

Maryland Register

Issue Date: June 9, 2017

Volume 44 • Issue 12 • Pages 575—610

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Regulations
Special Documents
General Notices

Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before May 22, 2017, 5 p.m.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 May 22, 2017.

Gail S. Klakring
Acting Administrator, Division of State Documents
Office of the Secretary of State



Information About the Maryland Register and COMAR

MARYLAND REGISTER

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

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

The following information is also published regularly in the Register:

- Governor's Executive Orders
- 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.

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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)

Maryland Register (ISSN 0360-2834). Postmaster: Send address changes and other mail to: Maryland Register, State House, Annapolis, Maryland 21401. Tel. 410-260-3876; Fax 410-280-5647. Published biweekly, with cumulative indexes published quarterly, by the State of Maryland, Division of State Documents, State House, Annapolis, Maryland 21401. The subscription rate for the Maryland Register is \$225 per year (first class mail). All subscriptions post-paid to points in the U.S. periodicals postage paid at Annapolis, Maryland and additional mailing offices.

Lawrence J. Hogan, Jr., Governor; **John C. Wobensmith**, Secretary of State; **Gail S. Klakring**, Acting Administrator; **Mary D. MacDonald**, Senior Editor, Maryland Register and COMAR; **Elizabeth Ramsey**, Editor, COMAR Online, and Subscription Manager; **Tami Cathell**, Help Desk, COMAR and Maryland Register Online.

Front cover: State House, Annapolis, MD, built 1772—79.

Illustrations by Carolyn Anderson, Dept. of General Services

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

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Availability of Monthly List of Maryland Documents

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

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

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December 8	November 20	November 29	November 27
December 22	December 4	December 13	December 11
January 5**	December 18	December 27	December 22
January 19**	December 29	January 10	January 8

* 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.

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- 10.44.23.01—,04 • 44:2 Md. R. 134 (1-20-17) (ibr)
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- 31.08.13.03,.04,.06 • 43:20 Md. R. 1146 (9-30-16)

The Governor

EXECUTIVE ORDER 01.01.2017.08

Committee on Paid Leave Policy

WHEREAS, A strong and healthy workforce benefits all Marylanders;

WHEREAS, Marylanders who do not earn any paid leave can face economic distress because of missed work when they or their families are ill or require medical care;

WHEREAS, Excessively burdening small businesses leads to loss of jobs, higher unemployment, stagnation in the creation of new businesses, stymied growth for existing businesses, and other detrimental economic effects for Maryland citizens;

WHEREAS, Any statewide law or policy regarding the provision of earned paid leave must strike a careful balance of providing benefits without costing Maryland workers their jobs or eliminating new economic opportunities for them;

WHEREAS, There has been insufficient study of Marylanders' access to paid leave and how it can be improved by a fair and flexible statewide leave policy;

WHEREAS, Reliable data is also lacking as to how mandated leave policies would specifically impact the Maryland workforce;

WHEREAS, Such data is necessary for the development of a commonsense, balanced, and flexible policy for the provision of paid leave in Maryland; and

WHEREAS, A comprehensive study of the needs and proposed policies for paid leave in Maryland should be done in consultation with all relevant employer and employee stakeholders in order to make policy recommendations to the Governor,

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 PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. Establishment. The Governor's Executive Council shall have a Committee on Paid Leave Policy (the "Committee").

B. Membership.

a. The Committee shall consist of the heads, or their designees, of the following State agencies and such other agencies on the Governor's Executive Council as the Governor may later designate:

- i. The Department of Labor, Licensing and Regulation;
- ii. The Department of Commerce; and
- iii. The Department of Human Resources.

b. Staff members from the Office of the Governor and Lieutenant Governor, including the Governor's Office of Minority Affairs, will also be regular participants.

c. The Secretary of the Department of Labor, Licensing and Regulation shall be Chair of the Committee. The Chair shall:

- i. Oversee the implementation of this Executive Order and the work of the Committee;
- ii. Determine the Committee's agenda; and

iii. Identify any needs of the Committee for additional support.

d. Other State agencies may be asked to participate at the invitation of the Chair.

C. Duties.

a. The Committee shall collect data and information for the purpose of assessing Maryland workers' access to paid leave and the extent to which providing such leave would impose burdens and hardships on Maryland businesses.

b. The Committee shall survey employers and workers across Maryland to understand needs, challenges, and opportunities relating to the provision of paid leave.

c. The survey shall engage a cross-section of industries and employees that are representative of the overall economy and workforce of Maryland.

d. The Committee shall closely consult and collaborate with the Governor's Office of Minority Affairs to obtain feedback, information, and data from minority- and women-owned businesses.

e. The Committee shall develop recommendations for policy, regulations, or legislation that would achieve an optimal balance of providing access to and enforcing paid leave without causing detrimental economic effects that could cost Maryland workers their jobs or deprive them of other beneficial economic opportunities.

f. The Committee shall update the Governor, every 45 days from the date of this Executive Order, on its efforts to develop an accurate understanding of the needs for paid leave in Maryland and the effects of various proposed statewide policies.

g. The Department of Labor, Licensing and Regulation shall, before December 1, 2017, submit a report to the Governor stating the Committee's findings and recommendations.

D. Procedures.

a. A majority of the Committee shall constitute a quorum for the transaction of any business.

b. The Committee may adopt other procedures as necessary to ensure the orderly transaction of business.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 25th Day of May, 2017.

LAWRENCE J. HOGAN, JR.
Governor

ATTEST:

JOHN C. WOBENSMITH
Secretary of State

[17-12-33]

EXECUTIVE ORDER 01.01.2017.09

Sensible Paid Leave in the Executive Branch of State Government

WHEREAS, As the chief executive of the State, it is my responsibility to serve the public’s interest in effective management of temporary Executive Branch employees;

WHEREAS, Marylanders who do not earn any paid leave can face economic distress because of missed work when they or their families are ill or require medical care;

WHEREAS, The State of Maryland has a compelling interest in ensuring that its temporary employees will be healthy and secure;

WHEREAS, Temporary employees who do not have access to paid leave are more likely to work while compromised by illness or other personal issues;

WHEREAS, My powers as Governor enable me to, when needed for effective management of the Executive Branch, extend benefits to temporary Executive Branch employees, establish procedures for the administration of those benefits, and provide for other such matters that further the achievement of those objectives;

WHEREAS, Providing temporary employees with paid leave ensures that essential State services and maintenance will not be compromised by illness or other personal issues;

WHEREAS, Providing temporary employees with paid leave will help protect the State’s and public’s interest in the effective management of the Executive Branch; and

WHEREAS, This Executive Order is intended to maximize the ability of the Department of Budget and Management and Maryland Department of Transportation, within the confines of existing law, to apply sensible policies of paid leave to certain Executive Branch employees who do not already receive such benefits from the State,

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 PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. The following terms shall have the meanings indicated:
 - a. “Paid leave” means:
 - i. personal leave with pay that may be used for any purpose; and
 - ii. is provided pursuant to this Order.
 - b. “Temporary employee”:
 - i. Except for employees of the Maryland Department of Transportation, includes a temporary employee as designated by Section 1-101 of the State Personnel and Pensions Article of the Code of Maryland.
 - ii. For employees of the Maryland Department of Transportation, includes both:
 - 1. employees hired for a specific period not to exceed 12 months or the limits established by a special employment program; and
 - 2. employees whose conditions of employment and compensation are specified in personal services contracts.

- B. This Order applies to all temporary employees of the Executive Branch’s principal departments, except those who:
 - a. Regularly work less than 30 hours a week;

- b. Are employed for less than 120 days during a 12-month period; or

- c. Are covered by a bona fide collective bargaining agreement.

C. This Order may not be construed to:

- a. Require a temporary employee to be compensated for unused paid leave upon or after completing his or her employment;

- b. Preempt, limit, or otherwise affect any workers’ compensations benefits that may be available to the temporary employee;

- c. Affect the paid leave or benefits provided to State employees, other than temporary employees, pursuant to Title 9 of the State Personnel and Pensions Article of the Code of Maryland, Section 2-103.4 of the Transportation Article of the Maryland Code, or any regulations authorized by those statutes; or

- d. Otherwise diminish or infringe upon any rights, responsibilities, powers, or duties conferred by the Constitution of the State of Maryland or the Laws of Maryland.

D. Provision of Paid Leave.

- a. Temporary employees shall receive paid leave at the same wage rate as the temporary employee normally earns.

- b. After a temporary employee has worked 120 days in a 12-month period, paid leave shall accrue at a rate of one hour for every 30 hours worked, not to exceed 40 hours of paid leave per calendar year.

- c. Paid leave shall begin to accrue on and after July 1, 2017, for all temporary employees otherwise qualified to receive it.

- d. Formal approval shall not be required before a temporary employee’s use of paid leave.

- e. A temporary employee may use only paid leave that has been accrued.

- f. If a temporary employee has unused paid leave at the end of a calendar year, the temporary employee may carry, up to a total of 40 hours, the balance of the paid leave into the following year.

E. The Department of Budget and Management and Maryland Department of Transportation shall, for the temporary employees within their respective authorities and management systems, administer this Order, and shall have the power, to the fullest extent permitted by law, to:

- a. Make determinations regarding the receipt and use of paid leave;

- b. Resolve other issues that may arise pursuant to this Order; and

- c. Promulgate such guidelines and establish such procedures as may be necessary for the proper implementation of this Order.

F. Grievance Procedures. The Secretary of Budget and Management and Secretary of Transportation shall, for the temporary employees within their respective authorities and management systems, provide grievance procedures for temporary employees who dispute their receipt or use of paid leave pursuant to this Order.

G. This Order may be revoked or amended by the Governor at any time.

H. In the event that a challenge to any provision of this Order results in a judicial determination that such provision is contrary to law, such provision shall be deemed separable from all other provisions of this Order.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 25th Day of May, 2017.

LAWRENCE J. HOGAN, JR.
Governor

ATTEST:

JOHN C. WOBENSMITH
Secretary of State

[17-12-34]

EXECUTIVE ORDER 01.01.2017.10

Procurement Preference for Employers Providing Paid Leave

WHEREAS, Marylanders who do not earn any paid leave can face economic distress because of missed work when they or their families are ill or require medical care;

WHEREAS, The State of Maryland has a commitment to expand access to paid leave in the workforce in a manner that does not burden small businesses and lead to a loss of jobs, higher unemployment, stagnation in the creation of new business, stymied growth for existing businesses, or other economic effects detrimental to Maryland citizens;

WHEREAS, Employees who do not have access to paid leave are more likely to work while compromised by illness or other personal issues;

WHEREAS, In selecting contractors, the State of Maryland has a compelling interest in considering whether access to paid leave ensures that workers will be healthy and secure; and

WHEREAS, Encouraging expanded access to paid leave by giving procurement preference to bidders that provide it will help protect the State's interests,

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, DO HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. Each State department, agency, authority, board, or instrumentality controlled by the Governor shall conduct a comprehensive review of its procurement procedures, guidelines, and regulations to determine whether they can be modified or expanded to grant a procurement preference to bidders that provide paid leave to employees.

B. In conjunction with any such modified or expanded procedures, guidelines, or regulations, each State department, agency, authority, board, or instrumentality shall identify:

1. How the provision of paid leave will be evaluated and assessed in procurements and public notices of solicitation;
2. Any certifications that must be executed by bidders to obtain a procurement preference;
3. Any appropriate exceptions by which, on a contract-by-contract basis, a preference may not be extended to bidders that offer employees paid leave, as well as factors to be considered in applying any such exceptions; and
4. How to implement this Executive Order in a manner consistent with existing policies that establish procurement preferences in other circumstances, including preferences to support women- and minority-owned businesses.

