

Maryland Register

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Regulations
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Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before June 6, 2016, 5 p.m.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 June 6, 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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Lawrence J. Hogan, Jr., Governor; **John C. Wobensmith**, Secretary of State; **Brian Morris**, Administrator; **Gail S. Klakring**, Senior Editor; **Mary D. MacDonald**, Editor, Maryland Register and COMAR; **Elizabeth Ramsey**, Editor, COMAR Online, and Subscription Manager; **Tami Cathell**, Help Desk, COMAR and Maryland Register Online.

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COMAR Online

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

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

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

Availability of Monthly List of Maryland Documents

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

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

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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.
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.

REGULATIONS CODIFICATION SYSTEM

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

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

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

Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed

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

Table of Pending Proposals

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

01 EXECUTIVE DEPARTMENT

01.02.04.20-1 • 43:10 Md. R. 590 (5-13-16)
01.02.08.04 • 43:13 Md. R. 715 (6-24-16)

02 OFFICE OF THE ATTORNEY GENERAL

02.06.03.01—10 • 42:13 Md. R. 798 (6-26-15)

03 COMPTROLLER OF THE TREASURY

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

05 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

05.04.06.07,.09 • 43:11 Md. R. 636 (5-27-16)

07 DEPARTMENT OF HUMAN RESOURCES

07.02.12.01—09 • 43:2 Md. R. 132 (1-22-16)
07.02.14.01—14 • 43:2 Md. R. 143 (1-22-16)
07.07.02.02 • 43:13 Md. R. 716 (6-24-16)

08 DEPARTMENT OF NATURAL RESOURCES

08.02.01.01 • 43:13 Md. R. 717 (6-24-16) (ibr)
08.02.01.02 • 43:13 Md. R. 717 (6-24-16)
08.02.01.15 • 43:13 Md. R. 718 (6-24-16)
08.03.03.01 • 43:12 Md. R. 670 (6-10-16)
08.03.03.03—05,.07,.08 • 43:12 Md. R. 670 (6-10-16)
08.03.04.02,.03,.05,.11,.20,.22 • 43:12 Md. R. 677 (6-10-16)
08.03.08.01,.04—09,.15 • 43:2 Md. R. 152 (1-22-16)
08.03.08.03 • 43:13 Md. R. 719 (6-24-16)
08.03.09.07,.14 • 43:13 Md. R. 719 (6-24-16)
08.03.10.02 • 43:12 Md. R. 679 (6-10-16)
08.03.11.05 • 43:13 Md. R. 720 (6-24-16)
08.04.16.01—03 • 43:2 Md. R. 162 (1-22-16)

08.07.03.01—04 • 43:12 Md. R. 679 (6-10-16)

09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

09.10.01.25 • 43:13 Md. R. 720 (6-24-16)
09.10.02.19 • 43:13 Md. R. 720 (6-24-16)
09.10.03.01-1 • 43:12 Md. R. 681 (6-10-16)
09.11.09.02 • 43:13 Md. R. 721 (6-24-16)
09.12.21.02 • 43:2 Md. R. 175 (1-22-16)
09.12.31 • 43:2 Md. R. 176 (1-22-16)
09.19.07.01 • 43:13 Md. R. 722 (6-24-16)
09.19.08.02 • 43:11 Md. R. 637 (5-27-16)
09.21.04.03 • 43:13 Md. R. 723 (6-24-16)
09.22.01.13 • 43:13 Md. R. 724 (6-24-16)
09.24.01.09 • 43:13 Md. R. 724 (6-24-16)
09.34.03.03 • 43:13 Md. R. 725 (6-24-16)

10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

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10.01.17.02 • 43:13 Md. R. 726 (6-24-16)
10.03.01.08 • 43:13 Md. R. 727 (6-24-16)
10.07.02.03 • 43:13 Md. R. 728 (6-24-16)
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10.09.56.14,.15 • 43:9 Md. R. 532 (4-29-16) (err)

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- 10.09.62.01 • 43:12 Md. R. 681 (6-10-16)
- 10.09.63.01 • 43:12 Md. R. 681 (6-10-16)
- 10.09.65.03,.20 • 43:12 Md. R. 681 (6-10-16)
- 10.09.66.02,.05 • 43:12 Md. R. 681 (6-10-16)
- 10.09.67.26-3,.27 • 43:12 Md. R. 681 (6-10-16)
- 10.09.70.02 • 43:12 Md. R. 681 (6-10-16)
- 10.09.72.06 • 43:12 Md. R. 681 (6-10-16)
- 10.09.75.02 • 43:12 Md. R. 681 (6-10-16)

Subtitles 10 — 22 (3rd Volume)

- 10.10.03.03,.04,.06 • 43:13 Md. R. 728 (6-24-16)
- 10.10.04.02,.03 • 43:13 Md. R. 728 (6-24-16)
- 10.10.12.04 • 43:13 Md. R. 728 (6-24-16)
- 10.12.04.04,.05 • 43:13 Md. R. 728 (6-24-16)
- 10.22.14.03,.05—.11 • 42:21 Md. R. 1317 (10-16-15)

Subtitles 23 — 36 (4th Volume)

- 10.23.01.05,.06 • 43:13 Md. R. 728 (6-24-16)
- 10.27.06.01—.04,.06—.08 • 42:23 Md. R. 1451 (11-13-15)
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- 10.32.01.04 • 43:12 Md. R. 684 (6-10-16)
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- 10.32.08.06 • 43:12 Md. R. 685 (6-10-16)
- 10.32.10.10 • 43:12 Md. R. 686 (6-10-16)
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- 10.32.21.01—.20 • 43:13 Md. R. 732 (6-24-16)
- 10.35.01.14 • 43:13 Md. R. 742 (6-24-16)

Subtitles 37—63 (5th Volume)

- 10.47.06.02—.04 • 43:11 Md. R. 638 (5-27-16)
- 10.47.08.02—.12 • 43:13 Md. R. 743 (6-24-16)
- 10.50.01.04 • 43:12 Md. R. 688 (6-10-16) (ibr)
- 10.51.02.01 • 43:13 Md. R. 728 (6-24-16)
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- 13A.04.13.01,.02 • 43:8 Md. R. 502 (4-15-16)
- 13A.04.18.01,.02 • 43:8 Md. R. 503 (4-15-16)
- 13A.07.11.01—.05 • 43:10 Md. R. 595 (5-13-16) (ibr)

13B MARYLAND HIGHER EDUCATION COMMISSION

- 13B.06.01.03 • 43:9 Md. R. 545 (4-29-16)
- 13B.08.02.01—.12 • 42:17 Md. R. 1141 (8-21-15)
- 13B.08.03.01—.12 • 42:17 Md. R. 1144 (8-21-15)
- 13B.08.04.01—.13 • 42:20 Md. R. 1276 (10-2-15)

- 13B.08.05.01—.11 • 42:17 Md. R. 1146 (8-21-15)
- 13B.08.06.01—.10 • 42:17 Md. R. 1148 (8-21-15)
- 13B.08.07.01—.09 • 42:20 Md. R. 1278 (10-2-15)
- 13B.08.08.01—.06 • 42:20 Md. R. 1280 (10-2-15)
- 13B.08.09.01—.11 • 42:22 Md. R. 1398 (10-30-15)
- 13B.08.13.01—.10 • 43:8 Md. R. 506 (4-15-16)
- 13B.08.14.01—.15 • 43:6 Md. R. 421 (3-18-16)
- 13B.08.15.01—.16 • 43:9 Md. R. 546 (4-29-16)

14 INDEPENDENT AGENCIES

- 14.06.03.05,.06 • 42:26 Md. R. 1638 (12-28-15)
- 14.36.04.01,.03—.08 • 43:4 Md. R. 342 (2-19-16)

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- 15.14.12.02 • 43:13 Md. R. 747 (6-24-16)
- 15.20.12.01,.02,.05,.07—.09 • 43:12 Md. R. 688 (6-10-16) (ibr)

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- 20.31.01.02 • 43:12 Md. R. 690 (6-10-16)
- 20.31.02.03,.07 • 43:12 Md. R. 690 (6-10-16)
- 20.32.01.01—.04 • 43:9 Md. R. 552 (4-29-16)
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- 20.62.01.01—.04 • 43:9 Md. R. 553 (4-29-16)
- 20.62.02.01—.11 • 43:9 Md. R. 553 (4-29-16)
- 20.62.03.01—.08 • 43:9 Md. R. 553 (4-29-16)
- 20.62.04.01—.03 • 43:9 Md. R. 553 (4-29-16)
- 20.62.05.01—.20 • 43:9 Md. R. 553 (4-29-16)

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- 22.02.01.01—.05 • 43:11 Md. R. 640 (5-27-16)
- 22.06.01.02,.04,.05 • 43:2 Md. R. 215 (1-22-16)
- 22.06.02.02,.04 • 43:2 Md. R. 215 (1-22-16)
- 22.06.03.01,.02 • 43:2 Md. R. 215 (1-22-16)
- 22.06.04.01 • 43:2 Md. R. 215 (1-22-16)
- 22.06.06.02—.05 • 43:2 Md. R. 215 (1-22-16)
- 22.06.07.01—.10 • 43:2 Md. R. 215 (1-22-16)

23 BOARD OF PUBLIC WORKS

- 23.03.02.11 • 43:6 Md. R. 426 (3-18-16)

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Subtitles 01—07 (Part 1)

- 26.04.01.01,.01-1,.03,.04,.10—.11-2,.11-4,.15-2,.19,.20,.20-2,.21 • 43:10 Md. R. 596 (5-13-16)
- 26.05.02.10 • 43:13 Md. R. 748 (6-24-16)
- 26.06.01.07 • 43:13 Md. R. 749 (6-24-16)

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- 26.11.02.17 • 43:13 Md. R. 751 (6-24-16)
- 26.12.03.02—.04 • 43:13 Md. R. 752 (6-24-16)

29 DEPARTMENT OF STATE POLICE

- 29.01.02.01,.02,.11,.16 • 43:10 Md. R. 609 (5-13-16)
- 29.05.02.01—.08 • 43:12 Md. R. 693 (6-10-16)

31 MARYLAND INSURANCE ADMINISTRATION

- 31.04.02.01—.08** • 43:4 Md. R. 343 (2-19-16)
43:13 Md. R. 753 (6-24-16)
- 31.04.18.02—.14** • 43:2 Md. R. 228 (1-22-16)
43:11 Md. R. 641 (5-27-16)
- 31.06.01** • 43:11 Md. R. 643 (5-27-16)
- 31.06.02.01,.02** • 43:11 Md. R. 643 (5-27-16)
- 31.06.04.04** • 43:11 Md. R. 643 (5-27-16)
- 31.10.21.03** • 43:11 Md. R. 644 (5-27-16)
- 31.15** • 43:2 Md. R. 128 (1-22-16) (err)
- 31.15.04.01—.07** • 43:1 Md. R. 76 (1-8-16)
- 31.15.16.01—.09** • 43:1 Md. R. 76 (1-8-16)

32 MARYLAND DEPARTMENT OF AGING

- 32.02.01.13** • 43:13 Md. R. 754 (6-24-16)

33 STATE BOARD OF ELECTIONS

- 33.01.01.01** • 43:4 Md. R. 345 (2-19-16)
- 33.05.04.05** • 43:4 Md. R. 346 (2-19-16)
- 33.14.02.04** • 43:7 Md. R. 471 (4-1-16)
- 33.16.01.01** • 43:4 Md. R. 346 (2-19-16)
- 33.16.02.05** • 43:4 Md. R. 346 (2-19-16)
- 33.16.03.01,.02** • 43:4 Md. R. 346 (2-19-16)
- 33.16.04.01** • 43:4 Md. R. 346 (2-19-16)
- 33.16.05.03,.04** • 43:4 Md. R. 346 (2-19-16)
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- 33.20.02.02,.03** • 43:9 Md. R. 563 (4-29-16)
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- 33.20.09.01** • 43:9 Md. R. 563 (4-29-16)
- 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
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- 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)

The Governor

EXECUTIVE ORDER 01.01.2016.07

Governor's Commission on Maryland Military Monuments (Amends Executive Order 01.01.2011.06)

WHEREAS, The Military Monuments Commission (the Commission) was created in 1989 by Executive Order to identify, restore, and publicize Maryland's military monuments;

WHEREAS, By Executive Order 01.01.2008.17, the Commission was transferred from the Office of the Secretary of State to the Department of Veterans Affairs;

WHEREAS, The Commission was originally slated to have up to 21 members appointed by the Governor, and there are currently 17 sitting members following recent resignations;

WHEREAS, In 2009, Sections 9-912 and 9-913 of the State Government Article were added to the Annotated Code of Maryland and established the Maryland Veterans Trust Fund within the Department of Veterans Affairs, and the law was amended in 2013 to include the Maryland Veterans Trust;

WHEREAS, Under Executive Order 01.01.2011.06, funds contributed to the Commission were transferred to the Maryland Veterans Trust Fund;

WHEREAS, The Maryland Veterans Trust applied to the Internal Revenue Service for tax exempt status under Section 501(c)(3) of the Internal Revenue Code, which was approved with an effective date of July 1, 2013;

WHEREAS, The Maryland Veterans Trust now serves as depository for gifts, grants, and contributions intended to assist Veterans in need;

WHEREAS, The Commission is separate from the Veterans' Memorials and Monuments Program established under the State Government Article, Section 9-908 of the Annotated Code of Maryland, whereby the Department of Veterans Affairs maintains and preserves three monuments: the Maryland Vietnam Veterans Memorial, the Maryland Korean War Memorial, and the Maryland World War II Memorial;

WHEREAS, The Veterans' Memorials and Monuments Program is not included in this reorganization and will remain with the Department of Veterans Affairs; and

WHEREAS, Transfer of the Commission from the Department of Veterans Affairs to the Department of Planning will provide for greater efficiency and effectiveness in performing the duties of the Commission.

NOW THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY AMEND EXECUTIVE ORDER 01.01.2011.06, AND PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. There is a Governor's Commission on Maryland Military Monuments (**THE COMMISSION**).

B. Membership and Procedures.

(1) The Governor's Commission consists of up to [21] 17 members appointed by the Governor.

(2) **TO THE EXTENT PRACTICABLE, MEMBERSHIP SHALL REPRESENT THE POPULATION AND GEOGRAPHIC DIVERSITY OF THE STATE.**

(3) **TWO OF THE MEMBERS SHALL BE NOMINATED BY THE SECRETARY OF PLANNING, AFTER CONSULTATION WITH THE DIRECTOR OF THE MARYLAND HISTORICAL TRUST, AND HAVE KNOWLEDGE IN FIELDS SUCH AS HISTORY, CONSERVATION, HISTORIC PRESERVATION, OR RELATED DISCIPLINES.**

(4) **THE TERM OF A MEMBER IS FOUR YEARS, AND THE GOVERNOR MAY REAPPOINT A MEMBER FOR A SECOND TERM AT THE END OF THE MEMBER'S TERM; TERMS ARE TO BE STAGGERED.**

[(2)] (5) The Chairperson shall be the Maryland Secretary of [Veterans Affairs] **PLANNING, OR THE SECRETARY'S DESIGNEE.**

(6) **THE MARYLAND HISTORICAL TRUST SHALL STAFF AND SUPPORT THE COMMISSION.**

[(3)] (7) The Secretary of [Veterans Affairs] **PLANNING** may appoint subcommittees to carry out the work of the commission.

(8) **THE COMMISSION SHALL MEET AT LEAST TWICE EVERY CALENDAR YEAR.**

[(4)] (9) The Governor may remove any member of the Commission for any cause adversely affecting the member's ability or willingness to perform his or her duties, **INCLUDING MISSING MORE THAN ONE OF THE COMMISSION'S ANNUAL MEETINGS.**

[(5)] (10) The Secretary of [Veterans Affairs] **PLANNING** may remove any member of a subcommittee for any cause adversely affecting the member's ability or willingness to perform his or her duties.

[(6)] (11) In the event of a vacancy on the Commission, the Governor shall appoint a successor [for the remainder of the life of the Commission] **TO FILL THE REMAINDER OF THE TERM.**

[(7)] (12) In the event of a vacancy on a subcommittee, the Secretary of [Veterans Affairs shall] **PLANNING MAY** appoint a successor [for the remainder of the life of the subcommittee].

[(8)] (13) A majority of the Commission shall constitute a quorum for the transaction of any Commission business. In any subcommittee, a majority shall constitute a quorum for the transaction of any subcommittee business. The Commission and the subcommittees may adopt such other procedures **AND BYLAWS** necessary to ensure the orderly transaction of business.

[(9)] (14) The members of the Commission and the subcommittees may not receive compensation for their services.

C. Scope.

(1) The Commission shall undertake an inventory of Maryland military monuments, which shall include the following information:

(a) Name, date of construction, location and means of access, and the original sponsorship of each monument;

(b) Current ownership of each monument and of monument land;

(c) Complete description of each monument including construction materials, condition, theme, and inscriptions, if any; and

(d) Responsibility for maintenance of [monument] **THE MONUMENTS.**

(2) The Commission shall make a determination, [as to the cost of restoration of each monument which is in need of repairs] **BASED ON HISTORICAL SIGNIFICANCE, DESIGN, FINANCIAL NEED, AND PHYSICAL CONDITION, AS TO WHICH MONUMENT SHALL RECEIVE ASSISTANCE WITH THE COST OF RESTORATION.**

[(3) The Commission shall assign responsibility for ongoing maintenance of each monument.]

[(4)] (3) The Commission shall procure sufficient funds for the restoration of the monuments, **INCLUDING CONTRIBUTIONS SECURED FROM GRANTS AND FUNDRAISING EFFORTS.**

[(5)] (4) The Commission shall prepare education and tourism materials for public distribution.

D. GRANTS AND Fundraising.

(1) Contributions received by the Commission shall be deposited [with the Maryland Military Monument Commission Fund of the Maryland Veterans Trust Fund within the Department of Veterans Affairs and disbursed at the direction of the Commission] **ACCORDINGLY:**

(A) ALL FUTURE FUNDS AND CONTRIBUTIONS WILL BE DEPOSITED WITH THE MARYLAND HISTORICAL TRUST TO BE HELD IN A SPECIAL FUND ACCOUNT FOR THE PURPOSE OF ADMINISTERING AND PAYING THE EXPENSES OF THE COMMISSION; AND

(B) THE MARYLAND VETERANS TRUST WILL TRANSFER FUNDS PREVIOUSLY CONTRIBUTED TO THE COMMISSION TOTALING \$5,937.00 TO THE DEPARTMENT OF PLANNING ON BEHALF OF THE MARYLAND HISTORICAL TRUST TO BE HELD IN A SPECIAL FUND ACCOUNT AND USED FOR COMMISSION PURPOSES.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 13th Day of June, 2016.

LAWRENCE J. HOGAN, JR.
Governor

ATTEST:

JOHN C. WOBENSMITH
Secretary of State

[16-13-45]

The Judiciary

COURT OF APPEALS OF MARYLAND

DISCIPLINARY PROCEEDINGS

This is to certify that by an Order of the Court of Appeals dated May 18, 2016, **CLAIRE L.K. KENNEDY OGILVIE**, ID #1601227, 144 Prison Lane, Troy, Virginia 22914, has been suspended, 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 May 18, 2016, **JASON ERIC FISHER**, 13236 Moonlight Trail Drive, Silver Spring, Maryland 20906, has been disbarred 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 by an Order of the Court of Appeals dated May 19, 2016, **JENNIFER VETTER LANDEO**, 11474 Applegarth Way, Germantown, Maryland 20876, has been disbarred by consent, 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 16-772(d)).

* * * * *

This is to certify that by an Order of the Court of Appeals dated May 19, 2016, **DONALD SAUNDERS LITMAN**, Litman Law Office, P.O. Box 35, Lansdale, Pennsylvania 19446, has been replaced upon the register of attorneys in the Court of Appeals as of May 19, 2016. Notice of this action is certified in accordance with Maryland Rule 16-781(l).

* * * * *

This is to certify that by an Order of the Court of Appeals dated May 19, 2016, **ANDRE P. BARBER**, 22 Hidden Glen Way, Dothan, Alabama 36303, has been suspended, 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 16-760(e)).

* * * * *

This is to certify that by an Opinion and Order of the Court of Appeals dated May 23, 2016, **ERICA S. WHITE**, 516 North Charles Street, Suite 410, Baltimore, MD 21201, has been indefinitely suspended, 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 16-760(e)).

[16-13-42

Emergency Action on Regulations

Symbol Key

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

Emergency Regulations

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

Title 09

DEPARTMENT OF LABOR, LICENSING, AND REGULATION

Subtitle 10 RACING COMMISSION

09.10.03 Prohibited Acts

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

Notice of Emergency Action

[16-131-E]

The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to amendments to Regulation .01-1 under **COMAR 09.10.03 Prohibited Acts**.

Emergency status began: May 24, 2016.

Emergency status expires: November 15, 2016.

Editor's Note: The text of this document will not be printed here because it appeared as a Notice of Proposed Action in 43:12 Md. R. 681 (June 10, 2016), referenced as [16-131-P].

J. MICHAEL HOPKINS
Executive Director
Maryland Racing Commission

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 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 Final Action

[16-098-F]

On June 7, 2016, the Secretary of Housing and Community Development adopted amendments to Regulations .06 and .15 and new Regulation .07-1 under **COMAR 05.04.01 Maryland Housing Rehabilitation Program — Regular Rehabilitation Program**. This action, which was proposed for adoption in 43:8 Md. R. 500—501 (April 15, 2016), has been adopted as proposed.

Effective Date: July 4, 2016.

KENNETH C. HOLT
Secretary of Housing and Community Development

Title 10

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 07 HOSPITALS

10.07.01 Acute General Hospitals and Special Hospitals

Authority: Health-General Article, §19-308, Annotated Code of Maryland

Notice of Final Action

[16-100-F-I]

On June 14, 2016, the Secretary of Health and Mental Hygiene adopted new Regulations .02 and .30, the repeal of existing Regulation .03, and the recodification of existing Regulation .02 to be Regulation .03 under **COMAR 10.07.01 Acute General Hospitals and Special Hospitals**. This action, which was proposed for adoption in 43:9 Md. R. 534—535 (April 29, 2016), has been adopted as proposed.

Effective Date: July 4, 2016.

VAN T. MITCHELL
Secretary of Health and Mental Hygiene

Subtitle 07 HOSPITALS

10.07.05 Residential Service Agencies

Authority: Health-General Article, Title 19, Subtitle 4A, Annotated Code of Maryland

Notice of Final Action

[16-107-F]

On June 14, 2016, the Secretary of Health and Mental Hygiene adopted amendments to Regulation .04 under **COMAR 10.07.05 Residential Service Agencies**. This action, which was proposed for adoption in 43:9 Md. R. 535 (April 29, 2016), has been adopted as proposed.

Effective Date: July 4, 2016.

VAN T. MITCHELL
Secretary of Health and Mental Hygiene

Subtitle 09 MEDICAL CARE PROGRAMS

Notice of Final Action

[16-099-F]

On June 14, 2016, the Secretary of Health and Mental Hygiene adopted amendments to:

- (1) Regulation .06 under **COMAR 10.09.01 Nurse Practitioner Services**;
- (2) Regulation .07 under **COMAR 10.09.02 Physicians' Services**;
- (3) Regulation .07 under **COMAR 10.09.04 Home Health Services**;
- (4) Regulation .07 under **COMAR 10.09.05 Dental Services**;
- (5) Regulations .07 and .10 under **COMAR 10.09.08 Freestanding Clinics**;
- (6) Regulation .07 under **COMAR 10.09.09 Medical Laboratories**;
- (7) Regulation .07 under **COMAR 10.09.12 Disposable Medical Supplies and Durable Medical Equipment**;
- (8) Regulation .07 under **COMAR 10.09.14 Vision Care Services**;
- (9) Regulation .07 under **COMAR 10.09.15 Podiatry Services**;
- (10) Regulation .06 under **COMAR 10.09.17 Physical Therapy Services**;
- (11) Regulation .07 under **COMAR 10.09.18 Oxygen and Related Respiratory Equipment Services**;
- (12) Regulation .07 under **COMAR 10.09.21 Nurse Midwife Services**;
- (13) Regulation .07 under **COMAR 10.09.22 Free-Standing Dialysis Facility Services**;
- (14) Regulation .05 under **COMAR 10.09.23 Early and Periodic Screening, Diagnosis and Treatment (EPSDT) Services**;

(15) Regulation .06 under COMAR 10.09.27 Home Care for Disabled Children Under a Model Waiver;

(16) Regulation .07 under COMAR 10.09.29 Residential Treatment Center Services;

(17) Regulation .04 under COMAR 10.09.34 Therapeutic Behavioral Services;

(18) Regulations .01 and .03 under COMAR 10.09.36 General Medical Assistance Provider Participation Criteria;

(19) Regulation .06 under COMAR 10.09.39 Nurse Anesthetist Services;

(20) Regulation .06 under COMAR 10.09.42 Free-Standing Medicare-Certified Ambulatory Surgical Centers;

(21) Regulation .07 under COMAR 10.09.51 Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Audiology Services;

(22) Regulation .22 under COMAR 10.09.54 Home and Community-Based Options Waiver;

(23) Regulation .06 under COMAR 10.09.77 Urgent Care Centers;

(24) Regulations .40 and .41 under COMAR 10.09.81 Increased Community Services (ICS) Program;

(25) Regulation .06 under COMAR 10.09.82 Provider-Based Outpatient Oncology Facilities;

(26) Regulation .07 under COMAR 10.09.87 Free-Standing Independent Diagnostic Testing Facilities;

(27) Regulation .07 under COMAR 10.09.88 Portable X-ray Providers; and

(28) Regulation .15 under COMAR 10.09.89 1915(i) Intensive Behavioral Health Services for Children, Youth, and Families.

This action, which was proposed for adoption in 43:9 Md. R. 535—543 (April 29, 2016), has been adopted as proposed.

Effective Date: July 4, 2016.

VAN T. MITCHELL
Secretary of Health and Mental Hygiene

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.24 Medical Assistance Eligibility

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

Notice of Final Action

[16-109-F]

On June 14, 2016, the Secretary of Health and Mental Hygiene adopted amendments to Regulation .05-4 under COMAR 10.09.24 Medical Assistance Eligibility. This action, which was proposed for adoption in 43:9 Md. R. 543—544 (April 29, 2016), has been adopted as proposed.

Effective Date: July 4, 2016.

VAN T. MITCHELL
Secretary of Health and Mental Hygiene

Subtitle 29 BOARD OF MORTICIANS AND FUNERAL DIRECTORS

10.29.11 Complaint Procedures

Authority: Health Occupations Article, §7-205(a), Annotated Code of Maryland

Notice of Final Action

[16-011-F]

On June 8, 2016, the Secretary of Health and Mental Hygiene adopted amendments to Regulations .01—.06 under COMAR 10.29.11 Complaint Procedures. This action, which was proposed for adoption in 43:1 Md. R. 63—64 (January 8, 2016), has been adopted as proposed.

Effective Date: July 4, 2016.

