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# Maryland Register

Issue Date: April 15, 2016

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Volume 43 • Issue 8 • Pages 487—518

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Board  
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Evaluation  
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Errata  
Special Documents  
General Notices

Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before March 28, 2016, 5 p.m.

Pursuant to State Government Article, §7-206, Annotated Code of Maryland, I hereby certify that this issue contains all documents required to be codified as of March 28, 2016.

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



# Information About the Maryland Register and COMAR

## MARYLAND REGISTER

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

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

The following information is also published regularly in the Register:

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

### CITATION TO THE MARYLAND REGISTER

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

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

### CODE OF MARYLAND REGULATIONS (COMAR)

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

### CITATION TO COMAR REGULATIONS

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

### DOCUMENTS INCORPORATED BY REFERENCE

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

## HOW TO RESEARCH REGULATIONS

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

### 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 \$15.00 per issue.

### 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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## 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.

## CLOSING DATES AND ISSUE DATES through JANUARY 20, 2017

Issue Date	Emergency and Proposed Regulations 5 p.m.*	Final Regulations 10:30 a.m.	Notices, etc. 10:30 a.m.
April 29	April 11	April 20	April 18
May 13	April 25	May 4	May 2
May 27	May 9	May 18	May 16
June 10**	May 23	June 1	May 27
June 24	June 6	June 15	June 13
July 8	June 20	June 29	June 27
July 22**	July 1	July 13	July 11
August 5	July 18	July 27	July 25
August 19	August 1	August 10	August 8
September 2	August 15	August 24	August 22
September 16**	August 29	September 7	September 2
September 30	September 12	September 21	September 19
October 14	September 26	October 5	October 3
October 28**	October 7	October 19	October 17
November 14***	October 24	November 2	October 31
November 28***	November 4	November 16	November 14
December 9**	November 18	November 30	November 28
December 23	December 5	December 14	December 12
January 6**	December 19	December 28	December 23
January 20**	December 30	January 11	January 9

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

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

\*\* Note closing date changes

\*\*\* Note issue date and closing date changes

**The regular closing date for Proposals and Emergencies is Monday.**

### COMAR Online

The Code of Maryland Regulations is available at [www.dsd.state.md.us](http://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](http://www.dsd.state.md.us).

For additional information, visit [www.dsd.state.md.us](http://www.dsd.state.md.us), Division of State Documents, or call us at (410) 974-2486 or 1 (800) 633-9657.

## 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](http://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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### 02 OFFICE OF THE ATTORNEY GENERAL

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### 03 COMPTROLLER OF THE TREASURY

**03.02.04.01** • 43:8 Md. R. 499 (4-15-16)

### 05 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

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### 07 DEPARTMENT OF HUMAN RESOURCES

**07.02.12.01—09** • 43:2 Md. R. 132 (1-22-16)

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### 09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

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### 10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

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- 33.16.06.01 • 43:4 Md. R. 346 (2-19-16)
- 33.20.02 • 43:5 Md. R. 387 (3-4-16) (correction)
- 33.20.02.02,.03 • 42:21 Md. R. 1352 (10-16-15)
- 33.20.06.01,.02 • 42:23 Md. R. 1481 (11-13-15)
- 33.22.01.01—.03 • 43:7 Md. R. 472 (4-1-16)
- 33.22.02.01 • 43:7 Md. R. 472 (4-1-16)
- 33.22.03.01,.02 • 43:7 Md. R. 472 (4-1-16)

**36 MARYLAND STATE LOTTERY AND GAMING  
CONTROL AGENCY**

- 36.06.01—.03 • 42:14 Md. R. 930 (7-10-15)
- 36.06.02.01,.02 • 42:14 Md. R. 930 (7-10-15)
- 36.06.03.01—.08 • 42:14 Md. R. 930 (7-10-15)
- 36.06.04.01—.04 • 42:14 Md. R. 930 (7-10-15)
- 36.06.05.01—.06 • 42:14 Md. R. 930 (7-10-15)
- 36.06.06.01 • 42:14 Md. R. 930 (7-10-15)
- 36.08.01.01,.02 • 42:14 Md. R. 936 (7-10-15)
- 36.08.02.01 • 42:14 Md. R. 936 (7-10-15)
- 36.08.03.01 • 42:14 Md. R. 936 (7-10-15)

# Open Meetings Compliance Board

## SUMMARY OF OPINIONS ISSUED FROM JANUARY 1 — MARCH 31, 2016\*

### **10 Official Opinions of the Compliance Board 1 (2016)**

Heroin and Opioid Emergency Task Force (Michele J. Fluss, Complainant)

January 5, 2015

Topics discussed: Timeliness of notice; access to meeting space; adoption of minutes; acknowledgment of violation

### **10 Official Opinions of the Compliance Board 4 (2016)**

Washington Suburban Sanitary Commission (Peter Karpoff, Complainant)

March 8, 2016

Topics discussed: Closing statements; closed session summaries

### **10 Official Opinions of the Compliance Board 9 (2016)**

Maryland Bicycle and Pedestrian Advisory Committee (Michael E. Jackson, Complainant)

March 8, 2016

Topics discussed: Timeliness of notice; timeliness of minutes

### **10 Official Opinions of the Compliance Board 12 (2016)**

Maryland Health Benefits Exchange Compliance & Ethics Committee (Craig O'Donnell, Complainant)

March 29, 2016

Topics discussed: "Public body" definition; administrative function exclusion; applicability of all open meeting requirements.

\*The Compliance Board's opinions are now posted at <https://www.oag.state.md.us/Opengov/Openmeetings/index.htm>.

[16-08-31]



# The Judiciary

## COURT OF APPEALS OF MARYLAND

### DISCIPLINARY PROCEEDINGS

This is to certify that by an Opinion and Order of the Court of Appeals dated February 19, 2016, **JENNIFER VETTER LANDEO**, 13-15 East Deer Park Drive, Suite 201, Gaithersburg, Maryland 20877, has been indefinitely suspended, effective March 21, 2016, from the further practice of law in this State, and her name as an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 16-760(e)).

\* \* \* \* \*

This is to certify that by an Opinion and Order of the Court of Appeals dated March 25, 2016, **KRISTAN L. PETERS-HAMLIN**, 21 Compo Parkway, Westport, Connecticut 06880, has been disbarred by, effective immediately, from the further practice of law in this State, and her name as an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 16-760(e)).

\* \* \* \* \*

This is to certify that by an Order of the Court of Appeals dated March 30, 2016, **JOSEPH D. REID II**, 8480 Baltimore National Pike, Suite 184-M, Ellicott City, Maryland 21043, has been indefinitely suspended by consent, effective immediately, 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 16-772(d)).

\* \* \* \* \*

This is to certify that the name **ANTHONY J. DELAURENTIS**, 21001 Jolie Place, Crofton, Maryland 21114, has been replaced upon the register of attorneys in the Court of Appeals as of March 31, 2016 having subscribed to the oath of attorneys, in compliance with the Order of Court filed March 25, 2016. Notice of this action is certified in accordance with Maryland Rule 16-781(l).

\* \* \* \* \*

This is to certify that the name **JOHN K. REIFF**, 11759 Pindell Chase Drive, Fulton, Maryland 20759, has been replaced upon the register of attorneys in the Court of Appeals as of March 31, 2016 having subscribed to the oath of attorneys, in compliance with the Order of Court filed March 25, 2016. Notice of this action is certified in accordance with Maryland Rule 16-781(l).

[16-08-34]

# Regulatory Review and Evaluation

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

## **TITLE 31 MARYLAND INSURANCE ADMINISTRATION**

### **Subtitle 08 PROPERTY AND CASUALTY INSURANCE**

#### **Notice of Availability of Evaluation Report**

Pursuant to State Government Article, §10-135(b)(1), Annotated Code of Maryland, Regulatory Review and Evaluation Act, and Executive Order 01.01.2003.20, notice is hereby given that the Evaluation Report regarding COMAR 31.08.01, 31.08.02, 31.08.03, 31.08.04, 31.08.06, 31.08.08, 31.08.09, 31.08.10, 31.08.11 and 31.08.12 is available for public inspection and comment for a period of 60 days following the date of this notice.

This report may be reviewed online at <http://www.mdinsurance.state.md.us/sa/news-center/proposed-regulations.html> or by appointment at the Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore, MD 21202. Information and appointments may be obtained by contacting Lisa Larson, Assistant Director of Regulatory Affairs, at 410-468-2007 or by email at [insuranceregreview.mia@maryland.gov](mailto:insuranceregreview.mia@maryland.gov).

[16-08-28]

# 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 07

### DEPARTMENT OF HUMAN RESOURCES

#### Subtitle 07 CHILD SUPPORT ENFORCEMENT ADMINISTRATION

##### 07.07.08 State Comptroller Intercept Program

Authority: Family Law Article, §§10-113 and 10-113.2, Annotated Code of Maryland

#### Notice of Final Action

[15-330-F]

On April 4, 2016, the Secretary of Human Resources adopted amendments to Regulation .03 under **COMAR 07.07.08 State Comptroller Intercept Program**. This action, which was proposed for adoption in 42:21 Md. R. 1304 (October 16, 2015), has been adopted as proposed.

**Effective Date: April 25, 2016.**

SAM MALHOTRA  
Secretary of Human Resources

#### Subtitle 07 CHILD SUPPORT

#### ENFORCEMENT ADMINISTRATION 07.07.09 Federal Income Tax Refund Offset Program

Authority: Family Law Article, §§10-110, 10-113, and 10-114, Annotated Code of Maryland

Agency Note: Federal Regulatory Reference — 45 CFR §303.72; 42 U.S.C. §664

#### Notice of Final Action

[15-329-F]

On April 5, 2016, the Secretary of Human Resources adopted amendments to Regulation .05 under **COMAR 07.07.09 Federal Income Tax Refund Offset Program**. This action, which was proposed for adoption in 42:21 Md. R. 1305 (October 16, 2015), has been adopted as proposed.

**Effective Date: April 25, 2016.**

SAM MALHOTRA  
Secretary of Human Resources

## Title 09

### DEPARTMENT OF LABOR, LICENSING, AND REGULATION

#### Subtitle 21 BOARD OF ARCHITECTS

##### 09.21.01 General Regulations

Authority: Business Occupations and Professions Article, §3-208 (a)(1), Annotated Code of Maryland

#### Notice of Final Action

[16-047-F]

On March 23, 2016, the Board of Architects adopted amendments to Regulation .04 under **COMAR 09.21.01 General Regulations**. This action, which was proposed for adoption in 43:2 Md. R. 177—178 (January 22, 2016), has been adopted as proposed.

**Effective Date: April 25, 2016.**

DIANE CHO  
Chair

## Title 26

### DEPARTMENT OF THE ENVIRONMENT

#### Subtitle 11 AIR QUALITY

##### 26.11.39 Architectural and Industrial Maintenance (AIM) Coatings

Authority: ~~[[Environmental]]~~ Environment Article, §§1-404, 2-103, and 2-301—2-303, Annotated Code of Maryland

#### Notice of Final Action

[16-026-F-I]

On March 24, 2016, the Secretary of the Environment adopted new Regulations .01—.08 under a new chapter, **COMAR 26.11.39 Architectural and Industrial Maintenance (AIM) Coatings**. This action, which was proposed for adoption in 43:2 Md. R. 217—227 (January 22, 2016), has been adopted as proposed.

**Effective Date: April 25, 2016.**

BENJAMIN H. GRUMBLES  
Secretary of the Environment

**Title 31**  
**MARYLAND INSURANCE**  
**ADMINISTRATION**

**Subtitle 09 LIFE INSURANCE AND**  
**ANNUITIES**

**31.09.04 Contracts on a Variable Basis**

Authority: Insurance Article, §§2-109 and 16-601—16-603, Annotated Code  
of Maryland

**Notice of Final Action**

[16-027-F]

On April 1, 2016, the Insurance Commissioner adopted amendments to Regulations **.02** and **.08** under **COMAR 31.09.04 Contracts on a Variable Basis**. This action, which was proposed for adoption in 43:2 Md. R. 232—233 (January 22, 2016), has been adopted as proposed.

