket No. 20061206).

Project Sponsor and Facility: Novus Operating, LLC (Tioga River – Mitchell), Covington Township, Tioga County, Pa. Application for surface water withdrawal of up to 1.750 mgd.

Project Sponsor and Facility: P.H. Glatfelter Company, Spring Grove Borough, York County, Pa. Application for consumptive water use of up to 0.460 mgd.

Project Sponsor and Facility: Pennsylvania General Energy Company, L.L.C. (Loyalsock Creek – Hershberger), Gamble Township, Lycoming County, Pa. Application for surface water withdrawal of up to 0.918 mgd.

Project Sponsor and Facility: Pennsylvania General Energy Company, L.L.C. (Pine Creek – Poust), Watson Township, Lycoming County, Pa. Application for surface water withdrawal of up to 0.918 mgd.

Project Sponsor and Facility: Stone Energy Corporation (Wyalusing Creek – Stang), Rush Township, Susquehanna County, Pa. Application for surface water withdrawal of up to 0.750 mgd.

Project Sponsor and Facility: Susquehanna Gas Field Services, L.L.C., Meshoppen Borough, Wyoming County, Pa. Application for groundwater withdrawal of up to 0.216 mgd from the Meshoppen Pizza Well.

Project Sponsor and Facility: Talisman Energy USA Inc. (Susquehanna River – Welles), Terry Township, Bradford County, Pa. Application for surface water withdrawal of up to 2.000 mgd.

Project Sponsor: United Water PA. Project Facility: Newberry System, Newberry Township, York County, Pa. Application for groundwater withdrawal of up to 0.071 mgd from Reeser Well 1.

Project Sponsor: United Water PA. Project Facility: Newberry System, Newberry Township, York County, Pa. Application for groundwater withdrawal of up to 0.071 mgd from Reeser Well 2.

Project Sponsor: United Water PA. Project Facility: Newberry System, Newberry Township, York County, Pa. Application for groundwater withdrawal of up to 0.072 mgd from Susquehanna Village Well 1.

Project Sponsor: United Water PA. Project Facility: Newberry System, Newberry Township, York County, Pa. Application for groundwater withdrawal of up to 0.072 mgd from Susquehanna Village Well 2.

Project Sponsor and Facility: Walker Township Water Association, Walker Township, Centre County, Pa. Modification to increase the total groundwater system withdrawal limit (30-day average) from 0.523 mgd to 0.962 mgd (Docket No. 20070905).

Public Hearing — Projects Scheduled for Action Involving a Diversion:

Project Sponsor: Chester County Solid Waste Authority. Project Facility: Lanchester Landfill, Salisbury and Caernarvon Townships, Lancaster County, Pa. Application for an existing into-basin diversion of up to 0.050 mgd from the Delaware River Basin.

Project Sponsor: EOG Resources, Inc. Project Facility: Blue Valley AMD Treatment Plant, Horton Township, Elk County, Pa. Application for an into-basin diversion of up to 0.322 mgd from the Ohio River Basin.

Public Hearing — Amendments to Regulatory Program Fee Schedule

Staff is proposing certain amendments to the Regulatory Program Fee Schedule intended to clarify the application of fees to certain projects.

Opportunity to Appear and Comment:

Interested parties may appear at the above hearing to offer written or oral comments to the Commission on any matter on the hearing agenda, or at the business meeting to offer written or oral comments on other matters scheduled for consideration at the business meeting. The chair of the Commission reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing and business meeting. Written comments may also be mailed to the Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, Pennsylvania 17102-2391, or submitted electronically to Richard A. Cairo, General Counsel, e-mail: rcairo@srbc.net or Stephanie L. Richardson, Secretary to the Commission, e-mail: srichardson@srbc.net. Comments mailed or electronically submitted must be received prior to June 4, 2010, to be considered.

AUTHORITY: P.L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808

Dated: May 11, 2010.

THOMAS W. BEAUDUY
Deputy Director

[10-12-25]

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.