VAN T. MITCHELL
Secretary of Health and Mental Hygiene

Title 15 DEPARTMENT OF AGRICULTURE

Subtitle 02 BOARD OF REVIEW

15.02.01 Board of Review Procedure

Authority: Agriculture Article, §§2-103 and 2-405, Annotated Code of Maryland
Ch. 171, Acts of 2013

Notice of Final Action

[16-090-F]

On June 1, 2016, the Secretary of Agriculture adopted the repeal of Regulations .01—.09 under COMAR 15.02.01 Board of Review Procedure. This action, which was proposed for adoption in 43:7 Md. R. 465 (April 1, 2016), has been adopted as proposed.

Effective Date: July 4, 2016.

JOSEPH BARTENFELDER
Secretary 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 Final Action

[16-097-F]

On May 31, 2016, the Secretary of Agriculture adopted the repeal of existing Regulations .01 — .08 under COMAR 15.11.18 Eradication of Scrapie in Maryland and adopted new Regulations .01 — .12 under a new chapter, COMAR 15.11.18 Requirements for Sheep and Goats for the Eradication of Scrapie. This action, which was proposed for adoption in 43:8 Md. R. 508—511 (April 15, 2016), has been adopted as proposed.

Effective Date: July 4, 2016.

JOSEPH BARTENFELDER
Secretary of Agriculture

Title 18
DEPARTMENT OF
ASSESSMENTS AND
TAXATION

Subtitle 14 UNIFORM COMMERCIAL
CODE

Notice of Final Action

[16-108-F]

On June 15, 2016, the Director of Assessments and Taxation adopted amendments to:

- (1) Regulations **.04**, **.06**, and **.07** under **COMAR 18.14.01 General Provisions**; and
(2) Regulation **.03** under **COMAR 18.14.03 UCC Information Management System**.

This action, which was proposed for adoption in 43:9 Md. R. 551—552 (April 29, 2016), has been adopted as proposed.

Effective Date: July 4, 2016.

SEAN P. POWELL

Director of Assessments and Taxation

Title 36
MARYLAND STATE
LOTTERY AND GAMING
CONTROL AGENCY

Subtitle 03 GAMING PROVISIONS

36.03.02 Investigation and Licensing

Authority: State Government Article, §9-1A-04(a) and (d), Annotated Code of Maryland

Notice of Final Action

[16-101-F]

On June 14, 2016, the Maryland State Lottery and Gaming Control Agency adopted amendments to Regulation **.17** under **COMAR 36.03.02 Investigation and Licensing**. This action, which was proposed for adoption in 43:9 Md. R. 566—567 (April 29, 2016), has been adopted as proposed.

Effective Date: July 4, 2016.

GORDON MEDENICA

Director

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 01

EXECUTIVE DEPARTMENT

Subtitle 02 SECRETARY OF STATE

01.02.08 Notaries Public

Authority: State Government Article, §§18-103 and 18-112, Annotated Code of Maryland

Notice of Proposed Action

[16-170-P]

The Secretary of State proposes to amend Regulation .04 under COMAR 01.02.08 Notaries Public.

Statement of Purpose

The purpose of this action is to lower the original application fee and renewal fee for notaries public.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. There will be a lower cost to notary applicants.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	(R-)	Approximately \$221,550/year
B. On other State agencies:	NONE	
C. On local governments:	NONE	

Benefit (+)
Cost (-) Magnitude

D. On regulated industries or trade groups: (+) Unknown

E. On other industries or trade groups: NONE

F. Direct and indirect effects on public: NONE

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

A. The proposed fee is \$11 less per applicant. Currently there is a \$20 processing fee for new and renewal notary applications. This proposal lowers that fee to \$9. This will result in the Office of the Secretary of State receiving \$11 less per application. The office received approximately 20,140 applications in 2015. The proposal will reduce revenue by approximately \$221,550 per year.

D. Notaries public will benefit by having a lower application and renewal fee.

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 Loraine Parks, Notary Division, Office of the Secretary of State, 16 Francis Street, Annapolis, MD 21401, or call 410-260-3857, or email to Loraine.parks@maryland.gov, or fax to 410-974-5527. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

.04 Responsibilities of the Secretary.

A.—C. (text unchanged)

D. Each application for an original or renewal appointment as a notary public shall be accompanied by a processing fee of [\$20] \$9 payable to the Secretary of State.

JOHN C. WOBENSMITH
Secretary of State

Title 07 DEPARTMENT OF HUMAN RESOURCES

Subtitle 07 CHILD SUPPORT ENFORCEMENT ADMINISTRATION

07.07.02 General Information

Authority: Family Law Article, §§10-106—10-116, 10-118, 10-119, 10-119.3—10-144, and 10-303—10-359, Annotated Code of Maryland
Agency Note: Federal Regulatory Reference—45 CFR §§302, 303.2—303.15, 303.30, 303.31, and 303.71—303.106; 42 U.S.C. §654(6)(B)

Notice of Proposed Action

[16-163-P]

The Secretary of Human Resources proposes to amend Regulation .02 under **COMAR 07.07.02 General Information**.

Statement of Purpose

The purpose of this action is to reduce fees as follows: (1) reduce from \$25 to \$15 the fee that is collected by the Child Support Enforcement Administration for the initial application of child support enforcement services; and (2) reduce from \$25 to \$15 the annual collection fee deducted from child support payments and collected by the Child Support Enforcement Administration.

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. The proposed regulation reduces by \$10 a fee for the initial application of child support enforcement services and reduces by \$10 a fee deducted from child support payments and collected by the Child Support Enforcement Administration.

II. Types of Economic Impact.	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
A. On issuing agency:	(R-)	Moderate
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:	NONE	

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

A. Based on FY 2015 actual collections, the reduction of the application fee and the annual fee will result in an estimated loss of \$970,320.

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 Tristan Fernandez, Regulations Coordinator, Department of Human Resources, 311 W. Saratoga Street, Baltimore, MD 21201, or call 410-767-8966, or email to tristan.fernandez@maryland.gov. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

.02 Child Support Enforcement Services.

- A. (text unchanged)
- B. Eligibility and Application Fee.

(1) An individual receiving TCA or Medical Assistance is eligible for child support enforcement services without *filing an* application or payment of an application fee.

(2)—(3) (text unchanged)

(4) Except as provided in §B(1)—(3) of this regulation, an individual who requests child support enforcement services is eligible for the services upon:

- (a) (text unchanged)
- (b) Paying a [\$25] \$15 application fee.

(5) Except as provided in §B(6) of this regulation, the support enforcement agency shall assess the [\$25] \$15 application fee only once to an individual regardless of the number of child support cases for which the individual makes application.

(6) If an individual requests termination of child support services for all of the individual's child support cases and subsequently reapplies for services, the individual shall:

- (a) (text unchanged)
- (b) Pay the [\$25] \$15 application fee.

(7)—(8) (text unchanged)

C. Other Fees.

[(1) A non-TCA obligee receiving an intercepted payment shall pay the following fees:

- (a) For State tax refund intercept:
 - (i) \$10 if the intercept amount is \$40 or more, or
 - (ii) 25 percent of the intercept if the intercept amount is under \$40; or

(b) For offset of a federal income tax refund and other administrative federal payments as identified by OCSE:

- (i) \$25 if the offset amount is \$100 or more, or
- (ii) 25 percent of the offset if the offset amount is under \$100.

(2) An annual collection fee of [\$25] \$15 shall be deducted from child support payments in a case in which a family:

- [(a)] A.— [(b)] B. (text unchanged)

SAM MALHOTRA
Secretary of Human Resources

Title 08
DEPARTMENT OF NATURAL
RESOURCES

Subtitle 02 FISHERIES SERVICE

08.02.01 General

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

Notice of Proposed Action

[16-157-P-I]

The Secretary of Natural Resources proposes to amend Regulation .01 under **COMAR 08.02.01 General**.

Statement of Purpose

The purpose of this action is to add Amendment 1 to the Chesapeake Bay American Eel Fishery Management Plan and incorporate the amendment by reference.

The action amends the 1991 Chesapeake Bay American Eel Fishery Management Plan (FMP) to include a provision that recognizes the Atlantic States Marine Fisheries Commission's (ASMFC) management measures and ensures flexibility when regulatory requirements change. Amendment 1 includes a provision for the adoption of current and future management requirements established by ASMFC, an update of the current status of the eel resource, and a framework for managing and monitoring the eel fishery. The Fisheries Service's Plan Review Team reviewed the plan in 2014 and recommended that the 1991 American Eel FMP be amended to include a provision that recognizes ASMFC and ensures management flexibility when regulatory requirements change.

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 American Eel Fishery Management Plan Amendment, Regulatory Staff, Department of Natural Resources, Fisheries Service, 580 Taylor Ave., B-2, Annapolis, MD 21401, or call 410-260-8300, or email to fisheriespubliccomment.dnr@maryland.gov, or fax to 410-260-8310. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

Editor's Note on Incorporation by Reference

Pursuant to State Government Article, §7-207, Annotated Code of Maryland, Amendment 1 to the 1991 Chesapeake Bay American Eel Fishery Management Plan has been declared a document generally available to the public and appropriate for incorporation by reference. For this reason, it will not be printed in the Maryland Register or the Code of Maryland Regulations (COMAR). Copies of this document are filed in special public depositories located throughout the State. A list of these depositories was published in 43:1 Md. R. 10 (January 8, 2016), and is available online at www.dsd.state.md.us. The document may also be inspected at the office of the Division of State Documents, 16 Francis Street, Annapolis, Maryland 21401.

.01 Fishery Management Plans.

A. The following Chesapeake Bay Program Agreement Commitment Reports (Fishery Management Plans) are adopted and incorporated by reference:

(1)—(8) (text unchanged)

(9) Chesapeake Bay American Eel Fishery Management Plan (December 1991) and Amendment 1 to the 1991 Chesapeake Bay American Eel Fishery Management Plan;

(10)—(15) (text unchanged)

B.—C. (text unchanged)

MARK J. BELTON

Secretary of Natural Resources

Subtitle 02 FISHERIES SERVICE

08.02.01 General

Authority: Natural Resources Article, §4-701, Annotated Code of Maryland

Notice of Proposed Action

[16-158-P]

The Secretary of Natural Resources proposes to amend Regulation .02 under **COMAR 08.02.01 General**.

Statement of Purpose

The purpose of this action is to remove the fee for a replacement license and clarify the identification requirements for commercial vessels and vehicles. Specifically, the proposed action removes the replacement license provision. The Department has not charged a replacement license fee for approximately 2 years because the COMPASS licensing system allows any licensee to print a license at any time without additional charges.

In Regulation .02, it is unclear if the rules about the display of identification numbers apply to commercial gear as well as vehicles, vessels, and places of business. The regulation is not intended for gear marking since placing a 4-inch number on most gear is difficult or impossible. Other regulations specify how gear is to be marked. The size requirement should apply only to vessels and vehicles. The proposed action clarifies the display of identification number for commercial vessels and vehicles and changes the minimum height requirement from 4 inches to 3 inches. Three-inch numbers are the standard size sold in stores as well as the standard used by the industry.

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 Commercial License Regulations, Regulatory Staff, Department of Natural Resources, Fisheries Service B-2, 580 Taylor Avenue, Annapolis, MD 21401, or call 410-260-8300, or email to fisheriespubliccomment.dnr@maryland.gov, or fax to 410-260-8310. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

.02 General Commercial License Requirements.

A. (text unchanged)

B. Identification Number.

(1) (text unchanged)

(2) Display of *Commercial Identification Number on Vessels and Vehicles.*

(a) The licensee's *commercial* identification number shall be plain vertical block characters of not less than [4] 3 inches in height and shall contrast with the color of the background.

(b) All numbers shall be distinctly visible and legible.

[(3)] (c) Display on Vessels.

(i) The licensee's *commercial* identification number shall be painted or firmly attached to both sides of the vessel.

(ii) The number shall be positioned on or above the hull, forward, but not on or near the bow, and in such a manner as to be clearly visible to passing boats.

[(4)] (d) Display on Vehicle.

(i) The licensee's *commercial* identification number shall be painted or firmly attached to the vehicle.

(ii) The number shall be positioned on the front part of the body on the driver's side.

[C. Replacement License. If a license is defaced, lost, or destroyed, the licensee shall apply for a replacement license within 7 days. The licensee shall submit an affidavit with the application certifying whether the license was defaced, lost, or destroyed. Upon receipt of this information and a \$5 service fee, the Department shall issue a replacement license.]

MARK J. BELTON
Secretary of Natural Resources

Subtitle 02 FISHERIES SERVICE

08.02.01 General

Authority: Natural Resources Article, §4-212, Annotated Code of Maryland

Notice of Proposed Action

[16-159-P]

The Secretary of Natural Resources proposes to adopt new Regulation .15 under **COMAR 08.02.01 General**.

Statement of Purpose

The purpose of this action is to adopt a new regulation for scientific collection permits. Natural Resources Article, §4-212, Annotated Code of Maryland, was amended during the 2016 legislative session to clarify and make the section more consistent with the scientific collection section in the wildlife title of the Natural Resources Article. Some permits are issued jointly to permittees, and having the statutes more aligned and consistent makes the process easier for both the Department and the permittee.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed action has an economic impact on the Department and on scientific collection permit applicants.

II. Types of Economic Impact.

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

- A. On issuing agency:
 - Permit fee (R-) \$585 per year
- B. On other State agencies: NONE

C. On local governments: NONE

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

Permit fee (+) \$15 per applicant

E. On other industries or trade groups: NONE

F. Direct and indirect effects on public: NONE

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

A. The Department received an average of \$2,125 per year from scientific collection application fees over the last 5 years. Reducing the application fee to be the same as Wildlife will reduce revenue by approximately \$585 per year.

D. The scientific collection permit application fee was reduced from \$25 to \$10 to be the same as Wildlife; therefore, saving each permit applicant \$15.

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 Scientific Collection Permit Regulations, Regulatory Staff, Department of Natural Resources, Fisheries Service B-2, 580 Taylor Avenue, Annapolis, MD 21401, or call 410-260-8300, or email to fisheriespubliccomment.dnr@maryland.gov, or fax to 410-260-8310. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

.15 Scientific Collection Permits.

A. *In accordance with Natural Resources Article, §4-212, Annotated Code of Maryland, a person shall obtain a scientific collection permit prior to collecting fish, fish eggs, shellfish, or aquatic invertebrates from the wild for scientific or educational purposes.*

B. *Application.*

(1) *A person shall apply for a scientific collection permit on a form provided by the Department.*

(2) *A person shall apply at least 45 days prior to when the activity is requested to begin.*

C. *The fee for a scientific collection permit is \$10 and shall be submitted with the application.*

D. *A permittee shall:*

(1) *Comply with all of the terms and conditions described on the permit; and*

(2) *Report to the Department as specified by their permit.*

E. *Denial or Revocation of a Scientific Collection Permit.*

(1) *In addition to any other penalty, failure to comply with the terms and conditions of the permit may result in the revocation of the current permit or the denial of a subsequent permit.*

(2) *Prior to denying an application for a permit or revoking a current permit, the Department shall give the permittee notice of its intended action and an opportunity to appear at a hearing conducted in accordance with the contested case procedures set forth in State*

Government Article, Title 10, Subtitle 2, Annotated Code of Maryland, and COMAR 08.01.04.

MARK J. BELTON
Secretary of Natural Resources

Subtitle 03 WILDLIFE

08.03.08 Threatened and Endangered Species

Authority: Natural Resources Article, §§10-2A-03 and 10-2A-05, Annotated Code of Maryland

Notice of Proposed Action

[16-160-P]

The Secretary of Natural Resources proposes to amend Regulation .03 under **COMAR 08.03.08 Threatened and Endangered Species**.

Statement of Purpose

The purpose of this action is to reduce the fee for an Endangered Species Permit in accordance with the Governor’s announcement on May 12, 2016, regarding the latest round of fee cuts or eliminations. The fee for this permit will be reduced to \$10. The Endangered Species Permit is required to take, transport, possess, sell, offer for sale, export or import any listed endangered or threatened species or wildlife species in need of conservation listed by the Department of Natural Resources.

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 Glenn Therres, Associate Director, Wildlife and Heritage Service, Department of Natural Resources, 580 Taylor Avenue, Annapolis, MD 21401, or call 410-260-8572, or email to glenn.therres@maryland.gov, or fax to 410-260-8596. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

.03 Permits.

A. Permits to take, transport, possess, sell, offer for sale, export or import any listed species may be obtained from the Director only after written application on a form provided by the Administration, and upon payment of a fee of [\$25] \$10.

B. — F. (text unchanged)

MARK J. BELTON
Secretary of Natural Resources

Subtitle 03 WILDLIFE

08.03.09 Wildlife Possession

Authority: Natural Resources Article, §10-907, Annotated Code of Maryland

Notice of Proposed Action

[16-162-P]

The Secretary of Natural Resources proposes to amend Regulations .07 and .14 under **COMAR 08.03.09 Wildlife Possession**.

Statement of Purpose

The purpose of this action is to reduce the fee for two types of falconry permits in accordance with the Governor’s announcement on May 12, 2016, regarding the latest round of fee cuts or eliminations. The fee for these permits will be reduced to \$10 for residents. The Falconry Permit, including the first time application fee, is required to possess and hunt with birds of prey. The Peregrine Falcon Permit is required for a licensed falconer to take a passage peregrine falcon during the fall trapping season.

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 Glenn Therres, Associate Director, Wildlife and Heritage Service, Department of Natural Resources, 580 Taylor Avenue, Annapolis, MD 21401, or call 410-260-8572, or email to glenn.therres@maryland.gov, or fax to 410-260-8596. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

.07 Falconry.

A. (text unchanged)

B. Permit and Application Requirements.

(1) — (5) (text unchanged)

(6) The application shall be accompanied by a [\$25] \$10 fee. In addition, an annual fee of [\$25] \$10 shall be due with each annual report, if the falconer desires to renew a permit.

(7) (text unchanged)

C. — K. (text unchanged)

.14 Take of Passage Peregrine Falcon.

A. — C. (text unchanged)

D. Permit Application and Issuance.

(1) (text unchanged)

(2) The application fee for a Maryland resident falconer is [\$25] \$10. The application fee for a nonresident falconer is \$50. An application fee is nonrefundable.

(3) — (4) (text unchanged)

E. — H. (text unchanged)

MARK J. BELTON
Secretary of Natural Resources

Subtitle 03 WILDLIFE

08.03.11 Reptile and Amphibian Possession and Permits

Authority: Natural Resources Article, §10-902, Annotated Code of Maryland

Notice of Proposed Action
[16-161-P]

The Secretary of Natural Resources proposes to amend Regulation .05 under **COMAR 08.03.11 Reptile and Amphibian Possession and Permits**.

Statement of Purpose

The purpose of this action is to reduce the fee for a Captive Reptile and Amphibian Permit in accordance with the Governor’s announcement on May 12, 2016, regarding the latest round of fee cuts and eliminations. The fee for this permit will be reduced to \$10. The Captive Reptile and Amphibian Permit is required for persons to breed, sell, offer for sale, trade, or barter native species of reptiles and amphibians or to possess native reptiles and amphibians in excess of certain limits.

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 Glenn Therres, Associate Director, Wildlife and Heritage Service, Department of Natural Resources, 580 Taylor Avenue, Annapolis, MD 21401, or call 410-260-8572, or email to glenn.therres@maryland.gov, or fax to 410-260-8596. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

.05 Permits.

A. — B. (text unchanged)

C. Issuance of Permit.

(1) (text unchanged)

(2) The Department may issue a reptile and amphibian permit for activities authorized in this chapter to a person who has submitted a completed application on a form provided by the Department, and a fee of [\$25] \$10. The permit is valid from the date of issuance until the following December 31.

MARK J. BELTON
Secretary of Natural Resources

Title 09

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

Subtitle 10 RACING COMMISSION

Notice of Proposed Action
[16-149-P]

The Maryland Racing Commission proposes to amend:

(1) Regulation .25 under **COMAR 09.10.01 Thoroughbred Rules**; and

(2) Regulation .19 under **COMAR 09.10.02 Harness Racing**.

This action was considered by the Maryland Racing Commission at a public meeting held on May 6, 2016, notice of which was posted on the agency’s website, pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to eliminate the license fee an individual must pay when applying for a license with the Maryland Racing Commission.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. It is estimated that the elimination of these license fees would reduce the General Fund of the State by \$240,000 per year.

II. Types of Economic Impact.	Revenue (R+/R-)	
	Expenditure (E+/E-)	Magnitude
A. On issuing agency:	NONE	
Thoroughbred and standardbred license fees	(R-)	\$240,000
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+)	
	Cost (-)	Magnitude
D. On regulated industries or trade groups:	NONE	
Thoroughbred and standardbred license fees	(-)	\$240,000
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

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

A. By eliminating these fees the General Fund of the State would be decreased.

D. By eliminating these fees, all individuals who are required to have a license issued by the Maryland Racing Commission would not be required to pay the fee associated with the particular license applied for.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to J. Michael Hopkins, Executive Director, Maryland Racing Commission, 300 E. Towsontown Boulevard, or call Towson, Maryland 21286, or email to mike.hopkins@maryland.gov, or fax to 410-296-9687. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Maryland Racing Commission during a public meeting to be held on September 20, 2016, at Laurel Park, Laurel, Maryland.

09.10.01 Thoroughbred Rules

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

.25 Licenses and Registrations.

A. The following persons are required to take out a license from, or register with, the Commission[, and the annual fee is as follows]:

- (1) Licenses:
 - (a) Owner [(original) — \$50;
 - (b) Owner (renewal) — \$25];
 - [(c)] (b) Trainer [(original) — \$50;
 - (d) Trainer (renewal) — \$25];
 - [(e)] (c) Assistant trainer — \$25];
 - [(f)] (d) Jockey [— \$25];
 - [(g)] (e) Apprentice jockey [— \$25];
 - [(h)] (f) Jockey agent [— \$25];
 - [(i)] (g) Pari-mutuel employee [— \$5];
 - [(j)] (h) Stable employee [— \$5];
 - [(k)] (i) Track employee [— \$5];
 - [(l)] (j) Vendor [— \$5];
 - [(m)] (k) Veterinarian [— \$25];
 - [(n)] (l) Farrier [— \$10];
 - [(o)] (m) Exercise rider[— \$5].
- (2) Registrations:
 - (a) Authorized agent[— \$10];
 - (b) Stable name [— \$75].

B. [The appropriate fee shall accompany each application for licensure or registration.

C.] License and Registration Expiration.

(1) A license or registration issued under §A(1)(a)—[(h)] (f) or §A(2) of this regulation shall expire on December 31 of the year for which it was issued.

(2) A license issued under §A(1)[(i)—(o)] (g)—(m) of this regulation shall expire on June 30 of each year[.].

[(a)] Before June 30, 1998, shall expire on June 30, 1998;

[(b)] After June 30, 1998, shall expire on June 30 of the year following its issuance.]

09.10.02 Harness Racing

Authority: Business Regulation Article, §§11-210 and 11-634, Annotated Code of Maryland

.19 Licenses and Registrations.

A. The following persons are required to take out a license from, or register with, the Commission[, and the annual fee is as follows]:

- (1) Licenses:
 - (a) Trainer [— \$25];
 - (b) Owner [—renewal — \$25;
 - (c) Owner — original — \$50];
 - [(d)] (c) Driver [— \$25];
 - [(e)] (d) Farrier [— \$10];
 - [(f)] (e) Pari-mutuel employee [— \$5];
 - [(g)] (f) Stable employee [— \$5];
 - [(h)] (g) Track employee [— \$5];
 - [(i)] (h) Veterinarian [— \$25];
 - [(j)] (i) Vendor [— \$5];
 - [(k)] (j) Track manager [— \$50].
- (2) Registrations:
 - (a) Authorized agent [— \$10];
 - (b) Corporate or stable name [— \$75].

B. [The appropriate fee shall accompany each application for licensure or registration.

C.] License and Registration Expiration.

(1) A license or registration issued under §A(1)(a)—[(d)] (c) or §A (2) of this regulation shall expire on December 31 of the final year for which it was issued.

(2) A license issued under §A(1)[(e)—(k)] (d)—(j) of this regulation shall expire on June 30 of each year[.].

[(a)] Before June 30, 1998, shall expire on June 30, 1998; and

[(b)] After June 30, 1998, shall expire on June 30 of the year following its issuance.]

J. MICHAEL HOPKINS
Executive Director

**Subtitle 11 REAL ESTATE
COMMISSION**

09.11.09 Fees

Authority: Business Occupations and Professions Article, §17-213; Business Regulation Article, §2-106.4; Annotated Code of Maryland

Notice of Proposed Action

[16-151-P]

The Real Estate Commission proposes to amend Regulation .02 under **COMAR 09.11.09 Fees**. This action was considered at a public meeting held on May 4, 2016, notice of which was posted on the agency’s website, pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to reduce the amount charged by the Real Estate Commission for license reactivation fees and eliminate the fee charged for a duplicate license.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The reduction in fees is expected to lead to an estimated \$15,225 reduction in annual revenue for the Real Estate Commission.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:		
(1) Reduction of reactivation fee amount	(R-)	\$15,075
(2) Elimination of duplicate license fee	(R-)	\$150
B. On other State agencies:	NONE	
C. On local governments:	NONE	

	Benefit (+)	Magnitude
	Cost (-)	
D. On regulated industries or trade groups:		
(1) Reduction of reactivation fee amount	(+)	\$15,075
(2) Elimination of duplicate license fee	(+)	\$150
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

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

A(1). Total revenue of \$30,150 attributable to this fee in FY15: $30,150 \times 0.5 = \$15,075$

A(2). Six duplicate license fees paid during FY15: $6 \times \$25 = \150

D(1). Total revenue of \$30,150 attributable to this fee in FY15: $30,150 \text{ times } 0.5 = \$15,075$

D(2). Six duplicate license fees paid during FY15: $6 \times \$25 = \150

Economic Impact on Small Businesses

The proposed action has a meaningful economic impact on small business. An analysis of this economic impact follows.

The businesses are in the real estate industry. The licensees are impacted by having to pay lower fees. Most licensees are independent contractors, so they are small businesses. They will be affected by paying lower fees to have their license reactivated and no fee to obtain a duplicate license. Approximately 609 licensees will be affected.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Kathie Connelly, Executive Director, Real Estate Commission, 500 North Calvert Street, Baltimore, MD, 21202, or call 410-230-6227, or email to kathie.connelly@maryland.gov, or fax to 410-333-0023. Comments will be accepted through August 8, 2016. A public hearing has not been scheduled.

.02 Schedule of Fees.