**Effective Date: April 25, 2016.**

ALFRED W. REDMER, JR.  
Insurance Commissioner

# 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

### 03.02.04 Administration

Authority: Article 2B, §§16-301 and 16-302; Tax-General Article, §2-103; Annotated Code of Maryland

#### Notice of Proposed Action

[16-095-P]

The Comptroller of Maryland proposes to amend Regulation .01 under **COMAR 03.02.04 Administration**.

#### Statement of Purpose

The purpose of this action is to change the due dates for certain tax returns according to filing frequency. The amendments move the due date from the 10th of the month to the 15th or 20th depending on whether the taxpayer files quarterly, semiannually, or monthly.

#### 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 Wayne Green, Director, Revenue Administration Division, Comptroller of Maryland, P.O. Box 1829, Annapolis, MD 21404-1829, or call 410-260-7445. Comments will

be accepted through May 16, 2016. A public hearing has not been scheduled.

#### .01 Tax Returns and Reports.

##### A. Alcoholic Beverage Tax Returns and Reports.

(1) Holders of a manufacturer's or a wholesaler's license authorized to sell wine or liquor, or Class E, F, or G license holders authorized to sell beer, wine, or liquor, or holders of a nonresident dealer permit authorized to sell beer shall file a tax return with the Alcohol and Tobacco Tax Bureau on forms prescribed by the Comptroller for each month that their license or permit is active. A tax return is required for each [month] *period* even if the licensee or permittee had no activity. Manufacturers and wholesalers shall file a wine and liquor tax return [by the 10th of the month following the report month] *under a filing frequency provided in §A(5) of this regulation*. Nonresident dealers shall file a beer tax return by the 15th of the month following the report month. Class E, F, and G licensees shall file the appropriate tax return by the 25th of the month following the report month.

(2) — (4) (text unchanged)

(5) *Filing frequency for Manufacturers and Wholesalers of Wine and Liquor.*

(a) *The Comptroller shall notify manufacturers and wholesalers of their filing frequency under §A(5)(b) of this regulation.*

(b) *The required return shall be filed:*

(i) *Monthly;*

(ii) *Quarterly; or*

(iii) *Semiannually.*

(c) *Monthly. The taxpayer is required to file and pay the tax monthly on or before the 20th day of the month following the report month.*

(d) *Quarterly. The taxpayer is required to file and pay the tax quarterly on or before the 15th day of the month that follows a calendar quarter for that report. The reports will be due April, July, October, and January of the following year.*

(e) *Semiannually. The taxpayer is required to file the return and pay the tax semiannually on or before the 15th day of January and July.*

[(5)] (6) — [(6)] (7) (text unchanged)

B. — C. (text unchanged)

PETER FRANCHOT  
Comptroller of the Treasury

# Title 05 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

## Subtitle 04 SPECIAL LOAN PROGRAMS

### 05.04.01 Maryland Housing Rehabilitation Program — Regular Rehabilitation Program

Authority: Housing and Community Development Article, §4-910, Annotated Code of Maryland

#### Notice of Proposed Action

[16-098-P]

The Secretary of Housing and Community Development proposes to amend Regulations .06 and .15 and adopt new Regulation .07-1 under COMAR 05.04.01 Maryland Housing Rehabilitation Program — Regular Rehabilitation Program.

#### Statement of Purpose

The purpose of this action is to update certain regulatory requirements for loan-to-value ratios and loan disbursements, and to amend the types of financial assistance offered under the Maryland Housing Rehabilitation Program — Regular Rehabilitation Program.

#### Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

#### Estimate of Economic Impact

**I. Summary of Economic Impact.** The amendments will allow the Department to make loans with a higher loan-to-value ratio (LTV); increase the amount of loan funds that can be advanced; and provide financial assistance in the form of grants to homeowners that otherwise could not afford a loan.

All recipients of Program loans are families of limited income and many of these homeowners reside in older houses with values that remain stagnant. Increasing the allowable LTV will ensure that the Department can serve more families of limited income who need affordable financing to rehabilitate their home, or install basic accessibility features.

The Program loans have a term of 20 to 30 years. The Department estimates that over this time period, the property values should increase enough to fully secure the Program loan. In addition, the proposal to increase the amount of a loan that can be advanced to 20 percent will not have any fiscal impact. The increase is to allow the homeowner and its contractor to purchase more material upfront in accordance with industry standards. For these reasons, the Department estimates that amendments raising the LTV or increasing the amount of advances should not have an economic impact.

The proposed amendments will allow the Department to make grants to families of very low income (30 percent or lower of area median household income) who otherwise could not afford to undertake the rehabilitation of their home without a grant. Program loans to families of very low income typically have a 0 percent interest rate and are deferred for 20 or 30 years with no monthly payments. By making grants, the Department will not receive

repayment on the grant and the amount of revenue the Department receives will decrease starting in approximately 20 years. The Department estimates that it will make a total of approximately 25 to 30 grants a year in the total amount of \$900,000 of grants a year under the Program.

II. Types of Economic Impact.	Revenue (R+/R-)	
	Expenditure (E+/E-)	Magnitude
A. On issuing agency:	(R-)	\$410,000 annually
B. On other State agencies:	NONE	
C. On local governments:	NONE	

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

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

A. The bulk of the Program financing will still be in the form of a repayable loan. The Program estimates that it will make \$900,000 annually in grants and \$1,550,000 annually in loans. Since the grants will not have to be repaid, the Department's future revenue will decrease starting in approximately 20 years by the annual amount of grants that otherwise would have been repayable as loans. The Department estimates that the net present value of \$900,000 in 20 years is \$410,000.

F. Members of the public that are homeowners and families of limited income will receive the benefit of rehabilitating their home equal to amount of grants made each year. Communities and neighborhoods may receive an indirect social and economic benefit of having housing in these locations rehabilitated. This amount is indeterminable.

#### 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 Amy Grutzner, Director of Single Family Programs, Division of Development Finance, Department of Housing and Community Development, 7800 Harkins Road, Lanham, Maryland 20706, or call 301-429-7763, or email to Amy.Grutzner@maryland.gov. Comments will be accepted through May 16, 2016. A public hearing has not been scheduled.

#### .06 Loan Terms and Conditions — General.

A.—C. (text unchanged)

D. Maximum Loan Amount.

(1) The maximum loan may not exceed an amount which, when added to any prior debts secured by or relating to the eligible building

or property, or both, would equal [95] 110 percent of the market value of the eligible building and property after rehabilitation as determined by the Department or the local administrator.

(2) For projects when 100 percent of the units are subject to a federal rent subsidy which is allocated to the project for the entire term of the loan, the [95] 110 percent loan-to-value ratio requirement of §D(1), above, may be raised to [100] 115 percent.

(3)—(4) (text unchanged)

E.—K. (text unchanged)

**.07-1 Program Grants.**

A. *The Department may make a Program loan in the form of a grant to a single family owner-occupant that meets the requirements of this regulation.*

B. *To be eligible for a grant, an applicant shall:*

(1) *Own and occupy the dwelling;*

(2) *Be a family of very low income; and*

(3) *Be unable to undertake the rehabilitation project without a grant as determined by the Department.*

C. *A grant may provide for:*

(1) *No required payments;*

(2) *The deferral of payments; or*

(3) *The reduction of the principal balance owed over a period of time.*

D. *The Department shall follow Regulations .09 —.15 of this chapter for approving and processing grants.*

E. *A grant may be unsecured or secured by a security instrument acceptable to the Department.*

F. *The Department may establish limitations:*

(1) *On the percentage of allocations and the percentage of the annual funding appropriated to the Program which may be used for grants; and*

(2) *On the maximum grant amount that may be awarded for a dwelling.*

**.15 Loan Disbursements.**

A.—C. (text unchanged)

D. *Advance Payments. Advances or down payments may be made to contractors to purchase materials delivered on site or valid purchase requisitions not to exceed [10] 20 percent of the contract costs.*

E.—H. (text unchanged)

KENNETH C. HOLT

Secretary of Housing and Community Development

**Title 08  
DEPARTMENT OF NATURAL  
RESOURCES**

**Subtitle 03 WILDLIFE**

**08.03.11 Reptile and Amphibian Possession and Permits**

Authority: Natural Resources Article, §§4-602, 10-205, 10-2A-03, 10-901, and 10-902, Annotated Code of Maryland

**Notice of Proposed Action**

[16-091-P]

The Secretary of Natural Resources proposes to amend Regulation .02 and adopt new Regulation .16 under COMAR 08.03.11 Reptile and Amphibian Possession and Permits.

**Statement of Purpose**

The purpose of this action is to provide protection for native amphibians and reptiles from becoming infected with known disease vectors in the course of organized competitions. Emerging infectious viral diseases, such as Ranavirus species, are one of the most important factors contributing to global amphibian declines. This disease, which also affects reptiles, is characterized by rapid onset and mortality. Ranavirus has been confirmed in Maryland to date in eastern box turtle, wood frog, spotted salamander, spring peeper, Cope’s grey treefrog, eastern spadefoot, northern green frog, American bullfrog, and painted turtle. Recent studies show that die-offs of amphibians and reptiles due to Ranavirus are increasing in the State and in the region. Given the increased prevalence of this disease and demonstrated impacts, measures are warranted to reduce the risk of Ranavirus and other infectious diseases for Maryland’s native amphibians and reptiles.

Regulation .02 is amended to specifically define competitions for the purposes of COMAR 08.03.11. Competitions using nonnative amphibians and reptiles are not prohibited by these regulations. Regulation .16 is added to prevent the transmission of Ranavirus and other infectious diseases to native animal populations by preventing exposure to potentially infected animals during the course of competitions such as turtle derbies, turtle races, and frog-jumping contests.

**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 Gwenda Brewer, Science Program Manager, Wildlife and Heritage Service, Department of Natural Resources, 580 Taylor Avenue, Annapolis, MD 21401, or call 410-260-8558, or email to gwenda.brewer@maryland.gov, or fax to 410-260-8596. Comments will be accepted through May 16, 2016. A public hearing has not been scheduled.

**.02 Definitions.**

A. (text unchanged)

B. Terms Defined.

(1) — (3) (text unchanged)

(4) *“Competition” means a contest, race, derby, tournament, match, game, performance, show, meet, event, or test of skill in which contestants compete for a prize or honor or in which a winner is selected from among two or more entrants.*

[(4)] (5) — [(9)] (10) (text unchanged)

**.16 Prohibition on Use in Competitions.**

*No species listed in Regulation .03 of this chapter, regardless of origin, may be used in a competition.*

MARK J. BELTON

Secretary of Natural Resources

# Title 10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

## Subtitle 32 BOARD OF PHYSICIANS

### 10.32.06 Licensure of Polysomnographic Technologists

Authority: Health Occupations Article, §§14-205 and 14-5C-09, Annotated Code of Maryland

#### Notice of Proposed Action

[16-096-P]

The Secretary of Health and Mental Hygiene proposes to amend Regulation .04 under **COMAR 10.32.06 Licensure of Polysomnographic Technologists**. This action was considered at a public meeting on November 18, 2015, notice of which was given by publication on the Board's Website at <http://www.mbp.state.md.us/forms/nov15Bagenda.pdf> from October 30, 2015, through November 18, 2015, pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

#### Statement of Purpose

The purpose of this action is to allow a physician who is either board-eligible or board-certified in sleep medicine by the American Osteopathic Association to complete certain documentation for individuals pursuing a certain pathway to licensure as a polysomnographic technologist in Maryland.

#### Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

#### Estimate of Economic Impact

The proposed action has no economic impact.

#### Economic Impact on Small Businesses

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

#### Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

#### Opportunity for Public Comment

Comments may be sent to Michele Phinney, Director, Office of Regulation and Policy Coordination, Department of Health and Mental Hygiene, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to [dhmh.regs@maryland.gov](mailto:dhmh.regs@maryland.gov), or fax to 410-767-6483. Comments will be accepted through May 16, 2016. A public hearing has not been scheduled.