BOARD OF ARCHITECTS

Subject: Public Meeting
Date and Time: June 23, 2010, 9:30 a.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Pamela J. Edwards (410) 230-6263

[10-12-32]

BOARD OF AUDIOLOGISTS, HEARING AID DISPENSERS, AND SPEECH-LANGUAGE PATHOLOGISTS

Subject: Public Meeting
Date and Time: June 17, 2010, 4 — 6 p.m.
Place: Metro Executive Bldg., 4201 Patterson Ave., Baltimore, MD
Contact: Christopher Kelter (410) 764-4725

[10-12-09]

BOARD OF BARBERS

Subject: Public Meeting
Date and Time: July 19, 2010, 9:30 a.m. — 4 p.m.
Place: 500 N. Calvert St., 2nd Fl. Conf. Rm., Baltimore, MD
Add'l. Info: Center St. Entrance
Contact: Robert Wood (410) 230-6195

[10-12-05]

ADVISORY COUNCIL ON CEMETERY OPERATIONS

Subject: Public Meeting
Date and Time: June 24, 2010, 10 a.m. — 1 p.m.
Place: Dept. of Labor, Licensing, and Regulation, 500 N. Calvert St., 3rd Fl., Baltimore, MD
Contact: Benjamin Foster (410) 230-6229

[10-12-16]

BOARD FOR THE CERTIFICATION OF RESIDENTIAL CHILD CARE PROGRAM ADMINISTRATORS

Subject: Public Meeting
Date and Time: July 9, 2010, 9 — 11 a.m.
Place: 4201 Patterson Ave., Baltimore, MD
Contact: Kimberly Mayer (410) 764-5911

[10-12-10]

BOARD OF CHIROPRACTIC EXAMINERS

Subject: Public Meeting
Date and Time: June 10, 2010, 2 — 4 p.m.; Starting time is approximate, due to morning Board Hearing
Place: Dept. of Health and Mental Hygiene, 4201 Patterson Ave., Rm. 100, Baltimore, MD
Contact: Maria Ware (410) 764-5902

[10-12-15]

BOARD OF COSMETOLOGISTS

Subject: Public Meeting
Date and Time: July 12, 2010, 9:30 a.m. — 4 p.m.
Place: 500 N. Calvert St., 2nd Fl. Conf. Rm., Baltimore, MD
Add'l. Info: Centre St. Entrance
Contact: Robert Wood (410) 230-6195

[10-12-04]

GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION

Subject: Public Meeting
Date and Time: January 10, 2011, 3 — 5 p.m.
Place: Baltimore County Loch Raven Library, Baltimore, MD
Contact: Jessica Winpigler (410) 821-2829

[10-12-27]

GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION

Subject: Public Meeting
Date and Time: March 14, 2011, 3 — 5 p.m.
Place: Baltimore County Loch Raven Library, Baltimore, MD
Contact: Jessica Winpigler (410) 821-2829

[10-12-28]

COMMISSION ON CRIMINAL SENTENCING POLICY

Subject: Public Meeting
Date and Time: June 29, 2010, 5:30 — 7:30 p.m.
Place: Judiciary Education and Conference Center, Training Rms. 1 & 2, Annapolis, MD
Contact: David A Soule (301) 403-4165

[10-12-26]

GOVERNOR'S OFFICE OF THE DEAF AND HARD OF HEARING

Subject: Public Meeting
Date and Time: June 22, 2010, 1 — 3 p.m.
Place: Northern Senior Activity Center, 29655 Charlotte Hall Rd., The Great Rm., Charlotte Hall, MD

Add'l. Info: Town Hall Meeting

The Governor's Office of the Deaf and Hard of Hearing (ODHH) holds at least two public town hall meetings each year to solicit public comment feedback. Information helpful to ODHH includes:

- Comments on the quality of State services and programs affecting deaf, deafblind, late-deafened and hard of hearing individuals;
- ODHH related functions and operations;
- Other issues affecting deaf, deafblind, late-deafened, and hard of hearing individuals.

Directions:

<http://www.co.saintmarys.md.us/aging/agingtemplate.asp?content=directionscontent.asp>

Sign language interpreters, CART, and assistive listening devices will be provided.

For additional accommodations, please contact Laura Quinn at lquinn@gov.state.md.us.