Fees charged by the Commission are as follows:

- A.—B. (text unchanged)
- C. Reactivation of inactive license — [\$50] \$25;
- D.—G. (text unchanged)
- [H. Duplicate license/pocket card — \$25;]
- [I.] H. (text unchanged)

KATHIE CONNELLY
Executive Director
Real Estate Commission

Subtitle 19 COMMISSION OF REAL ESTATE APPRAISERS, APPRAISAL MANAGEMENT COMPANIES, AND HOME INSPECTORS — REAL ESTATE APPRAISERS

09.19.07 Fees

Authority: Business Occupations and Professions Article, §§16-216, 16-217, and 16-220, Annotated Code of Maryland

Notice of Proposed Action

[16-148-P]

The Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors proposes to amend Regulation .01 under **COMAR 09.19.07 Fees**. This action was considered at a public meeting of the Commission held on May 6, 2016, notice of which was published on the Commission’s website pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to eliminate a fee charged to real estate appraisers to enable the Commission to generate sufficient funds to cover its direct and indirect costs incurred in its regulatory oversight of real estate appraisers and to lower its surplus funds to a more prudent level.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The purpose of this action is to eliminate a \$15 fee charged to real estate appraisers for a change of name request or a change of address request.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:		
Commission of REAAMCHI	(R-)	\$300 annually
B. On other State agencies:	NONE	
C. On local governments:	NONE	

	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:		
(1) Real estate appraiser trainee	(+)	\$15
(2) Licensed real estate appraiser	(+)	\$15
(3) Certified residential real estate appraiser	(+)	\$15
(4) Certified general real estate appraiser	(+)	\$15
E. On other industries or trade groups:		
F. Direct and indirect effects on public:	NONE	

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

A. The elimination of the fee is not anticipated to have a material fiscal impact on the operation of the Commission or its ability to generate sufficient annual revenue to offset the direct and indirect costs attributable to the licensing of real estate appraisers.

D(1). The elimination of the \$15 fee will only impact the real estate appraiser trainees in that a fee will no longer be charged to change a name or address.

D(2). The elimination of the \$15 fee will only impact the licensed real estate appraisers in that a fee will no longer be changed to change a name or address.

D(3). The elimination of the \$15 fee will only impact the certified residential appraisers in that a fee will no longer be charged to change a name or address.

D(4). The elimination of the \$15 fee will only impact the certified general real estate appraisers in that a fee will no longer be charged to change a name or address.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Patricia Schott, Executive Director, Commission of Real Estate Appraisers, Appraisal Management Companies and Home Inspectors, 500 N. Calvert Street, #302, Baltimore, MD 21202, or call 410-230-6165, or email to patricia.schott@maryland.gov, or fax to 410-333-6314. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors during a public meeting to be held on August 9, 2016, at 500 N. Calvert Street, Baltimore, MD 21202.

.01 Fees Owed the Commission.

- A. (text unchanged)
- B. (text unchanged)
- C. Pursuant to Business Occupations and Professions Article, Title 16, Annotated Code of Maryland, the Commission shall set fees to

produce funds to approximate the cost of maintaining the Commission. Fees charged by the Commission are as follows:

- (1)—(2) (text unchanged)
- [(3) Change of name or address — \$15;]
- [(4)] (3)—[(14)] (13) (text unchanged)

D. (text unchanged)

STEVEN O'FARRELL
Chairman

Commission of Real Estate Appraisers, Appraisal Management Companies and Home Inspectors

Subtitle 21 BOARD OF ARCHITECTS

09.21.04 Fees

Authority: Business Regulation Article, §§2-106.1 and 2-106.2; Business Occupations and Professions Article, §§3-208, 3-209, 3-304, 3-307, and 3-309.2, Annotated Code of Maryland

Notice of Proposed Action

[16-147-P]

The Board of Architects proposes to amend Regulation .03 under **COMAR 09.21.04 Fees**. This action was considered at a public meeting held on May 5, 2016, notice of which was posted on the agency's website pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to reduce the retired status license fee presently charged by the Board of Architects from \$68 to \$50.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed regulation would reduce the fee charged to those individuals who are applying for a retired license status. This license status applies to an individual who has been a licensed architect for 25 years, of which 5 years have been in Maryland.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	(R-)	\$180
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:		
(1) Architectural firms:	NONE	
(2) Savings to individuals	(+)	\$18
E. On other industries or trade groups:		
F. Direct and indirect effects on public:	NONE	

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

A. The Board receives on average 10 applications for retired status license annually. This number times \$18.00 equals \$180.00.

B. An individual who requests a retired license would save \$18, as the current fee is set at \$68.

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 Steve Long, Executive Director, Maryland Board of Architects, 500 N. Calvert Street, Baltimore, Maryland 21202, or call 410-230-6262, or email to steve.long@maryland.gov, or fax to 410-230-0021. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Board of Architects during a public meeting to be held on August 24, 2016, at 500 North Calvert Street, 3rd Floor, Baltimore, Maryland 21202.

.03 Fees and Costs.

A. (text unchanged)

B. Retired Status. The Board sets the fee for a retired status license at [\$68] \$50.

C. — D. (text unchanged)

DIANE CHO
Chair

State Board of Architects

Subtitle 22 BOARD OF COSMETOLOGISTS

09.22.01 General Regulations

Authority: Business Occupations and Professions Article, §§5-205 and 5-206, Annotated Code of Maryland

Notice of Proposed Action

[16-150-P]

The Board of Cosmetologists proposes to amend Regulation .13 under **COMAR 09.22.01 General Regulations**. This action was considered at a public meeting held on May 9, 2016, notice of which was posted on the agency’s website, pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to eliminate duplicate and certification fees charged by the Board of Cosmetologists to senior cosmetologists, cosmetologists, estheticians, shop owners, and apprentices.

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 Shirley Leach, Executive Director, Maryland Board of Cosmetologists, 500 N. Calvert Street, 3rd Floor, Baltimore, Maryland 21202, or call 410-230-6194, or email to shirley.leach2@maryland.gov, or fax to 410-962-8482. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

.13 Fees.

A.—B. (text unchanged)

C. Duplicate License Fee. If a licensee, permit holder, or registrant requires a duplicate license, permit, or registration, the [applicant shall pay a fee in an amount equal to 1/2 the applicable fee set forth in §B of this regulation] *duplicate will be provided without charge.*

D. (text unchanged)

E. Certification Fee. The Board shall certify the licensing, registration, or permit status and qualifications of any person [upon the payment of a certification fee of \$25] *for no charge.*

F.—I. (text unchanged)

SHIRLEY LEACH
Executive Director
Board of Cosmetologists

Subtitle 24 BOARD OF PUBLIC ACCOUNTANCY

09.24.01 General Regulations

Authority: Business Occupations and Professions Article, §§2-102, 2-207, 2-209, 2-304—2-307, 2-309, 2-311, 2-313, and 2-416, Annotated Code of Maryland

Notice of Proposed Action

[16-146-P]

The Maryland Board of Public Accountancy proposes to amend Regulation .09 under **COMAR 09.24.01 General Regulations**. This action was considered by the Board at a public meeting held on May 3, 2016, notice of which was published on the Board’s website, pursuant to General Provisions Article §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to repeal the fee charged for a license verification certificate.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed regulation would eliminate the fee the Board charges to individuals to prepare license verification certificates. The repeal of this fee would save individuals \$25 for each verification that is requested. The proposed regulation would result in an annual reduction in Board revenue of approximately \$8,500.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:		
Reduction in revenue	(R-)	\$8,500

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

Benefit (+) Cost (-)	Magnitude
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- D. On regulated industries or trade groups:
 - (1) CPA industry groups NONE
 - (2) Savings to individuals (+) \$25 each

E. On other industries or trade groups: NONE

F. Direct and indirect effects on public: NONE

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

A. The Board receives, on average 340 verification requests annually. This number times \$25 equals \$8,500.

D(1). An individual who requests an license verification would save \$25 for each verification.

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 Dennis L. Gring, Executive Director, Maryland Board of Public Accountancy, 500 N. Calvert Street, 3rd Floor, Baltimore, MD 21202, or call 410-230-6224, or email to dennis.gring@maryland.gov, or fax to 410-962-8482. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Board of Public Accountancy during a public meeting to be held on September 6, 2016, at 9 a.m., at 500 North Calvert Street, 3rd Floor Conference Room, Baltimore, MD 21202.

.09 Fees.

Fees charged by the Board are as follows:

- A.—O (text unchanged)
- [P. License verification certificate — \$25;]
- [Q.] P. (text unchanged)

ARTHUR E. FLACH
Chair
Maryland Board of Public Accountancy

**Subtitle 34 OFFICE OF CEMETERY
OVERSIGHT**

09.34.03 Fees

Authority: Business Regulation Article, §§5-204 and 5-205, Annotated Code of Maryland

Notice of Proposed Action

[16-152-P]

The Office of Cemetery Oversight proposes to amend Regulation .03 under **COMAR 09.34.03 Fees.**

Statement of Purpose

The purpose of this action is to reduce the fees charged for business name changes, personal name changes, and business address changes from \$50 to \$25 for each change.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The economic impact is overall minimal. The fees charged for business name and address changes and personal name changes are rarely charged, as these changes occur very seldom.

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

A. On issuing agency:

Fees (R-) Minimal

B. On other State agencies: NONE

C. On local governments: NONE

D. On regulated industries or trade groups:

Fees (+) Minimal

E. On other industries or trade groups: NONE

F. Direct and indirect effects on public: NONE

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

A. The department will lose a minimal amount of fee revenue due to the elimination of these three fees.

D. The elimination of these fees will have a minimally positive effect on the regulated industry since they will no longer have to pay these fees.

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 Marilyn Harris-Davis, Director, Office of Cemetery Oversight, 500 N. Calvert Street, 3rd Floor, Baltimore, Maryland 21202, or call 410-230-6228, or email to marilyn.harris-davis@maryland.gov, or fax to 410-333-6314. Comments will be accepted through July 25, 2016. A public hearing will be held on July 28, 2016, at 10:30 a.m., at 500 N. Calvert Street, Ste. 300, Baltimore, Maryland 21202, to consider the comments and advice of the Advisory Council on Cemetery Operations, representatives of the cemetery industry, and the public.

.03 Other Fees.

Other fees are as follows:

- A. — H. (text unchanged)
- I. Business name change—[\$50] \$25;

- J. Personal name change—[\$50] \$25; and
- K. Business address change—[\$50] \$25.

MARILYN HARRIS-DAVIS
 Director
 Office of Cemetery Oversight

Title 10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 01 PROCEDURES

10.01.17 Fees for Food Protection, Public Pools, Public Spas, Public Spray Grounds, and Youth Camp Programs

Authority: Health-General Article, §§2-104, 14-403, 21-301, 21-308, 21-309, 21-309.1, 21-403, 21-412, 21-808, and 21-812, Annotated Code of Maryland

Notice of Proposed Action [16-155-P]

The Secretary of Health and Mental Hygiene proposes to amend Regulation .02 under **COMAR 10.01.17 Fees for Food Protection, Public Pools, Public Spas, Public Spray Grounds, and Youth Camp Programs.**

Statement of Purpose

The purpose of this action is to reduce:

- (1) The application fee for annual day camps and public pools or spas; and
- (2) The plan review fee for food processing plants and food service facilities.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The reduction of fees for day camps, public pools or spas, and food processing plants will decrease General Fund revenues and decrease expenditures for the regulated industry. The application and plan review fees range from \$50 to \$900. However, the Department will collect less revenue in the form of application and plan review fees totaling \$46,870. The regulated industry is expected to benefit from the lower fees by reducing costs either to start a new business or continue operations. There is no economic impact on other State agencies or local governments.

II. Types of Economic Impact.	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
A. On issuing agency:	(R-)	\$46,870
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:	(+)	\$46,870

E. On other industries or trade groups: NONE

F. Direct and indirect effects on public: NONE

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

A. This estimate is based on fees collected in the previous fiscal year (2015), and assumes the same number and type of applicant when the regulations become effective. This includes a decrease in fee collections of \$8,970 from the proposed 5 percent reduction in fees for day camps, \$34,300 from the proposed \$100 reduction in fees for plan reviews for 343 food processors, and \$3,600 from the proposed \$100 reduction in fees for plan reviews for 36 pool plan reviews. All fees collected are deposited into the General Fund.

D. There are benefits to certain day camps, public pools or spas, and food processing plants that include a savings of \$8,970 from the proposed 5 percent reduction in fees for day camps, \$34,300 from the proposed \$100 reduction in fees for plan reviews for 343 food processors, and \$3,600 from the proposed \$100 reduction in fees for plan reviews for 36 pool plan reviews. The Department notes that of the 343 applications for food processors, 162 applications were for prototype retail food facilities, and would not be considered to be small businesses because they involve prototypes for food service facilities for a retail chain or a franchise operation planning to construct two or more facilities in the State from a single uniform set of plans.

Economic Impact on Small Businesses

The proposed action has a meaningful economic impact on small business. An analysis of this economic impact follows.

Day camps will see a 5 percent decrease in the cost to apply for an operating certificate under the Department's day camp program. This will benefit smaller day camps by decreasing their costs to start or operate a day camp. Small businesses in food manufacturing and pool operators will experience a \$100 decrease in the cost of submitting a plan for review to the Department. The Department notes that of the 343 applications for food processors, 162 applications were for prototype retail food facilities, and would not be considered to be small businesses because they involve prototypes for food service facilities for a retail chain or a franchise operation planning to construct two or more facilities in the State from a single uniform set of plans.

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, or fax to 410-767-6483. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

.02 Fees.

The following fees are established by the Secretary:

A. (text unchanged)

B. Annual youth camp application fee based on estimated camper days, that is, the estimated average number of campers enrolled each day multiplied by the estimated number of days a camp intends to operate during a camp season, for:

(1) Except as specified in §B(2) of this regulation:

(a) [Day] *On or before December 31, 2016, day camp:*

(i)—(iii) (text unchanged)

- (iv) Greater than 5,000 camper days — \$900; [and]
- (b) *Effective January 1, 2017, day camp:*
 - (i) 1 to 500 camper days — \$190;
 - (ii) 501 to 2,000 camper days — \$500;
 - (iii) 2,001 to 5,000 camper days — \$665; and
 - (iv) Greater than 5,000 camper days — \$855; and
- [(b)] (c) (text unchanged)

(2) For a youth camp that is in good standing as defined in COMAR 10.16.06.02:

- (a) [Day] *On or before December 31, 2016, day camp:*
 - (i)—(iii) (text unchanged)
 - (iv) Greater than 5,000 camper days — \$225; [and]
- (b) *Effective January 1, 2017, day camp:*
 - (i) 1 to 500 camper days — \$45;
 - (ii) 501 to 2,000 camper days — \$125;
 - (iii) 2,001 to 5,000 camper days — \$165; and
 - (iv) Greater than 5,000 camper days — \$215; and
- [(b)] (c) (text unchanged)

C. (text unchanged)

D. Except for a local subdivision with delegated authority, plan review fee for food processing plants:

- (1) Bakery plant — [\$400] \$300;
- (2) Bottled water plant — [\$400] \$300;
- (3) Cannery — [\$400] \$300;
- (4)—(5) (text unchanged)
- (6) Confectionary plant — [\$400] \$300;
- (7) Crab meat plant — [\$400] \$300;
- (8) Food manufacturing plant — [\$400] \$300;
- (9) (text unchanged)
- (10) Food warehouse or distribution center — [\$400] \$300;
- (11) Frozen food manufacturing plant — [\$400] \$300;
- (12) Ice manufacturing plant — [\$400] \$300;
- (13)—(15) (text unchanged)
- (16) Shellfish:
 - (a) Shucking, packing, or repacking plant — [\$400] \$300;
 - (b)—(c) (text unchanged)

E. Plan review fee for a food service facility that is a retail chain or a franchise operation planning to construct two or more facilities in the State from a single uniform set of plans — [\$400] \$300;

F. (text unchanged)

G. Except for a local subdivision with delegated authority, application review fee for:

- (1) Construction of a public pool or spa — [\$400] \$300;
- (2)—(3) (text unchanged)

VAN T. MITCHELL
Secretary of Health and Mental Hygiene

Subtitle 03 HEALTH STATISTICS

10.03.01 Vital Records

Authority: Health-General Article, §4-217(c); Ch. 316, Acts of 2016, Annotated Code of Maryland

Notice of Proposed Action

[16-154-P]

The Secretary of Health and Mental Hygiene proposes to amend Regulation .08 under **COMAR 10.03.01 Vital Records**.

Statement of Purpose

The purpose of this action is to reduce from \$24 to \$10 the fee collected by the Department for issuance of a certified or abridged copy of a birth certificate, issuance of the first copy of a certified death certificate issued in a single transaction, a report that a search of the birth or death certificate files was made and the requested

record was not on file, and for each change to a birth or death certificate made later than 1 year after the certificate was registered with the Department. In addition, the proposed regulation reduces from \$20 to \$10 the fee that is transferred to the General Fund for a birth or death certificate that is issued by a local health department. These changes are being made in accordance with Ch. 316, Acts of 2016.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. There will be a reduction in revenue of approximately \$3.6 million per year since fees for birth and death certificates and related matters will be reduced.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	(R-)	\$3,600,000/year
B. On other State agencies:	(E-)	\$72,800
C. On local governments:	(E-)	\$12,600
	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:	(+)	\$3,600,000/year

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

A. and F. Assuming that 140,052 birth certificates and 49,182 first copies of death certificates are issued; 3,043 changes are made to birth and death certificates more than 1 year after registration; and 95,752 certificates are issued by local health departments, the public and government agencies that request copies of vital records will pay \$3,600,000 less in fees, resulting in a comparable loss in revenue. All fees collected by the Division of Vital Records are transferred to the General Fund.

B. Approximately 5,200 certificates a year are issued to other State agencies; the reduction in fees will result in a reduction of expenditures of approximately \$72,800 per year.

C. Approximately 900 certificates a year are issued to local government agencies; the reduction in fees will result in a reduction of expenditures of approximately \$12,600 per year.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michele Phinney, Director, Office of Regulation and Policy Coordination, Department of Health and

Mental Hygiene, 201 W. Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to dhmh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

.08 Inspection of Records and Disclosure of Information.

A.—H. (text unchanged)

I. Fees Collected by the Department.

(1) The Department shall collect a \$12 fee when the Department:

(a) Issues a certified or abridged copy of a:

(i) Death certificate *provided concurrently with an initial requested death certificate*;

(ii)—(vi) (text unchanged)

(b) Issues a report that a search of the [death,] fetal death, marriage, or divorce files was made and a requested record is not on file;

(c) Makes an amendment to a [death,] fetal death[,] or marriage certificate pursuant to a request made more than 1 year after the certificate was registered with the Department; or

(d) (text unchanged)

(2) The Department shall collect a [\$24] \$10 fee when the Department:

(a) Issues a certified or abridged copy of [a birth certificate,];

(i) *A birth certificate*; or

(ii) *The first copy of a death certificate issued in a single transaction*;

(b) Issues a report that a search of the birth *or death* certificate files was made and a requested record is not on file; or

(c) Makes an amendment to a birth *or death* certificate pursuant to a request made more than 1 year after the certificate was registered with the Department.

J. Fees Collected by Local Health Departments.

(1) (text unchanged)

(2) From the fee collected for providing a certificate or report under §J(1) of this regulation, the local health department shall transfer [\$20] \$10 to the General Fund of the State.

K.—N. (text unchanged)

VAN T. MITCHELL
Secretary of Health and Mental Hygiene

Notice of Proposed Action

[16-153-P]

The Secretary of Health and Mental Hygiene proposes to:

(1) Amend Regulation .03 under **COMAR 10.07.02 Comprehensive Care Facilities and Extended Care Facilities**;

(2) Amend Regulations .05 and .06 under **COMAR 10.07.03 Health Care Staff Agencies**;

(3) Amend Regulation .03 under **COMAR 10.07.04 Related Institutions — Residential Treatment Centers for Emotionally Disturbed Children and Adolescents**;

(4) Amend Regulation .05 under **COMAR 10.07.08 Freestanding Medical Facilities**;

(5) Amend Regulation .04 under **COMAR 10.07.10 Home Health Agencies**;

(6) Amend Regulation .07 and under **COMAR 10.07.14 Assisted Living Programs**;

(7) Amend Regulation .02 and repeal Regulation .03 under **COMAR 10.07.15 Application for Hospitals and Related Institutions**;

(8) Amend Regulation .04 under **COMAR 10.07.21 Hospice Care Programs**;

(9) Amend Regulations .03, .04, and .06 under **COMAR 10.10.03 Medical Laboratories — Licenses**;

(10) Amend Regulations .01 and .02 and repeal Regulation .03 under **COMAR 10.10.04 Medical Laboratories**;

(11) Amend Regulation .04 under **COMAR 10.10.12 Medical Laboratories — Public Health HIV Testing Programs**;

(12) Amend Regulation .04 under **COMAR 10.12.04 Day Care for the Elderly and Adults with a Medical Disability**;

(13) Amend Regulation .05 and repeal Regulation .06 under **COMAR 10.23.01 Advance Directive Registry**;

(14) Amend Regulation .01 under **COMAR 10.51.02 Responsibilities, Accreditations, and Audits**; and

(15) Amend Regulations .02 and .03 and repeal Regulation .04 under **COMAR 10.51.03 Licenses**.

Statement of Purpose

The purpose of this action is to eliminate or reduce the licensing fees for the regulated industries listed in the Notice of Proposed Action.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The reduction and elimination of the various fees proposed will accrue cost savings to various health care providers who are required to obtain initial and renewal licenses from the Department of Health and Mental Hygiene.

Specifically, the following provider types will receive annual fee decreases as listed below.

- Comprehensive care facilities \$690,600
- Health care staffing agencies \$86,550
- Residential treatment centers for emotionally disturbed children and adolescents \$20
- Freestanding medical facilities \$1,000
- Home health agencies \$19,600
- Assisted living facilities \$357,980
- Intermediate care facility for individuals with intellectual disabilities \$6,654
- Hospice care program \$2,700
- Clinical laboratories \$506,655
- Public health HIV testing \$900
- Day care for elderly adults with medical disabilities \$72,036
- Forensic laboratories \$5,480

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	(R-)	\$1,750,175
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:	(+)	\$1,750,175
E. On other industries or trade groups:	NONE	

F. Direct and indirect effects on public: NONE

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

A. and D. This estimate is based on elimination and reductions of fees collected for the 12 provider categories encompassed by the cited COMAR regulations in the previous fiscal year (2015), and assumes the same number and type of applicant when the regulations become effective. This includes a decrease in annual fee collections of \$357,980 from the proposed 75 percent reduction in fees for assisted living facilities, as well as a \$1,000 annual decrease in fee collections from the proposed 33 percent reduction in fees for freestanding medical facilities. All other fees associated with provider types contemplated in this proposal will be eliminated. All fees collected are deposited into the General Fund.

Economic Impact on Small Businesses

The proposed action has a meaningful economic impact on small business. An analysis of this economic impact follows.

Assisted living facility operators will see a 75 percent decrease in initial and renewal license costs. As a large proportion of assisted living providers in Maryland are small businesses, this will result in a significant positive economic impact to the owners.

Operators of freestanding medical facilities will see a reduction of \$1,000 for 3-year license renewals. The Department notes that the three freestanding medical facilities in Maryland are associated with larger medical institutions and would not be considered small businesses.

The elimination of all fees set forth in the remaining COMAR regulations listed in this proposal will have a significant positive impact on small businesses. Small business owners constitute varying percentages of the operators of facilities in the industries affected by the fee eliminations, and represent hundreds of individual businesses in the State of Maryland.

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, or fax to 410-767-6483. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

Subtitle 07 HOSPITALS

10.07.02 Comprehensive Care Facilities and Extended Care Facilities

Authority: Health-General Article, §§19-308, 19-308.1, 19-323, and 19-1401 et seq.; Public Safety Article, §14-110.1; Annotated Code of Maryland

.03 Licensing Procedure.

A. Application for License.

(1) (text unchanged)

[(2) A nonrefundable 2-year license fee shall accompany the application based on the following payment schedule:

- (a) 1—50 beds: \$3,000;
- (b) 51—99 beds: \$5,000;
- (c) 100+ beds: \$7,000; and
- (d) Transitional care units: \$600.]

[(3)] (2)—[(6)] (5) (text unchanged)

[(7) A facility that is a transitional care unit with fewer than 50 beds and that is affiliated with a licensed Maryland hospital shall pay the 2-year license fee for a transitional care unit.]

[(8)] (6)—[(9)] (7) (text unchanged)

B. Restrictions of License.

(1)—(3) (text unchanged)

(4) Renewal of License.

(a) (text unchanged)

(b) The renewal application shall be[:

(i) Submitted] *submitted* on forms provided by the Secretary]; and

(ii) Accompanied by a nonrefundable 2-year license renewal fee based on the payment schedule in §A(2) of this regulation].

[(5) A facility that is a transitional care unit with fewer than 50 beds and affiliated with a licensed Maryland hospital shall pay the 2-year license renewal fee for a transitional care unit.]

[(6)] (5)—[(7)] (6) (text unchanged)

10.07.03 Health Care Staff Agencies

Authority: Health-General Article, Title 19, Subtitle 20, Annotated Code of Maryland

.05 Licensing Procedure.

A. Application for Licensure.

(1)—(2) (text unchanged)

(3) Along with the application, the applicant shall submit a[:

(a) Nonrefundable 1-year license fee of \$100 made payable to the Department; and

(b) Copy] *copy* of the agency’s policies and procedures as specified in Regulation .08 of this chapter.

B.—C. (text unchanged)

D. License Renewal.

(1) (text unchanged)

(2) Before a license expires, the agency may renew its license for an additional term, if the agency:

(a) Otherwise is entitled to be licensed; *and*

[(b) Pays to the Office the \$100 license renewal fee; and]

[(c)] (b) (text unchanged)

(3) (text unchanged)

E.—G. (text unchanged)

.06 Changes to Licensure Information.

A. (text unchanged)

B. Any change in agency ownership, name, or address requires the issuance of a new license [and a fee of \$150]. If the sale, transfer, assignment, or lease of an agency causes a change in the person or persons who control or operate the agency, the agency shall be considered a “new agency” and the new owner shall comply with all regulations of this chapter when applying for a new license.

C. (text unchanged)

10.07.04 Related Institutions — Residential Treatment Centers for Emotionally Disturbed Children and Adolescents

Authority: Health-General Article, §19-308, Annotated Code of Maryland

.03 Licensing Procedure.

A. Application. Applicants shall conform to the following:

(1)—(2) (text unchanged)

(3) [Each application shall be accompanied by a fee of \$10].

All licenses issued shall expire 1 year from the date of issuance unless revoked. [Fees will not be refunded.]

(4) (text unchanged)

(5) Renewal. Application for the renewal of the license shall be made each year at least 30 days before expiration of issued license, submitted on forms provided by the Secretary[, and accompanied by the \$10 license renewal fee. by the \$10 license renewal fee].

B.—F. (text unchanged)

10.07.08 Freestanding Medical Facilities

Authority: Health-General Article, §2-104 and Subtitle 19-3A, Annotated Code of Maryland

.05 Renewal of License.

A.—B. (text unchanged)

C. The application *fee* for license renewal shall be accompanied by a nonrefundable 3-year license renewal fee of [\$3,000] \$2,000.

10.07.10 Home Health Agencies

Authority: Health-General Article, §19-404, Annotated Code of Maryland

.04 General Licensure Provisions.

A. (text unchanged)

B. Application for License. An agency desiring to conduct, operate, or maintain a home health agency in the State shall file an application with the Secretary, on a form provided by the Secretary. [A nonrefundable licensing fee of \$350 shall accompany the application for licensure.]

C. Renewal of License. An agency shall file an application for renewal of the license at least 60 days before expiration of the issued license[, submitted] *and submit it* on forms provided by the Secretary [and accompanied by a nonrefundable license renewal fee of \$350].