### .04 Application for Initial Licensure as a Polysomnographic Technologist.

A. An applicant shall:

(1)—(6) (text unchanged)

(7) Provide documentation of one of the following:

(a)—(d) (text unchanged)

(e) Each of the following:

(i) (text unchanged)

(ii) Proof of meeting core competencies in the 3 years preceding the application as assessed by a sleep technologist credentialed as a Registered Polysomnographic Technologist, a sleep

technologist with national certification approved by the Board, or a physician who is either board-eligible or board-certified in sleep medicine by the American Board of Sleep Medicine, [or] American Board of Medical Specialties, *or American Osteopathic Association*;

(iii) A letter of attestation for completion of clinical hours and competencies from a physician who is either board-eligible or board-certified in sleep medicine by the American Board of Sleep Medicine, [or] American Board of Medical Specialties, *or American Osteopathic Association* where the applicant practiced; and

(iv) (text unchanged)

(8) (text unchanged)

B.—C. (text unchanged)

VAN T. MITCHELL  
Secretary of Health and Mental Hygiene

# Title 13A STATE BOARD OF EDUCATION

## Subtitle 04 SPECIFIC SUBJECTS

### 13A.04.13 Program in Physical Education

Authority: Education Article, §§2-205(c) and (h), 7-205.2, and 7-409, Annotated Code of Maryland

#### Notice of Proposed Action

[16-093-P]

The Maryland State Board of Education proposes to amend Regulations .01 and .02 under **COMAR 13A.04.13 Program in Physical Education**. This action was considered at the State Board of Education meeting held on February 12, 2016.

#### Statement of Purpose

The purpose of this action is to incorporate new standards and a 2014 legislative requirement that each county board provide, as part of the health or physical education curriculum, instruction in cardiopulmonary resuscitation that includes hands-only cardiopulmonary resuscitation and the use of an automated external defibrillator.

#### 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 Heather Lageman, Director of Curriculum, Teacher Induction Programs, Division of Instruction, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, Maryland 21201, or call 410-767-0348 (TTY 410-333-6442), or email to [heather.lageman@maryland.gov](mailto:heather.lageman@maryland.gov), or fax to 410-333-1146. Comments will be accepted through May 16, 2016. A public hearing has not been scheduled.



**Open Meeting**

Final action on the proposal will be considered by the Maryland State Board of Education during a public meeting to be held on June 28, 2016, 9 a.m., at 200 West Baltimore Street, Baltimore, Maryland 21201.

**.01 Physical Education Instructional Programs for Grades Prekindergarten—12.**

A. (text unchanged)

B. Maryland Physical Education Program.

(1) — (2) (text unchanged)

(3) *The instructional program, as it applies to grades 9—12, shall provide instruction in cardiopulmonary resuscitation that includes hands-only cardiopulmonary resuscitation and the use of an automated external defibrillator if not otherwise offered in the comprehensive health education program.*

C. Maryland Physical Education Content Standards. *Students shall:*

[(1) Skillfulness. Students will demonstrate the ability to enhance their performance of a variety of physical skills by developing fundamental movement skills, creating original skill combinations, combining skills effectively in skill themes, and applying skills.

(2) Biomechanical Principles. Students will demonstrate an ability to use the principles of biomechanics to generate and control force to improve their movement effectiveness and safety.

(3) Motor Learning Principles. Students will demonstrate the ability to use motor skill principles to learn and develop proficiency through frequent practice opportunities in which skills are repeatedly performed correctly in a variety of situations.

(4) Exercise Physiology. Students will demonstrate the ability to use scientific principles to design and participate in a regular, moderate to vigorous physical activity program that contributes to personal health and enhances cognitive and physical performance on a variety of academic, recreational, and life tasks.

(5) Physical Activity. Students will demonstrate the ability to use the principles of exercise physiology, social psychology, and biomechanics to design and adhere to a regular, personalized, purposeful program of physical activity consistent with their health, performance, and fitness goals in order to gain health and cognitive/academic benefits.

(6) Social Psychological Principles. Students will demonstrate the ability to use skills essential for developing self-efficacy, fostering a sense of community, and working effectively with others in physical activity settings.]

*(1) Demonstrate competency in a variety of motor skills and movement patterns;*

*(2) Apply knowledge of concepts, principles, strategies, and tactics related to movement and performance;*

*(3) Demonstrate the knowledge and skills to achieve and maintain a health-enhancing level of physical activity and fitness;*

*(4) Exhibit responsible personal and social behavior that respects self and others; and*

*(5) Recognize the value of physical activity for health, enjoyment, challenge, self-expression and social interaction.*

D. — F. (text unchanged)

**.02 Certification Procedures.**

By September [2015] 2016 and each 5 years after that, each local superintendent of schools shall certify to the State Superintendent of Schools that the instructional programming within grades prekindergarten—12 meets, at a minimum, the requirements set forth in Regulation .01 of this chapter.

JACK R. SMITH, Ph.D.  
Interim State Superintendent of Schools

**Subtitle 04 SPECIFIC SUBJECTS**

**13A.04.18 Program in Comprehensive Health Education**

Authority: Education Article, §§2-205(c) and (h), 7-205.2, 7-401, 7-410, 7-411, 7-411.1, and 7-413, Annotated Code of Maryland

**Notice of Proposed Action**

[16-092-P]

The Maryland State Board of Education proposes to amend Regulations .01 and .02 under **COMAR 13A.04.18 Program in Comprehensive Health Education**. This action was considered at the State Board of Education meeting held on February 12, 2016.

**Statement of Purpose**

The purpose of this action is to bring regulations into compliance with the legislation regarding instruction in hands-free cardiopulmonary resuscitation and use of automated external defibrillators.

**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 Heather Lageman, Director of Curriculum, Teacher Induction Programs, Division of Instruction, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, Maryland 21201, or call 410-767-0348 (TTY 410-333-6442), or email to heather.lageman@maryland.gov, or fax to 410-333-1146. Comments will be accepted through May 16, 2016. A public hearing has not been scheduled.

**Open Meeting**

Final action on the proposal will be considered by the Maryland State Board of Education during a public meeting to be held on June 28, 2016, 9 a.m., at 200 West Baltimore Street, Baltimore, Maryland 21201.

**.01 Comprehensive Health Education Instructional Programs for Grades Prekindergarten — 12.**

A. (text unchanged)

B. Maryland Comprehensive Health Education Program. [The comprehensive instructional program shall help students adopt and maintain healthy behaviors and contribute directly to a student's ability to successfully practice behaviors that protect and promote health and avoid or reduce health risks. The instructional program shall provide for the diversity of student needs, abilities, and interests at the early, middle, and high school learning years, and shall include the Maryland Health Education Content Standards with related indicators and objectives as set forth in §§C—I of this regulation.]

*(1) The comprehensive instructional program shall help students adopt and maintain healthy behaviors and contribute directly to a student's ability to successfully practice behaviors that protect and promote health and avoid or reduce health risks.*

*(2) The instructional program shall provide for the diversity of student needs, abilities, and interests at the early, middle, and high school learning years, and shall include the Maryland Health*

Education Content Standards with related indicators and objectives as set forth in §§C—I of this regulation.

(3) The instructional program, as it applies to grades 9—12, shall provide instruction in cardiopulmonary resuscitation that includes hands-only cardiopulmonary resuscitation and the use of an automated external defibrillator if not otherwise offered in the physical education program.

C. — F. (text unchanged)

G. Safety and Injury Prevention.

(1) Students [will] shall demonstrate the ability to apply prevention and intervention knowledge, skills, and processes to promote safe living in the home, school, and community.

(2) Students shall complete instruction in cardiopulmonary resuscitation that includes hands-only cardiopulmonary resuscitation and the use of an automated external defibrillator.

H. — M. (text unchanged)

**.02 Certification Procedures.**

By September [2015] 2016 and each 5 years after that, each local superintendent of schools shall certify to the State Superintendent of Schools that the instructional programming within grades prekindergarten—12 meets, at a minimum, the requirements set forth in Regulation .01 of this chapter.

JACK R. SMITH, Ph.D.  
Interim State Superintendent of Schools

**Subtitle 06 SUPPORTING PROGRAMS**

**13A.06.02 Prekindergarten Programs**

Authority: Education Article, §§2-205(c) and (g) [and], 7-101.1, and 7-101.2, Annotated Code of Maryland

**Notice of Proposed Action**

[16-094-P]

The Maryland State Board of Education proposes to amend Regulations .01—.05 under COMAR 13A.06.02 Prekindergarten Programs. This action was considered at the February 12, 2016 meeting of the State Board of Education.

**Statement of Purpose**

The purpose of this action is to establish a mixed service delivery model which expands the operation of publicly funded prekindergarten to qualified vendors; extend the definition of high quality public prekindergarten to incorporate the highest tier of Maryland EXCELS; expand access to public prekindergarten to 3-year-olds from low-income families; and establish new grant-specific eligibility guidelines for accessing public prekindergarten.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

**I. Summary of Economic Impact.** The amendments to COMAR13A.06.02 are referring to the Preschool Expansion Act of 2014. In support of this legislation, the FY16 budget included \$4.3 million and the federal Preschool Development Grant included \$15 million to expand prekindergarten services to low-income 3- and 4-year-olds. Maryland received the federal funds in response to a competitive solicitation by the U.S. Department of Education.

**II. Types of Economic Impact.**

Revenue (R+/R-)	Expenditure (E+/E-)	Magnitude
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A. On issuing agency: (R+) \$19.3 million

B. On other State agencies: NONE  
C. On local governments: (R+) Unknown

Benefit (+) Cost (-)	Magnitude
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D. On regulated industries or trade groups: (+) Unknown

E. On other industries or trade groups: NONE

F. Direct and indirect effects on public: (+) Unknown

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

A. Increase of FY16 appropriation of \$19.3 million ,which includes \$750,000 for administrative support and \$18,550,000 for direct services. In order to qualify for funding, licensed and high quality child care programs (including Head Start) are either published at Level 5 (i.e., highest level) in Maryland EXCELS, have obtained State or national accreditation, or are approved by MSDE as a nonpublic nursery school.

C. Local boards of education are expanding prekindergarten slots in Title 1 elementary schools. In order to quality for funding, local boards of education may enroll low-income 3- and 4-year-olds in impacted neighborhoods, i.e., Title 1 schools above 60% of poverty or have Focus/Priority School status.

D. Benefit to licensed and high quality child care providers Statewide. A total of 33 programs receive State or Federal funds to provide prekindergarten services.

F. Direct impact on low-income families who have 3- or 4-year-olds. Low-income families at household incomes at or below 300% of poverty (for State funded preschool expansion) and 200% of poverty (for Federally funded preschool programs) are eligible to enroll their 3- or 4-year-old children in selected sites on a first-come first-served basis.

**Economic Impact on Small Businesses**

The proposed action has a meaningful economic impact on small business. An analysis of this economic impact follows. There is a meaningful impact on licensed high quality child care programs, as defined by the Assumptions above, including small businesses, i.e., established and operated by private, for profit businesses.

**Impact on Individuals with Disabilities**

The proposed action has an impact on individuals with disabilities as follows: The proposed amendments have an impact on preschoolers with disabilities from low-income families in terms of being eligible for the expanded prekindergarten program and being enrolled in the publicly funded portion of the programs.

**Opportunity for Public Comment**

Comments may be sent to Judith Walker, Branch Chief, Early Learning Branch, Division of Early Childhood Development, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, Maryland 21201, or call 410-767-6549 (TTY 410-333-6442), or email to judith.walker@maryland.gov, or fax to 410-333-6226. Comments will be accepted through May 16, 2016. A public hearing has not been scheduled.

**Open Meeting**

Final action on the proposal will be considered by the Maryland State Board of Education during a public meeting to be held on June 28, 2016 at 9 a.m., at 200 West Baltimore Street, Baltimore, Maryland 21201.

**.01 Scope and Purpose.**

A. This chapter applies to all publicly funded prekindergarten programs for all eligible [4-year-old] children, as defined in Education Article, [§7-101.1(a)(3)] §§7-101.1 and 7-101.2, Annotated Code of Maryland, administered by local boards of education or qualified vendors.