Contact: Laura Quinn (410) 767-7794

[10-12-14]

PROFESSIONAL STANDARDS AND TEACHER EDUCATION BOARD

Subject: Public Meeting
Date and Time: July 1, 2010, 9:30 a.m. — 12:30 p.m.
Place: Nancy S. Grasmick State Education Bldg., 200 W. Baltimore St., Baltimore, MD

Contact: Madeline Koum (410) 767-0385

[10-12-01]

DEPARTMENT OF EDUCATION/DIVISION OF REHABILITATION SERVICES

Subject: Public Meeting
Date and Time: June 18, 2010, 12 — 3 p.m.; Additional Dates: August 20, October 15, and December 17, 2010
Place: Workforce & Technology Center, 2301 Argonne Dr., Rm. T-130, Baltimore, MD

GENERAL NOTICES

818

Add'l. Info: Toll-Free Number 866-996-0961

Contact: Tonya Gilchrist, Administrative Officer (410) 554-5412

[10-12-07]

MARYLAND STATE BOARD OF EDUCATION

Subject: Public Meeting

Date and Time: June 22, 2010, 9 a.m. — 5 p.m.; June 23, 2010, 9 a.m. — 12 p.m.

Place: Nancy S. Grasmick State Education Bldg., 200 W. Baltimore St., Baltimore, MD

Contact: Charlene Necessary (410) 767-0467

[10-12-03]

BOARD OF EXAMINING ENGINEERS

Subject: Public Meeting

Date and Time: July 20, 2010, 10 a.m. — 12 p.m.

Place: 500 N. Calvert St., Baltimore, MD

Contact: Gae Herzberger (410) 230-6163

[10-12-19]

BOARD OF ENVIRONMENTAL SANITARIANS

Subject: Public Meeting

Date and Time: July 7, 2010, 9 a.m. — 4 p.m.

Place: Howard Co. Bureau of Utilities, 8250 Old Montgomery Rd., Columbia, MD

Add'l. Info: A portion of this meeting may be held in closed session.

Contact: Kathy Glass (410) 537-3597

[10-12-13]

BOARD OF FORESTERS

Subject: Public Meeting

Date and Time: July 12, 2010, 10 a.m. — 12 p.m.

Place: 500 North Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD

Contact: Dennis L. Gring (410) 230-6224

[10-12-22]

DEPARTMENT OF HEALTH AND MENTAL HYGIENE/ LABORATORIES ADMINISTRATION/FORENSIC LABORATORY ADVISORY COMMITTEE

Subject: Public Meeting

Date and Time: June 23, 2010, 10 a.m. — 12 p.m.

Place: MSP Forensic Science Division, Pikesville, MD

Contact: Michael Wajda (410) 767-6909

[10-12-17]

DEPARTMENT OF HEALTH AND MENTAL HYGIENE/MARYLAND BOARD OF PHYSICIANS

Subject: Public Meeting

Date and Time: June 23, 2010, 9 — 10 a.m.; Open meetings will be held at 9 a.m. and 3 p.m.

Place: 4201 Patterson Ave., Rms. 108/109, Baltimore, MD

Add'l. Info: Appropriate auxiliary aids and services provided for qualified individuals upon request. Call Ellen Smith at (410) 764-2477.

Contact: Tammy Austin (410) 764-4769

[10-12-08]

DIVISION OF LABOR AND INDUSTRY/AMUSEMENT RIDE SAFETY ADVISORY BOARD

Subject: Public Meeting

Date and Time: June 16, 2010, 11 a.m.

Place: Howard Johnson Oceanfront Plaza Hotel on the Boardwalk at 12th St., 1109 Atlantic Ave., Ocean City, MD

Add'l. Info: The Board is scheduled to meet to review and discuss amendments to the inflatable amusement attraction regulations and other issues relating to amusement ride safety. Interested persons should call the contact person to confirm the meeting.

Contact: Debbie Stone (410) 767-2225

[10-12-31]

BOARD OF EXAMINERS OF LANDSCAPE ARCHITECTS

Subject: Public Meeting

Date and Time: June 21, 2010, 1:30 p.m.

Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD

Contact: Pamela J. Edwards (410) 230-6263

[10-12-33]

MARYLAND STATE LOTTERY COMMISSION

Subject: Public Meeting

Date and Time: June 17, 2010, 10 a.m. — 12 p.m.