C. After its review, and to the extent permitted by law, each State department, agency, authority, board, or instrumentality shall so modify or expand its procedures, guidelines, or regulations to grant a preference to bidders that provide paid leave to employees:

1. Working in the performance of the State contract or subcontract;
2. Who regularly work at least 30 hours per week; and
3. Are employed at least 120 days during a 12-month period.

D. State departments, agencies, authorities, boards, or instrumentalities shall implement this Executive Order in a manner consistent with all applicable statutes. If any provision of this Executive Order or its application to any person or circumstance is

held invalid by any court of competent jurisdiction, all other provisions or applications of the Executive Order shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

E. Nothing in this Executive Order shall be construed to:

1. Contravene any State statute or federal law or to jeopardize federal funding;
2. Preempt, limit, or otherwise affect any workers' compensation benefits, including as provided in Title 9 of the Labor and Employment Article of the Code of Maryland; or
3. Require a contractor to compensate an employee for unused paid time off when the employee ceases work in the performance of a State contract or subcontract.

F. Each agency shall provide to the Governor's Chief of Staff, no later than December 1, 2017, a report with the results of its review and identifying any resulting modifications to or expansions of procedures, guidelines, or regulations.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 25th day of May, 2017.

LAWRENCE J. HOGAN, JR.
Governor

ATTEST:

JOHN C. WOBENSMITH
Secretary of State

[17-12-35]

EXECUTIVE ORDER 01.01.2017.11

**Renewal of Executive Order 01.01.2017.02
(Executive Order Regarding the Heroin, Opioid, and Fentanyl
Overdose Crisis Declaration of Emergency)**

WHEREAS, I, Lawrence J. Hogan, Jr., Governor of the State of Maryland, issued Executive Order 01.01.2017.02 due to the heroin, opioid, and fentanyl overdose crisis (the "Crisis"); and

WHEREAS, The emergency conditions relating to the Crisis continue to exist.

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 THE LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 14 OF THE PUBLIC SAFETY ARTICLE, DECLARE THAT THE STATE OF EMERGENCY CONTINUES TO EXIST PERTAINING TO THE NEED TO CONTROL AND ELIMINATE THE HEROIN, OPIOID, AND FENTANYL OVERDOSE CRISIS AND HEREBY RENEW EXECUTIVE ORDER 01.01.2017.02, EFFECTIVE ON MAY 31, 2017, AND SHALL EXPIRE ON JUNE 30, 2017, UNLESS SOONER TERMINATED OR EXTENDED IN WRITING BY ME.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 30th Day of May, 2017.

LAWRENCE J. HOGAN, JR.
Governor

ATTEST:

JOHN C. WOBENSMITH
Secretary of State

[17-12-36]

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

[17-114-E]

The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to amendments to Regulation .01 and new Regulation .10 under **COMAR 09.10.03 Prohibited Acts**.

Emergency status began: May 18, 2017.

Emergency status expires: September 1, 2017.

Editor's Note: The text of this document will not be printed here because it appeared as a Notice of Proposed Action in 44:8 Md. R. 409—411 (April 14, 2017), referenced as [17-114-P].

J. MICHAEL HOPKINS
Executive Director
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 07

DEPARTMENT OF HUMAN RESOURCES

Subtitle 02 SOCIAL SERVICES ADMINISTRATION

07.02.07 Child Protective Services — Investigation of Child Abuse and Neglect

Authority: Criminal Law Article, §§3-601, 3-602, and 3-602.1; Family Law Article, Title 5, Subtitle 7; Human Services Article, §§1-202 and 4-207; Annotated Code of Maryland Chs. 398 and 399, Acts of 2011 (Agency Note: 42 U.S.C. 5106a(b)(2); 45 CFR §1340.20)

Notice of Final Action

[17-107-F]

On May 17, 2017, the Secretary of Human Resources adopted the repeal of Regulations .01—.23 and adopted new Regulations .01—.24 under COMAR 07.02.07 Child Protective Services — Investigation of Child Abuse and Neglect. This action, which was proposed for adoption in 44:7 Md. R. 358—371 (March 31, 2017), has been adopted with the nonsubstantive changes shown below.

Effective Date: June 19, 2017.

Attorney General's Certification

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

COMAR 07.02.07.02.B(22) Substituted the word “disposition” for “conclusion” to ensure consistency. This change is not substantive as “conclusion” and “disposition” in this context have the same meaning.

COMAR 07.02.07.02B(32): Conformed the definition of “maltreater” so that it is identical with the definition of the same term in COMAR 07.02.26.02(B). This change is not substantial because the change did not affect the meaning of the word. COMAR 07.02.07.05C(1): Substituted “7” for “seven.” This change is not substantive because it is solely a stylistic change. COMAR 07.02.07.08B Substituted “5” for “five” This change is not substantive because it is solely a stylistic change.

.02 Definitions.

A. (proposed text unchanged)

B. *Terms Defined.*

(1) — (21) (proposed text unchanged)

(22) “*Finding*” means a ~~[[conclusion]]~~ disposition at the end of an investigation that child abuse or neglect is indicated, unsubstantiated, or ruled out and the identification of an individual responsible for unsubstantiated or indicated child abuse or neglect.

(23) — (31) (proposed text unchanged)

(32) “*Maltreater*” means an individual whom a local department has found responsible for ~~[[child abuse or neglect that was not ruled out]]~~ indicated or unsubstantiated child abuse or neglect.

(33) — (57) (proposed text unchanged)

.05 Receiving Reports of Child Abuse or Neglect.

A. — B. (proposed text unchanged)

C. *On-Call Staff.*

(1) A local department shall have trained staff on-call 24 hours a day, [seven] 7 days a week, to receive and take appropriate action on reports of suspected child abuse and child neglect.

(2) (text unchanged)

D. — J. (text unchanged)

.08 On-Site Investigation.

A. (text unchanged)

B. *Neglect—Other Than Mental Injury.* Within ~~[[five]]~~ 5 days of receiving a report of alleged child neglect, the local department shall follow the procedures under §A of this regulation.

C. (proposed text unchanged)

LOURDES PADILLA

Secretary of Human Resources

Subtitle 02 SOCIAL SERVICES ADMINISTRATION

07.02.26 Child Abuse and Neglect Hearings

Authority: Family Law Article, §§5-701, 5-706, 5-706.1, 5-707, and 5-714; Human Services Article, Title 1; Annotated Code of Maryland

Notice of Final Action

[17-108-F]

On May 17, 2017, the Secretary of Human Resources adopted the repeal of existing Regulations .01—.15 and adopted new Regulations .01—.15 under COMAR 07.02.26 Child Abuse and Neglect Hearings. This action, which was proposed for adoption in 44:7 Md. R. 371—374 (March 31, 2017), has been adopted with the nonsubstantive changes shown below.

Effective Date: June 19, 2017.

Attorney General's Certification

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

COMAR 07.02.26.02B(6): Replaced the definition of “centralized confidential database” in COMAR 07.02.26.02B(06) with the definition of the same term in COMAR 07.02.26.02B(11) and deleted the second definition of term as redundant. This change is not substantive because it removes a second definition of “centralized confidential database” and conforms the existing definition to that in COMAR 07.02.07.02(7).

COMAR 07.02.26.02B(08): Made a correction to the name of the Article. This change is not substantive as it is only a correction.

COMAR 07.02.26.02B(13): Corrected the definition of “final determination” to make it identical with the definition in COMAR 07.02.07.02B(21). This change is not substantive as the deleted language does not change the meaning.

COMAR 07.02.26.05E—G: Substituted “10” for “ten.” This change is not substantive because it is solely a stylistic change.

COMAR 07.02.26.05H: Substituted “3” for “three.” This change is not substantive because it is solely a stylistic change.

COMAR 07.02.26.11C: Retained original time period of 5 days rather than 7 days. This change is not substantive because it makes this section consistent with COMAR 07.02.26.11D, which refers to 5 days. This change does not decrease, in any significant way, the benefits that would have been achieved by the regulation as proposed because, even if the regulation required discovery 7 or more days before the hearing, COMAR 07.02.26.11D does not impose a penalty for failing to produce discovery unless the requested discovery is not provided 5 or more days before the hearing.

COMAR 07.02.26.12: retained original use of “be involved” instead of the proposed language for purposes of consistency. This change is not substantive because it eliminates confusion and does not change the meaning of the provision in this context.

.02 Definitions.

A. (proposed text unchanged)

B. *Terms Defined.*

(1) — (5) (proposed text unchanged)

(6) “*Centralized confidential database*” means the Department’s confidential computerized data system that contains information regarding child abuse and neglect investigations and assessments and protects that information from disclosure.

(7) (proposed text unchanged)

(8) “*Child in need of assistance (CINA)*” has the meaning stated in [[Court]] Courts and Judicial Proceedings Article, §3-801(f), Annotated Code of Maryland.

(9) — (10) (proposed text unchanged)

[[11)] “*Centralized confidential database*” means the Department’s internal computerized data system that contains information regarding child abuse and neglect investigations and assessments and protects that information from disclosure.]]

[[12)]] (11) — [[13)]] (12) (proposed text unchanged)

[[14)]] (13) “*Final determination*” means a finding of the local department after all timely appeals [[have been taken]].

[[15)]] (14) — [[28)]] (27) (proposed text unchanged)

.05 Request for Appeal.

A. — D. (proposed text unchanged)

E. *If a local department receives a request for a hearing with a proper fee enclosed or an appropriately documented request for a fee waiver, it shall forward the request to OAH not later than [[ten]] 10 days after receipt.*

F. *If a local department receives a request for a hearing without the proper fee or appropriately documented request for a fee waiver, it shall return the request to the appellant as soon as possible but not later than [[ten]] 10 days after receipt.*

G. *If OAH receives a request for a conference, it shall forward the request to the local department not later than [[ten]] 10 days after receipt.*

H. *An individual is presumed to have received the notice of action [[three]] 3 business days after the date on the top of the form.*

I. (proposed text unchanged)

.11 Discovery.

A. — B. (proposed text unchanged)

C. *By written request made at least 10 days before the hearing, the parties have the right to receive, not later than [[seven]] 5 days before the hearing, copies of documents and a list of witnesses to be presented by the other party at the hearing.*

D. — E. (proposed text unchanged)

.12 Conduct of Hearing.

A. *A party may not call a child younger than 14 years old to testify or otherwise [[be involved]] participate in a hearing under this chapter unless the party seeking to introduce the child’s testimony or involve the child demonstrates that:*

(1) — (2) (proposed text unchanged)

B. — D. (proposed text unchanged)

LOURDES PADILLA
Secretary of Human Resources

Title 10

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 24 MARYLAND HEALTH CARE COMMISSION

10.24.19 State Health Plan for Facilities and Services: Freestanding Medical Facilities

Authority: Health-General Article, §§19-109(a)(1), 19-114(d)(1)(viii), 19-118(a)(2)(i), 19-120(j)(2)(iv), and 19-120 (o)(1) and (3), Annotated Code of Maryland

Notice of Final Action

[16-224-F-I]

On May 18, 2017, the Maryland Health Care Commission adopted new Regulation .01 under **COMAR 10.24.19 State Health Plan for Facilities and Services: Freestanding Medical Facilities**. This action was considered by the Commission at an open meeting held on May 18, 2017, notice of which was given through publication in the Maryland Register, pursuant to General Provisions Article, §3-302, Annotated Code of Maryland. This action, which was proposed for adoption in 43:18 Md. R. 1027—1028 (September 2, 2016) and repropoed in 44:7 Md. R. 376—377 (March 31, 2017), has been adopted as repropoed.

Effective Date: June 19, 2017.