B. (text unchanged)

C. Local boards of education *or a qualified vendor* shall provide prekindergarten programs to accommodate all eligible 4-year-old children *and may enroll eligible 3-year-old children* seeking enrollment in public school programs, *in accordance with Regulation .03 of this chapter.*

**.02 Definitions.**

A. (text unchanged)

B. Terms Defined.

(1) — (2) (text unchanged)

[(4)] (3) “CDA” means the Child Development Associate Credential issued by the Council for Professional Recognition.

[(3)] (5) (text unchanged)

(4) “Children with disabilities” means a student who has either an Individualized Education Plan (IEP) or an Individualized Family Services Plan (IFSP).

[(5)] (6) (text unchanged)

[(6)] (7) “Eligibility” means meeting the criteria for enrollment into prekindergarten as stated in Regulation .03A of this chapter *or set by Education Article, §7-101.1, Annotated Code of Maryland, which is 185 percent of the annual U.S. Poverty Guidelines or set by Education Article, §7-101.2, Annotated Code of Maryland, which is 300 percent of the annual U.S. Poverty Guidelines.*

[(7)] (8) “Head Start” means a federally sponsored preschool program for children 3 years old to 5 years old from low income families that is licensed by the Office of Child Care [Administration] or administered by local boards of education.

[(8)] (9) (text unchanged)

[(9)] (10) “Maryland [Common Core State Curriculum] College- and Career-Ready Standards” means measurable statements of what students should know and be able to do within a content area as defined and approved for prekindergarten by the Department in collaboration with local school systems.

(11) “Maryland EXCELS” means the State’s Tiered Quality Rating and Improvement System (TQRIS), which has five levels of quality, level five being the highest.

[(10)] (12) “Prekindergarten” means a publicly funded program for all eligible [4-year-olds] children focusing on social/emotional, physical, and cognitive development as described in the Maryland [Common Core State Curriculum] College- and Career-Ready Standards.

(13) “Prekindergarten Expansion Site” means public prekindergarten for 3- and 4-year-olds in accordance with Education Article, §7-101.2, Annotated Code of Maryland.

[(11)] (14) “Qualified vendor” means a [State or nationally accredited] licensed child care program that:

[(a)] Is partnering with a local school system through a memorandum of agreement; and

(b) Meets the requirements of Regulation .05 of this chapter.]

(a) Is published at Level 5 in Maryland EXCELS;

(b) Is State or nationally accredited; or

(c) Is an approved nonpublic school that:

(i) Is establishing a Memorandum of Understanding (MOU) with the Department; and

(ii) Meets the requirements of Regulation .05B of this chapter.

[(12)] (15) (text unchanged)

**.03 Student Eligibility.**

A. Prekindergarten Programs for 4-Year-Old Children.

(1) A local school system shall enroll in prekindergarten all 4-year-old applicants who are from families with economically disadvantaged backgrounds or who are homeless, *in accordance with Education Article, §7-101.1, Annotated Code of Maryland.*

[B.] (2) For vacancies remaining after compliance with §A(1) of this regulation, a local school system may enroll 4-year-old applicants who are not from families with economically disadvantaged backgrounds but who represent a student population that exhibits a lack of school readiness.

(3) A qualified vendor shall enroll in prekindergarten any 4-year-old applicants who are from families with economically disadvantaged backgrounds or who are homeless in accordance with Education Article, §7-101.2, Annotated Code of Maryland.

[C.] B. Prekindergarten Programs for 3-Year-Old Children.

(1) (text unchanged)

(2) A local school system [shall be in compliance with 34 CFR §300.115(a)(b) and COMAR 13A.05.01.10 regarding children with disabilities] or qualified vendor may enroll in prekindergarten expansion sites 3-year-old applicants from families who meet the income guidelines as defined in Regulation .02B(7) of this chapter.

(3) (text unchanged)

C. A local school system or a qualified vendor shall be in compliance with 34 CFR §300.115(a)(b) and COMAR 13A.05.01.10 regarding children with disabilities.

**.04 Prekindergarten Site Selection.**

A. (text unchanged)

B. [The facilities plan may include local school system memorandums of agreement with qualified vendors and Head Start to provide prekindergarten program services that meet the local school system responsibilities in accordance with Regulation .05 of this chapter.] A qualified vendor must submit an application to the Department that identifies the sites operating a prekindergarten program.

**.05 Local School System Responsibilities.**

A. A local school system shall:

(1) — (6) (text unchanged)

(7) Align each prekindergarten program with the Maryland [Common Core State Curriculum] College- and Career-Ready Standards;

(8) — (9) (text unchanged)

B. A qualified vendor shall:

(1) [Maintain State or national early childhood program accreditation;] Be licensed to operate a child care center pursuant to COMAR 13A.16.06; or

(2) [Have the capacity to meet the responsibilities identified in this regulation;] Be an approved nonpublic school; and

(3) [Be licensed to operate a child care center pursuant to COMAR 13A.16; and

(4) Provide responses to Department requests for information and data related to the operation of the prekindergarten program.] Meet the following requirements:

(a) Maintain State or national early childhood program accreditation;

(b) Remain on Level 5 in Maryland EXCELS;

(c) Demonstrate the capacity to meet the responsibilities identified in §A(4), (6), and (7) of this regulation; and

(d) Provide responses to Department requests for information and data related to the operation of the prekindergarten program.

JACK R. SMITH, Ph.D.  
Interim State Superintendent of Schools

# Title 13B MARYLAND HIGHER EDUCATION COMMISSION

## Subtitle 08 FINANCIAL AID

### ***13B.08.13 Edward T. and Mary A. Conroy Memorial Scholarship Program and Jean B. Cryor Memorial Scholarship Program***

*Authority: Education Article, §§11-105(u), 18-204(c), and 18-601, Annotated Code of Maryland*

#### **Notice of Proposed Action**

[16-087-P]

The Maryland Higher Education Commission proposes to adopt new Regulations **.01—10** under a new chapter, **COMAR 13B.08.13 Edward T. and Mary A. Conroy Memorial Scholarship Program and Jean B. Cryor Memorial Scholarship Program**. This action was considered at a public meeting held on October 28, 2015.

#### **Statement of Purpose**

The purpose of this action is to adopt regulations to implement the Edward T. and Mary A. Conroy Memorial Scholarship Program and Jean B. Cryor Memorial Scholarship 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 Donna Thomas, Director, Office of Student Financial Assistance, Maryland Higher Education Commission, 6 N. Liberty St, 10th Floor, Baltimore, MD 21201, or call 410-767-3109, or email to donnae.thomas@maryland.gov, or fax to 410-332-0270. Comments will be accepted through May 16, 2016. A public hearing has not been scheduled.

#### **.01 Purpose.**

A. The purpose of the Edward T. and Mary A. Conroy Memorial Scholarship Program is to provide student financial assistance to certain individuals due to their eligible military or public safety service or due to their eligible family or marital relationship to such an individual.

B. The purpose of the Jean B. Cryor Memorial Scholarship Program is to provide student financial assistance to eligible children and surviving spouses of school employees who, as a victim

in an act of violence occurring in the line of duty, either died or sustained an injury that rendered the school employee 100 percent disabled.

#### **.02 Definitions.**

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

B. "Child" means a son, daughter, stepson, or stepdaughter.

C. "Conroy-Cryor scholarship" means the Edward T. and Mary A. Conroy Memorial Scholarship Program and the Jean B. Cryor Memorial Scholarship Program administered under this chapter.

D. "Disabled public safety employee" means a State or local public safety employee who sustains an injury in the line of duty that:

(1) Precludes the individual from continuing to serve or be employed as a State or local public safety employee; and

(2) In the case of a volunteer member of a fire department, ambulance, or rescue squad or company, precludes the member from continuing to be employed in the nonpublic safety occupation in which the member was engaged at the time of injury.

E. "OSFA" means the Office of Student Financial Assistance within the Maryland Higher Education Commission.

F. "School employee" includes an employee of a public or nonpublic school in the State.

G. "Service connected" means with respect to disability or death, that such disability was incurred or aggravated, or that the death resulted from a disability incurred or aggravated, in the line of duty in the active military.

H. "State or local public safety employee" means a person who is a:

(1) Career or volunteer member of a fire department, ambulance, or rescue squad or company;

(2) Law enforcement officer;

(3) Correctional officer; or

(4) Member of the Maryland National Guard who was a resident of this State at the time of death.

I. "Surviving spouse" means a person who has not remarried.

J. "Victim of the September 11, 2001 terrorist attacks" means a Maryland resident who was killed as a result of the attacks on the World Trade Center in New York City, the attack on the Pentagon in Virginia, or the crash of United Airlines flight #93 in Pennsylvania on September 11, 2001.

#### **.03 Eligibility.**

To be eligible for a Conroy-Cryor scholarship, an individual shall:

A. Be a resident of Maryland at the time of the application or have been a resident of Maryland when an event described in §C of this regulation occurred;

B. Be accepted for admission or enrolled in the regular undergraduate, graduate, or professional program at a Maryland postsecondary institution, or in a 2-year terminal certificate program in which the course work is acceptable for transfer credit for an accredited baccalaureate program in an eligible institution; and

C. Qualify under at least one of the following conditions:

(1) Be at least 16 years old and the child of a member of the armed forces who:

(a) Died as a result of military service after December 7, 1941;

(b) Suffered a service connected 100 percent permanent disability after December 7, 1942; or

(c) Was declared to be a prisoner of war or missing in action, if that occurred on or after January 1, 1960, as a result of the Vietnam conflict, and if the child was born prior to or while the parent was a prisoner of war or missing in action;

(2) Be a prisoner of war or missing in action, if that occurred on or after January 1, 1960, as a result of the Vietnam conflict, and a

resident of this State at the time the person was declared to be a prisoner of war or missing in action;

(3) Be either:

(a) At least 16 years old and the child of any State or local public safety employee killed in the line of duty; or

(b) The surviving spouse of any State or local public safety employee killed in the line of duty;

(4) Be either:

(a) A disabled public safety employee;

(b) At least 16 years old and the child of a disabled public safety employee who sustains an injury in the line of duty that renders the public safety employee 100 percent disabled; or

(c) The surviving spouse of a disabled public safety employee who sustains an injury in the line of duty that renders the public safety employee 100 percent disabled;

(5) Be a veteran, as defined under State Government Article, §9-901, Annotated Code of Maryland, who:

(a) Suffers a service connected disability of 25 percent or greater; and

(b) Has exhausted or is no longer eligible for federal veterans' educational benefits;

(6) Be the surviving spouse of a member of the armed forces who suffered a service connected 100 percent permanent disability;

(7) Be at least 16 years old and the child of or the surviving spouse of a victim of the September 11, 2001, terrorist attacks;

(8) Be at least 16 years old and the child of a school employee who, as a result of an act of violence:

(a) Died in the line of duty; or

(b) Sustained an injury in the line of duty that rendered the school employee 100 percent disabled; or

(9) Be the surviving spouse of a school employee who, as a result of an act of violence:

(a) Died in the line of duty; or

(b) Sustained an injury in the line of duty that rendered the school employee 100 percent disabled.

**.04 Award Amount.**

A. The annual Conroy-Cryor award may not exceed the equivalent annual tuition and mandatory fees of a resident undergraduate at a 4-year public institution of higher education within the University System of Maryland, other than the University of Maryland University College and the University of Maryland, Baltimore, with the highest annual expenses for a full-time resident undergraduate.

B. An annual Conroy-Cryor award may not be less than the lesser of:

(1) \$3,000; or

(2) The equivalent annual tuition and mandatory fees of a resident of the institution attended by the recipient.

C. Awards to a child or spouse of a victim of the September 11, 2001 terrorist attacks may not exceed the amount specified in §A of this regulation when combined with any other scholarship received by the student based on the student's status as a child or spouse of a victim of the September 11, 2001 terrorist attacks.