D.—G. (text unchanged)

10.07.14 Assisted Living Programs

Authority: Health-General Article, Title 19, Subtitle 18, Annotated Code of Maryland

.07 Licensing Procedure.

A. Application for License.

(1)—(2) (text unchanged)

(3) Fees. The annual license fee schedule for assisted living programs is as follows:

(a) 1—4 beds: [\$200] \$50 annually;

(b) 5—15 beds: [\$300] \$75 annually;

(c) 16—49 beds: [\$450] \$125 annually;

(d) 50—99 beds: [\$650] \$165 annually;

(e) 100—149 beds: [\$1,000] \$250 annually; and

(f) 150 plus beds: [\$1,500] \$375 annually.

(4)—(5) (text unchanged)

B.—D. (text unchanged)

10.07.15 [License Fee Schedule] Application for Hospitals and Related Institutions

Authority: Health-General Article, §§19-320 and 19-323, Annotated Code of Maryland

.02 Application [and Fee] Requirements.

A. Any person desiring to open a related institution or to continue the operation of a related institution shall[:

A. File] *file* an application with the Secretary, on a form provided by the Secretary.

B. Applications on behalf of a corporation, association, or governmental unit or agency shall be made by two officers of the corporation, association, or governmental unit or agency and names of their board members shall be submitted.

C. Ownership of property, real estate, and equipment shall be disclosed if it is other than the licensee's.

D. The names of persons holding 2 percent or more of the stock or assets shall be disclosed.

[B. Submit to the Department the fee as prescribed under Regulation .03.]

10.07.21 Hospice Care Programs

Authority: Health-General Article, §19-903, Annotated Code of Maryland

.04 Application Procedure.

A. (text unchanged)

B. [To apply for an initial license or renewal of a license, an applicant shall:

(1) Submit an application to the Secretary on a form provided by the Secretary; and

(2) Pay to the Secretary an application fee of \$300.] *The applicant shall submit an application for an initial license or renewal of a license on a form provided by the Secretary.*

C.—E. (text unchanged)

Subtitle 10 LABORATORIES

10.10.03 Medical Laboratories — Licenses

Authority: Environment Article, §6-303; Health-General Article, §§2-104(b), 17-202, 17-205—17-210, 17-212, 17-502, 17-503, 17-505, 17-508, and 17-510; Annotated Code of Maryland

.03 Permits.

A.—B. (text unchanged)

C. Regulatory Requirements. A person operating a medical laboratory under a permit shall:

(1) Obtain, complete, and submit permit applications [and fees] as prescribed in this chapter and COMAR 10.10.04;

(2)—(5) (text unchanged)

.04 Letter of Exception and Permit—Administrative Procedures.

A. (text unchanged)

B. Application—Evaluation and Billing.

(1) The OHCQ shall review and evaluate an application in accordance with the standards and requirements of this subtitle to determine if[:

(a) An] *an application is complete[; and].*

[(b) A] (2) *The OHCQ shall review and evaluate an application in accordance with the standards and requirements of this subtitle to determine if the laboratory is eligible for a:*

[(i) (a)—[(iii) (c) (text unchanged)

[(2) After reviewing and evaluating an application, the OHCQ shall bill a laboratory and the laboratory shall immediately pay the applicable remaining balance of the licensing fee.]

C.—D. (text unchanged)

E. Amending a Permit. Except as prescribed in §D of this regulation, a licensee holding an unexpired permit who wishes to amend it shall:

(1) Submit a written request for amendment to the Secretary; *and*

[(2) Remit to the OHCQ a \$50 relicensing fee; and]

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

F.—G. (text unchanged)

.06 Letter of Exception—Limited Testing for Rare Diseases; Standards and Requirements.

A. Application Requirements and Testing Approval. A person required to obtain a license to operate a laboratory that chooses to

operate under a letter of exception—limited testing for rare diseases shall:

(1) Submit:

(a)—(b) (text unchanged)

(c) Documentation of the rare disease testing offered or performed, including but not limited to:

(i)—(v) (text unchanged)

(vi) Additional information necessary for determining eligibility and compliance with this subtitle; *and*

[(d) The licensing fee stated in COMAR 10.10.04.02B, unless the fee is waived as set forth in COMAR 10.10.04.01E; and]

(2) (text unchanged)

B.—E. (text unchanged)

10.10.04 Medical Laboratories [— Fees]

Authority: Health-General Article, §§17-202, 17-204, 17-205, 17-207, 17-209, 17-502, 17-503, and 17-506, Annotated Code of Maryland

.01 General.

A.—D. (text unchanged)

E. Fee Waiver. The Secretary may waive all licensing fees for a:

(1) Municipal or county health department; *or*

(2) Governmental agency that receives funding to operate from the State]; *or*

(3) Laboratory operating under a letter of exception—limited testing for rare diseases, if the laboratory is operated as:

(a) A not-for-profit entity; *or*

(b) Part of an accredited educational institution].

.02 Licensing — Letter of Exception [and Permit].

A. Letter of Exception. [Except as set forth in §C(4) of this regulation, a] A person applying for a letter of exception for a POL or POCL shall submit [a licensing fee of \$100 with] an initial application and biennially after that with each renewal application.

B. Letter of Exception — Limited Testing for Rare Diseases. A person applying for a letter of exception-limited testing for rare diseases for a laboratory shall submit [a licensing fee of \$100 with] an initial application and biennially after that with each renewal application.

[C. Permit — General.

(1) A person applying for a permit to operate a laboratory shall submit with each initial application a partial licensing fee of:

(a) \$50 when the application covers three or fewer disciplines; and

(b) \$200 when the application covers more than three disciplines.

(2) After evaluating the application for a permit, the OHCQ shall bill the person making application for the unpaid portion of a licensing fee by mailing an invoice listing the required fee as set forth in §C(3) of this regulation.

(3) A person obtaining or renewing a permit shall pay initially, and biennially after that, a licensing fee of \$200 for each discipline in which the laboratory offers to perform or performs tests.

(4) A person who qualifies for a letter of exception as set forth in COMAR 10.10.03.02 and performs one or more tests that require obtaining or renewing a permit shall pay initially, and biennially after that, a licensing fee of \$200 as set forth in §C(3) of this regulation for each discipline in which the laboratory offers to perform or performs nonexcepted tests.

(5) A person issued a permit under §C(4) of this regulation is not required to pay the partial licensing fees set forth in §C(1) of this regulation.

D. Permit — Cholesterol Testing.

(1) A person applying for a cholesterol testing permit to perform cholesterol testing at a temporary or mobile laboratory shall submit an initial licensing fee of:

(a) \$250 if there will be fewer than 21 testing events during the license year and they will be held at fewer than six testing sites;

(b) \$350 if there will be 21 to 40 testing events during the license year or they will be held at six to 11 testing sites; and

(c) \$450 if there will be more than 40 testing events during the license year or they will be held at 12 or more testing sites.

(2) A cholesterol testing permit holder shall pay an additional licensing fee equal to the difference between the initially submitted licensing fee and the higher licensing fee, as set forth under §D(1) of this regulation, when the cholesterol testing permit holder conducts more testing events or uses more testing sites than authorized in a given permit period.]

10.10.12 Medical Laboratories — Public Health HIV Testing Programs

Authority: Health-General Article, §§17-202, 17-204—17-210, Annotated Code of Maryland

.04 Public Health Testing License for Rapid HIV Antibody Testing and HCV Testing.

A.—D. (text unchanged)

E. To obtain, maintain, or renew a public health testing license, a person shall:

(1)—(2) (text unchanged)

(3) Submit to the Department:

(a) (text unchanged)

(b) The location of all testing sites; *and*

(c) (text unchanged)

[(d) A \$50 licensing fee for each initial license or license renewal, remitted as a check made payable to the Department of Health and Mental Hygiene; and]

(4) (text unchanged)

F.—G. (text unchanged)

Subtitle 12 ADULT HEALTH

10.12.04 Day Care for the Elderly and Adults with a Medical Disability

Authority: Health-General Article, §§2-104, 14-206, and 14-304; State Government Article, §10-226; Annotated Code of Maryland

.04 Licensing Procedure.

A. Letter of Interest.

(1)—(3) (text unchanged)

(4) Upon approval of the letter of interest, an application for licensure shall be submitted on the form developed by the Department [along with a licensure fee calculated under the provisions of §A(5) of this regulation].

[(5) License fee for initials and renewals.

(a) The 2-year license fee, based upon total licensed capacity of the center, shall be computed at a rate of \$200, plus \$12 times the licensed capacity of the center.

(b) The nonrefundable fee shall be payable by certified check or money order to the Department.]

B. (text unchanged)

C. Issuance of License. When the Department determines that the center has submitted a complete application, [including the required fee.] and that the center is in compliance with this chapter, the Department shall issue a license to operate the center.

D.—E. (text unchanged)

**Subtitle 23 ADVANCE DIRECTIVE
REGISTRY**

10.23.01 Advance Directive Registry

Authority: Health-General Article, §§5-620—5-626, Annotated Code of Maryland

.05 Amendment or Revocation of a Registered Advance Directive.

- A. (text unchanged)
- B. The Department shall amend the file of a registrant on receipt of:
 - (1) An application for amendment on a form provided by the Department; *and*
 - [(2) The required fee, as set forth in Regulation .06 of this chapter; and]
 - [(3)] (2) (text unchanged)
- C.—D. (text unchanged)

**Subtitle 51 FORENSIC
LABORATORIES**

10.51.02 Responsibilities, Accreditations, and Audits

Authority: Health-General Article, Title 17, Subtitle 2A, Annotated Code of Maryland

.01 Responsibilities of the Department.

- A.—C. (text unchanged)
- D. Administration and Information Management. The Department shall:
 - (1)—(3) (text unchanged)
 - [(4) Set and collect fees as set forth in COMAR 10.51.03.04;]
- and
- [(5)] (4) (text unchanged)
- E. (text unchanged)

10.51.03 Licenses [and Fees]

Authority: Health-General Article, Title 17, Subtitle 2A, Annotated Code of Maryland

.02 License — Requirements.

- A. Requirements. A person operating a forensic laboratory that performs one or more forensic analyses shall:
 - (1) Obtain, complete, and submit permit applications [and fees] as prescribed in this subtitle;
 - (2)—(3) (text unchanged)
- B. (text unchanged)

.03 License — Administrative Procedures.

- A. Application — Filing.
 - (1)—(2) (text unchanged)
 - [(3) A person shall submit with the application the nonrefundable application fee set forth in COMAR 10.51.03.04.]
- B. Application — Evaluation and Billing.
 - [(1)] The Department shall review and evaluate an application in accordance with the standards and requirements of this subtitle to determine if the:
 - [(a)] (1)—[(b)] (2) (text unchanged)
 - [(2) After reviewing and evaluating an application, the Department shall bill a forensic laboratory, and the forensic laboratory shall immediately pay the applicable licensing fee.]
- C. Application — Denial of License. If the Department determines that a forensic laboratory is not in compliance with the requirements

of this subtitle and therefore cannot be issued a license, the Department shall provide to the forensic laboratory:

- (1) (text unchanged)
- (2) The opportunity to:
 - (a) Amend and resubmit the application [upon payment of a new application fee]; or
 - (b) (text unchanged)
- D.—H. (text unchanged)

VAN T. MITCHELL
Secretary of Health and Mental Hygiene

Subtitle 32 BOARD OF PHYSICIANS

10.32.21 Licensure, Regulation, and Discipline of Naturopathic Doctors

Authority: Health Occupations Article, §§14-5F-1—14-5F-32, Annotated Code of Maryland

Notice of Proposed Action

[16-143-P]

The Secretary of Health and Mental Hygiene proposes to adopt new Regulations **.01—20** under a new chapter, **COMAR 10.32.21 Licensure, Regulation, and Discipline of Naturopathic Doctors**. This action was considered by the Board of Physicians at an emergency meeting held on February 16, 2016, notice of which was given on the Board of Physicians website on February 12, 2016. Other provisions of these regulations were approved at a public meeting held July 29, 2015, notice of which was given by publication on the Board of Physicians website, <http://www.mbp.state.md.us/forms/jul15FULLagenda.pdf>, from July 15, 2015, through July 29, 2015, pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to regulate how an individual becomes licensed as a naturopathic doctor and to regulate and discipline naturopathic doctors in general in accordance with Chs. 153 and 399, Acts of 2014.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The naturopathic doctor applicants will be assessed an initial licensure fee and thereafter a renewal fee.

II. Types of Economic Impact.	Revenue (R+/R-)	
	Expenditure (E+/E-)	Magnitude
A. On issuing agency: Board of Physicians	(E+)	\$103,905
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	
D. On regulated industries or trade groups:	(-)	\$20,540

E. On other industries or trade groups: NONE

F. Direct and indirect effects on public: NONE

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

A. and D. The revenue projected over 2 fiscal years is \$124,445, and includes employee salaries, benefits, materials, equipment, technology, travel and other fees directly associated with the regulatory oversight of naturopathic doctors. If the estimated 26 naturopathic doctors were to pay all expenses related to regulatory oversight by the Board, the cost would be \$4,786 per licensee (Board expenses \$124,445 divided by 26 projected licensees). However, the Board voted on February 16, 2016 to set the licensing fee at \$790, which results in a total of \$20,540 (26 projected licensees x \$790) and the Board will absorb the expenses not covered by the lower fee.

Economic Impact on Small Businesses

The proposed action has a meaningful economic impact on small business. An analysis of this economic impact follows.

An analysis of this economic impact follows. The Board of Physicians is not supported by the General Fund and therefore each health occupation is required to cover expenses related to regulation (Health Occupations Article, §14-205(a)(12), Annotated Code of Maryland (Supp.2015)). The projected operating expenses for FY 15 and FY 16 is \$124,445. With only 26 projected licensees, the initial licensure fee should be \$4,786 per licensee. However, the Board voted a licensing fee of \$790, and will absorb the expenses not covered by the new fee of \$790.

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.reg@maryland.gov, or fax to 410-767-6483. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

.01 Scope.

This chapter governs how an individual becomes licensed as a naturopathic doctor and how naturopathic doctors are regulated and disciplined.

.02 Definitions.

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

B. Terms Defined.

(1) "Approved naturopathic medical program" means a naturopathic medical education program:

(a) In the United States that:

(i) Provides the degree of Doctor of Naturopathy or Doctor of Naturopathic Medicine;

(ii) Offers a 4-year graduate level full-time didactic and supervised clinical training;

(iii) Is accredited or has achieved candidacy status for accreditation, by the council of naturopathic medical education or an equivalent federally and Board recognized accrediting body for naturopathic medical education programs; and

(iv) Is part of an institution of higher education that is either accredited, or is a candidate for accreditation, by a regional or national institutional accrediting agency recognized by the United States Secretary of Education;

(b) In a diploma-granting, degree-equivalent college or university in Canada that:

(i) Offers graduate level, full-time didactic and supervised clinical training; and

(ii) Is accredited, or has achieved candidacy status for accreditation, by the council of naturopathic medical education or an equivalent federally and Board recognized accrediting body for participation in government-funded student aid programs; or

(c) Has provincial approval for participation in government-funded student aid programs.

(2) "Articular manipulation" means manipulation of the joints up to but not including manipulation beyond the elastic limit and exclusive of low amplitude, high velocity thrusts, also known as Grade V manipulations.

(3) "Attestation" means a statement of intent.

(4) "Board" means the State Board of Physicians.

(5) "Collaborate" means a cooperative relationship between naturopathic doctors and licensed physicians, which does not imply or create a supervisory relationship between the licensed physician and the naturopathic doctor.

(6) "Collaboration and consultation agreement" means an agreement whereby a naturopathic doctor and physician will collaborate and consult regarding a patient's care, but in which the:

(a) Patient does not enter the care of the consulted physician;

(b) Consultation does not create a physician-patient relationship; and

(c) Consulted physician does not direct patient care or engage directly in the care of the patient.

(7) "Committee" means the Naturopathic Medicine Advisory Committee.

(8) "Consult" or "consultation" means a process whereby a naturopathic doctor seeks the advice or opinion of a licensed or certified health care provider as needed in the treatment of a patient, which may include discussion of the:

(a) Patient's diagnosis;

(b) Differential diagnoses and diagnostic method;

(c) Current naturopathic treatment;

(d) Patient's response thus far to naturopathic treatment;

(e) Potential medical and other options outside the naturopathic doctors scope of practice that might benefit the patient;

(f) Patient's potential response to diagnostic and treatment options outside the naturopathic doctor's scope of practice; and

(g) Patient's expected prognosis.

(9) "Corrective and orthopedic gymnastics" means therapeutic exercises, stretching, and other movement therapies intended to promote healing and rehabilitation.

(10) "Diagnostic imaging" includes, but is not limited to, X-ray, ultrasound, mammogram, bone densitometry, computed tomography (CT scans), magnetic resonance imaging (MRI scans), endoscopic exam, and all other forms of nuclear imaging.

(11) "Electromagnetic energy" means electric and magnetic energy administered through the use of a therapeutic device, including, but not limited to, transcutaneous electrical nerve stimulation, microcurrent electrical muscle stimulation, diathermy, infrared, ultra-violet treatments, and other devices which utilize electrical or magnetic force for therapeutic effect.

(12) "Electrotherapy" means treatment through application of electric energy administered through the use of therapeutic devices, including, but not limited to, transcutaneous electrical nerve stimulation, microcurrent electrical neuromuscular stimulation, and other devices which utilize electrical force for therapeutic effect.

(13) Goods.

(a) "Goods" means items that can be sold.

(b) “Goods” includes, but is not limited to, natural medicines referenced in Health Occupations Article, §14-5F—14(a)(3) and (4), Annotated Code of Maryland.

(14) Hydrotherapy.

(a) “Hydrotherapy” means external and internal applications of hot and cold water, ice, and steam for therapeutic purposes.

(b) “Hydrotherapy” includes, but is not limited to, hot or cold compresses, hydrocollator packs, hot or cold baths or showers involving the full body or specific body parts.

(15) “Licensed naturopathic doctor” means a naturopathic doctor who is licensed by the Board to practice naturopathic medicine.

(16) “Mechanical sciences of healing” means techniques and therapies which attempt to promote healing via mechanical or physical applications.

(17) “Mechanotherapy” means treatment by mechanical means including the use of durable medical and therapeutic devices.

(18) “Natural medicine” means medicine derived from mineral, animal, or botanical origin.

(19) “Naturopathic doctor” means an individual who practices naturopathic medicine.

(20) Naturopathic Medicine.

(a) “Naturopathic medicine” means the prevention, diagnosis, and treatment of human health conditions, injury, and disease using only patient education and naturopathic therapies and their therapeutic substances recognized by the council of naturopathic therapies and therapeutic substances recognized by the Council of Naturopathic Medical Education.

(b) “Naturopathic medicine” includes:

(i) Counseling;

(ii) The practice of the mechanical sciences of healing, including mechanotherapy, articular manipulations, corrective and orthopedic gymnastics, hydrotherapy, electrotherapy, and phototherapy; and

(iii) The practice of the material sciences of healing, including nutrition, phytotherapy, treatment by natural substances, and external applications.

(21) “Naturopathic musculoskeletal mobilization” means the treatment by manual and other mechanical means of all body tissues exclusive of high-velocity thrusts at or beyond the end range of normal joint motion.

(22) “Non-bona-fide treatment” means when:

(a) A naturopathic doctor treats or examines a patient in a way that involves sexual contact when there is no medical reason for the procedure; or

(b) The procedure falls outside a naturopathic doctor’s scope of practice.

(23) “Phototherapy” means treatment through application of light, including visible light, ultraviolet light, infrared, natural sources of light, and artificial sources of light.

(24) Physiological Function Tests.

(a) “Physiological function tests” means all tests performed to assess and diagnose physiological processes in all bodily systems.

(b) “Physiological function tests” include, but are not limited to, respiratory testing, heart rate, percent body fat, body composition, and others, as consistent with naturopathic medical education.

(25) “Phytotherapy” means treatment by use of botanical medicines.

(26) “Prescription drug” means any drug defined in the federal Food, Drug, and Cosmetic Act, 21 U.S.C. §§503(b), as amended, if the drug’s label is required to bear the statement “Rx only”.

(27) “Sexually exploitative relationship” means a naturopathic doctor taking advantage of an unequal relationship between the naturopathic doctor and patient, staff member, or student.

(28) “Therapeutic deception” means representation by a naturopathic doctor that sexual contact or sexual activity by or with a patient is consistent with or part of a patient’s treatment.

.03 Naturopathic Medicine Advisory Committee.

A. The Committee shall consist of five members appointed by the Board as follows:

(1) Two members shall be individuals who:

(a) Practice naturopathic medicine;

(b) Are certified by the North American Board of Naturopathic Examiners;

(c) Have a minimum of 2 years’ experience in naturopathic medicine; and

(d) By March 1, 2016 or thereafter, are licensed as a naturopathic doctor;

(2) One member:

(a) Shall be a consumer member;

(b) Shall be a resident of Maryland;

(c) May not be or ever have been licensed to practice a health occupation in Maryland; and

(d) May not have a substantial personal, business, professional, or pecuniary connection with naturopathic education, business, or practice;

(3) One member shall be a practicing:

(a) Licensed physician; or

(b) Doctor of osteopathy who is a member of the Board; and

(4) One member shall be a practicing licensed physician or practicing licensed doctor of osteopathy with experience working with naturopathic doctors by having met one or more of the following criteria:

(a) Worked in the same clinical practice as a licensed naturopathic doctor;

(b) Named in an attestation submitted by a licensed naturopathic doctor;

(c) Employed by a naturopathic medicine program accredited by the Council on Naturopathic Medical Education;

(d) Worked with, or supervised, a naturopathic resident completing a naturopathic medical residency accredited by the Council on Naturopathic Medical Education;

(e) Graduated from a naturopathic medical program accredited by the Council on Naturopathic Medical Education and holding a naturopathic doctor or naturopathic physician license in any state that licenses Naturopathic Doctors or Naturopathic Medical Doctors in addition to holding a medical doctorate or doctor of osteopathy physician’s license;

(f) Was a Diplomate of the American Board of Integrative Medicine, a graduate of any fellowship program in Integrative Medicine approved by the American Board of Integrative Medicine, a graduate of any fellowship program in Integrative Medicine approved by the American Board of Medical Specialties, or a diplomate of the American Board of Integrative Holistic Medicine; or

(g) Accrued at least 20 Category 1 continuing medical education credits, in the 2 years before serving, in topics of natural, nutritional, holistic or integrative medicine delivered by a professional association whose primary mission is the advancement of one of these fields.

B. The Committee shall:

(1) On request, review selected applications for licensure or reinstatement of naturopathic doctors and make recommendations to the Board as to what action to take on the applications;

(2) Review each written attestation;

(3) Make recommendations to the Board regarding regulations governing naturopathic doctors;

(4) Advise the Board on matters related to the practice of naturopathic medicine;

(5) Develop and recommend to the Board examination standards consistent with the statutory requirement;

(6) Develop and recommend to the Board a code of ethics for licensed naturopathic doctors; and

(7) Develop and recommend to the Board continuing education requirements for license renewal and reinstatement.

.04 Qualifications for Initial Licensure.

A. To qualify for a license, an applicant shall meet the following requirements:

(1) Be of good moral character;

(2) Be at least 21 years of age;

(3) Have a doctorate in naturopathic medicine from an approved naturopathic medical program;

(4) Pass a competency based national naturopathic licensing examination part I and part II administered by the North American Board of Naturopathic Examiners or its successor agency that is consistent with federal standards of education and training;

(5) Be physically and mentally capable of safely practicing naturopathic medicine with or without reasonable accommodation; and

(6) If an applicant is licensed, certified, or registered to practice naturopathic medicine or any other health occupation in another state, be in good standing with the applicable state licensing, certification, or registration authority.

B. To apply for a license, an applicant shall:

(1) Submit an application to the Board on a form that the Board requires;

(2) Pay to the Board an initial application fee as specified in Regulation .20 of this chapter;

(3) Submit to the Board a written attestation as provided in Regulation .05 of this chapter; and

(4) If the applicant has been licensed, certified, or registered to practice naturopathic medicine in another state, submit all evidence relating to:

(a) Any disciplinary action taken or any administrative penalties assessed against the applicant by the appropriate state licensing, certification, or registration authority; and

(b) Any consent agreements into which the applicant entered that contain conditions placed on the applicant's professional conduct and practice, including any voluntary surrender of a license.

C. The Board shall issue a license to an applicant who meets the requirements of this regulation.

.05 Written Attestation.

A. An applicant shall complete and submit to the Board a Board-approved written attestation that:

(1) States that the applicant has a collaboration and consultation agreement with a physician licensed in this State under Health Occupations Article, Title 14, Annotated Code of Maryland;

(2) Includes the name and license number of the physician with whom the applicant has a collaboration and consultation agreement;

(3) States that the applicant will require patients to sign a consent form in plain language that:

(a) The naturopathic doctor's practice of naturopathic medicine is limited to the scope of practice identified in Health Occupations Article, §14-5F-14, Annotated Code of Maryland; and

(b) Describes the differences in scope of practice between naturopathic doctors and physicians;

(4) States that naturopathic doctors shall refer patients to and consult with physicians and other health care providers licensed or certified under the Health Occupations Article as needed; and

(5) In cases where the naturopathic doctor diagnoses a patient with a life threatening condition, states that the naturopathic doctor shall:

(a) Counsel and discuss with the patient the potential benefits offered by other physicians or other healthcare professionals; and

(b) Attempt to make the appropriate referral.

B. An applicant shall inform the physician named as a collaborating physician in the attestation that the physician has been named.

.06 Documentation for Initial Licensure.