ROBERT E. MOFFIT, Ph.D.
Chair

Subtitle 25 MARYLAND HEALTH CARE COMMISSION

10.25.18 Health Information Exchanges: Privacy and Security of Protected Health Information

Authority: Health-General Article, §§4-301, 4-302.2, 4-304, 19-101, and 19-143, Annotated Code of Maryland

Notice of Final Action

[17-095-F]

On May 18, 2017, the Maryland Health Care Commission adopted amendments to Regulations .02, .03, .08, and .09 and adopted new Regulation .12 under **COMAR 10.25.18 Health Information Exchanges: Privacy and Security of Protected Health Information**. This action, which was proposed for adoption in 44:6 Md. R. 332—335 (March 17, 2017), has been adopted with the nonsubstantive changes shown below.

Effective Date: June 19, 2017.

Attorney General's Certification

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

Non-substantive changes were made to correct internal inconsistencies. The nature of the changes and the basis for this conclusion are as follows:

Regulation .02B(18)(a): The addition of clarifying language to be consistent with language under Regulation .12E.

Regulation .12A(1): The addition of language to clarify that verification of the health care consumer's identity occurs prior to disclosing or accepting changes to the information.
Regulation .12B(1): The addition of "cost-based" which aligns with current federal requirements.

.02 Definitions.

A. (proposed text unchanged)

B. Terms Defined.

(1) — (17) (proposed text unchanged)

(18) "Download" means providing a method by which the health care consumer can obtain an electronic copy of the patient's information that:

(a) Is in a [[format]] readily [[producible by the HIE]] available industry standard format; and

(b) (proposed text unchanged)

(19) — (63) (proposed text unchanged)

.12 Requirements for Providing Health Care Consumers Electronic Access to Their Health Information.

A. An HIE or its third party that offers health care consumers electronic access to view, download, transmit, submit, or control their health information shall:

(1) Appropriately verify the identity of the health care consumer requesting electronic access or proposing an addition or change to the patient's information available through the HIE prior to disclosing or accepting changes to the information;

(2) — (10) (proposed text unchanged)

B. An HIE or its third party that offers health care consumers electronic access to view, download, transmit, submit, or control their information may:

(1) Charge a reasonable cost-based published fee for healthcare consumer electronic access consistent with applicable federal and State laws; and

(2) (proposed text unchanged)

C. — H. (proposed text unchanged)

ROBERT E. MOFFIT, Ph.D.
Chair

Subtitle 32 BOARD OF PHYSICIANS

10.32.01 General Licensure Regulations

Authority: Health Occupations Article, §§14-205 and 14-307(j), Annotated Code of Maryland

Notice of Final Action

[17-101-F]

On May 19, 2017, the Secretary of Health and Mental Hygiene adopted new Regulation .17 under **COMAR 10.32.01 General Licensure Regulations**. This action, which was proposed for adoption in 44:7 Md. R. 378 (March 31, 2017), has been adopted as proposed.

Effective Date: June 19, 2017.

DENNIS R. SCHRADER
Secretary of Health and Mental Hygiene

Subtitle 38 BOARD OF PHYSICAL THERAPY EXAMINERS

10.38.12 Dry Needling

Authority: Health Occupations Article, §§13-101 and 13-206, Annotated Code of Maryland

Notice of Final Action

[16-291-F]

On May 23, 2017, the Secretary of Health and Mental Hygiene adopted new Regulations .01—**.04** under a new chapter, **COMAR 10.38.12 Dry Needling**. This action, which was proposed for adoption in 43:23 Md. R. 1287-1289 (November 14, 2016), has been adopted with the nonsubstantive changes shown below.

Effective Date: June 19, 2017.

Attorney General's Certification

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

Regulation .03C and J: Inserting the actual effective date regarding this specific regulation is clarifying in nature and is not substantive.

.03 Minimum Education and Training Necessary to Perform Dry Needling.

A.—B. (proposed text unchanged)

C. A continuing education course taken before [[the effective date of this regulation]] June 19, 2018 shall qualify for instruction if the same course, in substantially similar form, is later sponsored by the American Physical Therapy Association, the APTA of Maryland, or the Federation of State Boards of Physical Therapy.

D.—I. (proposed text unchanged)

J. This regulation shall take effect [[1 year after the effective date of the rest of this chapter]] June 19, 2018.

DENNIS R. SCHRADER
Secretary of Health and Mental Hygiene

Title 13A STATE BOARD OF EDUCATION

Subtitle 03 GENERAL INSTRUCTIONAL PROGRAMS

13A.03.01 Standards for Kindergarten Programs

Authority: Education Article, §§2-205(h), 4-110, 7-203, 7-204, and 8-403,
Annotated Code of Maryland

Notice of Final Action

[17-105-F]

On May 23, 2017, the Maryland State Board of Education adopted amendments to Regulation .01 under **COMAR 13A.03.01 Standards for Kindergarten Programs**. This action, which was proposed for adoption in 44:7 Md. R. 379 (March 31, 2017), has been adopted as proposed.

Effective Date: June 19, 2017.

KAREN B. SALMON, Ph.D.
State Superintendent of Schools

Title 31 MARYLAND INSURANCE ADMINISTRATION

Subtitle 15 UNFAIR TRADE PRACTICES

31.15.03 Life Insurance Disclosure

Authority: Insurance Article, §§2-109(a)(1) and 27-202, Annotated Code of
Maryland

Notice of Final Action

[17-115-F]

On May 30, 2017, the Insurance Commissioner adopted amendments to Regulation .06 under **COMAR 31.15.03 Life Insurance Disclosure**. This action, which was proposed for adoption in 44:8 Md. R. 416—417 (April 14, 2017), has been adopted as proposed.

Effective Date: June 19, 2017.

ALFRED W. REDMER, JR.
Insurance Commissioner

Proposed Action on Regulations

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

Symbol Key

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

Promulgation of Regulations

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

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

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

Title 10

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.02 Physicians' Services

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

Notice of Proposed Action

[17-152-P-I]

The Secretary of Health and Mental Hygiene proposes to amend Regulations **.03**, **.04**, **.06**, and **.07** under **COMAR 10.09.02 Physicians' Services**.

Statement of Purpose

The purpose of this action is to update the Professional Services Provider Manual and Fee Schedule (formerly The Physicians' Services Fee Schedule) to the January 2017 version. Rates that exceeded 100 percent of the Medicare rate have been decreased to 100 percent of the 2017 Medicare rates for protected specialties (obstetrics/gynecology, neurosurgery, and orthopedic services). Other specialties with rates higher than Medicare rates were reduced to 90 percent of the corresponding 2017 Medicare rates. As a result of the reduction in rates of other specialties, the lowest rates of reimbursement have been increased to 72 percent of the 2017 Medicare rate. In addition, this proposal updates language regarding the scope of practice for the nurse practitioners.

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 10, 2017. 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, the Professional Services Provider Manual and Fee Schedule (Maryland Medical Assistance Program Effective January 1, 2017) 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 44:1 Md. R. 9 (January 6, 2017), 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.

.03 Conditions for Participation.

A. (text unchanged)

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

(1)—(5) (text unchanged)

(6) Shall agree to identify by the individual physician practitioner's identification number each physician assistant [or nurse practitioner] who is authorized by the physician to request laboratory services; and

(7) (text unchanged)

.04 Covered Services.

The Program covers the following medically necessary services rendered to recipients:

A. Physicians' services rendered in the physician's office, the recipient's home, a hospital, a skilled or intermediate care nursing facility, a freestanding clinic, or elsewhere when these services are:

(1) Performed by the physician or one of the following:

(a)—(b) (text unchanged)

(c) A certified nurse midwife [or a certified nurse practitioner provided that the individual performs the services within the scope of the individual's license or certification] *who performs medically necessary services within the provider's scope of practice as described in COMAR 10.27.05; and*

(d) *A certified nurse practitioner who performs medically necessary services within the provider's scope of practice as described in COMAR 10.27.07.*

(2)—(3) (text unchanged)

B.—I. (text unchanged)

.06 Preauthorization Requirements.

A.—D. (text unchanged)

E. Preauthorization normally required by the Program is waived when the service is covered and approved by Medicare. [However, if the entire or any part of a claim is rejected by Medicare, and the claim is referred to the Program for payment, payment will be made for services covered by the Program only if authorization for those services has been obtained before billing.] Non-Medicare claims require preauthorization according to §§A—D of this regulation.

F. (text unchanged)

.07 Payment Procedures.

A.—C. (text unchanged)

D. The Maryland Medical Assistance Program's procedures for payment are contained in the Professional Services Provider Manual and Fee Schedule (Effective [October 2016] *January 2017*). All the provisions of this document, unless specifically excepted, are incorporated by reference.

E.—Q. (text unchanged)

DENNIS R. SCHRADER
Secretary of Health and Mental Hygiene

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.24 Medical Assistance Eligibility

Authority: Estates and Trusts Article, §14.5-1002; Health-General Article, §§2-104(b), 2-105(b), 15-103, 15-105, 15-121, and 15-401—15-407; Annotated Code of Maryland

Notice of Proposed Action

[17-154-P]

The Secretary of Health and Mental Hygiene proposes to amend Regulations .02 and .10 under **COMAR 10.09.24 Medical Assistance Eligibility**.

Statement of Purpose

The purpose of this action is to permit institutionalized individuals who have court-appointed guardians to receive an incremental increase to their personal needs allowance, allowing them to pay guardianship fees, as required by Ch. 390, Acts of 2016. This method allows the Department to facilitate fee payments while remaining compliant with State and federal requirements for calculating an institutionalized beneficiary's available income. Additionally, this

proposal adds definitions for the terms "guardian of the person" and "guardian of the property".

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. Guardianship services were utilized by 813 unduplicated individuals out of 49,480 nursing facility residents, or 1.64 percent, during the implementation period at a cost of \$480,000.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	(E+)	\$480,000
B. On other State agencies:	NONE	
C. On local governments:	(R+)	\$380,000

	Benefit (+)	Magnitude
	Cost (-)	
D. On regulated industries or trade groups:	NONE	
E. On other industries or trade groups:	(+)	\$100,000
F. Direct and indirect effects on public:	NONE	

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

A. Assumes every institutionalized Medicaid recipient with a guardian has sufficient income to allow for both guardianship fee and historic lower-priority deductions. This overstates the impact to the extent guardianship fees displace historic deductions.

C. Assumes primary beneficiaries of fee payments will be local governments.

E. Assumes guardians without government affiliation will receive some portion of the fee payments from Medicaid recipients.

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 an impact on individuals with disabilities as follows:

Individuals with disabilities will benefit to the extent they are represented in the population of institutionalized individuals without capacity who may have better access to services of guardians as a result of the proposed action.

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 10, 2017. A public hearing has not been scheduled.

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(21-1) (text unchanged)

(21-2) “Guardian of the person” means a guardian appointed by a court pursuant to Estates and Trusts Article, Title 13, Subtitle 7, Annotated Code of Maryland, to serve the interests of a minor or disabled person under that subtitle.

(21-3) “Guardian of the property” means a guardian appointed by a court pursuant to Estates and Trusts Article, Title 13, Subtitle 2, Annotated Code of Maryland, to serve the interests of a minor or disabled person under that subtitle.

(22)—(63) (text unchanged)

.10 Determining Financial Eligibility for Institutionalized Persons.

A.—B. (text unchanged)

C. Retroactive Eligibility.

(1)—(4) (text unchanged)

(5) Subject to the requirements of §C(6) of this regulation, effective October 1, 2016, the personal needs allowance set forth in §C(4) of this regulation shall be increased as follows:

(a) For a Medicaid recipient who has been assigned a guardian of the person, \$50 per month;

(b) For a Medicaid recipient who has been assigned a guardian of the property, \$50 per month;

(c) For a Medicaid recipient who has been assigned a single guardian serving all purposes, \$50 per month; and

(d) For a Medicaid recipient who has been assigned one individual to serve as guardian of the person and one different individual to serve as guardian of the property, \$100 per month.

(6) A guardian shall submit a monthly bill to the Medicaid recipient or authorized representative in order for a guardianship fee to be added to the recipient’s personal needs allowance set forth in §C(4) of this regulation.