D. A Conroy-Cryor award may be used for tuition and mandatory fees at any eligible institution.

**.05 Application Procedures.**

A. An interested individual may apply for a Conroy-Cryor scholarship by submitting an application to their institution of interest containing:

(1) A completed Conroy-Cryor scholarship application form;

(2) If the applicant is a son or daughter, a birth certificate showing the names of both parents;

(3) If the applicant is a stepson or stepdaughter:

(a) A birth certificate showing the names of both parents;

and

(b) A marriage certificate showing the name of applicant's parent and spouse;

(4) If the applicant is a spouse, a marriage certificate; and

(5) Official verification from:

(a) If the applicant's parent or spouse was killed, or suffered a service connected 100 percent permanent disability as a result of military service or is a prisoner of war or missing in action, the United States Veterans Administration;

(b) If the applicant is a veteran who suffers a service connected disability of 25 percent or greater, and who has exhausted or is no longer eligible for federal veteran's educational benefits, the United States Veterans Administration;

(c) If the applicant's spouse or parent was killed in the line of duty, the applicable State or local public safety personnel office;

(d) If the applicant or applicant's spouse or parent is a disabled public safety employee who sustained an injury in the line of duty that renders the public safety employee 100 percent disabled the applicable State or local public safety personnel office;

(e) If the disability was a result of service while the applicant was a volunteer member of a fire department, ambulance, or rescue squad or company, the nonpublic safety employer and the local public safety personnel office;

(f) A physician, in the form of a death certificate identifying the deceased and certifying the date, location and cause of death to have been as a result of the attacks on the World Trade Center, the Pentagon, or the crash of United Airlines Flight #93 on September 11, 2001; or

(g) For the Jean B. Cryor Memorial Scholarship, a physician, in the form of:

(i) A copy of a death certificate identifying the deceased and certifying the date, location, and cause of death to have occurred in the line of duty; or

(ii) A statement certifying that the parent or spouse of the applicant, as applicable, has a 100 percent disability as a result of an injury sustained in the line of duty.

B. Eligible institutions shall make Conroy-Cryor scholarship forms available to interested individuals at their financial aid offices.

C. Institutions shall promote the Conroy-Cryor program.

D. Institutions shall accept all Conroy-Cryor scholarship applicants and determine the eligibility of applicants.

E. The Conroy-Cryor scholarship application deadline for new applicants is July 15.

F. Each applicant shall agree to provide any information or documentation requested by OSFA for the purpose of administering this program and, if requested, shall sign an authorization for the release of information to OFSA for the purpose of administering this program. The applicant's failure or refusal to provide requested information or a signed release may result in a determination of ineligibility or the revocation of an award.

**.06 Awarding Procedures.**

A. Applicants who are awarded a Conroy-Cryor scholarship shall be notified of the award in writing by the institution's financial aid office.

B. A Conroy-Cryor scholarship recipient shall provide the institution's financial aid office with a written acceptance of the award by the date specified by the institution.

C. No more than 15 Conroy-Cryor scholarships may be awarded annually to Veterans who suffer from a service connected disability of 25 percent or greater.

**.07 Payment.**

A. Institutions shall make the initial award disbursement on the eligible student's behalf.

B. The institution's financial aid office shall report to OSFA each October and February information as required by OSFA regarding eligible Conroy-Cryor scholarship recipients.

C. Upon receipt and acceptance of the institution's information, OSFA shall authorize Conroy-Cryor scholarship reimbursements to the institutions.

D. If sufficient funds are not appropriated for that award year to pay institutions for all eligible Conroy-Cryor scholarship recipients, funds from the following years' appropriations will be used first to satisfy unpaid scholarship balances from the prior year.

**.08 Renewal And Continuation.**

A. OSFA shall renew all eligible Conroy-Cryor scholarship recipients who were initially awarded prior to FY 2011 and shall continue to renew them until they complete their program of study or are otherwise no longer eligible for the award.

B. Institutions of higher education shall make Conroy-Cryor scholarship renewal awards to students who received their first award during FY 2011 or later.

C. A Conroy-Cryor scholarship may be renewed on an annual basis for up to 5 years of full-time study or 8 years of part-time study if the recipient:

- (1) Is enrolled on at least a part-time basis in an eligible Maryland postsecondary institution; and
- (2) Continues to meet all other eligibility requirements.

**.09 Revocation Of Award.**

A Conroy-Cryor scholarship award shall be revoked if:

A. The criteria in Regulation .07 or .08 of this chapter are not met;

B. The recipient makes any changes to name, address, or any other information pertinent to the Conroy-Cryor scholarship and fails to inform the financial aid office at their institution or other office designated by their institution to administer the program; or

C. The recipient otherwise fails to satisfy the eligibility criteria.

**.10 Appeals.**

A. Each eligible institution shall establish and publicize its appeal process for the Conroy-Cryor scholarship program.

B. An institution's appeal decision may not be appealed to OSFA in the Maryland Higher Education Commission.

JAMES D. FIELDER, JR., Ph.D.  
Secretary of Higher Education

**Title 15  
DEPARTMENT OF  
AGRICULTURE**

**Subtitle 11 ANIMAL HEALTH**

**15.11.18 Requirements for Sheep and Goats for the Eradication of Scrapie**

Authority: Agriculture Article, §§3-101, 3-105, 3-108, 3-116, and 12-103, Annotated Code of Maryland

**Notice of Proposed Action**

[16-097-P]

The Secretary of Agriculture proposes to repeal existing Regulations .01 — .08 under COMAR 15.11.18 Eradication of Scrapie in Maryland and adopt new Regulations .01 — .12 under a new chapter, COMAR 15.11.18 Requirements for Sheep and Goats for the Eradication of Scrapie.

**Statement of Purpose**

The purpose of this action is to update existing health regulations governing sheep and goats to address Scrapie so that they meet new federal standards. Scrapie is a contagious, degenerate disease of sheep and goats. The proposed action will enable Maryland to retain its status as a "scrapie consistent state" and reap all the benefits that this status entails, such as ensuring the most favorable treatment possible for Maryland sheep and goat producers in any market. If this action is adopted, sheep and goat producers will be able to continue to ship their livestock without further testing as required by federal regulations.

**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**

**I. Summary of Economic Impact.** Updated Maryland regulations will have a positive economic impact on the Maryland sheep and goat livestock industry because the State will keep its status as a "scrapie consistent state," enabling producers to continue enjoying the free movement of their livestock in any market. In addition, the proposed scrapie regulations will further Maryland's effort to completely eradicate scrapie in this State, which also adds economic value to this industry.

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

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

A. The cost to MDA to enforce the proposed scrapie regulations will be covered with existing Animal Health general funding.

D. With the implementation of the proposed scrapie regulations, Maryland will retain its status as a "scrapie consistent state" and reap all the benefits that this status entails, such as ensuring the most favorable treatment possible for Maryland sheep and goat producers in any market. Sheep and goat producers will benefit from a reduction in scrapie disease incidence. Therefore, there will be an overall increase in value to Maryland's sheep and goat industries.

F. The proposed scrapie regulations will lead to the eradication of scrapie in Maryland. The public will benefit by knowing that Maryland sheep and goats products are free of this disease.

**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 Dr. Michael Radebaugh, State Veterinarian, Animal Health Program, 50 Harry S. Truman Parkway, Annapolis, Maryland 21401, or call 410-841-5810, or email to michael.radebaugh, or fax to 410-841-5999. Comments will be accepted through May 16, 2016. A public hearing has not been scheduled.

**.01 Purpose.**

The purpose of this chapter is to explain State animal health requirements for sheep and goats entering or moving within Maryland to prevent the introduction or spread of scrapie, a fatal, degenerative disease. The control and prevention of this disease is a joint effort by the Maryland Department of Agriculture and the U.S. Department of Agriculture's Animal and Plant Health Inspection Service. The requirements of this chapter qualify Maryland to be classified as a scrapie consistent state under 9 CFR, Part 79. Scrapie consistent status not only enhances the well-being of the State's sheep and goat industry by protecting against scrapie but also helps ensure the most favorable treatment possible for Maryland sheep and goat producers in any market. Sheep and goat producers electing to participate in the U.S. Scrapie Flock Certification Program shall follow the requirements for certification found in 9 CFR, Part 54 and 79.

**.02 Definitions.**

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

B. Terms Defined.

- (1) "Animal" means a sheep or a goat.
- (2) "Administrator" means an employee of USDA, APHIS-VS, authorized to administer the National Scrapie Eradication Program.
- (3) "APHIS-VS" means the Animal and Plant Health Inspection Service, Veterinary Services unit of the U.S. Department of Agriculture.
- (4) "Approved tagging site" means a site approved by the Department or APHIS-VS that tags and records all animals according to 9 CFR 86, the Animal Disease Traceability Rule.
- (5) "Department" means the Maryland Department of Agriculture.
- (6) "DSE" means a designated scrapie epidemiologist with knowledge of scrapie who is selected by the Administrator and the Department to coordinate and evaluate the scrapie eradication program.
- (7) "Exposed animal" means an animal that:
  - (a) Has been in a flock or an enclosure off the premises of the flock with a scrapie positive animal;
  - (b) Resides in a noncompliant flock; or
  - (c) Has resided on the premises of a flock before or while it was designated an infected or source flock and before a flock plan was completed.
- (8) "High risk animal" means any one of the following:
  - (a) A genetically susceptible exposed animal including embryos;
  - (b) A female offspring of a scrapie positive female animal including embryos;
  - (c) A suspect animal; or
  - (d) Any animal including embryos that the Administrator determines to be high risk based on the epidemiology of the flock.
- (9) "Immediate Slaughter" means a process whereby a goat or sheep is sold or transferred for slaughter and is moved with an owner-hauler statement to a restricted slaughter facility for

processing within 72 hours of a sale or transfer or entry into Maryland.

(10) "Interstate Certificate of Veterinary Inspection" or "ICVI" means a certificate for interstate movement of animals completed by an issuing veterinarian, or a State or federal veterinarian.

(11) "Issuing Veterinarian" means an accredited veterinarian approved by the Department and APHIS-VS to issue an ICVI.

(12) "Low risk exposed animal" means any one of the following:

(a) The animal was exposed to a positive animal that was not born in the flock and did not lamb in the flock or lamb in an enclosure where the exposed animal resided;

(b) The exposed animal is male and was not born in the infected or source flock;

(c) The exposed animal is a castrated male; or

(d) The exposed animal, as determined by the Administrator and State representative, is unlikely to be infected with scrapie.

(13) "Official identification" means an identification mark or device approved by the Department and APHIS-VS that identifies an animal and is used in accordance with APHIS-VS program standards, including:

(a) A U.S. Department of Agriculture approved scrapie ear tag, provided that the tag is placed:

(i) In the animal's ear (left ear recommended); or

(ii) If the animal is earless and moving for immediate slaughter or to a terminal feedlot as defined in 9 CFR 79, on a durable neck strap placed around the animal's neck;

(b) An electronic implanted device as defined by the U.S. Department of Agriculture under 9 CFR §79.2; and

(c) Legible registry tattoos issued by a registry that has agreed to cooperate with APHIS-VS in tracing scrapie positive, suspect, and exposed animals, provided the tattoo is placed:

(i) In the animal's ears in the location required by the registry; or

(ii) If the animal is earless, on the animal's tail web.

(14) "Owner" means the owner of the flock of origin or an agent of the owner.

(15) "Owner-hauler statement" or "owner-shipper statement" means a document that is generated by the owner, signed by the owner or hauler, documenting an animal's movement to an approved tagging site or a restricted livestock facility approved by the Department, and that, at a minimum, includes:

(a) The name, address, and telephone number of the owner and, if different, the hauler;

(b) The address and scrapie flock identification number of the flock of origin;

(c) The name and address of the destination of the shipment;

(d) A description of the species, breed, number, sex, and age of the animals shipped;

(e) A complete listing of all animals by official identification; and

(f) The date of the shipment.

(16) "Restricted livestock facility" means an auction market approved by the Department that maintains animals to be sold or transferred for immediate slaughter in separate enclosures from other animals.

(17) "Scrapie" means a fatal degenerative disease, classified as transmissible spongiform encephalopathy, affecting the central nervous system of sheep and goats.

(18) "Scrapie consistent state" means a state that meets the scrapie control requirements provided in 9 CFR §79.6.