A. The applicant shall submit an application on a form supplied by the Board.

B. A completed application shall include:

(1) Verification of naturopathic medical education;

(2) Documentation of successful completion of the examination requirements as described in Regulation .04A(4) of this chapter, including submission of all of the applicant's scores sent directly to the Board from the examination authority or authorities;

(3) A statement from the applicant listing all disciplinary or adverse actions taken against the applicant by a:

(a) Hospital, related institution, alternative health system, or employer;

(b) Medical board;

(c) Licensing authority;

(d) Court; or

(e) Adjudicatory body;

(4) All application and licensing fees payable to the Board at the time the application is submitted to the Board;

(5) The applicant's Social Security number, which the Board shall use only for evaluation and identification of applicants and licensees, but may not disclose in any other context;

(6) Verification of licensure from all states where the applicant has ever held a license;

(7) Verification of voluntary licensure nonrenewal or voluntary surrender of license while the applicant was in good standing and not under disciplinary charges or investigation at the time the license was surrendered from states where the applicant no longer holds a license;

(8) A passport quality photograph;

(9) Information in the National Practitioner Data Bank including, but not limited to, the following:

(a) Medical malpractice judgments against the applicant;

(b) Settlements made by the applicant in naturopathic medical malpractice actions; and

(c) Actions taken against the applicant or the applicant's license by state disciplinary or licensing authorities;

(10) Documentation of competency in English by any of the following:

(a) Documentation of graduation from a recognized English-speaking high school or undergraduate school after at least 3 years of enrollment;

(b) Documentation of graduation from a recognized English-speaking professional school;

(c) Documentation of a passing score on the naturopathic licensing examination administered by the North American Board of Naturopathic Examiners; or

(d) Documentation of receiving:

(i) A score of at least 26 on the "Speaking Section" of the Internet-Based Test of English as a Foreign Language; or

(ii) A score of Advanced or higher on the Oral Proficiency Interview;

(11) A chronological list of:

(a) All activities, beginning with the date of completion of naturopathic medical school through the date of application, listed by month and year, that account for all periods of time, and include each job held, regardless of whether the job was:

(i) Medically related or not; and

(ii) Compensated or not;

(b) Any other activity engaged in, including all periods of unemployment;

(c) Any actions, by a state licensing or disciplinary board, or a comparable body in the armed services, denying an application for licensure, reinstatement, or renewal;

(d) Any actions taken against the naturopathic doctor's license, by a state licensing or disciplinary board, or a comparable body in the armed services, including but not limited to limitations of practice, required education, admonishment, reprimand, suspension, or revocation for an act that would be grounds for disciplinary action under Health Occupations Article, §14-5F-18, Annotated Code of Maryland;

(e) Any investigation or charge brought against the naturopathic doctor by a licensing or disciplinary body or comparable body in the armed services;

(f) Any medical or health professional license for which the naturopathic doctor has applied if the application was withdrawn for reasons that would be grounds for disciplinary action under Health Occupations Article, §14-5F-18, Annotated Code of Maryland; and

(g) Any investigation or charge brought against the naturopathic doctor by a hospital, related institution, or alternative health care system that would be grounds for action under Health Occupations Article, §14-5F-18, Annotated Code of Maryland;

(12) A plea of guilty or nolo contendere, a conviction, or receipt of probation before judgment for a criminal act including:

(a) A plea of guilty or nolo contendere, a conviction, or receipt of probation before judgment for an alcohol or controlled dangerous substance offense, including but not limited to driving while under the influence of alcohol or controlled dangerous substances; and

(b) An arrest which would provide a basis for investigation or charge which would be grounds for disciplinary action under Health Occupations Article, §14-5F-18, Annotated Code of Maryland;

(13) A physical or mental condition that currently impairs the naturopathic doctor's ability to practice medicine;

(14) The filing or settling of a medical malpractice action in which the naturopathic doctor is, or has been, named as a defendant within the past 5 years;

(15) The following additional information:

(a) Copies of the complaints, pleadings, and judgments in all malpractice claims if the applicant has had 3 or more claims in the 5 years before the filing of the application for licensure;

(b) Copies of all arrests, disciplinary actions, judgments, and final orders which occurred or were issued within the 7 years before submitting the application for licensure for driving while intoxicated, driving while under the influence of a chemical substance or medication, or any license probation, suspension, or revocation; and

(c) All naturopathic medical licensure, certification, and recertification examination results and the dates when these examinations were taken;

(16) If required by the Board and at the applicant's expense, a physical or mental examination, or both, by a physician or evaluation program for treatment of impaired naturopathic doctors, or both,

chosen by the Board to determine the applicant's ability to practice naturopathic medicine;

(17) On forms supplied by the Board, a release granting the Board access to relevant information from appropriate individuals, other institutions, and government agencies including, but not limited to:

(a) The National Practitioner Data Bank;

(b) Hospitals; and

(c) Other licensing bodies;

(18) On forms supplied by the Board, a release of any information which is not statutorily protected;

(19) Certificates and verifications from the certifying or verifying authority sent directly from: the national licensing authority, the naturopathic educational institution, and other state's licensing boards to the Board for applicants; and

(20) The certified translation of any of the documents required under this chapter, at the applicant's expense, for any documents required by this chapter that are in a language other than English.

C. Application Processing. The Board has designated a 4-month period for acting on applications as follows:

(1) Within 60 days after receipt of an application, the Board shall determine whether an application is complete;

(2) If the Board determines that the application is not complete, the Board shall send a notice of deficiency to the applicant;

(3) On receipt of the notice, the applicant shall correct the deficiency within 60 days or any other period specified in the notice; and

(4) If the applicant fails to correct the deficiency within the required period, the application will be closed and the applicant shall be required to:

(a) Submit a new application; and

(b) Pay the required fees specified in Regulation .20 of this chapter.

D. Withdrawal of Application.

(1) An applicant may not withdraw an application for initial licensure, renewal of a license, or reinstatement of a license without permission of the Board, if:

(a) The applicant is currently charged in another jurisdiction with conduct which would be grounds for discipline under the Health Occupations Article, §14-5F-18, Annotated Code of Maryland, if the applicant were licensed in this State;

(b) The applicant is under investigation in another jurisdiction for an allegation concerning conduct that would be grounds for discipline under Health Occupations Article, §14-5F-18, Annotated Code of Maryland, if the applicant were licensed in this State; or

(c) The Board is investigating the applicant or application or has issued a notice of intent to deny licensure.

(2) In determining whether to allow the withdrawal of a licensure application, the Board may consider such factors as the following:

(a) Issues of competence or conduct which caused the matter to be investigated;

(b) Duty to protect the public in other jurisdictions from duplicative expenditures on investigation of licensure applications; and

(c) Truthfulness of the applicant during the application process.

.07 Exceptions to Licensure Requirements.

The following individuals do not need to be licensed in order to practice naturopathy in Maryland:

A. An individual who is employed by the United States Government to practice naturopathic medicine while practicing within the scope of that employment;

B. A student who is enrolled in an approved naturopathic medical program while the student is participating in a course of study under the supervision of a licensed naturopathic doctor or a licensed professional in the field of study;

C. An individual who is licensed in another state to practice naturopathic medicine in the state for purposes of litigation may examine a patient, offer recommendations, and provide testimony; or

D. A naturopathic doctor licensed by and residing in another jurisdiction, if the naturopathic doctor is engaged in consultation with the naturopathic doctor in the state about a particular patient and does not direct patient care.

.08 Scope of Practice.

A license authorizes a licensee, consistent with naturopathic education, training, and competence demonstrated by passing the Naturopathic Physician Licensing Examination, to:

A. Order and perform physical and laboratory examinations for diagnostic purposes consistent with the education and training of naturopathic doctors, including:

- (1) Phlebotomy;
- (2) Clinical laboratory tests;
- (3) Orifical examinations;
- (4) Electrocardiograms with over read by a cardiologist; and
- (5) Physiological function tests;

B. Order diagnostic imaging studies, interpret the diagnostic imaging reports and have access to the images from these studies. Naturopathic doctors shall not perform the imaging procedures nor directly interpret the images themselves;

C. Dispense, order, or administer natural medicines, including, but not limited to, food, extracts of food, nutraceuticals, vitamins, amino acids, minerals, enzymes, botanicals and their extracts, and botanical medicines, homeopathic medicines and all dietary supplements and nonprescription drugs as defined by the Federal Food, Drug, and Cosmetic Act, as follows:

(1) Except for intravenous administration, the naturopathic doctor may order or dispense natural medicines that use various routes of administration, including:

- (a) Oral;
- (b) Nasal;
- (c) Auricular;
- (d) Ocular;
- (e) Rectal;
- (f) Vaginal;
- (g) Transdermal; and
- (h) Intramuscular; and

(2) The naturopathic doctor may only administer natural medicines through transdermal administration;

D. Administer or perform hot or cold hydrotherapy, naturopathic physical medicine, electromagnetic energy and therapeutic exercise for the purpose of providing basic therapeutic care services, except that if a referral to another licensed provider is appropriate for ongoing rehabilitation or habilitation services, the naturopathic doctor shall make the referral;

E. Provide health education and health counseling; and

F. Perform naturopathic musculoskeletal mobilization.

.09 Prohibited Actions.

An individual who is solely licensed as a naturopathic doctor may not:

A. Prescribe, dispense, or administer any prescription drug;

B. Perform surgical procedures;

C. Unless licensed under the Health Occupations Article, Annotated Code of Maryland, practice or claim to practice as:

- (1) A medical doctor or physician;
- (2) An osteopath;
- (3) A dentist;

(4) A podiatrist;

(5) An optometrist;

(6) A psychologist;

(7) A nurse practitioner;

(8) A physician assistant;

(9) A chiropractor;

(10) A physical therapist;

(11) An acupuncturist; or

(12) Any other health care professional;

D. Use general or spinal anesthetics;

E. Administer ionizing radioactive substances for therapeutic purposes;

F. Perform chiropractic adjustments or manipulations that include high velocity thrusts at or beyond the end range of normal joint motion unless the licensee is also a licensed chiropractor; or

G. Perform acupuncture unless the licensee is also a licensed acupuncturist.

.10 Renewals, Reinstatement, and Inactive Status.

A. The term of a license renewed by the Board is 2 years from the date of renewal.

B. A license expires at the end of its term unless the license is renewed as provided by the Board.

C. At least 1 month before the license expires, the Board shall send to the licensee a renewal notice that states:

(1) The date on which the current license expires;

(2) The date by which the renewal application shall be received by the Board for the renewal to be issued before the license expires; and

(3) The amount of the renewal fee as specified in Regulation .20 of this chapter.

D. The Board shall renew the license of a licensee who:

(1) Submits a renewal application on the form that the Board requires;

(2) Pays a renewal fee as specified in Regulation .20 of this chapter;

(3) Is otherwise entitled to be licensed;

(4) Meets the continuing education requirements as set forth in Regulation 11 of this chapter; and

(5) Provides evidence of biennial cardiopulmonary resuscitation certification.

E. If a license is revoked or suspended, the naturopathic doctor shall surrender the license to the Board on demand. At the end of a suspension period, the Board shall return to the licensee any license surrendered under this section.

F. If the disciplinary panel has revoked or suspended the license of a licensee, the Board may not reinstate the license until the Board is satisfied that the individual:

(1) Has complied with all the terms and conditions in the final order; and

(2) Is capable of safely engaging in the practice of naturopathic medicine.

G. The Board may not reinstate the license of an individual whose license was revoked by the Board within 6 months after the date of the revocation.

.11 Continuing Education Requirements.

A. Requirements. A licensed naturopathic doctor shall take 50 hours of continuing education credits during every 2-year renewal period.

B. The courses selected shall be approved by any of the following:

(1) The American Association of Naturopathic Physicians;

(2) The Maryland Association of Naturopathic Physicians;

(3) The Accreditation Council for Continuing Medical Education;

(4) The Accreditation Council for Pharmacy Education; or

(5) A naturopathic doctor’s licensing authority or professional association of another state which meets the standards adopted by the American Association of Naturopathic Physicians.

.12 Grounds for Discipline.

Subject to the hearing provisions Health Occupations Article, §14-405, Annotated Code of Maryland, the Board, on the affirmative vote of a majority of its members then serving as a quorum of the Board, may deny a license to any applicant, or a disciplinary panel, on the affirmative vote of a majority of a quorum of the disciplinary panel, may reprimand any licensee, place any licensee on probation, or suspend or revoke a license of any licensee if the applicant or licensee:

A. Is habitually intoxicated, or is addicted to or habitually abuses any narcotic or controlled dangerous substance, as defined in Criminal Law Article, §5-101, Annotated Code of Maryland, or any drug without a valid prescription or indication, or provides professional services while under the influence of alcohol or using any narcotic or controlled dangerous substance, as defined in Criminal Law Article, §5-101, Annotated Code of Maryland;

B. Has been found to be mentally incompetent by a physician if the mental incompetence impairs the ability of the applicant or licensee to undertake the practice of naturopathic medicine in a manner consistent with the safety of the public;

C. Has entered into a consent agreement with or has been assessed an administrative penalty by a licensing authority in another state;

D. Fraudulently or deceptively obtains, or attempts to obtain, or uses a license for the applicant, the licensee, or another;

E. Has a license revoked or suspended, or was otherwise acted against, including the denial of licensure, by the licensing authority of another state;

F. Uses false, deceptive, or misleading advertising;

G. Advertises, practices, or attempts to practice under a name other than the applicant’s or licensee’s own name;

H. Aids, assists, employs, or advises any unlicensed individual to practice naturopathic medicine;

I. Willfully makes or files a false report or record in the practice of naturopathic medicine;

J. Willfully or negligently fails to file a report or record as required by law, willfully impedes or obstructs the filing or recording of a report, or induces another to fail to file or record a report;

K. Pays or receives any commission, bonus, kickback, or rebate, or engages in any split-fee arrangement in any form with a licensed physician, organization, agency, or other person, either directly or indirectly, for patients referred to health care providers;

L. Exercises influence within a patient-doctor relationship for purposes of engaging a patient in sexual activity;

M. Engages in sexual misconduct with a patient;

N. Fails to keep written medical records justifying the course of treatment of a patient;

O. Engages in an act or omission that does not meet generally accepted standards of practice of naturopathic medicine or of safe care of patients, whether or not actual injury to a patient is established;

P. Delegates professional responsibilities to an individual when the licensee delegating the responsibilities knows or has reason to know that the individual is not qualified by training, experience, or licensure to perform the responsibilities;

Q. Promotes the sale of services, drugs, devices, appliances, or goods to a patient so as to exploit the patient for financial gain;

R. Breaches patient confidentiality;

S. Is guilty of unprofessional or immoral conduct in the practice of naturopathic medicine;

T. Offers, undertakes, or agrees to cure or treat a disease by a secret method, treatment, or medicine;

U. Knowingly fails to report suspected child abuse in violation of § 5-704 of the Family Law Article;

V. Sells, prescribes, gives away, or administers drugs for illegal or illegitimate purposes;

W. Denies or discriminates against an individual with regard to the provision of professional services for which the licensee is licensed and qualified to render because the individual is HIV positive;

X. Fails to cooperate with a lawful investigation of the Board;

Y. Abandons a patient; or

Z. Violates any provision of this title or this chapter.

.13 Sanctioning Guidelines.

A. Subject to provisions of Regulation .09A and B of this chapter, the disciplinary panel may impose sanctions as outlined in §B of this regulation on physicians for violations of Health Occupations Article, §§1-302, 14-404(a), and 14-504, Annotated Code of Maryland.

B. Range of Sanctions.

Ground	Maximum Sanction	Minimum Sanction
(1) Is habitually intoxicated, or is addicted to or habitually abuses any narcotic or controlled dangerous substance	Revocation	Suspension until physician is in treatment and has been abstinent for 6 months
(2) Has been found to be mentally incompetent by a physician, and that incompetence impairs the ability to practice naturopathic medicine	Revocation	Suspension until mental incompetence is addressed to the Board’s satisfaction
(3) Has entered into a consent agreement with or has been assessed an administrative penalty by a licensing authority in another state	Comparable to Penalty Imposed	Comparable to Penalty Imposed
(4) Fraudulently or deceptively obtains, attempts to obtain, or uses a license for the applicant or another	Revocation	Reprimand and probation for 2 years
(5) Has a license revoked or suspended, or was otherwise acted against, including the denial of licensure, by the licensing authority of another state	Revocation	Comparable to Penalty Imposed
(6) Uses false, deceptive, or misleading advertising	Revocation	Reprimand
(7) Advertises, practices, or attempts to practice under a name other than the applicant’s or licensees own name	Revocation	Reprimand

(8) Aids, assists, employs, or advises any unlicensed individual to practice naturopathic medicine	Revocation	Reprimand
(9) Willfully makes or files a false report or record in the practice of naturopathic medicine	Revocation	Reprimand
(10) Willfully or negligently fails to file a report or record as required by law, willfully impedes or obstructs the filing or recording of a report, or induces another to fail to file or record a report	Revocation	Reprimand
(11) Pays or receives any commission, bonus, kickback, or rebate, or engages in any split fee arrangement in any form with a licensed physician, organization, agency, or other person, either directly or indirectly, for patients referred to health care providers	Revocation	Reprimand
(12) Exercises influence within a patient-doctor relationship for purposes of engaging a patient in sexual activity	Revocation	Reprimand
(13) Engages in sexual misconduct with a patient	Revocation	Reprimand
(14) Fails to keep written medical records justifying the course of treatment of a patient	Revocation	Reprimand
(15) Engages in an act or omission that does not meet generally accepted standards of practice of naturopathic medicine or of safe care of patients, whether or not actual injury to a patient is established	Revocation	Reprimand
(16) Delegates professional responsibilities to an individual when the licensee delegating the responsibilities knows or has reason to know that the individual is not qualified by training, experience, or licensure to perform the responsibilities	Suspension	Reprimand
(17) Promotes the sale of services, drugs, devices, appliances, or goods to a patient as to exploit the patient for financial gain	Revocation	Reprimand
(18) Breaches patient confidentiality	Revocation	Reprimand
(19) Is guilty of unprofessional or immoral conduct in the practice of naturopathic medicine	Revocation	Reprimand and probation for 2 years
(20) Offers, undertakes, or agrees to cure or treat a disease by a secret method, treatment, or medicine	Revocation	Reprimand
(21) Knowingly fails to report suspected child abuse in violation of Section 5-704 of the Family Law Article	Suspension	Reprimand
(22) Sells, prescribes, gives away, or administers drugs for illegal or illegitimate purposes	Revocation	Reprimand
(23) Denies or discriminates against an individual with regard to the provision of professional services for which the licensee is licensed and qualified to render because the individual is HIV positive	Revocation	Reprimand
(24) Fails to cooperate with a lawful investigation of the Board	Revocation	Reprimand and probation for 3 years
(25) Abandons a patient	Revocation	Reprimand
(26) Violates any provision of this title or any of these regulations adopted by the Board	Revocation	Reprimand

.14 Investigations and Hearings.

A. Except as otherwise provided in State Government Article, Title 10, Subtitle 2, Annotated Code of Maryland, before the Board or a disciplinary panel takes any action under Health Occupations Article, §14-5F-18(a), Annotated Code of Maryland, the Board shall give the individual against whom the action is contemplated an opportunity for a hearing before the Board or disciplinary panel in accordance with the hearing requirements of Health Occupations Article, §14-405, Annotated Code of Maryland.

B. Crime Involving Moral Turpitude.

(1) On the filing of certified docket entries with the Board by the Office of the Attorney General, a disciplinary panel shall order the suspension of a license if the licensee is convicted or pleads guilty or nolo contendere with respect to a crime involving moral turpitude,

whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.

(2) After completion of the appellate process, if the conviction has not been reversed or the plea has not been set aside with respect to a crime involving moral turpitude, a disciplinary panel shall order the revocation of a license on the certification by the office of the attorney general.

C. The Board shall investigate any complaint filed with the Board that alleges that there are grounds for action under Health Occupations Article, §14-5F-18, Annotated Code of Maryland.

D. An investigation and any reports and recommendations related to the investigation are confidential, subject to the exceptions under §E of this regulation..

E. On the request of a person who has made a complaint to the Board, the Board shall provide the person with information on the status of the complaint.

F. The Board shall give notice and the Board or disciplinary panel hold the hearing in accordance with the Administrative Procedure Act.

G. The individual may be represented at the hearing by counsel.

H. Over the signature of an officer or the administrator of the Board or disciplinary panel, the Board or disciplinary panel may issue subpoenas and administer oaths in connection with any investigation under Health Occupations Article, §14-5F-18, Annotated Code of Maryland, and any hearings or proceedings before the Board or disciplinary panel.

I. If, without lawful excuse, a person disobeys a subpoena from the Board or an order by the Board to take an oath or to testify or answer a question, then, on petition of the Board, a court of competent jurisdiction may punish the person as for contempt of court.

J. If, after due notice, the individual against whom the action is contemplated fails or refuses to appear, the Board or disciplinary panel may hear and determine the matter.

K. Appeal.

(1) Any person aggrieved by a final decision of the Board or a disciplinary panel under Health Occupations Article, §14-5F-01 et seq., Annotated Code of Maryland, in a contested case, as defined in the Administrative Procedure Act, may take a direct judicial appeal.

(2) The appeal shall be made as provided for judicial review of final decisions in the Administrative Procedure Act.

(3) An order of the Board or a disciplinary panel may not be stayed pending judicial review.

(4) The Board may appeal from any decision that reverses or modifies an order of the Board or a disciplinary panel.

L. The Board may issue a cease and desist order for:

(1) Practicing naturopathic medicine without a license or with an unauthorized person; or

(2) Supervising or aiding an unauthorized person in the practice of naturopathic medicine.

.15 Cost of Bringing an Action Against a Licensee.

A. If, after a hearing, a licensee is found to have violated provisions of Health Occupations Article, §14-5F-18, Annotated Code of Maryland, the Board shall impose a fee on the licensee that shall approximate the Board's cost of bringing the proceedings against the licensee.

B. The hearing costs may include any or all of the following expense items:

- (1) Services rendered by court reporters;
- (2) Transcriptions of the hearing record by court reporters;
- (3) Expenses related to witnesses appearing for the State;
- (4) Obtaining or reproducing documents, exhibits, or other evidentiary items;
- (5) Hearing-related per diems and expenses for Board members; or
- (6) Any other expenses directly related to the investigation and prosecution of the disciplinary action against the licensee.

.16 Unauthorized Practice of Naturopathic Medicine and Title and Identification as Naturopathic Doctor.

A. Except as otherwise provided in this chapter, an individual may not practice, attempt to practice, or offer to practice naturopathic medicine in this State without a license. An individual who violates this section:

(1) Is guilty of a felony and upon conviction is subject to a fine not exceeding \$10,000 or imprisonment not exceeding 5 years or both; and

(2) Is subject to a civil fine of no more than \$50,000 to be levied by the Board.

B. Unless an individual is licensed to practice naturopathic medicine, the individual may not:

(1) Represent to the public by title, by description, of service, methods, or procedures, or otherwise, that the individual is licensed by the Board to practice naturopathic medicine;

(2) Use the title "doctor of naturopathic medicine", "doctor of naturopathy", naturopathic doctor", or "naturopath"; or

(3) Use the initials "N.D.," "ND", "NMD", or "N.M.D." after the name of the individual.

C. An individual licensed to practice naturopathic medicine in this State may not use the title "physician".

D. A naturopathic doctor engaged in the private practice of naturopathic medicine in the state shall:

(1) Wear an identification badge tag or badge which identifies that individual as a naturopathic doctor; and

(2) Identify himself or herself to all patients as a naturopathic doctor.

E. An individual may not identify himself or herself as a naturopathic doctor unless licensed by the Board.

.17 Reporting Requirements.

A. A licensed naturopathic doctor, a licensed health care practitioner, a health care facility as defined in Health-General Article, §19-114, Annotated Code of Maryland, located in the State, and a State agency shall file a written report with the Board if the person has information that gives the person reason to believe that a licensed naturopathic doctor is or may be:

- (1) Medically or legally incompetent;
- (2) Engaged in the unauthorized practice of naturopathic medicine;
- (3) Guilty of unprofessional conduct; or
- (4) Mentally or physically unable to engage safely in the practice of naturopathic medicine.

B. This report shall be filed within 30 days of an individual or entity becoming aware of this information.

C. A health care facility shall report promptly to the Board if:

(1) A licensed naturopathic doctor voluntarily resigns from the staff of the health care facility, voluntarily limits the licensee's staff privileges, or fails to reapply for hospital privileges at the health care facility; and

(2) The action of the licensee occurs while the licensee is under formal or informal investigation by the health care facility for possible medical incompetence, unprofessional conduct, or mental or physical impairment.

.18 Advertising.

An advertisement may not contain:

- A. A statement containing misrepresentation of facts;
- B. Statements that cannot be verified by the Board for truthfulness;
- C. Statements likely to mislead or deceive because in context the statements make only a partial disclosure of relevant facts;
- D. Statements intended to, or likely to, create false or unjustified expectations of favorable results;
- E. Statements containing representations or implications that in reasonable probability can be expected to cause an ordinary prudent person to misunderstand or be deceived;
- F. Statements containing representations that a naturopathic doctor is willing to perform any procedure which is illegal under the laws or regulations of this State or the United States;
- G. Statements that are untruthful and improbable or contain, misstatements, falsehoods, misrepresentations, distorted, or fabulous statements as to cures;

H. Statements that misrepresents the nature, characteristics, or qualities of natural medicines or services provided by a naturopathic doctor pursuant to Health Occupations Article, §14-5F-14(a)(3), (4), (5), (6), or (7), Annotated Code of Maryland;

I. Statements that a manifestly incurable condition can be permanently cured;

J. Statements promoting herbal, natural, or dietary supplements as drugs contrary to the laws, rules, and regulations of the Federal Food, Drug, and Cosmetic Act as amended by the Dietary Supplement Health and Education Act of 1994;

K. Advertising that does not comply with state or federal law, including the:

(1) Federal Trade Commission Act, Section 12 of 15 U.S.C. §52;

(2) Federal Food, Drug and Cosmetic Act, 21 U.S.C. §§301-397;

(3) Maryland Food, Drug, and Cosmetic Act, Health-General Article, §21-207, et seq., Annotated Code of Maryland; and

(4) Commercial Law Article, §14-2902, Annotated Code of Maryland;

L. Statements recommending any modality of care that is inconsistent with the health, safety, and welfare of the public; or

M. Statements made as defined in Health-General Article, §§21-247 and 21-248, Annotated Code of Maryland.

.19 Code of Ethics.

A. Naturopathic doctors shall concern themselves primarily with the welfare of the patient.

B. A naturopathic doctor who suffers from a physical, mental, or emotional impairment, including substance abuse, that impacts the individual's ability to practice naturopathic medicine shall seek professional treatment and refrain from the practice of naturopathic medicine until the impairment no longer exists or reasonable accommodations can be made.

C. A naturopathic doctor shall:

(1) Use professional discretion and integrity in relationships with a member of the health care community;

(2) Be professional in conduct, with honesty, integrity, self-respect, and fairness;

(3) Remain free from conflict of interest while fulfilling the objectives and maintaining the integrity of the naturopathic doctor profession;

(4) Provide accurate fee information to the patient, the individual responsible for payment for treatment, and the insurer;

(5) At all times respect the patient's dignity, autonomy, and privacy;

(6) Practice naturopathic medicine only as defined in the scope of practice set forth in Health Occupations Article, §14 5F-14(a), Annotated Code of Maryland;

(7) Cooperate with any lawful investigation conducted by the Board, including:

(a) Furnishing information requested in a timely manner as directed by the Board;

(b) Complying with a subpoena;

(c) Responding to a complaint at the request of the Board; and

(d) Providing meaningful and timely access to relevant patient records; and

(8) Report to the Board conduct in the practice of naturopathic medicine that indicates a violation of:

(a) This chapter;

(b) Health Occupations Article, Title 14-5F, Annotated Code of Maryland; or

(c) Any other law, including, but not limited to, aiding or abetting the unauthorized practice of naturopathic medicine.

D. A naturopathic doctor may not:

(1) Misrepresent credentials, qualifications, or affiliations and shall attempt to correct others who misrepresent the naturopathic doctor's credentials, qualifications, or affiliations;

(2) Knowingly engage in or condone behavior that is fraudulent, dishonest, or deceitful, or involves moral turpitude;

(3) Engage in a commercial activity which conflicts with the duties of a naturopathic doctor;

(4) Perform naturopathic medicine on a patient if a contraindication against naturopathic doctor treatment exists;

(5) Discriminate against a patient or a health care provider based on race, religion, age, gender, sexual orientation, national origin, or disability;

(6) Intimidate, threaten, influence, or attempt to influence any person regarding any violation of law or regulation; or

(7) Aid or abet any individual violating or attempting to violate any provision of law or regulation.