[(5)] (7)—[(6)] (8) (text unchanged)

[(7)] (9) When the available income as determined under §C(4) of this regulation is greater than the person’s incurred cost-of-care to the facility and countable resources are equal to or less than the medically needy resource standard, retroactive eligibility may exist under [(§C(8))] §C(10) of this regulation.

[(8)] (10) Retroactive Spend-Down Eligibility.

(a)—(c) (text unchanged)

(d) Retroactive spend-down eligibility is established on the day the incurred medical expenses considered under [(§C(8)(b))] §C(10)(b) of this regulation equal or exceed the excess available income. Certification is established under Regulation .11D of this chapter.

(e) (text unchanged)

D. Current Eligibility.

(1)—(2) (text unchanged)

(3) Subject to the requirements of §D(4) of this regulation, effective October 1, 2016, the personal needs allowance is increased as follows:

(a) For a Medicaid recipient who has been assigned a guardian of the person, \$50 per month;

(b) For a Medicaid recipient who has been assigned a guardian of the property, \$50 per month;

(c) For a Medicaid recipient who has been assigned a single guardian serving all purposes, \$50 per month;

(d) For a Medicaid recipient who has been assigned one individual to serve as guardian of the person and one different individual to serve as guardian of the property, \$100 per month.

(4) A guardian shall submit a monthly bill to the Medicaid recipient or authorized representative in order for a guardianship fee

to be added to the recipient’s personal needs allowance set forth in §D(2) of this regulation.

[(3)] (5)—[(4)] (6) (text unchanged)

[(5)] (7) If, after application of the disregards in §D(2) of this regulation, the person’s income exceeds the projected cost-of-care, eligibility may be established under [(§D(6))] §D(8) of this regulation.

[(6)] (8) Spend-down Eligibility.

(a)—(d) (text unchanged)

(e) Medical expenses incurred during the time periods specified in [(§D(6)(b) and (c))] §D(8)(b) and (c) of this regulation shall be deducted from the excess available income beginning with the earliest time period and in the following order:

(i)—(iii) (text unchanged)

(f) Spend-down eligibility is established for the remainder of the period under consideration on the day the incurred medical expenses, considered under [(§D(6)(e))] §D(8)(e) of this regulation, including projected private cost-of-care obligations, equal or exceed the amount of excess available income. Certification is established under Regulation .11D of this chapter.

(g)—(k) (text unchanged)

DENNIS R. SCHRADER
Secretary of Health and Mental Hygiene

Subtitle 27 BOARD OF NURSING

10.27.22 Multistate Licensure Compact Regulations

Authority: Health Occupations Article, §§8-205(a)(1) and 8-7A-01—8-7A-05, Annotated Code of Maryland

Notice of Proposed Action

[17-145-P]

The Secretary of Health and Mental Hygiene proposes to amend Regulations .01—.04 under **COMAR 10.27.22 Multistate Licensure Compact Regulations**. This action was considered by the Board of Nursing at a public meeting held on March 22, 2017, notice of which was given by publication on the Board’s website in January, February, and March 2017 at <http://mbon.maryland.gov/Pages/default.aspx>, pursuant to General Provisions Article, §3–302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to amend the existing rules for administering the Nurse Multistate Licensure Compact to conform with the amended model rules from the National Council of State Boards of Nursing that were last revised in 2012. Some of the changes in the 2012 revisions of the model rules have already been made by the Board of Nursing. This proposal makes the final changes in conformation with the model rules.

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 10, 2017. A public hearing has not been scheduled.

.01 Definitions.

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

(1) (text unchanged)

[(2)] “Compact” means the Nurse Multistate Licensing Compact.

(3) “Coordinated Licensure Information System (CLIS)” means an integrated process for collecting, storing, and sharing information on nurse licensing and enforcement activities related to nurse licensing laws, which is administered by a nonprofit organization composed of and controlled by state nurse licensing boards.

(4) “Home state” means the party state that is the nurse’s primary state of residence.]

(2) “Information System” means the coordinated licensure information system.

[(5)] (3) “Primary state of residence” means the state of an individual’s declared, fixed, [and] permanent, [residence] and principal home for legal purposes: domicile.

[(6)] (4) “Public” means [an] any individual or entity other than designated staff or representatives of party state boards or the National Council of State Boards of Nursing, Inc.

.02 Issuance of a License [in] by a Compact Party State.

A. [A nurse applying for a license in a home party state shall produce evidence of the nurse’s primary state of residence. This evidence shall include a declaration signed by the licensee. Further evidence that may be requested includes but is not limited to:] *As of July 1, 2005, no applicant for initial licensure will be issued a compact license granting a multistate privilege to practice unless the applicant first obtains a passing score on the applicable NCLEX examination or any predecessor examination used for licensure.*

B. Home Party State License.

(1) *A nurse applying for a license in a home party state shall produce evidence of the nurse’s primary state of residence.*

(2) *The evidence required in §B(1) of this regulation shall include a declaration signed by the licensee.*

(3) *Further evidence that may be requested may include but is not limited to a:*

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

[(2)] (b) Voter registration card displaying a home address; [or]

[(3)] (c) Federal income tax return declaring the primary state of residence;

(d) *Military Form No. 2058, State of Legal Residence Certificate; or*

(e) *W2 form from the United States government or any bureau, division, or agency thereof indicating the declared state of residence.*

C. *A nurse on a visa from another country applying for licensure in a party state may declare either the country of origin or the party state as the primary state of residence. If the foreign country is declared the primary state of residence, a single state license shall be issued by the party state.*

D. *A license issued by a party state is valid for practice in all other party states unless clearly designated as valid only in the state which issued the license.*

E. Single State License.

(1) *When a party state issues a license authorizing practice only in that state and not authorizing practice in other party states, the license shall be clearly marked with words indicating that it is valid only in the state of issuance.*

(2) *A license that is only valid for the party state is called a single state license.*

[B.] F. (text unchanged)

[C.] G. *The licensure application in the new home state of a nurse under pending investigation by the former home state shall be held in abeyance, and the 90-day period in [§B] §F of this regulation shall be stayed until resolution of the pending investigation.*

[D.] H.—[E.] I. (text unchanged)

.03 [Multistate Licensure Privilege Limitations] Limitations on Multistate Licensure Privilege — Discipline.

A.—B. (text unchanged)

C. *An individual who had a license which was surrendered, revoked, or suspended, or an application denied for cause in a prior state of primary residence, may be issued a single state license in a new primary state of residence until such time as the individual would be eligible for an unrestricted license by the prior state or states where there was an adverse action.*

D. *Once eligible for licensure in the prior state or states, a multistate license may be issued.*

.04 Information System.

A. Levels of Access.

(1) (text unchanged)

(2) *Non-party state boards shall have access to all [CLIS] Information System data except current significant investigative information and other information as limited by contributing party state authority.*

(3) *Party state boards shall have access to all [CLIS] Information System data contributed by the party states and other information as allowed by contributing non-party state authority.*

B. Right to Review.

(1) *The licensee may request, in writing, to the home state board to review data relating to the licensee in the [CLIS] Information System.*

(2) (text unchanged)

(3) *Within 10 business days, the Board shall correct information that it finds to be inaccurate in the [CLIS] Information System.*

C. Changes in Disciplinary Data.

(1) *Within 10 business days, the Board shall report to the [CLIS] Information System:*

(a)—(c) (text unchanged)

(2) *The Board shall delete current significant investigative information from the [CLIS] Information System within 10 business days after:*

(a)—(d) (text unchanged)

(3) *The [CLIS] Information System administrator shall make changes to licensure information in the [CLIS] Information System within 10 business days upon notification by a board.*

DENNIS R. SCHRADER
Secretary of Health and Mental Hygiene

**Subtitle 29 BOARD OF MORTICIANS
AND FUNERAL DIRECTORS**

10.29.09 Requirements for Apprenticeship

Authority: Health Occupations Article, §§7-101, 7-205, 7-305, and 7-306, Annotated Code of Maryland

Notice of Proposed Action

[16-345-R]

The Secretary of Health and Mental Hygiene proposes to amend Regulations .02—, .06, .11, and .14 under COMAR 10.29.09 Requirements for Apprenticeship. This action was considered for reproposal at a public meeting held on February 8, 2017, notice of which was given by publication on the Board’s website at <http://dhmh.maryland.gov/bom/Pages/home.aspx> pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland. Because substantive changes have been made to the original proposal as published in 43:26 Md. R. 1492—1494 (December 23, 2016), this action is being repropose at this time.

Statement of Purpose

The purpose of this action is to:

- (1) Define certain terms;
- (2) Provide that an apprentice sponsor shall meet certain qualifications in order to be approved as an apprentice sponsor;
- (3) Clarify that the apprentice’s sponsor may delegate supervision to another licensed mortician or funeral director and that the sponsor assumes full responsibility on their license for the delegate or apprentice sponsor’s conduct;
- (4) Revise the list of practical experiences required for an applicant for a license as a funeral director to complete;
- (5) Revise the list of practical experiences required for an applicant for a license as a mortician to complete;
- (6) Revise the documentation required to show completion of the requirements of an apprenticeship;
- (7) Increase the clinical embalming assists from 20 to 25 for individuals studying to be a mortician;
- (8) Limit the number of sponsors an apprentice shall have and require that each sponsor attest to the Board what each sponsor is responsible for teaching the apprentice;
- (9) Revise the apprentice licensure requirements;
- (10) Provide that an apprentice may participate in making funeral arrangements with the sponsor or sponsor’s delegate but may not make funeral arrangements, including pre-need arrangements, unless the apprentice is under the direct supervision of the sponsor or sponsor’s delegate; and
- (11) Clarify that an apprentice may not sign a funeral establishment contract.

The repropose text is in response to a comment received from the Funeral Consumers Alliance and Environs (FCAE) during the original comment period. The FCAE recommends that an apprentice shall complete at least four pre-need arrangements, four at-need arrangements, four cremation arrangements, and four cemetery transfers with a service to qualify for a mortician’s or funeral director’s license. The FCAE also recommends that to qualify for a mortician’s license, an apprentice shall submit documentation to the Board of completion of the same on a form signed by the apprentice and the apprentice sponsor, and that to qualify for a funeral director’s license, an apprentice shall submit a notarized statement signed by the apprentice and the apprentice sponsor verifying completion of the requirements.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michele Phinney, Director, Office of Regulation and Policy Coordination, Department of Health and Mental Hygiene, 201 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 10, 2017. 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.

.02 (originally proposed text unchanged)

.03 Requirements of Apprenticeship.

A.—B. (originally proposed text unchanged)

C. Applicants shall obtain practical experience in funeral service arrangements, *including*:

(1) **24** funeral directions *including* at least **four** of each of the following:

(a)—(d) (originally proposed text unchanged)

(2) (originally proposed text unchanged)

D. (originally proposed text unchanged)

.04 Documentation.

A. An apprentice shall submit documentation to the Board of completion of the following requirements to be considered for a mortician’s license:

(1)—(4) (originally proposed text unchanged)

(5) *Documentation on a form provided by the Board and signed by the apprentice and apprentice sponsor or the sponsor’s delegate of participation in at least four of the following:*

(a)—(d) (originally proposed text unchanged)

B. An apprentice shall submit documentation to the Board of completion of the following requirements to be considered for a funeral director’s license:

(1)—(2) (originally proposed text unchanged)

(3) A notarized statement signed by the apprentice and the apprentice sponsor verifying the completion of:

(a) **24** funeral directions *including* at least **four** of each of the following:

(i)—(iv) (originally proposed text unchanged)

(b) (originally proposed text unchanged)

.05—.06 (originally proposed text unchanged)

.11 (originally proposed text unchanged)

.14 (originally proposed text unchanged)

DENNIS R. SCHRADER
Secretary of Health and Mental Hygiene

Subtitle 29 BOARD OF MORTICIANS AND FUNERAL DIRECTORS

10.29.15 Family Security Trust Fund

Authority: Health Occupations Article, §§7-4A-01, 7-4A-03(h), 7-4A-04, 7-4A-05, 7-4A-11, 7-4A-12, and 7-4A-13, Annotated Code of Maryland

Notice of Proposed Action

[16-347-R]

The Secretary of Health and Mental Hygiene proposes to amend Regulations .02—.05, .07, and .08 under **COMAR 10.29.15 Family Security Trust Fund**. This action was considered for reproposal at a public meeting held on February 8, 2017, notice of which was given by publication on the Board’s website at <http://dhmh.maryland.gov/bom/Pages/home.aspx> pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland. Because substantive changes have been made to the original proposal as published in 43:26 Md. R. 1494—1495 (December 23, 2016), this action is being repropose at this time.