Place: Montgomery Park Business Center, 1800 Washington Blvd., Ste. 330, Baltimore, MD

Contact: Marie A. Torosino (410) 230-8790

[10-12-35]

MARYLAND HEALTH CARE COMMISSION

Subject: Public Meeting

Date and Time: June 17, 2010, 1 p.m.

Place: Maryland Health Care Commission, 4160 Patterson Ave., Conf. Rm. 100, Baltimore, MD

Add'l. Info: Individuals requiring special accommodations are requested to contact Valerie Wooding at (410) 764-3460, or the Department of Health and Mental Hygiene TTY at (410) 383-7755, not later than 20 working days before the meeting to make arrangements.

Contact: Valerie Wooding (410) 764-3460

[10-12-11]

MARYLAND HEALTH CARE COMMISSION

Subject: Public Meeting

Date and Time: July 15, 2010, 1 p.m.

Place: Maryland Health Care Commission, 4160 Patterson Ave., Conf. Rm. 100, Baltimore, MD

Add'l. Info: Individuals requiring special accommodations are requested to contact Valerie Wooding at (410) 764-3460, or the Department of Health and Mental Hygiene TTY at (410) 383-7755, not later than 20 working days before the meeting to make arrangements.

Contact: Valerie Wooding (410) 764-3460

[10-12-12]

MINORITY BUSINESS ENTERPRISE ADVISORY COMMITTEE

Subject: Public Meeting

Date and Time: June 23, 2010, 8:30 a.m. — 5 p.m.

Place: Harry R. Hughes Dept. of Transportation Bldg., 7201 Corporate Center Dr., Ground Floor, Harry R. Hughes Stes. 1 and 2, Hanover, MD

Contact: Catherine Svoboda (410) 865-1357

[10-12-29]

BOARD OF PLUMBING

Subject: Public Meeting

Date and Time: June 17, 2010, 10:30 a.m. — 12:30 p.m.

Place: 500 N. Calvert St., Rm. 302, Baltimore, MD

Contact: Brenda Clark (410) 230-6164

[10-12-06]

BOARD OF PUBLIC ACCOUNTANCY

Subject: Public Meeting

Date and Time: June 30, 2010, 9 a.m. — 12 p.m.

Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD

Contact: Dennis L. Gring (410) 230-6224

[10-12-21]

**STATE ADVISORY COUNCIL ON
QUALITY CARE AT THE END OF
LIFE**

Subject: Public Meeting

Date and Time: June 11, 2010, 10 a.m. —
12 p.m.

Place: Dept. of Aging, 301 W. Preston St.,
Rm. 1007, Baltimore, MD

Contact: Kathy Izdebski (410) 576-6327
[10-12-18]

RACING COMMISSION

Subject: Public Meeting

Date and Time: June 15, 2010, 12:30 — 1
p.m.

Place: Pimlico Race Course, Triple Crown
Rm., Baltimore, MD

Contact: J. Michael Hopkins (410) 296-
9682

[10-12-20]

**MARYLAND SEXUAL OFFENDER
ADVISORY BOARD**

Subject: Public Meeting

Date and Time: June 11, 2010, 1 — 4 p.m.

Place: The Maryland Judiciary and
Education Conference Center, 2011D
Commerce Park Dr., Annapolis, MD

Contact: Elizabeth Bartholomew (410)
585-3604

[10-12-23]

**STATE BOARD OF INDIVIDUAL TAX
PREPARERS**

Subject: Public Meeting

Date and Time: June 14, 2010, 10 a.m. —
12 p.m.

Place: 500 N. Calvert St., Baltimore, MD

Contact: Jay Hutchins (410) 230-6262

[10-12-24]

**WORKERS' COMPENSATION
COMMISSION**

Subject: Public Meeting

Date and Time: June 24, 2010, 9 — 11
a.m.

Place: 10 E. Baltimore St., Baltimore, MD

Add'l. Info: A portion of this meeting may
be held in closed session.

Contact: Amy Lackington (410) 864-5300

[10-12-02]

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- 23 Advance Directive Registry
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- 25 Maryland Health Care Commission
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- 52 Preventive Medicine
- 53 Board of Nursing—Electrology Practice Committee
- 54 Special Supplemental Nutrition Program for Women,
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- 59 Catastrophic Health Emergencies

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