E. A naturopathic doctor shall:

(1) Use professional judgment in the use of evaluation and treatment procedures;

(2) Decline to administer treatment if the naturopathic doctor believes that a treatment is contraindicated or unjustified;

(3) Terminate a professional relationship with a patient in an appropriate manner, such as:

(a) Providing the patient with sufficient notice to permit the patient to obtain the services of another professional;

(b) Assisting the patient by providing referrals if appropriate; or

(c) Continuing to provide emergency treatment to the patient if treatment is required before a reasonable time has passed to allow the patient to obtain the services of another health care provider;

(4) Maintain a written record of treatment of the patient under the naturopathic doctor's care for at least:

(a) 5 years after the termination of treatment; and

(b) 5 years after the patient becomes 18 years old, if applicable;

(5) Make the written records of treatment available to the patient upon request, in compliance with applicable laws for disclosure of medical records;

(6) Make arrangements for another professional to provide for the needs of the patient during anticipated absences when the naturopathic doctor is unavailable to the patient;

(7) Make referrals only to other qualified and duly licensed health care providers;

(8) Accurately inform the patient, other health care professionals, and the public of the limitations of the practice of naturopathic medicine;

(9) Adequately assess the patient to determine if contraindications against naturopathic medical treatment exist and refer the patient to an appropriate health care practitioner;

(10) Exercise independent professional judgment in the treatment or evaluation of the patient regardless of whether the patient was referred by another health care provider;

(11) Ensure clear and concise professional communications with patients regarding:

(a) Nature and duration of treatment;

(b) Diagnoses;

(c) Costs;

(d) Billing; and

(e) Insurance; and

(12) Administer fair and equitable fees to patients regardless of status or insurance.

F. A naturopathic doctor may not:

- (1) Accept a client for treatment, or continue unnecessary treatment, when the patient cannot be reasonably expected to benefit from the treatment;
- (2) Receive remuneration from, or provide remuneration to, or split a fee, for either making or accepting a referral of the patient to or from another health care provider;
- (3) Make a guarantee or promise about the efficacy of a particular treatment, the naturopathic doctor's practice, or the result of a treatment unless supported by scientific principles accepted by the profession; or
- (4) Exploit the professional relationship by:
 - (a) Continuing treatment unnecessarily; or
 - (b) Charging for a service:
 - (i) Not provided; or
 - (ii) Different from those actually provided.

G. A naturopathic doctor shall:

- (1) Maintain professional boundaries, even when the patient initiates crossing the boundaries of the professional relationship; and
- (2) Respect and maintain professional boundaries and respect the patient's reasonable expectation of professional conduct.

H. A naturopathic doctor may not:

- (1) Exploit a relationship with a patient, staff member, or student for the naturopathic doctor's personal advantage including, but not limited to, a personal, sexual, romantic, or financial relationship;
- (2) Engage in a sexually intimate act with a patient; or
- (3) Engage in sexual misconduct, which includes, but is not limited to:
 - (a) Therapeutic deception;
 - (b) Non-bona-fide treatment; and
 - (c) A sexually exploitative relationship.

I. A naturopathic doctor may not engage in inappropriate behavior with other practice staff including sexual advances, harassment, discrimination, exploitation, retaliation, and other unprofessional conduct.

J. A naturopathic doctor shall:

- (1) Respect and maintain the privacy and confidentiality of the patient;
- (2) Disclose the patient's records or information about the patient only with the patient's consent or as required by law;
- (3) Adequately safeguard confidential patient information, including storage and disposal of records;
- (4) Provide sufficient information to a patient to allow the patient to make an informed decision regarding treatment, including:
 - (a) The purpose and nature of an evaluation or treatment regimen;
 - (b) Alternatives to treatment;
 - (c) Side effects and benefits of a treatment regimen proposed and alternatives to that treatment;
 - (d) The estimated cost of treatment and alternatives to treatment;
 - (e) The right of the patient to:
 - (i) Withdraw from treatment at any time, including the risks associated with withdrawing from treatment;
 - (ii) Decline to participate in treatment if an aspect of the treatment will be recorded, documented, photographed, observed, or otherwise used in an educational program; or
 - (iii) Terminate any treatment contract at any time, for any or no reason, with no fee or penalty incurred;
- (5) Obtain the full informed consent of a patient participating in a human research program, without communicating a direct or implied penalty for the patient's

refusal to participate in the program and with due regard for the patient's autonomy and dignity;

- (6) Comply with applicable federal and state laws for human research programs; and
- (7) Promptly and efficiently respond to any patient or Board request for records.

K. A naturopathic doctor shall:

- (1) Obtain additional training, information, and supervision as needed to perform a new technique or service in a new specialty area or when employing a new treatment modality; and
- (2) Be current in the qualifications to practice, including meeting continuing education requirements as set forth in Regulation 11 of this chapter.

L. The naturopathic doctor may not perform a treatment or provide a service that the naturopathic doctor is not qualified to perform or which is beyond the scope of the naturopathic doctor's education, training, capabilities, experience, and scope of practice.

M. A naturopathic doctor may not construe any failure to specify a particular ethical, legal, or professional duty in this chapter as a denial of the existence of other ethical, legal, or professional duties or responsibilities that are equally as important and generally recognized in the naturopathic medicine profession.

N. A violation in this chapter may result in the Board taking action pursuant to Health Occupations Article, §14-5F-18, Annotated Code of Maryland.

.20 Fees.

Starting on March 1, 2016, the fees are as follows:

A. Initial application fee—\$790;

B. Renewal Fee:

(1) Biennial license renewal fee—\$486; and

(2) The Maryland Health Care Commission fee as determined by Maryland Health Care Commission under COMAR 10.25.03

VAN T. MITCHELL
Secretary of Health and Mental Hygiene

Subtitle 35 POSTMORTEM EXAMINERS COMMISSION

10.35.01 Medical Examiner Cases

Authority: Health-General Article, §§5-307 and 5-311, Annotated Code of Maryland

Notice of Proposed Action

[16-156-P]

The Secretary of Health and Mental Hygiene proposes to amend Regulation .14 under **COMAR 10.35.01 Medical Examiner Cases**.

Statement of Purpose

The purpose of this action is to reduce the fee for a copy of an official medical examiner's autopsy report from \$30 to \$25 for a first-degree relative and from \$120 to \$100 for all others.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. This proposal will result in a reduction in the fee for a copy of an official medical examiner's autopsy report from \$30 to \$25 for a first-degree relative and from \$120 to \$100 for all others.

**Subtitle 47 ALCOHOL AND DRUG
ABUSE ADMINISTRATION**
10.47.08 Overdose Response Program

Authority: Health-General Article, Title 13, Subtitle 31, Annotated Code of Maryland

Notice of Proposed Action
[16-144-P]

The Secretary of Health and Mental Hygiene proposes to amend Regulations .02—.06, adopt new Regulation .07, recodify existing Regulations .07 and .09 to be Regulations .08 and .10, respectively, and amend and recodify Regulations .08, .10, and .11 to be Regulations .09, .11, and .12, respectively under **COMAR 10.47.08 Overdose Response Program**.

Statement of Purpose

The purpose of this action is to:

- (1) Authorize advanced practice registered nurses and pharmacists to conduct overdose prevention educational training programs;
- (2) Provide for an exception to training requirements for a patient who receives a naloxone prescription under the provisions of the law;
- (3) Exempt persons who are authorized to dispense naloxone from prescription drug dispensing permit requirements;
- (4) Provide immunity from liability; and
- (5) Repeal the collection of fees that public or private entities may collect from individuals.

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, or fax to 410-767-6483. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

.02 Definitions.

- A. (text unchanged)
- B. Terms Defined.
 - (1) "Advanced practice nurse" has the meaning stated in Health Occupations Article, §8-101, Annotated Code of Maryland.
 - [(1)] (2)—[(5)] (6) (text unchanged)
 - (7) "Licensed physician" means an individual licensed to practice medicine in Maryland under Health Occupations Article, Title 14, Annotated Code of Maryland.
 - [(6)] (8) (text unchanged)
 - [(7) "Nurse practitioner" means an individual currently:
 - (a) Licensed to practice registered nursing in Maryland under Health Occupations Article, Title 8, Annotated Code of Maryland; and

II. Types of Economic Impact.	Revenue (R+/R-)	
	Expenditure (E+/E-)	Magnitude
A. On issuing agency:	(R-)	\$13, 960
B. On other State agencies:	NONE	
C. On local governments:	NONE	
<hr/>		
	Benefit (+)	Magnitude
	Cost (-)	
D. On regulated industries or trade groups:	(+)	\$13,960
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

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

A. and D. There will be a revenue decrease to the Department and a savings to those who request a copy of the official autopsy report. The amount of \$13,960 is based on an estimated 944 first-degree relatives requesting autopsy reports × \$5 savings, plus an estimated 462 others requesting autopsy reports × \$20 savings.

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, or fax to 410-767-6483. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

.14 Release of Medical Examiner's Records.

A.—C. (text unchanged)

D. Fee Schedule.

(1) Autopsy reports may be sent electronically to the requestor. The fees schedule is the same for paper or electronic reports and is as follows:

(a) A fee of [\$30] \$25 for a first-degree relative may be charged; and

(b) A fee of [\$120] \$100 for all others may be charged for providing a requested autopsy report and included consultation reports.

(2)—(7) (text unchanged)

E. (text unchanged)

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(b) Certified as a nurse practitioner in Maryland by the State Board of Nursing.]

(9) “Pharmacist” means an individual licensed to practice pharmacy in Maryland under Health Occupations Article, Title 12, Annotated Code of Maryland.

[(8) “Physician” means an individual currently licensed to practice medicine in Maryland under Health Occupations Article, Title 14, Annotated Code of Maryland.]

[(9)] (10)—[(10)] (11) (text unchanged)

(12) “Standing order” means a written instruction for the prescribing and dispensing of naloxone to a certificate holder in accordance with Health-General Article, Title 13, Subtitle 31, Annotated Code of Maryland.

.03 Authorization of a Private or Public Entity.

A. Application for Authorization. A private or public entity that seeks to conduct educational training and refresher training programs and to issue and renew certificates under Health-General Article, Title 13, Subtitle 31, Annotated Code of Maryland, shall submit to the Department:

(1) (text unchanged)

(2) Identifying information for any licensed physician, [or] advanced practice registered nurse [practitioner], and pharmacist who will directly conduct, or who will supervise any individual who will conduct, the educational training and refresher training programs, including:

(a)—(e) (text unchanged)

(f) Professional credentials, including:

(i) For licensed physicians, State license number; [and]

(ii) For [nurse practitioners] advanced practice registered nurses, a State [registered nurse] license number; and

(iii) For pharmacists, a State license number.

(3) If applicable, a copy of any written agreement between a supervisory licensed physician, [or supervisory] advanced practice registered nurse [practitioner], or pharmacist and the private or public entity required under Regulation [.04A(6)(c)] .04A(6)(d) of this chapter;

(4) [If applicable, a] A description of ancillary topics to be covered in addition to the core educational training [program] curriculum provided by the Department pursuant to Regulation .04A(2) of this chapter, and copies of [associated] any training materials to be used during instruction;

(5) For a private or public entity intending to dispense naloxone to certificate holders, [who present a valid prescription, information on] a copy of the entity’s naloxone dispensing protocols;

(6)—(7) (text unchanged)

B.—D. (text unchanged)

E. Authorization Renewal.

(1) (text unchanged)

(2) An authorized private or public entity shall submit to the Department a completed renewal application form, along with any fee required by the Department, [later than 90 days before expiration of the current authorization] on a schedule set by the Department.

(3)—(5) (text unchanged)

F.—G. (text unchanged)

.04 Educational Training Programs and Refresher Training Programs.

A. Educational Training Programs.

(1) (text unchanged)

(2) An educational training program shall include a core curriculum provided by the Department [for use by all authorized private and public entities]. The core curriculum shall include training in:

(a)—(d) (text unchanged)

(e) The care of an individual after the administration of naloxone; and

[(f) How to obtain a prescription for naloxone and have that prescription filled; and]

[(g)] (f) (text unchanged)

[(3) An educational training program shall provide notification of the reasons why a certificate may be suspended or revoked and information on the process for appealing a suspension or revocation.]

(3) The Department may approve multiple core curricula:

(a) For use in training specific populations;

(b) For delivery in specific settings; or

(c) Based on other relevant factors.

(4) (text unchanged)

(5) A private or public entity authorized by the Department under this chapter may offer a training program online.

[(5)] (6) An educational training program shall be conducted by:

(a) A licensed physician;

(b) [A] An advanced practice registered nurse [practitioner; or];

(c) A pharmacist; or

[(c)] (d) An employee or volunteer of an authorized private or public entity [that maintains] who is supervised in accordance with a written agreement [with] between the private or public entity and a supervisory licensed physician [or] , advanced practice registered [supervisory] nurse [practitioner], or pharmacist that includes:

(i) (text unchanged)

(ii) Information as to how the employee or volunteer providing the information will be trained and evaluated by the supervisory licensed physician, [or] advanced practice registered nurse, [practitioner] or pharmacist;

(iii) (text unchanged)

(iv) A description of the procedure for and frequency of contact between the employee or volunteer, or both, and the supervisory licensed physician, [or supervisory] advanced practice registered nurse [practitioner], or pharmacist.

B. Refresher Training Programs.

(1) A private or public entity authorized by the Department under this chapter may offer a refresher training program as a requirement for renewal of a certificate under Regulation [.05D(1)] .05E of this chapter.

(2) A refresher training program shall include any information required by the Department to update any component of [the] a core curriculum provided by the Department for the educational training program set forth in §A of this regulation.

(3)—(4) (text unchanged)

.05 Certificates.

A. Application for a Certificate.

(1) An individual who seeks to receive a certificate shall submit an application on a form provided by the Department to a private or public entity authorized by the Department.

(2) Notwithstanding §A(1) of this regulation, a private or public entity may accept an oral application from an individual who seeks to receive a certificate, provided that the private or public entity:

(a) Receives from the individual all of the information required to be entered on the application form provided by the Department, and

(b) Records, in hard copy or electronic format, all of the required information, including the individual’s written or electronic signature, in a manner that may be reproduced and inspected by the Department.

B. Certificate Issuance. A private or public entity authorized by the Department under this chapter shall issue a certificate to an individual who:

(1)—(2) (text unchanged)

(3) Has successfully completed an educational training program offered by the authorized private or public entity; and

(4) Has submitted *information* to the authorized private or public entity [a completed application form] as required by §A of this regulation; and

(5) Has paid any fee required by the Department].

C. (text unchanged)

D. Certificate Term. A certificate issued pursuant to this regulation shall be valid for 2 years [from the date of issuance].

E. Certificate Renewal. An authorized private or public entity shall issue a renewal certificate to a certificate holder who has:

(1) [Submitted] *Applied* to an authorized private or public entity[,] *for renewal* not later than 90 days before the date of expiration of the certificate, [a completed certificate renewal application form provided] *on a form or in a manner required* by the Department[, along with any fee required by the Department]; and

(2) Successfully completed a refresher training program conducted by an authorized private or public entity that meets the requirements of Regulation .04B of this chapter, or demonstrated proficiency to the authorized private or public entity issuing the certificate, by means of an assessment that documents[, on a form provided by the Department,] the certificate holder's knowledge and skills necessary for:

(a)—(c) (text unchanged)

F. Certificate Replacement.

(1) An authorized private or public entity may issue a replacement certificate to replace a lost, destroyed, or mutilated certificate originally issued by the authorized private or public entity[, and may charge a reasonable fee for the replacement certificate].

(2) (text unchanged)

.06 Certificate Holders.

A. Authority of a Certificate Holder. A certificate holder may:

(1) On presentment of a valid certificate, receive from any licensed physician or [licensed] *advanced practice registered nurse [practitioner] with prescribing authority*, a prescription for naloxone and the necessary supplies for the administration of naloxone;

(2)—(3) (text unchanged)

B. (text unchanged)

C. A certificate holder who, in accordance with Health-General Article, Title 13, Subtitle 31, Annotated Code of Maryland, and this regulation, is administering naloxone to an individual experiencing, or believed by the certificate holder to be experiencing an opioid overdose, may not be considered to be practicing [medicine]:

(1) *Medicine* for the purposes of Health Occupations Article, Title 14, Annotated Code of Maryland; or

(2) *Registered nursing for the purposes of Health Occupations Article, Title 8, Annotated Code of Maryland.*

D. (text unchanged)

.07 Naloxone Prescribing and Dispensing.

A. A licensed physician or an advanced practice registered nurse with prescribing authority may prescribe and dispense naloxone to a certificate holder.

B. A registered nurse may dispense naloxone to a certificate holder in a local health department if the registered nurse complies with:

(1) *The formulary developed and approved under Health-General Article, §3-403(b), Annotated Code of Maryland; and*

(2) *The requirements established under of the Health Occupations Article, §8-512, Annotated Code of Maryland.*

C. A licensed physician or an advanced practice registered nurse with prescribing authority may prescribe and dispense naloxone to a certificate holder by issuing a standing order if the licensed physician or advanced practice registered nurse:

(1) *Is employed by the department or a local health department; or*

(2) *Supervises or conducts an educational training program under Health-General Article, §13-3104(d)(2), Annotated Code of Maryland, and Regulation .04 of this chapter.*

D. A licensed physician or an advanced practice registered nurse with prescribing authority who issues a standing order may delegate to the following individuals the authority for dispensing naloxone to a certificate holder:

(1) *A licensed registered nurse who:*

(a) *Is employed by a local health department; and*

(b) *Completes a training program approved by the Department; and*

(2) *An employee or a volunteer of a private or public entity who is authorized to conduct an educational training program in accordance with Regulation .04 of this chapter.*

E. A licensed health care provider who has dispensing authority also may dispense naloxone to a certificate holder in accordance with a standing order issued by a licensed physician.

[.08] .09 Suspension and Revocation of the Certificate of a Certificate Holder.

A.—C. (text unchanged)

D. Summary Suspension.

(1) (text unchanged)

(2) From the time of receipt of the notice of summary suspension, the former certificate holder may not *rely on the certificate to:*

(a) Obtain a prescription for naloxone from a *licensed physician or advanced practice registered nurse [practitioner] with prescribing authority;*

(b) Present a prescription for naloxone to be dispensed by a pharmacist, *licensed physician, or advanced practice registered nurse [practitioner] with prescribing authority;* or

(c) (text unchanged)

E.—G. (text unchanged)

[.10] .11 Record Maintenance and Reporting.

A.—B. (text unchanged)

C. Reporting Information to the Department. A private or public entity authorized by the Department shall report [annually] to the Department:

(1) Information on program operations, including:

(a)—(b) (text unchanged)

(c) For private or public entities authorized by the Department that dispense naloxone to certificate holders directly or by means of a voucher for redemption at a pharmacy:

(i)—(ii) (text unchanged)

(iii) Number of naloxone refills dispensed [and reason given for each refill dispensed]; and

(d) (text unchanged)

(2)—(3) (text unchanged)

D. (text unchanged)

[.11] .12 General Provisions.

A. (text unchanged)

[B Prescribing and Dispensing of Naloxone. A licensed physician or nurse practitioner may prescribe and dispense naloxone to a certificate holder.]

[C.] *B. Discipline of a Physician.* A licensed physician who prescribes or dispenses naloxone to a certificate holder in a manner consistent with the protocol established by the authorized private or public entity may not be subject to any disciplinary action under of the Health Occupations Article, Title 14, Annotated Code of Maryland, solely for the act of prescribing or dispensing naloxone to the certificate holder.

C. An advanced practice registered nurse with prescribing authority, who prescribes or dispenses naloxone to a certificate holder in a manner consistent with the protocol established by the authorized private or public entity, may not be subject to any disciplinary action under Health Occupations Article, Title 8, Annotated Code of Maryland, solely for the act of prescribing or dispensing naloxone to the certificate holder.

D. A cause of action may not arise against any licensed physician, advanced practice registered nurse with prescribing authority, or pharmacist for any act or omission when the physician, advanced practice registered nurse with prescribing authority, or pharmacist in good faith prescribes or dispenses naloxone and the necessary paraphernalia for the administration of naloxone to a certificate holder or patient under Health General Article, §13-3108, Annotated Code of Maryland.

E. An individual who administers naloxone to an individual who is or in good faith is believed to be experiencing an opioid overdose shall have immunity from liability under Courts and Judicial Proceedings Article, §§5-603 and 5-629, Annotated Code of Maryland.

VAN T. MITCHELL
Secretary of Health and Mental Hygiene

Title 11 DEPARTMENT OF TRANSPORTATION

Notice of Proposed Action [16-168-P]

The Administrator of the Motor Vehicle Administration proposes to amend:

- (1) Regulations **.03, .04, and .06** under **COMAR 11.11.05 Motor Vehicle Fees**; and
- (2) Regulation **.02** under **COMAR 11.15.16 Issuance, Renewal, Display, and Expiration of Registrations.**

Statement of Purpose

The purpose of this action is to eliminate or reduce four MVA fees, which will save Maryland residents money every year. The following fees are impacted:

- Shuttle permit;
- County sticker;
- Moped permit (issuance); and
- Moped permit (renewal).

MVA also proposes updating language to allow the Vehicle Emissions Inspection Program to use advanced testing methods.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The estimated economic impact to the Administration based on the proposed regulation is estimated to be an annual revenue decrease of \$6,430. Assuming an implementation date of September 1, 2016, the proposed regulation is

estimated to be a revenue decrease of \$5,358 in FY17. The decrease is the result of decreasing the fees for various motor vehicle fees. Based on the assumption and the information contained in this fiscal impact statement, the estimated economic impacts are as follows: (1) Moped Operator’s License New Issuance (from \$45 to \$20), 56% reduction; (2) Moped Operator’s License Renewal (from \$30 to \$15), 50% reduction; County Stickers (from \$5 to \$0) 100% reduction; Shuttle permit-Annual fee (from \$50 to \$25), 50% reduction.

II. Types of Economic Impact.	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
A. On issuing agency:	(R+)	\$5,358
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:	(+)	\$5,358

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

A. Under the proposed regulation, the projected decrease in revenue resulting from the decrease in fees is as follows:

Moped Operator’s License – New Issuance
FY15 Revenue = \$ 7,740
Projected Revenue with Proposed fee change = \$3,440 (\$7,740 x 44% (fee reduced from \$45 to \$20 = 56%)
Revenue Decrease = \$4,300 (\$7,740 - \$3,440)

Moped Operator’s License – Renewal
FY15 Revenue = \$690
Projected Revenue with Proposed fee change = \$345 (\$690 x 50% (fee reduced from \$30 to \$15 = 50%)
Revenue Decrease = \$345 (\$690-\$345)

Vehicle Registration Fees – Sales of County Stickers
FY15 Revenue = \$1,635
Projected Revenue with Proposed fee change = \$0 (\$1,635 revenue x 100% (fee reduced from \$5 to \$0 = 100% reduction
Revenue Decrease = \$1,635 (\$1,635-\$0)

Miscellaneous Fees – Shuttle Permit – Annual Fee
FY15 Revenue = \$300
Projected Revenue with Proposed fee change = \$150 (\$300 revenue x 50% (fee reduced from \$50 to \$25 - 50% fee)
Revenue Decrease = \$150 (\$300 - \$150)

Total decrease in annual revenue = \$6,430

FY 17 decrease (assuming September 1, 2016 effective date) = \$5,358

F. The \$5,358 decrease in cost to the public is based on the reduced fees and the fee elimination described above. Therefore, the annual benefit to the public is \$5,358.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Tracey C. Sheffield, Regulations Coordinator, Motor Vehicle Administration, 6601 Ritchie Highway N.E., Room 200, Glen Burnie, MD 21062, or call 410-768-7545, or email to tsheffield@mdot.state.md.us, or fax to 410-768-7506. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

Subtitle 11 MOTOR VEHICLE ADMINISTRATION — ADMINISTRATIVE PROCEDURES

11.11.05 Motor Vehicle Fees

Authority: Transportation Article, §12-104(b), Annotated Code of Maryland, and as cited in Regulations .02—.06 of this chapter

.03 Driver’s License and Identification Card Fees.

Service	Section	Fee
A. — C. (text unchanged)		
D. Moped Operator’s License:		
(1) New issuance	16-104.2 and 16-122	[45] 20
(2) (text unchanged)		
(3) Renewal	16-104.2 and 16-122	[30] 15
E. — I. (text unchanged)		

.04 Vehicle Registration Fees.

Service	Section	Fee
A. — J. (text unchanged)		
[K. County Stickers	13-410	5]

.06 Miscellaneous Fees.

Service	Section	Fee
A. — D. (text unchanged)		
E. [vehicle] Vehicle emissions inspection [Kiosk] advanced testing methods fee. Every other year.	23-207	\$10
F. — K. (text unchanged)		
L. Shuttle permit — Annual fee.	13-626	[\$50] \$25
M. — S. (text unchanged)		

Subtitle 15 MOTOR VEHICLE ADMINISTRATION — VEHICLE REGISTRATION

11.15.16 Issuance, Renewal, Display, and Expiration of Registrations

Authority: Transportation Article, §§12-104(b), 13-410, 13-412, and 13-413, Annotated Code of Maryland

.02 Display of Registration Cards, Temporary Authorization Certificates, Registration Plates, County Stickers and Validation Stickers.

- A. —D. (text unchanged)
- E. County Sticker.

(1) The owner of a class vehicle specified in Transportation Article, §13-410, Annotated Code of Maryland, may [purchase and] display on a registration plate the name of the county in which the owner resides.

(2) The owner of a vehicle may [purchase] *obtain* a county sticker [upon issuance of new or replacement plates for a fee set forth in COMAR 11.11.05. This fee is in addition to the annual registration fee] *that is approved and offered by the Administration.*

(3) — (4) (text unchanged)

CHRISTINE NIZER
Administrator
Motor Vehicle Administration

Title 15 DEPARTMENT OF AGRICULTURE

Subtitle 14 BOARD OF VETERINARY MEDICAL EXAMINERS

15.14.12 Fees

Authority: Agriculture Article, §2-303, Annotated Code of Maryland

Notice of Proposed Action
[16-145-P]

The State Board of Veterinary Medical Examiners proposes to amend Regulation .02 under **COMAR 15.14.12 Fees.**

Statement of Purpose

The purpose of this action is to reduce technician registration and hospital license fees to be paid to the State Board of Veterinary Medical Examiners.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. There will be a moderate impact on revenue received by the State Board of Veterinary Medical Examiners and a moderate impact on regulated persons beginning with the 2017 fiscal year for the reduction of veterinary technician registration fees and veterinary hospital license fees.

Title 26

DEPARTMENT OF THE ENVIRONMENT

Subtitle 05 BOARD OF WELL DRILLERS

26.05.02 Issuance, Renewal, and Reinstatement of Licenses

Authority: Environment Article, §13-101 et seq., Annotated Code of Maryland

Notice of Proposed Action

[16-167-P]

The Secretary of the Environment proposes to amend Regulation .10 under COMAR 26.05.02 Issuance, Renewal, and Reinstatement of Licenses.