Statement of Purpose

The purpose of this action is to:

(1) Clarify that representatives from two of the State’s trade associations sit on the Family Security Trust Fund Advisory Committee;

(2) Provide that a preneed contract may be entered into by a licensed mortician, a licensed funeral director, or by a surviving spouse along with their supervising mortician or supervising funeral director;

(3) Provide that the holder of a surviving spouse license cannot enter into a contractual agreement for mortuary sciences services or merchandise between a buyer and a funeral establishment;

(4) Require that fee notices be sent out by first class mail or by electronic means;

(5) Clarify that failure to pay the required fee and late fee by the required date may result in possible suspension of the supervising mortician’s license;

(6) Prohibit the Board from issuing a license to an establishment until payment of the required fees, including the late fee, is received;

(7) Provide that required contributions to the Fund may not be prorated;

(8) Clarify certain procedures for filing a claim to the Fund, for receiving compensation from the Fund, and for recovering funds from those deemed responsible for a claim to the Fund; and

(9) Provide that, if the Fund falls below \$1 million, the Board shall assess a mandatory contribution to the Fund which the Board may deem to be less than the yearly \$375 payment.

The repropose text is in response to a comment received from the Funeral Consumers Alliance and Environs (FCAE) during the original comment period. FCAE recommended requiring the Board to order full payment of a claim made to the Family Security Trust Fund, instead of a full or partial payment. Additionally, FCAE recommended deleting a provision authorizing the Board to prorate or defer payment of a claim if sufficient funds do not exist in the Fund to make full repayment of a claim.

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 10, 2017. 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.

.02—.05 (originally proposed text unchanged)

.07 Restitution.

A.—D. (originally proposed text unchanged)

E. The Board shall order full [[[or partial]]] payment of a claim.

[[[F. If at any time there are not sufficient funds on hand to pay all claims in full, the Board may, in its discretion, pay the approved claims pro rata or defer payment until such time as adequate funds are available.]]]

[[[G.]]] F. (originally proposed text unchanged)

.08 (originally proposed text unchanged)

DENNIS R. SCHRADER
Secretary of Health and Mental Hygiene

Title 13A STATE BOARD OF EDUCATION

Subtitle 02 LOCAL SCHOOL ADMINISTRATION

13A.02.01 Local Boards of Education

Authority: Education Article, §§2-205, 4-101, 4-105, 4-106, 5-101, 5-109, and 7-103, Annotated Code of Maryland

Notice of Proposed Action [17-149-P]

The Maryland State Board of Education proposes to amend Regulation .04 under **COMAR 13A.02.01 Local Boards of Education**.

Statement of Purpose

The purpose of this action is to reduce from 5 to 3 the number of days by which school systems must extend their calendars in order to obtain a waiver of the 180-day school year requirement when necessary.

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 of this regulation is a positive one as it may increase local school system revenue.

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

C. This regulation reduces the number of days a school system must add to its calendar from 5 to 3 to be eligible for a waiver for the 180-day school year requirement. The economic impact will depend on the school system and the severity of the weather in any given year. The economic impact, if it occurs, will be positive on the revenue side because the school system will not incur the expense of opening those 2 extra days.

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 Elizabeth M. Kameen, Assistant Attorney General, Office of the Attorney General/Maryland State Department of Education, 200 St. Paul Place, 19th Floor, Baltimore, Maryland 21202, or call 410-576-6465 (TTY 410-333-6442), or email to ekameen@oag.state.md.us, or fax to 410-576-6309. Comments will be accepted through July 10, 2017. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the State Board of Education during a public meeting to be held on August 22, 2017, 9 a.m., at 200 West Baltimore Street, Baltimore, Maryland 21201.

.04 Length of the School Year.

A.—B. (text unchanged)

C. Application for Waiver.

(1) In the required written application for waiver of school days, it shall be demonstrated that:

(a) (text unchanged)

(b) The local school system has modified its calendar by scheduling school on the make-up days provided in the original calendar and by extending the school year [5] 3 days beyond the previously scheduled closing date.

(2) (text unchanged)

KAREN B. SALMON, Ph.D.
State Superintendent of Schools

Subtitle 12 CERTIFICATION

13A.12.02 Teachers

Authority: Education Article, §§2-205, 2-303(g), [6-121.] 6-701—6-705, and [8-408] 8-3A-03, Annotated Code of Maryland

Notice of Proposed Action [17-148-P]

The Professional Standards and Teacher Education Board proposes to amend Regulation .21 under **COMAR 13A.12.02 Teachers**. This action was considered by the Professional Standards and Teacher Education Board at their meeting on December 1, 2016.

Statement of Purpose

The purpose of this action is to update language in the regulation, remove the special education certification requirement, and identify content-specific course work required of applicants.

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 an impact on individuals with disabilities as follows:

This regulation will have no negative impact on people with disabilities because it simply clarifies certification requirements for teachers.

Opportunity for Public Comment

Comments may be sent to Sarah Spross, M.Ed., Assistant State Superintendent, Division of Educator Effectiveness, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, Maryland 21201, or call 410-767-0385 (TTY 410-333-6442), or email to sarah.spross@maryland.gov, or fax to 410-333-8963. Comments will be accepted through July 10, 2017. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Professional Standards and Teacher Education Board during a public meeting to be held on September 7, 2017, 9:30 a.m., at 200 West Baltimore Street, Baltimore, Maryland 21201.

.21 [Hearing Impaired] Deaf and Hard of Hearing.

A. [An applicant for certification in hearing impaired shall meet the requirements of this regulation.] *To receive certification in Deaf and Hard of Hearing under transcript analysis (13A.12.01.04G), the applicant shall complete the following:*

(1) *Earn a bachelor's degree or higher from an institution of higher education (IHE); and*

(2) *Complete the specialized content and professional education course work required in §§B and C of this regulation.*

B. [Special Education Certification. The applicant shall meet the requirements for certification in generic special education at any age/grade level.] *Specialized Content Course Work. An applicant shall submit a minimum of 18 semester hours of specialized content course work taken at an IHE in the following areas:*

(1) *A minimum of 3 semester hours in human growth and development emphasizing knowledge of the developmental characteristics (language, physical, biological, cognitive—learning, and social/emotional) of the deaf and hard of hearing;*

(2) *A minimum of 3 semester hours in administration and interpretation of assessments to determine the individualized needs of deaf and hard of hearing students;*

(3) *A minimum of 3 semester hours in curriculum, instructional methods, and adaptations to meet the individual needs of deaf and hard of hearing students; and*

(4) *A supervised practicum, or 1 year of satisfactory teaching experience, with deaf and hard of hearing students.*

C. [Content and] Professional Education Courses. The applicant shall [have:] *earn a minimum of 12 semester hours in course work, which may also be taken through continuing professional development credits (CPDs), in the following areas:*

[(1) 3 semester hours in human growth and development emphasizing knowledge of the developmental characteristics (physical, biological, cognitive—learning, and social/emotional) of the hearing impaired, which may be a part of or in addition to the requirement set forth in Regulation .20B(2) of this chapter;

(2) 3 semester hours in assessment, diagnosis, and prescriptive techniques emphasizing specialized knowledge, interpretation and application of appropriate assessment, diagnostic and prescriptive methodologies to evaluate and develop programs geared toward the individualized needs of the hearing impaired;

(3) 6 semester hours in curriculum and instructional methods, emphasizing specialized strategies, techniques, materials, and adaptations appropriate to the instruction of the hearing impaired; and

(4) 6 semester hours in practicum with the hearing impaired or 2 years of successful teaching experience in the area of hearing impaired.]

(1) *Methods of reading instruction;*

(2) *Assessment of reading instruction;*

(3) *Introduction to exceptional children; and*

(4) *Education of students with multiple disabilities.*

D. [Successful teaching experience under §C(4) of this regulation shall be established by a series of at least four observation periods per year. The observer shall be the local special education supervisor or the supervisor's designee.] *Special Provision. A teacher who is professionally certified and holds at a minimum a bachelor's degree who seeks an endorsement to teach deaf and hard of hearing students shall earn a minimum of 24 credits in the following:*

(1) *A minimum of 3 semester hours in human growth and development emphasizing knowledge of the developmental characteristics (language, physical, biological, cognitive—learning, and social/emotional) of the deaf and hard of hearing;*

(2) *A minimum of 3 semester hours in administration and interpretation of assessments to determine the individualized needs of deaf and hard of hearing students;*

(3) *A minimum of 3 semester hours in curriculum, instructional methods, and adaptations to meet the individual needs of deaf and hard of hearing students;*

(4) *A minimum of 3 semester hours in a course covering introduction to exceptional children; and*

(5) *A minimum of 3 semester hours in a course covering education of students with multiple disabilities.*

[E. Special Provision. A teacher who is certified in a specific area at the secondary level and seeks endorsement in the area of the hearing impaired at that level shall meet the requirements of §C of this regulation.]

KAREN B. SALMON, Ph.D.
State Superintendent of Schools

**Title 13B
MARYLAND HIGHER
EDUCATION COMMISSION**

Subtitle 08 FINANCIAL AID

13B.08.17 Student Loan Debt Relief Tax Credit

Authority: Education Article, §11-105(u); Tax-General Article, §10-740; Annotated Code of Maryland

Notice of Proposed Action

[17-153-P]

The Maryland Higher Education Commission proposes to adopt new Regulations .01— .06 under a new chapter, **COMAR 13B.08.17 Student Loan Debt Relief Tax Credit**. This action was considered by the Commission at an open meeting held on April 26, 2017, notice of which was given as required by General Provisions Article, §3-302, Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to implement the Student Loan Debt Relief Tax Credit under Tax-General Article, §10-740, Annotated Code of Maryland.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. These regulations are necessary to allow MHEC to award State income tax credits to individuals with qualifying undergraduate student loan balances in accordance with enabling legislation (Ch. 690, Acts of 2016). The enabling legislation for these regulations charges MHEC with awarding a tax credit of up to \$5,000 per qualified taxpayer, not to exceed \$5,000,000 annually. Therefore, the economic impact to the State is reduced tax collections, or a reduction in General Fund revenues, of up to \$5,000,000 annually.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+)	Magnitude
	Cost (-)	
D. On regulated industries or trade groups:	NONE	
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	(+)	Up to \$5,000,000

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

- A. Administration of tax credit with no new resources.
- F. Up to \$5,000,000 in State income tax credits awarded to individual residents, up to \$5,000 per individual, due to undergraduate student loan debt.

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 Geoffrey Newman, Assistant Secretary of Finance and Administration, Maryland Higher Education Commission, 6 N. Liberty Street, 10th Floor, Baltimore, MD 21201, or call 410-767-3085, or email to geoff.newman@maryland.gov, or fax to 410-332-0270. Comments will be accepted through July 10, 2017. A public hearing has not been scheduled.

.01 Purpose.

The purpose of the Student Loan Debt Relief Tax Credit is to assist students who have incurred a certain amount of loan debt in attending undergraduate school by providing a tax credit on their Maryland State income tax.