(19) "Scrapie exposed flock" means a flock:

(a) That the DSE has designated as:

(i) An infected flock; or

(ii) A source flock that has completed a flock plan and has retained a female genetically susceptible exposed animal;

(b) That is under investigation and:

(i) Has retained a female genetically susceptible exposed animal or suspect animal; or

(ii) Whose owner declines genotyping and live-animal or post-mortem scrapie testing required by APHIS-VS or the Department

(c) For which a Post Exposure Monitoring and Management Plan is required by APHIS-VS or the Department that is not in compliance with the conditions of that plan.

(20) "Scrapie positive animal" means an animal that is diagnosed with scrapie by an authorized laboratory approved by APHIS-VS.

(21) "Scrapie suspect animal" means an animal suspected of having scrapie by an accredited veterinarian, the Department, or a veterinary medical officer of USDA.

(22) "Waybill" means a document from an approved tagging site, a restricted livestock facility, or a licensed livestock dealer that documents an animal's sale from such location to a farm, an authorized slaughter facility, or other location approved by the Department, and that, at a minimum, includes:

(a) The name, address, and telephone number of the issuing party;

(b) The date of sale and the date of movement;

(c) The name and address of the destination of the animal shipment;

(d) A description of the species, breed, age, sex, and number; and

(e) A complete listing of the individual official identification of each animal, which may include any use of glue-on back tags for animals destined for slaughter.

**.03 Official Identification Requirements.**

A. Except as provided by §B of this regulation, for any animal entering or moving within Maryland, an animal owner shall:

(1) Ensure that the animal has an official identification; and

(2) Keep and maintain a record of each animal's official identification for 5 years in a manner that will allow the Department to trace the animal to its flock of origin or a new owner, if sold or transferred.

B. Exceptions to Official Identification Requirement. The official identification requirements of this regulation do not apply for an animal:

(1) That never leaves the premise of birth and has not commingled with animals originating outside the premise of birth;

(2) Less than 18 months of age that has not lambed, is not pregnant, and is moving for immediate slaughter; or

(3) Born in or entering Maryland and moving directly for sale to an approved tagging site, provided the animal is accompanied with an owner-hauler statement.

**.04 Requirements for Sheep and Goats Entering Maryland.**

A. General Requirements.

(1) Except for an animal moving to immediate slaughter, a person may not import an animal into Maryland unless the animal originates from a flock in a scrapie consistent state or from a flock enrolled in the Scrapie Flock Certification Program as defined by 9 CFR 54.

(2) Exposed Animals. A person may not move a high or low risk exposed animal into Maryland without the Department's written approval.

(3) ICVI Requirement.

(a) Except as provided by §B of this regulation, for any animal entering Maryland, the hauler or person responsible for the animal shall ensure that each animal is accompanied with an ICVI.

(b) The owner shall provide the issuing veterinarian the following information for completing the ICVI:

(i) Complete addresses of the flock or premise of origin and destination;

(ii) The species, breed, sex, and official scrapie identification of each animal; and

(iii) Any document certifying the scrapie status of the flock.

(c) The issuing veterinarian shall include the following information in the ICVI:

(i) The date of inspection;

(ii) The date that the ICVI is issued;

(iii) The scrapie premise or flock identification number or numbers; and

(iv) Any other statement pertaining to the scrapie status of the flock if required under 9 CFR §§79.3 and 79.5, certifying the known scrapie status of the flock.

(d) After completing the ICVI, the issuing veterinarian shall forward a copy to the chief animal health official of the state of destination within 7 days of issuance and keep a copy of it for a minimum of 5 years.

(e) An ICVI is invalid 30 days after issuance.

B. Exceptions to ICVI Requirement. An ICVI is not required for an animal moving into this State for immediate slaughter, provided that the animal is accompanied with an owner-hauler statement.

**.05 Requirements for Moving Sheep and Goats within Maryland.**

A. Except as provided in Regulation .03B, an owner or hauler may move an animal within Maryland only if the animal is officially identified.

B. When an animal is moved within Maryland, the seller and new owner shall keep a record of the transaction for a minimum of 5 years on an owner-hauler statement or other document approved by the Department that provides for traceability as required by 9 CFR 86.

C. When an owner or hauler moves an animal within Maryland to an approved tagging site, the owner or hauler shall ensure that the animal is accompanied with a properly completed owner-hauler statement.

D. When an owner or hauler moves an animal within Maryland from an approved tagging site or a restricted livestock facility to a farm in Maryland, the owner or hauler shall ensure that the animal is officially identified and accompanied with a waybill.

**.06 Requirements for Moving Sheep and Goats for Immediate Slaughter.**

A. When selling or transferring animals for immediate slaughter:

(1) The owner shall note on the owner-hauler statement or waybill that the animal is being sold for "immediate slaughter only"; and

(2) The owner, dealer, market operator, or hauler shall insure that the animal is delivered to the slaughter facility for processing within 72 hours of the animal's sale or transfer.

B. A person may not remove an animal from immediate slaughter:

(1) Without an ICVI or other document approved by the Department that has been signed by a State or federal official; or

(2) If prohibited by 9 CFR 79.

C. Animals in slaughter channels as defined by 9 CFR 79 may only be removed from slaughter channels as provided in 9 CFR 79.



**.07 Movement of High Risk Animal or Low Risk Exposed Animals.**

A. The Department with the concurrence of the Administrator may redesignate high risk exposed animals as low risk exposed animals based on either the scrapie type involved or the epidemiology of the flock.

B. A person may not move any of the following high risk exposed animals into or within Maryland without prior written approval from the Department:

- (1) An animal that originates from a state that:
  - (a) Is not a scrapie consistent state as provided in 9 CFR §79.6, as determined by APHIS-VS; or
  - (b) Originates from any flock or area under any animal movement restriction resulting from the presence or suspected presence of scrapie infection;
- (2) A sexually intact, genetically susceptible exposed animal;
- (3) An animal that is scrapie suspect or scrapie positive; or
- (4) An animal that is considered to be a high risk animal for scrapie as determined by the Department, by APHIS-VS, or by the chief animal health official of any state, any territory, or the District of Columbia, or any other official of a political subdivision recognized by the Department.

**.08 Reporting Scrapie-Tested, Scrapie-Suspect, or Scrapie-Positive Animals.**

A. If a clinically suspicious animal or test suspect is found, the flock owner or flock veterinarian is responsible for notifying the Department or the district office of APHIS-VS within 24 hours.

B. The accredited veterinarian or APHIS-VS authorized laboratory that conducts a scrapie test is responsible for notifying the Department of the test results within 24 hours when a test-positive scrapie animal is found. The Department shall immediately notify the district APHIS-VS office of the positive finding.

**.09 Management of Scrapie Suspect or Scrapie Positive Animals and Their Flocks.**

A. If a clinical or other scrapie suspect animal is reported by an owner, a veterinarian, or any other person, the following action shall be taken:

- (1) The Department shall place the scrapie suspect animal and the flock under a hold order until the actual status of the animal is determined;
- (2) A State or federal animal health official shall officially identify the suspect animal and the entire flock;
- (3) The owner of the animal shall allow the Department to collect and submit tissues for diagnostic testing and scrapie genetic susceptibility testing from all animals in the flock to an authorized laboratory to conduct scrapie testing; and
- (4) If the suspect animal is euthanized or dies, the Department shall ensure that appropriate tissues are collected for scrapie testing and that the carcass is completely destroyed by one of the following means:

- (a) Proper disposal by the owner on the owner's premises; or
- (b) Disposal of the carcass by the owner at a Department-approved facility.

B. When a scrapie positive animal is identified by an official test, the following action shall be taken:

- (1) The Department shall place the scrapie positive animal and the flock under a hold order or other appropriate restriction until:
  - (a) An epidemiologic investigation is complete and the status of each animal in the flock is determined;
  - (b) The high risk animals die or are euthanized or removed to an approved research facility; and
  - (c) The lambing or kidding areas are cleaned and disinfected;

(2) A DSE, or any other appropriate official designated by the Department and APHIS-VS, shall conduct the epidemiologic investigation for scrapie;

(3) A State or federal animal health official shall officially identify the positive animal and entire flock;

(4) The owner of the animal shall allow a State or federal animal health official to collect and submit tissues for diagnostic testing from all animals in the flock to a laboratory authorized by APHIS-VS to conduct scrapie testing or scrapie genetic susceptibility testing; and

(5) If an animal is euthanized or dies, the Department shall ensure that appropriate tissues are collected for scrapie testing and that the carcass is completely destroyed by one of the following means:

- (a) Proper disposal by the owner on the owner's premises; or
- (b) Disposal of the carcass by the owner at a Department-approved facility.

**.10 Management of Flocks that Have Received Exposed or High Risk Animals.**

A. When a flock of sheep or goats is determined by State or federal animal health official to have received a scrapie exposed or high risk animal, the following steps shall be taken:

- (1) The flock owner shall be contacted by a State or federal veterinary medical officer;
- (2) The State or federal animal health officer shall place the scrapie exposed or high risk animal and the entire flock under a hold order until the status of the flock is determined;
- (3) A State or federal animal health official shall officially identify the exposed or high risk animal and the entire flock; and
- (4) A DSE or a designated veterinary medical officer of the Department or APHIS-VS shall determine the status of animals within the flock by identifying the high risk and exposed animals and restricting the movement of any animal that is determined to be high risk.

B. The flock owner shall allow a State or federal animal health official to officially identify the animals and to collect and submit animal tissues for diagnostic testing from all animals in the flock to a laboratory authorized by APHIS-VS to conduct scrapie testing or scrapie genetic susceptibility testing. The owner shall report immediately to a State or federal animal health official if an exposed or high risk animal dies or is in danger of dying.

C. If an animal in the flock is euthanized or dies, the appropriate State or APHIS-VS official shall ensure that appropriate tissues are collected for scrapie testing and that the carcass is completely destroyed by one of the following means:

- (1) Proper disposal by the owner on the owner's premises; or
- (2) A disposal of the carcass by the owner at a Department-approved facility.

**.11 APHIS-VS Requirements.**

In addition to the requirements of this chapter, the owner of a sheep or goat shall comply with APHIS-VS requirements as provided by 9 CFR, Parts 54 and 79.

**.12 Noncompliance.**

A. A person who violates this chapter is subject to an administrative fine up to \$10,000 as provided in COMAR 15.11.19.

B. In addition to any administrative penalty, any person who violates this chapter is guilty of a misdemeanor and is subject to fine or imprisonment as provided by Agriculture Article, §§12-101 and 12-102, Annotated Code of Maryland.

JOSEPH BARTENFELDER  
Secretary of Agriculture

# Errata

## COMAR 10.11.04.02

At 43:6 Md. R. 407 (March 18, 2016), column 2, line 30 from the top:

For: *per deciliter for a blood test performed after March 28, 2016.*

Read: *per deciliter or greater for a blood test performed after March 28, 2016.*

[16-08-24]

## COMAR 20.95.01

At 43:6 Md. R. 411 (March 18, 2016), column 2, line 15 from the top:

For: adoption in 43:21 Md. R. 69—75 (January 8, 2016), has been

Read: adoption in 43:1 Md. R. 69—75 (January 8, 2016), has been

[16-07-24]

# Special Documents

## MARYLAND HEALTH CARE COMMISSION

### SCHEDULE FOR CERTIFICATE OF ONGOING PERFORMANCE REVIEWS

The Maryland Health Care Commission provides the following schedule for the review of applications for Certificates of Ongoing Performance by hospitals for their primary percutaneous intervention (PCI) services, non-primary PCI services, and cardiac surgery services programs, if they are subject to on-going performance review in accordance with COMAR 10.24.17. This schedule replaces, in its entirety, the schedule published on February 5, 2016.

Applications must be submitted no later than the published due date and will only be received and reviewed in accordance with this published schedule. All applications, including the required number of copies, must be received at the offices of the Maryland Health Care Commission, 4160 Patterson Avenue, Baltimore, Maryland 21215, no later than 4:30 p.m. on the scheduled date of submission. For further information about the review schedules or procedures, contact Eileen Fleck, Chief, Acute Care Policy and Planning, at eileen.fleck@maryland.gov or 410-764-3287.