Statement of Purpose

The purpose of this action is to reduce the fees assessed by the Board of Well Drillers for items and services provided.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The purpose of this regulatory action is to reduce the fees assessed by the Board of Well Drillers for items and services provided. The application fee will be reduced from \$150 to \$75, and the license and renewal fees will be reduced by 50%. There is no economic impact on local government, other State agencies, or other professionals or industries, or the general public.

II. Types of Economic Impact.	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
A. On issuing agency:	(R-)	\$35,500
B. On other State agencies:	NONE	
C. On local governments:	NONE	
<hr/>		
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:	(+)	\$35,500
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 State Board of Veterinary Medical Examiners registers 200 veterinary technicians and licenses 500 veterinary hospitals. The Board proposes to reduce the registration fee by \$65 (from \$215 to \$150). This results in a total revenue reduction of \$35,500 (200 x 15 = \$3,000; 500 x \$65 = 32,500) \$3,000 + 32,500 = \$35,500).

D. See II. A. above for magnitude of benefit to regulated industries.

F. Lower fees reduce the cost of doing business and may result in some unknown benefit to the public.

Economic Impact on Small Businesses

The proposed action has a meaningful economic impact on small business. An analysis of this economic impact follows.

The \$35,500 revenue not coming to the State Board of Veterinary Medical Examiners will stay with individuals and small businesses. It is difficult to quantify the exact positive impact, but there is some.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Ron Buckhalt, Executive Director, Maryland Department of Agriculture, 50 Harry S. Truman Parkway, or call (410) 841-5804, or email to ron.buckhalt@maryland.gov, or fax to (410) 841-5780. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

.02 Fees.

- A.—F. (text unchanged)
- G. Veterinary technician registration fee (triennial)—[\$75] \$60;
- H. Veterinary hospital license fee (annual)—[\$215] \$150;
- I.—K. (text unchanged)

JOSEPH BARTENFELDER
Secretary of Agriculture

II. Types of Economic Impact.	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
A. On issuing agency:	(R-)	0
B. On other State agencies:	NONE	
C. On local governments:	NONE	
<hr/>		
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:	(+)	\$60,000
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

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

A. It is anticipated that the General Fund of the State will receive fifty percent less revenue for application fees, initial license fees and renewal fees.

Revenues from the Board's certification and application fees vary from year to year based on the number of new licenses issued and the renewal cycles of existing licensees. Below are the revenues collected

for the past 3 fiscal years.
 FY2015: \$192,959
 FY2014: \$ 27,350
 FY2013: \$206,850

D. Assume a positive revenue to industry on decrease of fees.

Economic Impact on Small Businesses

The proposed action has a meaningful economic impact on small business. An analysis of this economic impact follows. They will see a positive economic impact of \$60,000 per year.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Christine Nagle, Acting Executive Director, Maryland Department of the Environment, Water Management Administration, 1800 Washington Blvd., Baltimore, MD 21230, or call 410-537-3584, or email to christine.nagle@maryland.gov, or fax to 410-537-3157. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

.10 Payment of Fees.

A.(text unchanged)

B. The following fees are established by the Board for items and services provided under this subtitle:

- (1) Application fee [\$150] \$75;
- (2) License fee:

License Class and Category	Initial Fee	Renewal Fee	Temporary Fee
(a) Master Well Driller			
(i) General	[\$300] \$150	[\$400] \$200	\$1,200
(ii) Geotechnical	[300] 150	[400] 200	1,200
(iii) Water Supply	[300] 150	[400] 200	1,200
(b) Journeyman Well Driller:			
(i) General	[200] 100	[300] 150	900
(ii) Geotechnical	[200] 100	[300] 150	900
(iii) Water Supply	[200] 100	[300] 150	900
(c) Well Rig Operator	[200] 100	[300] 150	900
(d) Water Conditioner Installer	[300] 150	[400] 200	1,200
(e) Water Pump Installer	[300] 150	[400] 200	1,200
(f) Apprentice:			
(i) Well Driller	[100] 50	[200] 100	600
(ii) Water Conditioner Installer	[100] 50	[200] 100	600
(iii) Water Pump Installer	[100] 50	[200] 100	600

(3) — (8) (text unchanged)

BENJAMIN H. GRUMBLES
 Secretary of the Environment

Subtitle 06 WATERWORKS AND WASTE SYSTEMS OPERATORS

26.06.01 General Regulations

Authority: Environment Article, Title 12, Annotated Code of Maryland

Notice of Proposed Action

[16-166-P]

The Secretary of the Environment proposes to amend Regulation .07 under COMAR 26.06.01 Payment of Fees.

Statement of Purpose

The purpose of this action is to reduce the fees assessed by the Board of Waterworks and Waste Systems Operators for items and services provided. The Safe Drinking Water Act requires the State to maintain an operator certification program for public water system operators.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed regulatory changes to the Waterworks and Waste Systems Operators – General Regulations will have a direct economic impact on the General Fund of the State, local governments, and regulated industries. The proposed changes will require waterworks and waste systems operators to pay reduced examination, application, renewal and reciprocity fees.

This action is being taken in response to the regulatory reform effort in the State of Maryland. The proposed regulations will decrease the examination, application and renewal fee for the first certificate from \$100 to \$50. The renewal fee for each additional certificate will also be reduced from \$100 to \$50, and the cap an individual will pay is reduced from \$200 to \$100. The reciprocity fee is reduced from \$200 to \$150.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	(R-)	None
B. On other State agencies:	(R+)	\$15,000
C. On local governments:	(R+)	\$35,000
	Benefit (+) Cost (-)	Magnitude

D. On regulated industries or trade groups: (+) \$80,000

E. On other industries or trade groups: (+) \$600

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

A. Assumes a negative revenue for the General Fund of the State based on the decreased annual certification fees required in the proposed regulations. The decrease in annual certification fees will result in an estimated reduction of \$130,600 per year once the final regulations are in effect.

PROPOSED ACTION ON REGULATIONS

750

SUMMARY OF ACTIVE CERTIFICATES

Category Operator Superintendent Temporary Total
 Wastewater Collection 536 54 416 1006
 Water Distribution 522 42 446 1010
 Water Treatment 1215 217 666 2096
 Industrial Wastewater 442 47 284 772
 Wastewater Treatment 2072 417 1031 3520
 Total 4787 777 2845 8409

Source: Board of Waterworks and Waste Systems Operators (May 2015)

Revenues from the Board’s certification and examination fees vary from year to year based on the number of new licenses issued and the renewal cycles for existing licensees, below are the revenues collected for the past 3 fiscal years.

FY2015: \$321,599

FY2014: \$214,221

FY2013: \$220,315

B. Assumes the State agencies operate approximately 12% of the waterworks and waste system facilities Statewide.

C. Assumes the local government agencies operate approximately 28% of the waterworks and waste system facilities Statewide.

D. Assumes a positive revenue to industry trade groups based on the decreased certification fees. Private businesses own and operate approximately 60% of the waterworks and waste systems facilities

E. Individuals who are licensed outside of the State may receive licensure by MDE by virtue of reciprocity. The Department issues approximately 12 reciprocity licenses per year.

Economic Impact on Small Businesses

The proposed action has a meaningful economic impact on small business. An analysis of this economic impact follows.

The reduction of the examination, application, renewal, and reciprocity fees assessed by the Board of Waterworks and Waste System Operators will have a positive economic benefit to the businesses who must obtain these licenses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Christine Nagle, Board of Waterworks and Waste System Operators, Maryland Department of the Environment, Water Management Administration, 1800 Washington Blvd., Baltimore, MD 21230, or call 410-537-3584, or email to christine.nagle@maryland.gov, or fax to 410-537-3157. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

.07 Payment of Fees.

A.—C. (text unchanged)

D. Except as provided in §F of this regulation, the following fees are established by the Board for items and services provided under this chapter:

Types of Certificates (Currency unit — U.S. dollars)				
Service	Operator	Temporary	Superintendent	Grandparented
Examination fee	[\$100] \$50	N/A	N/A	N/A
Fee to retake an exam (text unchanged)				
Reciprocity	[\$200] \$150	N/A	N/A	N/A
Late Renewal Fee (in addition to standard renewal fees)—Replace renewal card (text unchanged)				
Fee for initial certification	[\$100] \$50	[\$100] \$50	[\$100] \$50	N/A
Name/address change (text unchanged)				

E. The renewal fee paid by an individual shall be based upon the types and categories of certificates held by that individual. The renewal fee for a 3-year period shall be [\$100] \$50 per certification category and type.

Types of Certificates (Currency unit — U.S. dollars)				
Certification Categories	Operator	Temporary	Superintendent	Grand-parented
Wastewater	[\$100] \$50	[\$100] \$50	[\$100] \$50	N/A
Water treatment	[\$100] \$50	[\$100] \$50	[\$100] \$50	[\$100] \$50
Industrial wastewater	[\$100] \$50	[\$100] \$50	[\$100] \$50	N/A
Wastewater collection	[\$100] \$50	[\$100] \$50	[\$100] \$50	N/A
Water distribution	[\$100] \$50	[\$100] \$50	[\$100] \$50	[\$100] \$50

F. The maximum fee for the renewal of all certificates held by an individual shall be [\$200] \$100 if the certificates are renewed at the same time. This does not include any late renewal fees, reinstatement fee, computer-based examination fees charged by the testing facility, or examination fees that may be applicable. The maximum late renewal fee assessed for an operator with multiple certificates shall be [\$200] \$100.
 G. (text unchanged)

BENJAMIN H. GRUMBLES
 Secretary of the Environment

Subtitle 11 AIR QUALITY

26.11.02 Permits, Approvals, and Registration

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

Notice of Proposed Action
 [16-164-P]

The Secretary of the Environment proposes to amend Regulation .17 under **COMAR 26.11.02 Permits, Approvals, and Registration**.

Statement of Purpose

The purpose of this action is to reduce the permit to construct application fee for charbroilers and pit barbecues. This action also reduces the permit to construct application fee for small fuel burning equipment with a rated heat input capacity of less than 10 million Btu per hour (10 MMBtu/hr).

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. This action reduces permit to construct application fees for charbroilers, pit barbecues, and small fuel burning equipment with a rated heat input capacity of less than 10 MMBtu/hr. Currently, businesses that apply for a permit to construct charbroilers or pit barbecues must pay \$200. This regulatory action reduces the fee to \$100. Currently, businesses that apply for a permit to construct small fuel burning equipment with a rated heat input capacity of less than 10 MMBtu/hr must pay \$500. This regulatory action reduces the fee to \$400.

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

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

A. In CY2015, 51 businesses applied for a permit to construct a charbroiler or pit barbecue and 91 businesses applied for a permit to construct small fuel burning equipment with a rated heat input capacity of less than 10 MMBtu/hr. Based on these current numbers, the Department will experience an annual decrease in revenue of approximately \$5,100 for permits to construct charbroilers or pit barbecues and an annual decrease in revenue of approximately \$9,100 for permits to construct small fuel burning equipment with a rated heat input capacity of less than 10 MMBtu/hr, for a total of \$14,200.

D. The reduction of the permit to construct application fee for charbroilers and pit barbecues will provide a one-time economic benefit to the business of \$100. The reduction of the permit to construct application fee for small fuel burning equipment with a rated heat input capacity of less than 10 MMBtu/hr will provide a one-time economic benefit to the business of \$100.

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

The Department of the Environment will hold a public hearing on the proposed action on July 25, 2016 at 10 a.m. at the Department of the Environment, 1800 Washington Boulevard, 1st Floor Conference Rooms, Baltimore, Maryland 21230-1720. Interested persons are invited to attend and express their views. Comments may be sent to Mr. Randy Mosier, Chief of the Regulation Division, Air and Radiation Management Administration, Department of the Environment, 1800 Washington Boulevard, Suite 730, Baltimore, Maryland 21230-1720, or emailed to randy.mosier@maryland.gov. Comments must be received not later than 5 p.m. on July 25, 2016, or be submitted at the hearing. For more information, call Randy Mosier at (410) 537-4488.

Copies of the proposed action and supporting documents are available for review at the following locations:

- The Department of the Environment’s website at: <http://www.mde.state.md.us/programs/regulations/air/Pages/reqcomments.aspx>
- The Air and Radiation Management Administration Office in Baltimore; and
- The regional offices of the Department in Cumberland and Salisbury. Anyone needing special accommodations at the public hearing should contact the Department’s Fair Practices Office at (410) 537-3964. TTY users may contact the Department through the Maryland Relay Service at 1-800-735-2258.

.17 Fee Schedule: Permit to Construct.

A. A person who submits an application for a permit to construct shall pay one of the following:

(1) A fee of \$100 for charbroilers and pit barbecues;

[(1)] (2) A fee of \$200 for tank farms at motor vehicle or off-road vehicle refueling facilities;[, charbroilers, and pit barbecues; or]

(3) A fee of \$400 for fuel-burning equipment with a rated heat input capacity of less than 10 million Btu per hour; or

[(2)] (4) A base fee of \$500 for all other sources, plus any applicable additional fees listed in §B of this regulation.

B. (text unchanged)

BENJAMIN H. GRUMBLES
Secretary of the Environment

**Subtitle 12 RADIATION
MANAGEMENT**

26.12.03 State Radiation Control Fund

Authority: Environment Article, §§8-301, 8-304, and 8-306, Annotated Code of Maryland

Notice of Proposed Action

[16-165-P]

The Secretary of the Environment proposes to amend Regulations .02—.04 under **COMAR 26.12.03 State Radiation Control Fund**.

Statement of Purpose

The purpose of this action is to amend the regulations to include reductions in the annual fee for general radioactive material licenses, veterinary dental radiation machines and portable lead paint analyzers. There is also a fee exemption for temporary pro bono dental clinics.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. This action will result in reductions in annual fees for certain radiation machines and certain radioactive materials.

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

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

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

A. Revenues to the Department of the Environment will be decreased as a result of certain annual fee reductions and a fee exemption for pro bono temporary dental clinics. The expected annual lost revenue is approximately \$38,000.

D. Expenditures by certain stakeholders will decrease as a result of decreased annual fees. Based on current calculations for CY 2016, the total economic benefit for all businesses is approximately \$38,000.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michael Kurman, Regulations Coordinator, Radiological Health Program, Department of the Environment, 1800 Washington Boulevard, Baltimore, Maryland 21230-1720, or call 410-537-3208, or email to michael.kurman@maryland.gov, or fax to 410-537-3198. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

.02 Fee Required.

A. Exemptions. This regulation does not apply to persons using the following sources of radiation:

(1) (text unchanged)

(2) Radioactive materials that are not subject to licensing by Part C of Regulations for the Control of Ionizing Radiation (1994), which is incorporated by reference in COMAR 26.12.01.01; [and]

(3) Radiation machines located at a school of dentistry accredited by the Commission on Dental Accreditation of the American Dental Association[.]; and

(4) *Temporary dental clinics that:*

(a) *Hold a permit under Health Occupations Article, Title 4, Annotated Code of Maryland;*

(b) *Provide all services on a pro bono basis; and*

(c) *Operate fewer than 100 hours per year.*

B.—I. (text unchanged)

J. Annual General License Fees. Each person as defined in §A.2 of the Regulations for the Control of Ionizing Radiation who possesses radioactive material under the provisions of a general license in §C.22(a), (d), and (e) of [the Regulations for the Control of Ionizing Radiation] *COMAR 26.12.01.01* shall pay a calendar year [2011] 2016 base annual fee of [\$100] \$50 as adjusted each *calendar* year in accordance with the Consumer Price Index as provided in Regulation .04 of this chapter.

.03 Fee Schedule.

A. Table I — Past Due Fees for Unregistered Facilities.

Machine Type	Past Due Fee CY 2011 Base (Per Tube, Per Year Without Registration*)
Group 1** or Group 2 (Accelerator)—Group 6 (text unchanged)	
Group 7 (Veterinary Stationary)	1,000
Group 8 (Mammography) (text unchanged)	
Group 9 (Veterinary Dental)	80

*—** (text unchanged)

B. Table 2 — Radiation Machine Fees.

Machine Type	CY 2011 Base	
	Biennial Fee Per Tube	Annual Installment
Group 1 or Group 2 (Accelerator)— Group 6 (text unchanged)		
Group 7 (Veterinary Stationary)	400	200
Group 8 (Mammography) (text unchanged)		
Group 9 (Veterinary Dental)	—	80

C. Table 3 — Fees for Specific Radioactive Material Licenses and Reciprocity.

Code*	CY 2011 Base Annual Fee	Definition
01100— 03125 (text unchanged)		
03126	[750] 500**	Portable Lead Paint Analyzers
03214— 26000 (text unchanged)		

*(text unchanged)

**Revised fee [amount] is a CY [2015] 2016 base fee [and is effective January 1, 2015].

D. (text unchanged)

.04 Consumer Price Index Adjustment.

A. Beginning January 1, 2012, the annual fees set forth in this chapter, with the exception of Group 6 dental facilities and Group 9 veterinary dental machines, shall be increased each year by the percentage, if any, by which the Consumer Price Index for the most recent calendar year exceeds the Consumer Price Index for the previous calendar year.

B. —C. (text unchanged)

BENJAMIN H. GRUMBLES
Secretary of the Environment

Title 31 MARYLAND INSURANCE ADMINISTRATION

Subtitle 04 INSURERS

31.04.02 Examination of Principal Management or Controllers of Insurers

Authority: *Health-General Article, §§15-102.6, 19-705, 19-708, 19-7A-03, and 19-7A-04; Insurance Article, §§2-109, 2-205(c), 4-108, 4-113(a)(7)–(9), 7-304, 7-603, 8-412, 8-417, 14-109(3), and 14-405; Annotated Code of Maryland*

Notice of Proposed Action

[16-062-R]

The Insurance Commissioner proposes to amend Regulations .01, .02, and .04, repeal existing Regulations .03 and .05—.08, and adopt new Regulations .03 and .05—.07 under **Examination of Principal Management or Controllers of Insurers**. Because substantive changes have been made to the original proposal as published in 43:4 Md. R. 343—345 (February 19, 2016), this action is being repropose at this time.

Statement of Purpose

The purpose of this action is to update certain provisions of COMAR that provide for the suitability of certain individuals who exercise control of any substantial portion of insurance companies that do business in the State. Specifically, these amendments specify the circumstances under which certain insurance companies are required to submit biographical affidavits of principal management to the Maryland Insurance Administration, and the means by which the Maryland Insurance Administration may verify the information contained therein. These proposed amendments implement procedures recommended by the NAIC in their 2014 Company Licensing Best Practices Handbook. The purpose of this reproposal is to: clarify the scope of the regulations with regard to workers' compensation self-insurance groups in Regulation .01; amend an inaccurate statutory cross-reference in Regulation .02; amend the lead in to Regulation .03A to clarify to whom biographical affidavits shall be submitted; and to correct an inaccurate reference to an inapplicable statutory requirement regarding principal management of an ultimate controlling person in Regulation .03A(4).

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed action will result in a minimal decrease in expenditures for the Maryland Insurance Administration and a minimal increase in costs for insurance companies.

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

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

A. MIA staff members currently spend an average of 1½ hours reviewing information contained in each biographical affidavit submitted. Approximately 160 affidavits are currently reviewed by MIA staff per year. Under this regulation, the MIA staff will only be spending a few minutes reviewing the background report submitted by an independent third party for each affidavit submitted, opening up staff resources which may be expended elsewhere.

D. Insurance companies are responsible for the payment of the services provided by the independent third party for the preparation and submission of background reports to the Commissioner. The cost

per report is approximately \$300, which is not significant.

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 Lisa Larson, Assistant Director of Regulatory Affairs, Maryland Insurance Administration, 200 St. Paul Place, Ste. 2700, Baltimore, MD 21202, or call 410-468-2007, or email to insuranceregreview.mia@maryland.gov, or fax to 410-468-2020. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

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

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

.01 Purpose and Scope.

The purpose of *this* chapter is to ensure protection of the public interest by providing for the evaluation of the suitability of certain individuals who exercise control of any substantial portion of certain entities that do insurance business in the State, including an insurer, health maintenance organization, managed care organization, fraternal benefit society, nonprofit health service plan, and dental plan organization. **This chapter does not apply to workers' compensation self-insurance groups organized pursuant to Insurance Article, Title 25, Subtitle 3, Annotated Code of Maryland.**

.02 Definitions.

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

(1)—(12) (originally proposed text unchanged)

(13) "Insurer" has the meaning stated in Insurance Article, [[[§1-101(g)]]] **§1-101**, Annotated Code of Maryland.

(14)—(21) (originally proposed text unchanged)

.03 Biographical Affidavit.

A. Biographical affidavits shall be submitted **on the individuals required by the applicable filing** when:

(1)—(3) (originally proposed text unchanged)

(4) A [[[change in principal management of a domestic insurer or other entity subject to Insurance Article, Title 7, Annotated Code of Maryland, is reported in]]] **person files** a registration statement pursuant to Insurance Article, §7-603, Annotated Code of Maryland; and

(5) (originally proposed text unchanged)

B.—C. (originally proposed text unchanged)

.04—07 (originally proposed text unchanged)

ALRED W. REDMER, Jr.
Insurance Commissioner

Title 32 MARYLAND DEPARTMENT OF AGING

Subtitle 02 PROVIDER REGULATIONS

32.02.01 Certificate of Registration for Continuing Care Facilities and Providers

Authority: Human Services Article, §10-403, Annotated Code of Maryland

Notice of Proposed Action

[16-169-P]

The Secretary of Aging proposes to amend Regulation .13 under **COMAR 32.02.01 Certificate of Registration for Continuing Care Facilities and Providers.**

Statement of Purpose

The purpose of this action is to reduce the annual certificate of registration fee.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. This action will reduce the annual certificate of registration fee from \$28 per unit to \$25 per unit.

II. Types of Economic Impact.	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
A. On issuing agency:	(R-)	\$48,564
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude

D. On regulated industries or trade groups:	(+)	Minor impact
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

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

A. Assumes no changes to total units of 16,188.

D. Individual communities will have different total savings due to varying numbers of total units.

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 Andrew Ross, Director of Government Affairs and Administration, Maryland Department of Aging, 301 West Preston Street, Suite 1007, or call 410-767-2116, or email to andrew.ross@maryland.gov, or fax to 410-333-7943. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

.13 Application for Renewal Certificate of Registration

A.—B. (text unchanged)

C. The application fee for a renewal certificate of registration shall include the following information and attachments:

(1)—(11) (text unchanged)

(12) A renewal fee of [~~\$28~~] \$25 per unit;

(13)—(16) (text unchanged)

D.—G. (text unchanged)

RONA E. KRAMER
Secretary of Aging

Errata

COMAR 10.41.03

At 43:12 Md. R. 667 (June 10, 2016), column 2, line 24:
For: \$100]] disciplary action.
Read: \$100]] disciplinary action.

Special Documents

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 **June 24, 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
Nighthawk Custom	Heine Longslide		10 MM	
Israel Military Ind (IMI)	Jericho 941 FL		9mm	
Republic Forge	Patriot		45. ACP, 9mm	
Sig Sauer	P-220 X Six	220X6-45-L1	.45 ACP	Model Addition
Kimber	PRO CDP II	3200322	9mm	Caliber Addition
Para USA	Pro Custom	16-40	.40 S&W	Caliber/Model Add
Kimber	Amethyst Ultra II		9mm, 45 ACP	
Tisas (Zenith Firearms)	Zig PC 1911 & Zig M45		.45 ACP	
Dan Wesson	Bruin	01880, 01881, 01882	10mm, .45 ACP	
Sterling Arsenal	SAR XV Prepr Mod 2		.300 Blackout 5.56mm	
RPG Aero			5.56 mm	Caliber Addition
Bond Arms	Mama Bear		.357 Mag/.38 Spl	Model Addition
Sturm Ruger	Single Ten	8101	.22 LR	Model Addition
Springfield Armory	XDS-40 (3.3)		.40 S&W	
STI International	Nitro 10		10mm	
Wilson Combat	Tactical Elite		9mm, 38 Super	Caliber Additions
Brugger & Thomet	P 26		9mm	
Zastava Arms (CAI)	M88 A		9mm	
Warwick Tactical LLC	3-Gun S1		9mm, .40 Cal, .45 ACP	
Core Rifle System	Core 15 Roscoe		.223 (5.56mm), 300 Blackout	
Walther	PPQ Q5 Match	2813335	9mm	
Sig Sauer	P 220 Elite Stainless	220R-45-SSE	.45 ACP	Model Addition
Sturm Ruger	LCR	05452	.327 Federal	Caliber Addition
Colt	Government Model Competition Series	01980CCS	.45 ACP	Caliber Addition
Kimber	Micro , et. Al		.380 ACP	Model Additions
Kriss	Vector	SDP Gen II	9 X 19	
Citadel	1911 Compact		9mm	Caliber Addition
Black Aces Tactical	Pro Series 9		12 Gauge	Model Addition

[16-13-44]

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: July 20, 2016, 2 — 5 p.m.
Place: 500 North Calvert St., 3rd Fl. Board Rm., Baltimore, MD
Contact: Patrick Pannella (410) 230-6223
 [16-13-14]

BOARD FOR THE CERTIFICATION OF RESIDENTIAL CHILD CARE PROGRAM ADMINISTRATORS

Subject: Public Meeting
Date and Time: September 9, 2016, 9:30 a.m. — 12 p.m.; Additional Dates: 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
 [16-13-10]

BOARD FOR THE CERTIFICATION OF RESIDENTIAL CHILD CARE PROGRAM ADMINISTRATORS

Subject: Public Meeting
Date and Time: October 14, 2016, 9:30 a.m. — 12 p.m.; Additional Date: 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
 [16-13-11]

COMPTROLLER OF THE TREASURY/ADMINISTRATION AND FINANCE

Subject: Reinstatement of Bond Authorization Announcement
Add'l. Info: Background: Reference is made to Secretary's Agenda Item 16.B Supplemental (11/12/2014), with respect to the Duvall Field Renovation Loan of 2007 in which the Board approved a recommendation to cancel this authorization in the amount of \$1,026 and to decrease the State's spending authority in like amount. That recommendation was made in error.

The 2007 MCCBL (bond bill) required that the grant funds be expended or encumbered by the Board of Public Works no later than June 1, 2014. Under State Finance and Procurement Article, §8-128, Annotated Code of Maryland, authorization for any funds unexpended or unencumbered after June 1, 2014, was ripe for cancellation.

The Office of the Comptroller notified the grantee that it would be recommending cancellation of \$1,026, the amount that the Office believed unencumbered.

However, as to the Duvall Field Renovation funds, a relevant portion of the 2007 MCCBL was encumbered by June 1, 2014, for the Board of Public Works to expend it. As such the \$513 should not have been canceled.

Therefore, with Board of Public Works approval of item #3, dated June 8, 2016, we submit for publication the following reinstatement of bond authorization:

To reinstate the following general obligation bond authorization in the amount of \$513 and, at the same time, increase the State's spending authority as shown for the following capital project.
 Duvall Field Renovation Loan of 2007
 Ch. 488, Acts of 2007

Re Rentuma
 Fiscal Specialist
 Administration and Finance
Contact: Re Rentuma (410) 260-7909
 [16-13-33]

COMPTROLLER OF THE TREASURY/ADMINISTRATION AND FINANCE

Subject: Reduction of Bond Authorization Announcement

Add'l. Info: Pursuant to State Finance and Procurement Article, §8-128, Annotated Code of Maryland, which provides that, if within 2 years after the date of an authorization of State debt no part of the project or program for which the enabling act authorized the State debt is under contract and the Board of Public Works has not committed money for any part of the project or program, the authorization terminates unless:

(1) The enabling act provides otherwise;
 or

(2) In an emergency, the Board unanimously grants a temporary exception for a period of 1 year.