.02 Definitions.

- A. In this chapter, the following terms have the meaning indicated.
- B. "Commission" means the Maryland Higher Education Commission.
- C. "Comptroller" means the Comptroller of Maryland.

D. "Debt burden" means the monthly amount a qualified taxpayer is currently obligated to pay for a student loan debt.

E. "Income" means the adjusted gross income reported by a qualified taxpayer on their federal tax return in the tax year immediately preceding the year the taxpayer applies for the Student Loan Debt Relief Tax Credit.

F. Lender.

(1) "Lender" means an entity, institution, or government that lends funds to a student, or on behalf of a student, to pay for charges for tuition or fees.

(2) "Lender" includes:

(a) A bank, mutual savings bank, savings and loan association, or credit union that is subject to examination and supervision in its capacity as a lender by an agency of the United States or of the state in which its principal place of operation is located;

(b) A pension fund that is subject to examination and supervision by an agency of the United States or a state;

(c) An insurance company that is subject to examination and supervision by an agency of the United States or a state;

(d) In any state, a single agency of the state or a single private nonprofit agency designated by the state to lend funds to a student or manage student loan debt;

(e) For purposes of purchasing and holding loans made by other lenders, a student loan marketing association or an agency of any state or the federal government functioning as a secondary market; and

(f) The United States Department of Education, federal Department of Veterans Affairs, federal Department of Defense, and any other federal agency.

G. "Secretary" means the Maryland Secretary of Higher Education.

H. "Student loan debt" means an individual's obligation to repay a lender for monies borrowed by the individual to attend an undergraduate institution.

I. "Student Loan Debt Relief Tax Credit" means the tax credit authorized under Tax-General Article, §10-740, Annotated Code of Maryland.

J. "Qualified taxpayer" means an individual who has:

(1) Incurred at least \$20,000 in undergraduate student loan debt; and

(2) At least \$5,000 in outstanding undergraduate student loan debt when submitting an application under Regulation .04 of this chapter.

K. "Undergraduate institution" means an institution of higher education that offers undergraduate degrees and is accredited by an accrediting body recognized by the United States Department of Education.

.03 Tax Credit.

A. Subject to the provisions of Tax-General Article, §10-740, Annotated Code of Maryland, and the provisions of this chapter, a qualified taxpayer may claim a credit against the State income tax for the taxable year in which the Commission certifies a tax credit under this chapter.

B. The Commission shall certify a tax credit to a qualified taxpayer as provided in this Chapter.

C. A qualified taxpayer that receives a certification of a tax credit from the Commission shall be responsible for timely and appropriately incorporating the Commission's certification into the taxpayer's tax filings with the Comptroller's office. A qualified taxpayer shall attach a copy of the Commission's certification of the approved credit amount to the taxpayer's income tax return.

D. The total amount of a Student Loan Debt Relief Tax Credit claimed under a qualified taxpayer's income tax return and approved by the Comptroller pursuant to §F of this regulation shall be recaptured if the qualified taxpayer does not use an approved credit for the repayment of the qualified taxpayer's undergraduate student loan debt within 2 years from the close of the taxable year in which the credit is approved. The qualified taxpayer who claimed the approved tax credit shall pay the total amount of the credit claimed as taxes payable to the State of Maryland for the taxable year in which the event requiring recapture of the credit occurs.

E. If a Student Loan Debt Relief Tax Credit claimed under a qualified taxpayer's income tax return and approved by the Comptroller pursuant to §F of this regulation in any taxable year exceeds the total tax otherwise payable by the qualified taxpayer for that taxable year, the qualified taxpayer may claim a refund in the amount of the excess.

F. The Comptroller shall make the final determination on a qualified taxpayer's eligibility for a Student Loan Debt Relief Tax Credit pursuant to Tax-General Article, Annotated Code of Maryland.

.04 Applying to the Commission for Certification of a Tax Credit.

A. A qualified taxpayer desiring to request that the Commission certify a tax credit shall apply to the Commission as provided in this regulation.

B. A qualified taxpayer shall submit a signed application, on a form prepared by the Commission in accordance with §C of this regulation, for a Student Loan Debt Relief Tax Credit by September 15 of the tax year in which the taxpayer seeks to apply a Student Loan Debt Relief Tax Credit to the taxpayer's income tax return.

C. The Student Loan Debt Relief Tax Credit application shall require a qualified taxpayer to submit, in a form prescribed by the Secretary, information required by the Secretary to determine the taxpayer's eligibility for certification, including but not limited to:

(1) The qualified taxpayer's full legal name, date of birth, gender, residency address, email address, phone number, and social security number;

(2) The name of the undergraduate institution or institutions attended and dates of attendance attributable to the qualified taxpayer's undergraduate student loan debt;

(3) A statement attesting that the qualified taxpayer has:

(a) Incurred at least \$20,000 in undergraduate student loan debt; and

(b) At least \$5,000 in outstanding student loan debt at the time the application is submitted;

(4) For each student loan debt that contributes to the amount of student loan debt attested to pursuant to §C(3) of this regulation the:

(a) Name, address, and phone number of the entity that provided the student loan debt;

(b) Account numbers associated with the student loan debt;

(c) Full names of all persons legally responsible for repaying the student loan debt;

(d) Original amount of the student loan debt;

(e) Total amount of debt that the qualified taxpayer has incurred under the student loan debt; and

(f) Total amount of the student loan debt currently outstanding at the time the Student Loan Debt Relief Tax Credit application is submitted;

(5) Information that the Secretary deems necessary in order to allow the Commission to determine the qualified taxpayer's debt burden;

(6) Information that the Secretary deems necessary in order to allow the Commission to determine the qualified taxpayer's income;

(7) A signed and notarized statement by the qualified taxpayer under penalty of perjury attesting that the information submitted in

the application is true and correct to the knowledge and belief of the qualified taxpayer;

(8) A signed and notarized statement by the qualified taxpayer authorizing a lender or educational institution to release personal academic or financial information as may be requested by the Commission in processing the qualified taxpayer's application; and

(9) A signed and notarized statement of assurance by the qualified taxpayer that the individual shall use any credit approved by the Commission and accepted by the Comptroller for the repayment of the individual's undergraduate student loan debt as soon as practicable and not later than 2 years after the taxable year in which the credit is claimed.

D. By December 15 of the year in which a qualified taxpayer has submitted an application under §B of this regulation, the Commission shall certify to the individual the amount of any tax credit approved by the Commission as provided in Regulation .05 of this chapter.

.05 Commission Action on an Application.

A. Upon the filing of a timely and complete application for the Student Loan Debt Relief Tax Credit by a qualified taxpayer, the Commission shall review the application and certify to the individual the amount of any tax credit approved by the Commission.

B. The Commission's certification under §A of this regulation shall be issued by December 15 of the year in which the qualified taxpayer submitted an application.

C. The amount of the tax credit approved by the Commission:

(1) May not exceed \$5,000; and

(2) May be \$0.00.

D. The Commission shall prioritize tax credit recipients and amounts credited to each recipient in the following order:

(1) Qualified taxpayers who did not receive a tax credit in the prior year and who were eligible for in-State tuition;

(2) Qualified taxpayers who did not receive a tax credit in the prior year and who graduated from an institution of higher education located in the State;

(3) Qualified taxpayers who did receive a tax credit in the prior year and who were eligible for in-State tuition;

(4) Qualified taxpayers who did receive a tax credit in the prior year and who graduated from an institution of higher education located in the State; and

(5) Qualified taxpayers who have higher debt-burden-to-income ratios.

E. In certifying amounts to qualified taxpayers, the Commission shall consider allocations that maximize the number of qualified taxpayers that receive a certification.

F. For any taxable year, the Commission may not certify more than \$5,000,000 in tax credits.

.06 Delegation to Secretary.

The Commission delegates to the Secretary the responsibility and authority to act on its behalf in administering the Student Loan Debt Relief Tax Credit program, including the authority to certify or deny a Student Loan Debt Relief Tax Credit application.

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

Title 23
BOARD OF PUBLIC WORKS
Subtitle 03 PUBLIC SCHOOL
CONSTRUCTION

23.03.02 Administration of the Public School Construction Program

Authority: Education Article, §§4-126, 5-112, and 5-301; State Finance and Procurement Article, §5-7B-07; Annotated Code of Maryland

Notice of Proposed Action
 [17-151-P]

The Board of Public Works proposes to amend Regulations .11 and .12 under **COMAR 23.03.02 Administration of the Public School Construction Program**. This action was considered at a Board of Public Works Meeting held on April 26, 2017.

Statement of Purpose

The purpose of this action is to expand the eligible expenditures for special construction broadband infrastructure projects, and to make minor corrections to existing regulations.

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 Robert Gorrell, Executive Director, Public School Construction, 200 West Baltimore Street, Baltimore, MD 21201, or call 410.767.0096, or email to Robert.gorrell@maryland.gov, or fax to 410.333.6522. Comments will be accepted through June 26, 2017. A public hearing has not been scheduled.

.11 Eligible Expenditures.

The following expenditures may be eligible for State funding:

A. — G. (text unchanged)

H. Emergency repairs as set forth in Regulation .17 of this chapter; [and]

I. Window air-conditioning units, and associated electrical upgrades, installation, and security in schools where more than half of classrooms are not temperature-controlled.

(1) Notwithstanding any other regulation, the IAC may not recommend to subtract funding from the maximum State construction allocation for future renovation projects based on funding of air-conditioning units under this regulation;

(2) An LEA receiving funding for air-conditioning units shall annually certify that the units are being maintained on an ongoing basis and are operable; and

J. E-rate eligible special construction broadband infrastructure projects, including offsite development costs, for E-rate eligible applicants consistent with 47 CFR 54.505, through the State funding of grants to local boards of education.

.12 Ineligible Expenditures.

The following expenditures are ineligible for State funding:

A. (text unchanged)

B. Off-site development costs except those listed as eligible in Regulation [.11G] .11 of this chapter;

C. — O. (text unchanged)

SHEILA MCDONALD
 Executive Secretary

Title 26
DEPARTMENT OF THE
ENVIRONMENT

Subtitle 11 AIR QUALITY

26.11.09 Control of Fuel-Burning Equipment, Stationary Internal Combustion Engines, and Certain Fuel-Burning Installations

Authority: Environment Article, §§1-101, 1-404, 2-101—2-103, 2-301—2-303, 10-102, and 10-103, Annotated Code of Maryland

Notice of Proposed Action
 [17-155-P]

The Secretary of the Environment proposes to amend Regulations .01, .04, and .06 and repeal Regulation .11 under **COMAR 26.11.09 Control of Fuel-Burning Equipment, Stationary Internal Combustion Engines, and Certain Fuel-Burning Installations**.

Statement of Purpose

The purpose of this action is to repeal existing COMAR 26.11.09.11 as there are new federal rules in place regulating residential hydronic heaters under 40 CFR Part 60, Subpart QQQQ. Repealing Maryland's small wood boiler regulation will remove any conflict that currently exists between our existing regulation and 40 CFR Part 60, Subpart QQQQ. Maryland's existing COMAR 26.11.09.11 sets emission and operating standards and compliance procedures for small wood boilers (350,000 Btu or less). Wood boilers with a rated thermal output greater than 350,000 Btu/hr are subject to the standards and requirements under COMAR 26.11.09.12 — Standards for Biomass Fuel-Burning Equipment Equal to or Greater Than 350,000 Btu/hr.

This action will not be submitted to the U.S. Environmental Protection Agency (EPA) for approval as part of Maryland's State Implementation Plan.

Background

A small wood boiler is a furnace, boiler or stove that is designed to burn wood for heating and hot water needs. These units are often located away from the residence or business in a self-contained shed with a smoke stack. This shed protects a firebox surrounded by a water jacket in which water is heated then pumped through underground pipes to homes, shops, swimming pools, spas or any application that requires heat or hot water.