#### Cardiac Surgery Services

<b>Planning Region and Hospitals</b>	<b>Application Submission Date</b>
<u>Washington Metropolitan Region, Lower Eastern Shore Region, and Western Region</u> Peninsula Regional      Washington Adventist Prince George's          Western Maryland Regional Suburban	September 1, 2016
<u>Baltimore Upper Shore Region</u> MedStar Union Memorial      University of Maryland (UM) Sinai of Baltimore              UM St. Joseph The Johns Hopkins	January 6, 2017

#### Percutaneous Coronary Intervention Services

<b>Hospitals</b>	<b>Application Submission Date</b>
Anne Arundel              MedStar Franklin Square Carroll                      St. Agnes Howard County General      UM Baltimore Washington Johns Hopkins Bayview      UM Upper Chesapeake	April 7, 2017
MedStar Union Memorial      University of Maryland Peninsula Regional              UM St. Joseph Sinai of Baltimore              Western Maryland The Johns Hopkins	August 12, 2017
Frederick Memorial          Prince George's Holy Cross/Silver Spring      Shady Grove Adventist MedStar Southern Maryland      Suburban Meritus                          Washington Adventist	December 30, 2017

Note: Due to the concentration of PCI programs in the Baltimore Upper Shore Health Planning Region, the submission of applications has been distributed over two review cycles, with the first cycle covering Baltimore Upper Shore hospitals that currently provide PCI services only and the second cycle covering Baltimore Upper Shore hospitals with both cardiac surgery and PCI services.

[16-08-32]

# DEPARTMENT OF STATE POLICE

## HANDGUN ROSTER BOARD

### Proposed Additions to Handgun Roster and Notice of Right to Object or Petition

The following is a list of handguns that the Handgun Roster Board proposes to add to the official handgun roster. These handguns will be officially placed on the Handgun Roster if no timely objection is received or if all timely objections are dismissed.

Under the Public Safety Article, §5-405, Annotated Code of Maryland and COMAR 29.03.03.13 and .14, any person may object to the placement of any of those handguns on the Handgun Roster. Objections must be filed within 30 days after **April 15, 2016**. In addition, any person may petition for the placement of an additional handgun on the Handgun Roster. Forms for objections or petitions may be obtained from: Marlene Jenkins, Administrator, Handgun Roster Board, 1201 Reisterstown Road, Pikesville, Maryland 21208.

Manufacturer	Model Name	Model Number	Caliber	Additional Explanation
American Arms, Inc.	TT9mm		9mm	
Arimus Tactical	Predator AT-15		5.56 Nato/.223 Remington	
Bond Arms	Patriot		.45 LC/.410 Gauge	
BUL Transmark, Ltd. (Century Arms International)	Bul Storm Compact		9mm	
Charter Arms/CHARCO INC.	Tiffany		.38 Special	Model Addition
Cimarron Arms	Schofield	CA 858	.38 Special	Caliber Addition
Colt/Colt's Mfg. Co., Inc.	Government Model ***M45A1	01070M45	.45 ACP	
Colt/Colt's Mfg. Co., Inc.	Government Model Competition Series	01982CCS	9mm	
Dakota Tactical	D 54 N		9mm	
Dan Wesson Firearms/NYI	Discretion		9mm, .45 ACP	
Dan Wesson Firearms/NYI	Valor, Valor Commander	1861, 1872, 1873, 1874, 1875, 1876, 1986, 1926, 1982, 1983	9mm	Model/Caliber Addition
Dan Wesson Firearms/NYI	1911 Specialist		9mm	Caliber Addition
Dan Wesson Firearms/NYI	Pointman		.38 Super	Caliber Addition
F.A.P LLI Pietta	Puma Westerner		.357 Magnum	
Guncrafter Industries	American		9mm, .45 ACP, .10mm .38 Super	
Guncrafter Industries	No Name	CCO, Commander, Government, Long Slide	9mm, .45 ACP, .10mm .38 Super	
Guncrafter Industries	Frag		9mm, .45 ACP, .10mm .38 Super	
Harpers Ferry Armory	1911		.45 ACP, .40 S&W, 9mm	
I. O., Inc.	Sporter (M214 Nano)		7.62 X 39	
Kimber	Classic Carry Pro		.45 ACP	
Kimber	Sapphire Pro II		9mm	
Kimber	Micro 9 Crimson Carry		9mm	Caliber Addition
MKE (Zenith Firearms)	Z-5P		9mm	Model Addition
MKE (Zenith Firearms)	Z-5K		9mm	Model Addition
Nighthawk Custom	(Frame)	1911	.45 ACP, 9mm, .38 Super	(Frame Only)
Rock Island Armory	Match Tactical 2011	M1911-A1	10 mm	Model Addition
Romarm (Century Arms Int.)	Draco		7.62 X 39	Model Addition
Sig Sauer/Sigarms Inc.	P-220 Match Elite		.45 ACP	Model Addition
Sig Sauer/Sigarms Inc.	P-250-22		.22 LR	Caliber Addition
Sig Sauer/Sigarms Inc.	P-226 Legion		9mm, .357 Sig, .40 S&W	Model Addition
Sig Sauer/Sigarms Inc.	P-226 Elite Stainless		9mm, .357 Sig, .40 S&W	Model Addition
Sig Sauer/Sigarms Inc.	P290 RS (Compact)		9mm	Caliber Addition
Sig Sauer/Sigarms Inc.	P-220 Super Match		.45 ACP	Model Addition
Smith & Wesson	SW 1911		9mm	Caliber Addition
Smith & Wesson	Airweight (Model 032)	Mod 032	.32 H&R	Model/Caliber Addition

SPECIAL DOCUMENTS

Smith & Wesson	22 SW Victory	108490	.22 LR	
Springfield Armory/Inc.	XD-9 Tactical Mod.2		9mm	
STI International	Rangemaster		.45 ACP	Caliber Addition
STI International	Executive		9mm, .45 ACP	Caliber Additions
STI International	Targetmaster		.45 ACP	Caliber Addition
STI International	Tactical Lite		.45 ACP	Caliber Addition
STI International	Edge		.38 Super	Caliber Addition
Sturm Ruger	Ruger American	08605, 08615	9mm, 45 ACP	
Sturm Ruger	Vaquero		.44 Special	Caliber Addition
Sturm Ruger	SR 22	Mod #3620	.22 LR	Model Addition
Sturm Ruger	New Model Single Six	#06518	.32 H&R Mag	Model/Caliber Addition
Tisas	Zig M 1911	TZM 11 BL	.45 ACP	
Walther	PPS M2		9mm	
Wilson Combat	Tactical Supergrade		9mm, .38 Super, 10mm, .40 S&W	Caliber Additions
Wilson Combat	Professional		.45 ACP	
<b>LOCKS Approved</b>				
<b>3 Second Lock</b>	<b>Borelock D 31</b>	<b>Gun Blocker (handguns)</b>	<b>Gun Blocker AR 15</b>	

[16-08-26]

## General Notices

### Notice of ADA Compliance

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

#### ATHLETIC COMMISSION

**Subject:** Public Meeting  
**Date and Time:** April 27, 2016, 3 — 5 p.m.  
**Place:** 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD  
**Contact:** Patrick Pannella (410) 230-6223  
 [16-08-10]

#### MARYLAND STATE BOARD FOR THE CERTIFICATION OF RESIDENTIAL CHILD CARE PROGRAM PROFESSIONALS

**Subject:** Public Meeting  
**Date and Time:** May 13, 2016, 9:30 a.m. — 12 p.m.; Additional Dates: June 10, July 8, September 9, October 14, and December 9, 2016  
**Place:** 4201 Patterson Ave., 5th Fl., Baltimore, MD  
**Add'l. Info:** The Board may discuss/vote on proposed regulations. A portion of the meeting may be held in closed session.  
**Contact:** Gwendolyn Joyner (410) 764-5996  
 [16-08-25]

#### CORRECTIONAL TRAINING COMMISSION

**Subject:** Public Meeting  
**Date and Time:** April 27, 2016, 10 a.m. — 12 p.m.  
**Place:** Public Safety Education and Training Center, 6852 4th St., Sykesville, MD  
**Add'l. Info:** A portion of the meeting may be held in closed session.  
**Contact:** William J. McMahon (410) 875-3600  
 [16-08-07]

#### GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION

**Subject:** Public Meeting  
**Date and Time:** May 9, 2016, 1 — 3 p.m.  
**Place:** 300 E. Joppa Rd., Ste. 1105, Towson, MD  
**Contact:** Jessica Wheeler (410) 821-2844  
 [16-08-21]

#### GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION

**Subject:** Public Meeting

**Date and Time:** May 19, 2016, 1 — 3 p.m.  
**Place:** 300 E. Joppa Rd., Ste. 1105, Towson, MD  
**Contact:** Jessica Wheeler (410) 821-2844  
 [16-08-19]

#### GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION

**Subject:** Public Meeting  
**Date and Time:** July 11, 2016, 1 — 3 p.m.  
**Place:** 300 E. Joppa Rd., Ste. 1105, Towson, MD  
**Contact:** Jessica Wheeler (410) 821-2844  
 [16-08-22]

#### GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION

**Subject:** Public Meeting  
**Date and Time:** July 28, September 15, and November 17, 2016, 1 — 3 p.m.  
**Place:** 300 E. Joppa Rd., Ste. 1105, Towson, MD  
**Contact:** Jessica Wheeler (410) 821-2844  
 [16-08-20]

#### DEPARTMENT OF THE ENVIRONMENT/AIR AND RADIATION MANAGEMENT ADMINISTRATION

**Subject:** Public Hearing  
**Date and Time:** May 19, 2016, 9 — 10 a.m.  
**Place:** Maryland Department of the Environment Headquarters, 1800 Washington Boulevard, 1st Fl. Conf. Rm., Baltimore, MD  
**Add'l. Info:** The Maryland Department of the Environment (MDE) will hold a public hearing reviewing the 2016 Consent Agreement with the "NO<sub>x</sub> Averaging Plan" between the Department and Raven Power Fort Smallwood, LLC which is proposed as a State Implementation Plan (SIP) revision. This Consent Agreement will replace the existing Consent Order dated April 16, 2001 Maryland SIP #01-05) and the Consent Order dated October 24, 2012.

The public hearing will be held on May 19, 2016 at 9 a.m. in the Maryland Department of the Environment headquarters located at 1800 Washington Boulevard, First Floor Conference Room, Baltimore, Maryland, 21230. The public hearing will be held as required by federal

law under the Clean Air Act. After consideration of comments received, the SIP will be finalized and submitted to the United States Environmental Protection Agency for approval.

This hearing information has been published on the Maryland Department of the Environment's website at <http://www.mde.state.md.us/aboutmde/AboutMDEHome/Pages/aboutmde/requestcomment.aspx>.

Copies of the document can be viewed at the offices of the Maryland Department of the Environment, Air and Radiation Management Administration, 1800 Washington Boulevard, Suite 730, Baltimore, Maryland. Please contact Mr. Randy Mosier.

Comments must be received by 5 pm on May 19, 2016.

For more information or to submit comments, call/email Randy Mosier, Chief, Regulation Development Division, Air Quality Planning Program, Air and Radiation Management Administration, Department of the Environment, 1800 Washington Boulevard, Suite 730, Baltimore, Maryland 21230-1720.

Telephone: (410) 537-4488

Email: [randy.mosier@maryland.gov](mailto:randy.mosier@maryland.gov)

**Contact:** Randy Mosier (410) 537-4488  
 [16-09-27]

#### DEPARTMENT OF HEALTH AND MENTAL HYGIENE

**Subject:** Public Meeting  
**Date and Time:** May 4, 2016, 4:30 — 6 p.m.  
**Place:** 201 W. Preston St., Conf. Rm. L3, Baltimore, MD  
**Contact:** Meghan Ames (410) 767-5079  
 [16-08-18]

#### DEPARTMENT OF HEALTH AND MENTAL HYGIENE/OFFICE OF HEALTH SERVICES

**Subject:** Public Notice Waiver for Children with Autism Spectrum Disorder Amendment  
**Date and Time:** April 15, 2016  
**Add'l. Info:** The Maryland Department of Health and Mental Hygiene is amending its Waiver for Children with Autism Spectrum Disorder for the purposes of including the Autism Waiver Rate Methodology Study

requested by the Centers for Medicare and Medicaid Services.