Therefore, with Board of Public Works approval of item #4, dated June 8, 2016, we submit for publication the following cancellation of bond authorizations in accordance with the above-referenced articles:

East Baltimore Community Recreation and Learning Center: Ch. 445, Acts of 2005, amended by Ch. 396, Acts of 2011; \$107,264.50; authorized the funds for preserving, stabilizing, maintaining, and preparing for future development the property located at 2101 East Biddle Street, located in Baltimore City.

Hancock's Resolution Visitors Center: Ch. 46, Acts of 2006 amended by Ch. 64, Acts of 2007, and Ch. 430, Acts of 2013; \$7,919.69; authorized the funds for the planning and design of a new visitor center at Hancock's Resolution, including related site work, located in Pasadena.

Zion Christian Middle School: Ch. 46, Acts of 2006; \$150,000; authorized the funds for the planning, design, construction, and capital equipping of a new multipurpose building, located in Baltimore City.

Zion Christian Middle School: Ch. 488, Acts of 2007; \$100,000; authorized the funds for the planning, design, construction, and capital equipping of a new multipurpose building, located in Baltimore City.

Cherry Hill Church: Ch. 336, Acts of 2008, amended by Ch. 707, Acts of 2009, and Ch. 458, Acts of 2014; \$189.99; authorized the funds for the acquisition, planning, design, construction, reconstruction, renovation, restoration, and capital equipping of the Cherry Hill Church, located in Baltimore County.

Southern Middle School Multipurpose Fields: Ch. 336, Acts of 2008, amended by Ch. 639, Acts of 2012; \$6,105.01; authorized the funds for the planning, design, construction, and renovation of lights and field improvements to Multipurpose fields, located in Lothian.

Glen Avenue Firehouse: Ch. 483, Acts of 2010, amended by Ch. 396, Acts of 2011, and Ch. 430, Acts of 2013; \$519.80; authorized the funds for the repair, renovation, and capital equipping of the

Glen Avenue Firehouse, located in Baltimore City.

Kellam's Field: Ch. 483, Acts of 2010, amended by Ch. 639, Acts of 2012; \$51,601.24; authorized the funds for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Kellam's Field, located in Chesapeake Beach.

Antietam Ch. #312 Korean War Veteran Monument: Ch. 444, Acts of 2012, amended by Ch. 430, Acts of 2013; \$48.39; authorized the funds for the planning, design, construction, and capital equipping of the Antietam Ch. #312 Korean War Veterans Monument, located in Hagerstown.

Re Rentuma

Fiscal Specialist

Administration and Finance

Contact: Re Rentuma (410) 260-7909
[16-13-34]

MARYLAND CORRECTIONAL ENTERPRISES CUSTOMER COUNCIL

Subject: Public Meeting

Date and Time: July 26, 2016, 9:30 — 11 a.m.

Place: 7275 Waterloo Rd., Jessup, MD

Add'l. Info: The meeting will be held via conference call for off-site members.

Contact: Ashley Lohr (410) 540-5411
[16-13-45]

CORRECTIONAL TRAINING COMMISSION

Subject: Public Meeting

Date and Time: July 13, 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 will be held in closed session.

Contact: William J. McMahon (410) 875-3600
[16-13-20]

COMMISSION ON CRIMINAL SENTENCING POLICY

Subject: Public Meeting

Date and Time: July 12, 2016, 5:30 — 7:30 p.m.

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

Contact: David Soule (301) 403-4165
[16-13-16]

BOARD OF DIETETIC PRACTICE

Subject: Public Meeting

Date and Time: July 21, 2016, 12:30 — 3:30 p.m.

Place: 4201 Patterson Ave., Rm. 106, Baltimore, MD

Contact: Lenelle Cooper (410) 764-4733
[16-13-25]

MARYLAND STATE BOARD OF EDUCATION

Subject: Public Hearing

Date and Time: June 29, 2016, 12 — 3 p.m.

Place: Center for Technology in Education, 6740 Alexander Bell Dr., Columbia, MD

Add'l. Info: The Task Force to Study the Implementation of a Dyslexia Education Program (Task Force) was extended through the enactment of S.B. 823 of 2016 by the Maryland General Assembly. The Task Force is pleased to receive oral public comments. To register to speak, please contact Carmen Brown at 410-767-7197 or via email at carmen.brown1@maryland.gov at least 24 hours prior to the meeting. Registration will be accepted on a first-come, first-served basis. To ensure effective use of the time available for public comment, speakers are encouraged to provide multiple written copies of their comments or any other documents supporting their oral comments. Appropriate accommodations for individuals with disabilities will be provided upon request. To allow time to arrange accommodations, 8 business days' notice prior to the meeting is requested. If you are unable to attend the meeting in person, there is a WebEx option available. Please contact Carmen Brown for additional information. This notice is provided pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

Contact: Carmen Brown (410) 767-7197
[16-13-20]

STATEWIDE EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL (SEMSAC)

Subject: Public Meeting

Date and Time: July 7, 2016, 1 — 3 p.m.

Place: 653 W. Pratt St., Ste. 212, Baltimore, MD

Add'l. Info: The State Emergency Medical Services Advisory Committee (SEMSAC) meets regularly on the 1st Thursday of each month.

Contact: Leandra Gilliam (410) 706-4449
[16-13-05]

EMERGENCY MEDICAL SERVICES BOARD

Subject: Public Meeting

Date and Time: July 12, 2016, 9 — 11 a.m.; part of the meeting may include a closed session

Place: 653 W. Pratt St., Ste. 212, Baltimore, MD

Add'l. Info: The State Emergency Medical Services Board (EMS Board) meets regularly on the 2nd Tuesday of each month.

Contact: Leandra Gilliam (410) 706-4449
[16-13-06]

DEPARTMENT OF THE ENVIRONMENT/AIR AND RADIATION MANAGEMENT ADMINISTRATION

Subject: Public Hearing

Date and Time: July 21, 2016, 9:30 — 10:30 a.m.

Place: Dept. of the Environment, 1800 Washington Blvd., Baltimore, MD

Add'l. Info: The Maryland Department of the Environment (MDE) gives notice of a public hearing concerning a State Implementation Plan (SIP). The plan addresses implementation, maintenance, and enforcement measures for the 75 parts per billion (ppb), 2010, 1-hour sulfur dioxide (SO₂) primary (health-based) National Ambient Air Quality Standard (NAAQS). The public hearing will be held on July 21, 2016, at the Department of the Environment, 1800 Washington Boulevard, Baltimore, Maryland 21230 — First Floor Conference Room — 9:30 a.m.

The public hearing will be held as required by federal law (Clean Air Act at 42 U.S.C. 7410(a) and 40 CFR 51.102). Interested persons are invited to attend and express their views. After the Department considers the comments received, and revises the proposal if necessary, all related items will be submitted to the U.S. Environmental Protection Agency.

An electronic copy of the proposed revision will be available on the Maryland Department of the Environment's website at http://www.mde.state.md.us/programs/Air/AirQualityPlanning/Pages/programs/airprograms/air_planning/index.aspx.

Note: The public library systems in Maryland can be used for Internet access to view the document. An electronic copy of the document can also be obtained via email by writing to Molla Sarros at Molla.Sarros@Maryland.gov. Copies of the document can also be viewed at the Maryland Department of the Environment Main Office, Air and Radiation Management Administration, 1800 Washington Boulevard, Baltimore,

Maryland. For a hard copy, contact Molla Sarros.

Written comments may be presented at the hearing, faxed to 410-537-4223, emailed to Molla.Sarros@Maryland.gov, or mailed to Molla Sarros, MDE ARMA, 1800 Washington Boulevard, Suite 730, Baltimore, MD, 21230. Comments must be received before 5 p.m. on July 21, 2016.

Anyone needing special accommodations at a public hearing should contact the Department's Fair Practices Office at (410) 537-3964 at least 5 business days in advance of the hearing. TTY users may contact the Department through the Maryland Relay Service at 1-800-735-2258.

For more information, contact Molla Sarros, Natural Resources Planner, at (410) 537-4180. Toll free in Maryland call 1-(800) 633-6101, ext. 4180, Maryland Department of the Environment, Air and Radiation Management Administration, 1800 Washington Boulevard, Ste. 730, Baltimore, Maryland 21230.

Contact: Molla Sarros (410) 537-4180
[16-13-40]

DEPARTMENT OF THE ENVIRONMENT/AIR AND RADIATION MANAGEMENT ADMINISTRATION

Subject: Public Hearing

Date and Time: July 21, 2016, 9:30 — 10:30 a.m.

Place: Dept. of the Environment, 1800 Washington Blvd., Baltimore, MD, MD

Add'l. Info: The Maryland Department of the Environment (MDE) gives notice of a public hearing concerning the Maryland State Implementation Plan for the 2012 PM2.5 National Ambient Air Quality Standard. The public hearing will be held on July 21, 2016, at the Department of the Environment, 1800 Washington Boulevard, Baltimore, Maryland 21230 — First Floor Conference Room — 9:30 a.m.

The public hearing will be held as required by federal law (Clean Air Act at 42 U.S.C. 7410(a) and 40 CFR 51.102). Interested persons are invited to attend and express their views. After the Department considers the comments received, and revises the proposal if necessary, all related items will be submitted to the U.S. Environmental Protection Agency.

An electronic copy of the proposed revision will be available on the Maryland Department of the Environment's website at http://www.mde.state.md.us/programs/Air/AirQualityPlanning/Pages/programs/airprogram/s/air_planning/index.aspx.

Note: The public library systems in Maryland can be used for Internet access to

view the document. An electronic copy of the document can also be obtained via email by writing to Molly Berger at Molly.Berger@Maryland.gov. Copies of the document can also be viewed at the Maryland Department of the Environment Main Office, Air and Radiation Management Administration, 1800 Washington Boulevard, Baltimore, Maryland. For a hard copy, contact Molly Berger.

Written comments may be presented at the hearing, faxed to 410-537-4223, emailed to Molly.Berger@Maryland.gov, or mailed to Molly Berger, MDE ARMA, 1800 Washington Boulevard, Suite 730, Baltimore, MD, 21230. Comments must be received before 5 p.m. on July 21, 2016.

Anyone needing special accommodations at a public hearing should contact the Department's Fair Practices Office at (410) 537-3964 at least 5 business days in advance of the hearing. TTY users may contact the Department through the Maryland Relay Service at 1-800-735-2258.

For more information, contact Molly Berger at (410) 537-3234. Toll-free in Maryland call 1-(800) 633-6101, ext. 3234, Maryland Department of the Environment, Air and Radiation Management Administration, 1800 Washington Boulevard, Ste. 730, Baltimore, Maryland 21230.

Contact: Molly Berger (410) 537-3234
[16-13-41]

DEPARTMENT OF HEALTH AND MENTAL HYGIENE/BEHAVIORAL HEALTH ADMINISTRATION

Subject: Public Meeting

Date and Time: June 30, 2016, 8 — 10 a.m.; Additional Dates: July 7 and August 4, 2016

Place: Maryland Dept. of Transportation, 7201 Corporate Center Dr., Harry Hughes Conf. Rm., Hanover, MD

Add'l. Info: Forensic Services Workgroup to identify specific strategies to enhance BHA's capacity to meet the current demand for psychiatric inpatient care for both civil and forensically involved citizens.

Contact: Rachael Faulkner, MSW (410) 402-8402

[16-13-37]

DEPARTMENT OF HEALTH AND MENTAL HYGIENE/BEHAVIORAL HEALTH ADMINISTRATION

Subject: Public Meeting

Date and Time: July 7, 2016, 8 — 10 a.m.

Place: Maryland Dept. of Transportation, 7201 Corporate Center Dr., Harry Hughes Conf. Rm., Hanover, MD

Add'l. Info: Forensics Services Workgroup to identify specific strategies to enhance BHA's capacity to meet the current demand for psychiatric inpatient care for both civil and forensically involved citizens.

Contact: Rachael Faulkner, MSW (410) 402-8402

[16-13-38]

DEPARTMENT OF HEALTH AND MENTAL HYGIENE/BEHAVIORAL HEALTH ADMINISTRATION

Subject: Public Meeting

Date and Time: August 4, 2016, 8 — 10 a.m.

Place: Maryland Dept. of Transportation, 7201 Corporate Dr., Harry Hughes Conf. Rm., Hanover, MD

Add'l. Info: Forensics Services Workgroup to identify specific strategies to enhance BHA's capacity to meet the current demand for psychiatric inpatient care for both civil and forensically involved citizens.

Contact: Rachael Faulkner, MSW (410) 402-8402

[16-13-39]

DEPARTMENT OF HEALTH AND MENTAL HYGIENE/OFFICE OF HEALTH SERVICES

Subject: Public Notice for Developmental Disabilities Administration Targeted Case Management

Add'l. Info: For dates of service beginning July 1, 2016, the Maryland Medical Assistance reimbursement rate for Developmental Disabilities Administration (DDA) targeted case management (TCM) providers will increase by 3.5 percent. These TCM services are also called Coordination of Community Services. DDA TCM services target three populations of individuals with developmental disabilities: (1) individuals on the Developmental Disabilities Administration Waiting List who have been determined to have a developmental disability; (2) individuals needing community coordination services; and (3) individuals transitioning to the community. The rate will be \$17.99 per unit. This represents an estimated \$1,458,213 total fund increase (50 percent General Funds/50 percent federal funds) cost for the program between July 1, 2016, and June 30, 2017.

Copies of the proposed changes are available for public review at the local health department in each county and Baltimore City. Written comments may be sent to Nina McHugh, Office of Health Services, DHMH, 201 W. Preston St., Room 127B, Baltimore, MD 21220 or call

at 410-767-5003 or email to
Nina.McHugh@maryland.gov.

Contact: Nina McHugh (410) 767-5003
[16-13-31]

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

Subject: To Add the Ability for Certified Addictions Programs (Provider Type 50s) Who a Employ Data 2000 Waiver Physician to be Reimbursed for Buprenorphine and Other Medication Assisted Treatment Services

Add'l. Info: Currently, Data 2000 Waiver Physicians may be reimbursed for buprenorphine and other medication assisted treatment through their individual Medicaid provider number (Provider Type 20). The Department is proposing, effective July 1, 2016, adding the ability for Certified or Licensed Addictions Programs (Provider Type 50s) who employ a Data 2000 Waiver Physician to be reimbursed for buprenorphine induction; periodic medication management visits; and the cost of buprenorphine itself through their Certified Addictions Program. Certified or Licensed Addictions Programs (Provider Type 50s) who employ a Data 2000 Waiver Physician may also be reimbursed for other medication assisted treatment as appropriate.

The projected fiscal impact is \$0. The proposed service is currently accessible through contractual arrangements between providers. Therefore, the proposed change is cost neutral.

Written comments may be sent to Elaine Hall, Office of Health Services, DHMH 201 W. Preston St., Rm. 213a, Baltimore, MD 21201, or emailed to dhmh.medicaid@maryland.gov.

Contact: Elaine Hall (410) 767-1998
[16-13-32]

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

Subject: Maryland Medicaid Nursing Home Reimbursement Methodology Changes

Add'l. Info: The Secretary of Health and Mental Hygiene proposes to amend COMAR 10.09.10 Nursing Facility Services, effective July 1, 2016, in order to: 1) extend the working capital fund through May 1, 2017; 2) increase the rate to providers by 2 percent but include a budget adjustment factor to reduce regulatory increases superseded by State budget limitations; 3) clarify the process for identifying the correct cost report to use when setting capital costs; 4) correct

citations for the Pay-For-Performance program; 5) change the source of acuity for the Pay-For-Performance program; 6) clarify nursing services cost indexing; 7) correct citation for ventilator services; and 8) correct citation for indemnity bonds and standby letters of credit for new, replacement or change of ownership of a nursing facility. The rate increase is consistent with the Program's budget for Fiscal Year 2017. The amount of the projected rate increase is \$41,600,000 during the period July 1, 2016 through June 30, 2017 (50 percent State General Funds and 50 percent federal funds) compared with the rates in effect in Fiscal Year 2016. Other changes do not have a fiscal impact. Copies of the amendments may be obtained by calling 410-767-1736, or fax 410-333-5213, and are available for public review at the local health department in each county and Baltimore City. Written comments may be sent to Susan Tucker, Executive Director, Office of Health Services, Department of Health and Mental Hygiene, 201 W. Preston St., Rm. 127, Baltimore, MD 21201, or fax to 410-333-5185.

Contact: Susan Tucker (410) 767-1430
[16-13-35]

**MARYLAND COMMISSION ON
INDIAN AFFAIRS**

Subject: Accohannock Indian Tribe — Complete Petition for Recognition of Maryland Indian Status

Add'l. Info: On May 1, 2016, the Maryland Commission on Indian Affairs received a Complete Petition for Recognition of Maryland Indian Status from the Accohannock Indian Tribe, P.O. Box 404, Marian Station, MD 21838. The petition and any supporting documentation, if not prohibited from disclosure under the Maryland Access to Public Records Act, and the regulations for recognition of Maryland Indian status (COMAR 07.08.01), may be inspected between 9 a.m. and 5 p.m. weekdays, except State holidays, at the Office of the Commission, 100 Community Place, Suite 1.563, Crownsville, MD 21032 (443-631-3643). Any person may submit factual or legal arguments in support of or in opposition to the petition, by mail addressed to the Commission at its office, and postmarked within 60 days after the date of this notice. (COMAR 07.08.01.07C).

Contact: Keith Colston, MCIA
Administrative Director 443-631-3643
[16-13-36]

**MARYLAND INSURANCE
ADMINISTRATION**

Subject: Public Meeting

Date and Time: July 6, 2016, 10 a.m. — 12 p.m.

Place: Maryland Insurance Administration, 200 St. Paul Pl., 22nd Fl., Chesapeake Rm., Baltimore, MD

Add'l. Info: Pursuant to COMAR 31.02.06, the Insurance Commissioner will hold a public quasi-legislative hearing to hear testimony regarding proposed health insurance rates for 2017 filed by Maryland Individual and Small Group health insurance carriers. More information is available at: <http://www.healthrates.mdinsurance.state.md.us>.

Written testimony should be submitted to nancy.muehlberger@maryland.gov or by mail to 200 St. Paul Place, Suite 2700, Baltimore, MD 21202, or by fax to 410-468-2038. Written testimony will be accepted until 5 p.m. on June 29, 2016.

Contact: Nancy Muehlberger (410) 468-2050

[16-13-18]

**MARYLAND INSURANCE
ADMINISTRATION**

Subject: Public Hearing on Regulations

Date and Time: July 14, 2017, 10 a.m. — 12 p.m.; Additional Dates: August 4, September 1, October 6, November 3, and December 1, 2016, and January 5 and February 3, 2017

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

Add'l. Info: Pursuant to the passage and anticipated enactment of HB1318/SB929 Health Benefit Plans — Network Access Standards and Provider Network Directories, Insurance Commissioner Al Redmer will hold several upcoming public hearings to consult with stakeholders on the creation and adoption of new COMAR regulations, as required under this legislation. According to the legislation, these regulations must establish quantitative and, if appropriate, nonquantitative criteria to evaluate network sufficiency for certain health benefit plans, and must set standards for the availability of providers to meet the needs of enrollees for dental plan organizations, insurers, and nonprofit health service plans that provide coverage for dental services.

If you plan to attend this meeting either in person or via teleconference, please R.S.V.P. to Lisa Larson at lisa.larson@maryland.gov. An agenda is posted on the MIA website, located at <http://insurance.maryland.gov>.

GENERAL NOTICES

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Parties who wish to submit written comments should email comments to Lisa Larson's attention at networkadequacy.mia@maryland.gov. Parties who wish to give oral comments at a hearing can sign up to do so in person on the day of each hearing.

Contact: Lisa Larson (410) 468-2007
[16-13-27]

COMMISSION ON KIDNEY DISEASE

Subject: Public Meeting
Date and Time: July 28, 2016, 2 — 4 p.m.
Place: 4201 Patterson Ave., Baltimore, MD
Add'l. Info: A portion of this meeting may be closed for executive session.
Contact: Eva Schwartz (410) 764-4799
[16-13-07]

DIVISION OF LABOR AND INDUSTRY/MARYLAND APPRENTICESHIP AND TRAINING COUNCIL

Subject: Public Meeting
Date and Time: July 12, 2016, 9 a.m. — 12 p.m.
Place: Associated Builders and Contractors, Inc., Metropolitan Washington Chapter, 6901 Muirkirk Meadows Dr., Ste. F, Beltsville, MD
Add'l. Info: The Apprenticeship and Training Council will consider the approval and registration of new apprenticeship programs, revisions to presently approved apprenticeship programs, and other business which may come before the Council.
Contact: Kathleen S. Sibbald (410) 767-2246

[16-13-30]

MARYLAND HEALTH CARE COMMISSION

Subject: Public Meeting
Date and Time: July 21, 2016, 1 p.m.
Place: Maryland Health Care Commission, 4160 Patterson Ave., Rm. 100, Baltimore, MD
Contact: Valerie Wooding (410) 764-3460
[16-13-01]

MARYLAND UNDERGROUND FACILITIES DAMAGE PREVENTION AUTHORITY

Subject: Public Meeting
Date and Time: July 6, 2016, 9 a.m. — 12 p.m.
Place: 7223 Parkway Dr., Ste. 103, Hanover, MD
Contact: Susan Ann Mary Stroud (410) 782-2103

[16-13-15]

TASK FORCE TO STUDY MATERNAL MENTAL HEALTH

Subject: Public Meeting
Date and Time: July 12, 2016, 1 — 3 p.m.
Place: Spring Grove Hospital Center, 55 Wade Ave., Dix Bldg., Basement Conf. Rm., Catonsville, MD
Contact: Dan Martin (443) 901-1550 x208
[16-13-17]

GOVERNOR'S COMMISSION ON MARYLAND MILITARY MONUMENTS

Subject: Public Meeting
Date and Time: July 13, 2016, 2 — 3:30 p.m.
Place: 100 Community Pl., Crownsville, MD
Contact: Denise Nooe (410) 260-3840
[16-13-28]

DEPARTMENT OF NATURAL RESOURCES/FISHERIES SERVICE

Subject: Public Notice — 2016 Atlantic Coast Recreational and Charter Boat Striped Bass Fishery Changes
Add'l. Info: The Secretary of the Maryland Department of Natural Resources, pursuant to the Code of Maryland Regulations (COMAR) 08.02.15.12H, announces changes to the recreational fishery to implement the Atlantic States Marine Fisheries Commission's Interstate Fishery Management Plan for Striped Bass. The changes for catching striped bass in the State waters of the Atlantic Ocean, its coastal bays, and their tributaries are outlined below.

Effective by public notice as of January 1, 2016:

A person may not take or possess more than one striped bass per day from State waters of the Atlantic Ocean, its coastal bays, and their tributaries. All other rules remain the same.

Effective 12:01 a.m. Wednesday, June 1, 2016:

A person may not take or possess more than two striped bass per day from State waters of the Atlantic Ocean, its coastal bays, and their tributaries. The striped bass must be between 28 inches and 38 inches, inclusive, or greater than or equal to 44 inches. All other rules remain the same.

Mark J. Belton
Secretary
Maryland Department of Natural Resources

Contact: Jacob Holtz (410) 260-8262
[16-13-23]

DEPARTMENT OF NATURAL RESOURCES/FISHERIES SERVICE

Subject: Public Notice — Commercial Striped Bass Common Pool Hook and Line Season Modification

Add'l. Info: The Secretary of Maryland Department of Natural Resources, pursuant to Code of Maryland Regulations 08.02.15.12H, announces the opening of the 2016 commercial striped bass common pool hook and line fishery on Wednesday, June 1, 2016, 1 hour before sunrise, with a catch limit of 300 lbs/permittee/week and 600 lbs/vessel/day. The common pool fishery will close on Thursday, June 2, 2016, 1 hour before sunset.

Mark J. Belton
Secretary
Maryland Department of Natural Resources

Contact: Jacob Holtz (410) 260-8262
[16-13-24]

BOARD OF OCCUPATIONAL THERAPY PRACTICE

Subject: Public Meeting
Date and Time: July 15, 2016, 8:30 a.m. — 2 p.m.
Place: Spring Grove Hospital Center, 55 Wade Ave., Catonsville, MD
Add'l. Info: Health Occupations Article, Title 10, Annotated Code of Maryland, and COMAR 10.46 amendments, additions, and revisions, including fee changes, may be discussed/voted on. Budget information may also be discussed. It may be necessary to go into executive session. Sign language interpreters and/or appropriate accommodations for qualified individuals with disabilities will be provided upon request. Please call 1-800-735-2255.

Contact: Marilyn Pinkney (410) 402-8556
[16-13-03]

BOARD OF EXAMINERS IN OPTOMETRY

Subject: Public Meeting on Regulations
Date and Time: July 27, 2016, 12 — 2 p.m.

Place: Metro Executive Bldg., 4201 Patterson Ave., Rm. 105, Baltimore, MD
Add'l. Info: The Regulatory Review Committee will discuss and review COMAR 10.28.13 Civil Penalties, 10.28.14 Code of Conduct, 10.28.15 Compelling Purpose Disclosure, and 10.28.16 Selling and Dispensing of Contact Lens.

Contact: Patricia G. Bennett (410) 764-5994

[16-13-04]

**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
 [16-13-08]

**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
 [16-13-09]

POLICE TRAINING COMMISSION

Subject: Public Meeting
Date and Time: July 6, 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 will be held in closed session.
Contact: William J. McMahon (410) 875-3600
 [16-13-19]

RACING COMMISSION

Subject: Public Meeting
Date and Time: July 12, 2016, 12:30 — 1 p.m.
Place: Laurel Park, Laurel, MD
Contact: J. Michael Hopkins (410) 296-9682
 [16-13-19]

**BOARD OF SOCIAL WORK
EXAMINERS**

Subject: Public Meeting
Date and Time: July 8, 2016, 10:15 a.m. — 3 p.m.
Place: 4201 Patterson Ave., Metro Executive Bldg., Rm. 110, 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: Stanley Weinstein (410) 764-4722
 [16-13-12]

**DEPARTMENT OF VETERANS
AFFAIRS/MARYLAND VETERANS
COMMISSION**

Subject: Public Meeting
Date and Time: July 19, 2016, 10:30 a.m. — 1 p.m.; July 26, 2016— alternate date if inclement weather
Place: 11767 Owings Mills Blvd., Owings Mills, MD
Contact: Denise Nooe (410) 260-3840
 [16-13-29]

**WORKERS' COMPENSATION
COMMISSION**

Subject: Public Meeting
Date and Time: July 14, 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
 [16-13-02]

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- 01 Procedures
- 02 Division of Reimbursements
- 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
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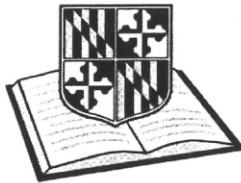
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