While the fundamental design of a wood boiler maximizes the transfer of heat to the water, wood boilers that do not have sufficient emission controls may cumulatively be a significant source of air pollution, which contribute to various environmental and health problems. Given the increased use of wood boilers in areas throughout the country, a number of states and local municipalities have developed regulations to require emission standards for wood boilers. In 2007, EPA launched a voluntary program to encourage

manufacturers to make wood boilers (also known as hydronic heaters) cleaner. Through the voluntary hydronic heater program, manufacturers have redesigned some models to make new units available to consumers that are 90 percent cleaner on average than unqualified models, based on laboratory testing.

In April 2009, the Maryland Department of the Environment (MDE) adopted COMAR 26.11.09.11 – Control of Particulate Matter from Small Wood Boilers, which established stringent particulate matter (PM) limits for small wood boilers, and fuel and labeling requirements for small wood boilers based upon EPA’s voluntary program.

Small wood boilers were not previously covered by EPA’s air emissions standards. On February 3, 2015, EPA strengthened its clean air standards for residential wood heaters to make new wood boilers significantly cleaner and improve air quality in communities where people burn wood for heat. The updates, which are based on improved wood heater technology, establish the first ever federal air standards for hydronic heaters. EPA’s final rule, promulgated as one of its New Source Performance Standards (NSPS), will phase in emission limits over a five-year period, beginning in 2015. Under the federal rule, a more stringent PM limit is established beginning in 2020. The standards apply only to new wood heaters and will not affect wood heaters already in use. The new federal regulations for residential wood heaters is incorporated by COMAR 26.11.06.12 as a current state requirement. Repealing Maryland’s small wood boiler regulation will remove any conflict that currently exists between our COMAR 26.11.09.11 and COMAR 26.11.06.12 (incorporating 40 CFR Part 60, Subpart QQQQ).

Sources Affected and Location

The repeal of COMAR 26.11.09.11 removes Maryland specific requirements for small wood boilers (units that are 350,000 Btu or less). Since May 15, 2015, 40 CFR Part 60, Subpart QQQQ has regulated the manufacture, sale, distribution, installation and operation of residential hydronic heaters nationwide.

Requirements

Particle pollution (also called particulate matter or PM) is a major constituent of wood smoke. EPA’s rule for residential hydronic heaters builds on the EPA’s voluntary program to ensure that all new wood-fired hydronic heaters will be cleaner, establishing particle pollution emissions limits for these heaters in two steps.

Step 1: The Step 1 PM emissions limit, effective in 2015, is identical to the current qualifying level for EPA’s Voluntary Hydronic Heater Program. Most models that were “Phase 2” qualified (using EPA Method 28WHH) under the voluntary program automatically will be certified as meeting the Step 1 limit. This will reduce the potential for testing delays. The Step 1 PM limit is 0.32 pounds per million Btu heat output (weighted average), with a cap of 18 grams per hour for individual test runs. The limit is for crib testing. If tested with cordwood, emissions test method must be approved, and stoves must meet crib wood limit.

In Step 2, effective in 2020, hydronic heaters will have to meet stronger emissions limits. The Step 2 limit is 0.10 pounds per million Btu heat output for each burn rate. The Step 2 limit includes an alternative limit of 0.15 pounds per million Btu heat output for each burn rate. If tested with cordwood, the emissions test method must be approved.

EPA maintains a list of certified hydronic heaters. These certified and labeled hydronic heaters can be installed in Maryland.

The rule does not apply to heaters that are fueled solely by gas, oil or coal.

Expected Emissions Reductions

The use and sale of small wood boilers in Maryland have been regulated since 2009, which has resulted in less polluting and cleaner burning units in operation. Nationwide, the EPA estimates that as a result of the NSPS for hydronic heaters, PM and volatile organic compound (VOC) emissions from units covered by the rule are estimated to drop by approximately 70 percent (8,300 tons/year for PM and 9,300 tons/year for VOC) compared to estimated emissions without the final rule. In addition, the EPA estimates that the rule will result in an estimated reduction of carbon monoxide emissions of 62 percent (46,000 tons/year).

Economic Impact on Affected Sources, the Department, other State Agencies, Local Government, other Industries or Trade Groups, the Public

The proposed action will have:

- Minimal impact on the Department and local municipalities. The Department believes the repeal of the regulation will result in minimal additional impact since enforcement of similar emission standards, labeling requirements, and other requirements and standards for owners and operators of small wood boilers has occurred in Maryland since 2009.
- Minimal impact on manufacturers. Manufacturers of small wood boilers may incur additional costs as a result of redesigning or producing new units to meet the federal Step 2 emission standards and requirements in the EPA rule. EPA’s Step 2 emission standard of 0.10 pounds per million Btu with an alternative standard of 0.15 pounds per million Btu is to be met in 2020. Many small wood boilers currently on the market already meet this proposed standard. There are no known manufacturers of small wood boilers in the State.
- Minimal impact on prospective purchasers and operators of new compliant small wood boilers. Since 2009, Maryland residents have had the opportunity to purchase cleaner burning small wood boilers, and since 2010, units offered for sale have had to meet a particulate matter emission limit of 0.32 pounds per million Btu – which is the same as the Step 1 standard in the EPA rule. Prospective purchasers may see an increase in the cost of new boilers once manufacturers of small wood boilers must comply with the federal emission limit of 0.10 pounds particulate matter per million Btu (alternative standard of 0.15 particulate matter pounds per million Btu) no later than May 1, 2020.
- Minimal impact on retailers. Since April 1, 2010, units sold in Maryland are required to meet a particulate matter emission limit of 0.32 pounds per million Btu. Furthermore, retailers are required to only sell units to Maryland residents that meet this emission limit. In an effort to assist retailers, the EPA’s rule allowed retailers of small wood boilers to sell their existing inventory until December 31, 2015. After this date, heaters sold at retail in the United States are required to meet EPA emission standards and requirements.
- Minimal impact on owners and operators of existing wood boilers since they are not required to meet the emission, certification, and labeling standards in the new federal rule. Owners and operators of existing small wood boilers are required to comply with all State, county and local laws and not cause a nuisance or condition of air pollution.
- Minimal impact on public health. Home owners and their neighbors (or citizens of Maryland) will benefit from cleaner technology requirements. Less uncontrolled smoke, particulate matter, nuisance odors and toxic compound emissions will be generated from the new units under the federal rule and this will result in better health protections.

Comparison to Federal Standards

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

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

The Department of the Environment will hold a public hearing on the proposed action on July 17, 2017 at 2 p.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 email to randy.mosier@maryland.gov. Comments must be received no later than 5 p.m. on July 17, 2017 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; and
- Regional offices of the Department of the Environment in Cumberland and Salisbury.

Anyone needing special accommodations at the public hearing should contact the Department of the Environment’s Fair Practices Office at (410) 537-3964. TTY users may contact the Department of the Environment through the Maryland Relay Service at 1-800-735-2258.

.01 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) — (1-2) (text unchanged)

(2) “Clean wood” means wood that has no paint, stains, or other types of coatings, and wood that has not been treated with any substance[, including but not limited to copper chromium arsenate, creosote, or pentachlorophenol].

(3) — (13) (text unchanged)

(14) “Small wood boiler” means a fuel-burning device:

(a) (text unchanged)

(b) Designed to burn clean wood [or other approved solid fuels], *wood pellets*, or *wood chips*;

(c) — (d) (text unchanged)

(15) — (18) (text unchanged)

.04 Prohibition of Certain New Fuel-Burning Equipment.

A. Areas I, II, V, and VI. [Except as provided in Regulation .11 of this chapter, the] *The* following apply in Areas I, II, V, and VI:

(1) — (3) (text unchanged)

B. Areas III and IV. [Except as provided in Regulation .11 of this chapter, the] *The* following apply in Areas III and IV:

(1) — (3) (text unchanged)

C. (text unchanged)

.06 Control of Particulate Matter.

A. — C. (text unchanged)

D. Small Wood Boilers and Biomass Fuel-Burning Equipment.

(1) Small wood boilers are [subject to particulate matter requirements of Regulation .11 of this chapter and] exempt from the provisions of §§A and B of this regulation.

(2) (text unchanged)

BENJAMIN H. GRUMBLES
Secretary of the Environment

Subtitle 11 AIR QUALITY

26.11.33 Architectural Coatings

Authority: Environment Article, §§1-101, 1-404, 2-101—2-103, 2-301—2-303, 10-102, and 10-103, Annotated Code of Maryland

Notice of Proposed Action

[17-150-P]

The Secretary of the Environment proposes to repeal Regulations **.01—.14** under **COMAR 26.11.33 Architectural Coatings**.

Statement of Purpose

The purpose of this action is to repeal the entire chapter including Regulations .01 — .14 from COMAR 26.11.33 — Architectural Coatings, which is superseded by COMAR 26.11.39 — Architectural and Industrial Maintenance (AIM) Coatings.

This repeal will be submitted to the U.S. Environmental Protection Agency (EPA) for approval as part of Maryland’s State Implementation Plan. COMAR 26.11.39 has already been proposed to EPA as the replacement.

Background

In 2004, the Maryland Department of the Environment (MDE) adopted COMAR 26.11.33 — Architectural Coatings which established VOC content limits for architectural and industrial coatings, established recordkeeping and container labeling requirements for manufactures of paints and coatings, and painting practices for the use and application of coatings. COMAR 26.11.33 is based on the 2001 model rule developed by the Ozone Transport Commission (OTC).

On March 24, 2016, the Department adopted COMAR 26.11.39 — Architectural and Industrial Maintenance (AIM) Coatings, which incorporates Phase II of the OTC AIM 2011 model rule. Rather than amend the existing AIM regulations in COMAR 26.11.33, the Department decided to create a new chapter (COMAR 26.11.39) to seamlessly update the new product categories and standards of the Phase II OTC AIM 2011 model rule. The Department maintained COMAR 26.11.33 until January 1, 2017, when the standards and requirements of COMAR 26.11.39 became effective.

Expected Emissions Reductions

None. This is an administrative proposal.

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

The Department of the Environment will hold a public hearing on the proposed action on July 17, 2017 at 2:00 p.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 email to randy.mosier@maryland.gov. Comments must be received no later than 5:00 p.m. on July 17, 2017 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>; and
- The Air and Radiation Management Administration; and Regional offices of the Department of the Environment in Cumberland and Salisbury.

Anyone needing special accommodations at the public hearing should contact the Department of the Environment's Fair Practices Office at (410) 537-3964. TTY users may contact the Department of the Environment through the Maryland Relay Service at 1-800-735-2258.

BENJAMIN H. GRUMBLES
Secretary of the Environment

Special Documents

DEPARTMENT OF THE ENVIRONMENT SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists the projects approved by rule by the Susquehanna River Basin Commission during the period set forth in "DATES."

DATES: April 1-30, 2017.

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel, 717-238-0423, ext. 1312, joyler@srbc.net. Regular mail inquiries may be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists the projects, described below, receiving approval for the consumptive use of water pursuant to the Commission's approval by rule process set forth in 18 CFR §806.22(e) and §806.22 (f) for the time period specified above:

Approvals By Rule Issued Under 18 CFR 806.22(e):

Mount Nittany Medical Center, ABR-201704001, College Township, Centre County, Pa.; Consumptive Use of Up to 0.0750 mgd; Approval Date: April 10, 2017.

Approvals By Rule Issued Under 18 CFR 806.22(f):

Chief Oil & Gas, LLC, Pad ID: Romisoukas Drilling Pad, ABR-201209021.R1, Canton Township, Bradford County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: April 3, 2017.

Chief Oil & Gas, LLC, Pad ID: T. Brown Drilling Pad, ABR-201210006.R1, Lemon Township, Wyoming County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: April 12, 2017.