Copies of the amendment are available for public review at the local health department in each county and Baltimore City. Written comments may be sent to Rebecca Oliver, Office of Health Services, DHMH, 201 W. Preston St., Room 134, Baltimore, Maryland 21201, or call 410-767-4902 or email [rebeccal.oliver@maryland.gov](mailto:rebeccal.oliver@maryland.gov).

**Contact:** Rebecca Oliver (410) 767-4902

[16-08-33]

#### DEPARTMENT OF INFORMATION TECHNOLOGY

**Subject:** Public Meeting

**Date and Time:** April 25, 2016, 2 — 4 p.m.; June 15, 2016, 10 a.m.—12 p.m.; September 8, 2016, 10 a.m.—12 p.m.; November 9, 2016, 10 a.m.—12 p.m.

**Place:** MDOT Headquarters, 7201 Corporate Center Dr., Harry Hughes Conf. Rm., Hanover, MD

**Add'l. Info:** Maryland Council on Open Data Quarterly Meeting

**Contact:** Betsy Jackson (410) 260-6614

[16-08-06]

#### MARYLAND INSURANCE ADMINISTRATION

**Subject:** Public Hearing

**Date and Time:** April 28, 2016, 10 a.m. — 1 p.m.

**Place:** Community College of Baltimore County, Center for the Arts, Theater, 800 S. Rolling Rd., Catonsville, MD

**Add'l. Info:** The purpose of the hearing is to provide consumers, insurance companies, and other interested parties the opportunity to share statements or testimony about the state of the long-term care insurance industry, including issues related to rate increase requests, claims handling, policy holder protections, and regulatory matters for long-term care insurance. Interested parties are invited to attend the hearing and to provide oral comments. If you plan on attending, please RSVP to Adam Zimmerman. Please also indicate if you plan on testifying at the hearing. Interested parties are also encouraged to submit written comments. Written comments and RSVPs should be sent to Adam Zimmerman by April 25, 2016, either by email to [adam.zimmerman@maryland.gov](mailto:adam.zimmerman@maryland.gov) or by mail to 200 St. Paul Place, Suite 2700, Baltimore, MD 21202, or by fax to 410-468-2038.

Any questions regarding this matter should be directed to Adam Zimmerman, Actuarial Analyst, by April 25, 2016, by

phone to 410-468-2048, or by email to [adam.zimmerman@maryland.gov](mailto:adam.zimmerman@maryland.gov).

**Contact:** Adam Zimmerman (410) 468-2048

[16-08-09]

#### MARYLAND INSURANCE ADMINISTRATION

**Subject:** Public Meeting

**Date and Time:** May 2, 2016, 10 a.m.

**Place:** Maryland Insurance Administration, 200 St. Paul Pl., 24th Fl. Hearing Rm., Baltimore, MD

**Add'l. Info:** Insurance Commissioner Al Redmer, Jr., will hold a meeting on Monday, May 2, 2016, at 10 a.m. at 200 St. Paul Place, 24th Floor Hearing Room, Baltimore, to review what the Maryland Insurance Administration has done and will continue to do in preparation for the 2016 hurricane season. Commissioner Redmer also will discuss how property and casualty insurers can help the Maryland Insurance Administration promptly and efficiently assist Maryland consumers.

If you plan to attend this meeting, please RSVP to [joy.hatchette@maryland.gov](mailto:joy.hatchette@maryland.gov).

**Contact:** Joy Hatchette (410) 468-2029

[16-08-05]

#### MARYLAND INSURANCE ADMINISTRATION

**Subject:** Public Meeting

**Date and Time:** May 12, 2016, 10 a.m. — 12 p.m.

**Place:** Maryland Insurance Administration, 200 St. Paul Pl., 22nd Fl., Francis Scott Key Conf. Rm., Baltimore, MD

**Add'l. Info:** Pursuant to Insurance Article, §10-110, Annotated Code of Maryland, the Insurance Commissioner will hold a meeting of the Producer Advisory Boards to review continuing education courses, examinations, and other matters relating to the education and qualification of insurance producers.

**Contact:** Katrina Lawhorn (410) 468-2178

[16-08-11]

#### MARYLAND HEALTH CARE COMMISSION

**Subject:** Public Meeting

**Date and Time:** May 19, 2016, 1 p.m.

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

**Contact:** Valerie Wooding (410) 764-3460

[16-08-01]

#### MARYLAND HEALTH CARE COMMISSION

**Subject:** Receipt of Application

**Add'l. Info:** On March 21, 2016, the Maryland Health Care Commission (MHCC) received a Certificate of Need application submitted by Maryland House Detox — Matter No. 16-02-2374 — Establishment of a new Track 1 Intermediate Care Facility with 16 detoxification beds at level III.7D to be located at 817 South Camp Meade Road, Linthicum, Anne Arundel County; Proposed Cost: \$1,936,275.

The MHCC shall review the application under Health-General Article, §19-101 et seq., Annotated Code of Maryland, and COMAR 10.24.01.

Any affected person may make a written request to the Commission to receive copies of relevant notices concerning the application. All further notices of proceedings on the application will be sent only to affected persons who have registered as interested parties.

Please refer to the Matter No. listed above in any correspondence on the application. A copy of the application is available for review in the office of the MHCC, during regular business hours by appointment, or on the Commission's website at [www.mhcc.maryland.gov](http://www.mhcc.maryland.gov).

All correspondence should be addressed to Paul Parker, Deputy Director, Center for Health Care Facilities Planning and Development, MHCC, 4160 Patterson Avenue, Baltimore, Maryland 21215.

**Contact:** Ruby Potter (410) 764-3276

[16-08-13]

#### MARYLAND HEALTH CARE COMMISSION

**Subject:** Receipt of Application

**Add'l. Info:** On March 29, 2016 the Maryland Health Care Commission (MHCC) received a Certificate of Need application submitted by Anne Arundel Medical Center Mental Health Hospital — Matter No. 16-02-2375 — Construction of a 16-bed mental health hospital for adults to be located at Riva Road and Harry S. Truman Parkway, Annapolis; Proposed Cost: \$16,998,237.

The MHCC shall review the application under Health-General Article, §19-101 et seq., Annotated Code of Maryland, and COMAR 10.24.01.

Any affected person may make a written request to the Commission to receive copies of relevant notices concerning the application. All further notices of proceedings on the application will be sent

## GENERAL NOTICES

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only to affected persons who have registered as interested parties.

Please refer to the Matter No. listed above in any correspondence on the application. A copy of the application is available, for review, in the office of the MHCC, during regular business hours by appointment, or on the Commission's website at [www.mhcc.maryland.gov](http://www.mhcc.maryland.gov).

All correspondence should be addressed to Paul Parker, Deputy Director, Center for Health Care Facilities Planning and Development, MHCC, 4160 Patterson Avenue, Baltimore, Maryland 21215.

**Contact:** Ruby Potter (410) 764-3276

[16-08-29]

### MARYLAND PUBLIC TELEVISION

**Subject:** Public Meeting

**Date and Time:** May 24, 2016, 8:30 — 10:30 a.m.

**Place:** Maryland Public Television, Owings Mills, MD

**Contact:** Laura Taylor (410) 581-4141

[16-08-02]

### TASK FORCE TO STUDY MATERNAL MENTAL HEALTH

**Subject:** Public Meeting

**Date and Time:** May 10, 2016, 1 — 3 p.m.

**Place:** Spring Grove Hospital Center, 55 Wade Ave., Dix Bldg., Basement Conf. Rm., Catonsville, MD

**Contact:** Dan Martin (410) 978-8865

[16-08-12]

### BOARD OF PODIATRIC MEDICAL EXAMINERS

**Subject:** Public Meeting

**Date and Time:** May 12, 2016, 1 p.m.

**Place:** 4201 Patterson Ave., Baltimore, MD

**Contact:** Sheri Henderson (410) 764-4785

[16-08-14]

### BOARD OF PODIATRIC MEDICAL EXAMINERS

**Subject:** Public Meeting

**Date and Time:** June 9, 2016, 1 p.m.

**Place:** 4201 Patterson Ave., Baltimore, MD

**Contact:** Sheri Henderson (410) 764-4785

[16-08-15]

### BOARD OF PODIATRIC MEDICAL EXAMINERS

**Subject:** Public Meeting

**Date and Time:** July 14, 2016, 1 p.m.

**Place:** 4201 Patterson Ave., Baltimore, MD

**Contact:** Sheri Henderson (410) 764-4785

[16-08-16]

### BOARD OF PODIATRIC MEDICAL EXAMINERS

**Subject:** Public Meeting

**Date and Time:** September 8, 2016, 1 p.m.

**Place:** 4201 Patterson Ave., Baltimore, MD

**Contact:** Sheri Henderson (410) 764-4885

[16-08-17]

### POLICE TRAINING COMMISSION

**Subject:** Public Meeting

**Date and Time:** April 20, 2016, 10 a.m. — 12 p.m.

**Place:** Public Safety Education and Training Center, 6852 4th St., Sykesville, MD

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

**Contact:** William J. McMahon (410) 875-3600

[16-08-08]

### STATE TREASURER'S OFFICE

**Subject:** Public Meeting

**Date and Time:** April 20, 2016, 2 — 4 p.m.

**Place:** Louis L. Goldstein Treasury Bldg., 80 Calvert St., Assembly Rm. 112—116, Annapolis, MD

**Add'l. Info:** Recommendation of Property Tax Rate for Fiscal Year 2017

**Contact:** Christian Lund (410) 260-7920

[16-08-27]

### BOARD OF WELL DRILLERS

**Subject:** Public Meeting

**Date and Time:** May 25, 2016, 9 a.m. — 4 p.m.

**Place:** MDE, 1800 Washington Blvd., Terra Conf. Rm., Baltimore, MD

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

**Contact:** Chris Nagle (410) 537-4466

[16-08-03]

### WORKERS' COMPENSATION COMMISSION

**Subject:** Public Meeting

**Date and Time:** May 12, 2016, 9:30 — 11:30 a.m.

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

**Add'l. Info:** Portions of this meeting may be held in closed session.

**Contact:** Amy Lackington (410) 864-5300

[16-08-04]



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- 03 Health Statistics
- 04 Fiscal
- 05 Freestanding Ambulatory Care Facilities
- 06 Diseases
- 07 Hospitals
- 08 Health Facilities Grants

### Part 2

- 09 Medical Care Programs

### Part 3

- 10 Laboratories
- 11 Maternal and Child Health
- 12 Adult Health
- 13 Drugs
- 14 Cancer Control
- 15 Food
- 16 Housing
- 17 Swimming Pools and Spas
- 18 Human Immunodeficiency Virus (HIV) Infection and Acquired Immunodeficiency Syndrome (AIDS)
- 19 Dangerous Devices and Substances
- 20 Kidney Disease Program
- 21 Mental Hygiene Regulations
- 22 Developmental Disabilities

### Part 4

- 23 Advance Directive Registry
- 24 Maryland Health Care Commission
- 25 Maryland Health Care Commission
- 26 Board of Acupuncture
- 27 Board of Nursing
- 28 Board of Examiners in Optometry
- 29 Board of Morticians and Funeral Directors
- 30 Maryland Commission on Kidney Disease
- 31 Health Occupation Boards
- 32 Board of Physicians
- 33 Board of Examiners of Nursing Home Administrators
- 34 Board of Pharmacy
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- 37 Health Services Cost Review Commission
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- 39 Board of Nursing – Certified Nursing Assistants
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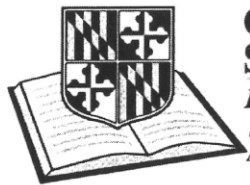
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