SWN Production Company, LLC, Pad ID: Coyle Well Pad, ABR-201205006.R1, Liberty Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: April 12, 2017.

SWN Production Company, LLC, Pad ID: Moore Well Pad, ABR-201205021.R1, Silver Lake Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: April 12, 2017.

SWN Production Company, LLC, Pad ID: Wheeler Well Pad, ABR-201205022.R1, Silver Lake Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: April 12, 2017.

SWN Production Company, LLC, Pad ID: O'Reilly Well Pad, ABR-201205023.R1, Forest Lake Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: April 12, 2017.

SWN Production Company, LLC, Pad ID: Humbert Pad (RU-8), ABR-201206003.R1, New Milford Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: April 12, 2017.

SWN Production Company, LLC, Pad ID: KOZIAL PAD, ABR-201206016.R1, New Milford Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: April 12, 2017.

SWN Production Company, LLC, Pad ID: Marcucci_Jones Pad, ABR-201205017.R1, Stevens Township, Bradford County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: April 17, 2017.

Chief Oil & Gas, LLC, Pad ID: Teeter Drilling Pad, ABR-201210013.R1, Smithfield Township, Bradford County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: April 17, 2017.

Energy Corporation of America, Pad ID: COP 324 A, ABR-201208011.R1, Girard Township, Clearfield County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: April 24, 2017.

Chief Oil & Gas, LLC, Pad ID: Tague West Drilling Pad, ABR-201210012.R1, Lemon Township, Wyoming County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: April 24, 2017.

Chief Oil & Gas, LLC, Pad ID: SGL 12 D DRILLING PAD, ABR-201704002, Leroy Township, Bradford County, Pa.; Consumptive Use of Up to 2.5000 mgd; Approval Date: April 26, 2017.

SWEPI, LP, Pad ID: Owlett 843R, ABR-201204007.R1, Middlebury Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: April 27, 2017.

SWEPI, LP, Pad ID: Hepler 235, ABR-201204008.R1, Sullivan Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: April 27, 2017.

Pennsylvania General Energy Company, LLC, Pad ID: COP Tract 293 Pad B, ABR-201206006.R1, Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 3.5000 mgd; Approval Date: April 28, 2017.

Pennsylvania General Energy Company, LLC, Pad ID: COP Tract 293 Pad C, ABR-201207010.R1, Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 3.5000 mgd; Approval Date: April 28, 2017.

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

Dated: May 16, 2017.

STEPHANIE L. RICHARDSON
Secretary to the Commission

[17-12-20]

**SUSQUEHANNA RIVER BASIN
COMMISSION**

Projects Rescinded for Consumptive Uses of Water

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists the approved by rule project rescinded by the Susquehanna River Basin Commission during the period set forth in "DATES."

DATES: April 1-30, 2017.

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel, 717-238-0423, ext. 1312, joyler@srbc.net. Regular mail inquiries may be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists the projects, described below, being rescinded for the consumptive use of water pursuant to the Commission's approval by rule process set forth in 18 CFR §806.22(e) and §806.22(f) for the time period specified above:

Rescinded ABR Issued:

Ultra Resources, Inc., Pad ID: Brown #1 Pad Site, ABR-201510004, West Branch Township, Potter County, Pa., Rescind Date: April 24, 2017.

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

Dated: May 16, 2017.

STEPHANIE L. RICHARDSON
Secretary to the Commission

[17-12-21]

MARYLAND HEALTH CARE COMMISSION

**SCHEDULE FOR CERTIFICATE OF CONFORMANCE REVIEWS —
PERCUTANEOUS CORONARY INTERVENTION SERVICES**

The Maryland Health Care Commission hereby provides notice that the following schedule for Certificate of Conformance application is applicable to the review of Certificate of Conformance applications for the establishment of primary percutaneous coronary intervention (PCI) programs and the establishment of elective PCI programs at hospitals that have primary PCI programs. Letters of intent and applications by acute care general hospitals for a Certificate of Conformance to establish a primary or elective PCI program may only be received and reviewed according to this published schedule. All letters of intent and applications must be received at the offices of the Maryland Health Care Commission, 4160 Patterson Avenue, Baltimore, MD 21215, no later than 4:30 p.m. on the scheduled date of submission. For further information regarding this review schedule or procedures, contact Eileen Fleck, (410) 764-3287.

PRIMARY PERCUTANEOUS CORONARY INTERVENTION SERVICES

Letter of Intent Due Date	Application Submission Date
January 5, 2018	February 9, 2018

ELECTIVE PERCUTANEOUS CORONARY INTERVENTION SERVICES

Letter of Intent Due Date	Application Submission Date
January 5, 2018	February 9, 2018

[17-12-22]

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.

ADVISORY COUNCIL ON CEMETERY OPERATIONS

Subject: Public Meeting
Date and Time: June 22, 2017, 10 a.m. — 1 p.m.
Place: Dept. of Labor, Licensing, and Regulation, 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Deborah Rappazzo (410) 230-6229

[17-12-08]

CRIMINAL JUSTICE INFORMATION ADVISORY BOARD

Subject: Public Meeting
Date and Time: June 19, 2017, 1 — 3 p.m.
Place: Judicial Training Center, 2009-D Commerce Park Dr., Annapolis, MD
Contact: Robyn Lyles (410) 585-3185

[17-12-16]

MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS (MIEMSS)

Subject: Cardiac Interventional Centers — Call for Applications from Hospitals Wishing to be Considered for Designation
Add'l. Info: The Maryland Institute for Emergency Medical Services Systems gives notice that hospitals wishing to be considered for designation as cardiac interventional centers under COMAR 30.08.02.03 should submit a written letter of intent to the Office of Hospital Programs, 653 W. Pratt St., Ste. 407, Baltimore, MD 21201, Attn: Lisa Myers. Applications will be considered from hospitals that are currently operating under approval from the the Maryland Health Care Commission for the performance of primary percutaneous coronary intervention. For more information contact Lisa Myers, Office of Hospital Programs at (410) 706-4740, or email lmyers@miemss.org.

Applications must be received complete within 6 months of this publication date.
Contact: Leandra M. Gilliam (410) 706-4449.

[17-12-36]

DEPARTMENT OF THE ENVIRONMENT/AIR AND RADIATION MANAGEMENT ADMINISTRATION

Subject: Public Hearing
Date and Time: July 17, 2017, 1 — 2 p.m.
Place: Maryland Dept. of the Environment Headquarters, 1800 Washington Blvd., Aerial and Aqua Conf. Rms., Baltimore, MD

Add'l. Info: The Maryland Department of the Environment (MDE) gives notice of a public hearing and comment period regarding a State Implementation Plan (SIP) Revision to the Maryland Regional Haze State Implementation Plan that was approved on June 13, 2012. This SIP revision is a 5-year look back, as required by 40 CFR 51.308(g). The purpose of this 5-year look back is to review the adequacy of Maryland's Regional Haze SIP for meeting the 10-year visibility goals. 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).

The proposed plan document has been made available on the Maryland Department of the Environment's website at:

<http://mde.maryland.gov/programs/Air/AirQualityPlanning/Pages/index.aspx>

Note: The Maryland public libraries may be used for Internet access to view the document.

Copies of the document may be viewed at the offices of the Maryland Department of the Environment, Air and Radiation Management Administration, 1800 Washington Boulevard, Suite 730, Baltimore, Maryland. For more information, contact Mary Jane Rutkowski at (410) 537-4163 (toll free in Maryland 1-800-633-6101 ext. 4163).

Comments will be accepted between June 16 and July 17, 2017, at 5 p.m., and they may also be submitted at the hearing. Comments may be sent to Mary Jane Rutkowski, Maryland Department of the Environment, Air and Radiation Management Administration, 1800 Washington Boulevard, Suite 730, Baltimore, Maryland, 21230-1720; emailed to maryjane.rutkowski@maryland.gov; or faxed to (410) 537-4223, attn.: Mary Jane Rutkowski.

After MDE considers the comments received, MDE will finalize and submit the plan to the United States Environmental Protection Agency for approval.

Persons in need of special accommodations at the hearing should contact the Department's Office of Fair Practices at (410) 537-3964 at least 5 business days in advance of the hearing. TTY users should contact the Department through the Maryland Relay Service at 1-(800) 735-2258.

Contact: Mary Jane Rutkowski (410) 537-4163

[17-12-15]

COMMISSIONER OF FINANCIAL REGULATION

Subject: Bank Merger

Add'l. Info: On March 20, 2017, Old Line Bank, a Maryland-chartered bank located in Bowie, Maryland, filed an application pursuant to Financial Institutions Article, §3-314, Annotated Code of Maryland, for approval to merge with Damascus Community Bank/ "DCB" Bancorp, Inc., a Maryland-chartered bank located in Damascus, Maryland. Subsequently, the surviving institution will be Old Line Bank.

Old Line Bancshares (bank holding company for Old Line Bank) has also filed an application to merge with DCB Bancorp, Inc. (parent of Damascus Community Bank) with the Old Line Bancshares being the surviving entity. The public file on this application is available at the Office of the Commissioner of Financial Regulation, 500 North Calvert Street, Suite 402, Baltimore, Maryland 21202. Comments regarding this application must be submitted in writing and must be received by the Commissioner within 20 calendar days of the date of publication of this notice in the Maryland Register.

For further information, contact Marcia A. Ryan, Assistant Commissioner at (410) 230-6104.

Contact: Marcia Ryan (410) 230-6104

[17-12-19]

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

Subject: Public Notice for 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, 2017, in order to: 1) extend the working capital fund through May 1, 2018; and 2) increase the rate to providers by 2 percent but include a budget adjustment factor to reduce regulatory increases superseded by State budget limitations. The rate increase is consistent with the Program's budget for State Fiscal Year 2018. The amount of the projected rate increase is \$42,400,000 during the period July 1, 2017 through June 30, 2018 (50 percent State General Funds and 50 percent federal funds) compared with the rates in effect in Fiscal Year 2017.

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 Eric Saber, Office of Health Services, Department of Health and Mental Hygiene, 201 W. Preston St., Rm. 136K, Baltimore, MD 21201, or fax to 410-333-5185.

Contact: Eric Saber (410) 767-1458
[17-12-31]

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

Subject: Public Notice for Maryland Medicaid to Add Remote Patient Monitoring as a Covered Service

Add'l. Info: For dates of service beginning January 1, 2018, the Maryland Medicaid Assistance adds remote patient monitoring as a covered service for the purpose of providing medically necessary services to assist participants in managing and controlling their chronic conditions.

Remote Patient monitoring services use synchronous or asynchronous electronic information and communication technologies to collect personal health information and medical data from a patient in the home; this information is then transmitted to a provider for use in treatment and management of unstable/uncontrolled medical conditions that require frequent monitoring.

Eligible conditions are congestive heart failure, diabetes, and chronic obstructive pulmonary disease. Remote patient monitoring services are based on medical

necessity and should be discontinued when the patient's condition is determined to be stable/controlled.

The projected fiscal impact is zero dollars. Remote patient monitoring will be cost-neutral or generate savings through reduced readmissions and emergency department visits.

Written comments may be sent to Nina McHugh, Office of Health Services, DHMH, 201 W Preston St., Rm 127A, Baltimore, MD 21201, or emailed to nina.mchugh@maryland.gov.

Contact: Nina McHugh (410) 767-5003
[17-12-32]

**DEPARTMENT OF INFORMATION
TECHNOLOGY**

Subject: Public Meeting

Date and Time: June 21, 2017, 1 — 3 p.m.

Place: 100 Community Pl., 1st Fl. Conf. Rm., Side B, Crownsville, MD

Add'l. Info: Statewide Interoperability Radio Control Board Quarterly Meeting

Contact: Diane Jennings (410) 697-9407
[17-12-12]

**DEPARTMENT OF INFORMATION
TECHNOLOGY**

Subject: Public Meeting

Date and Time: June 23, 2017, 10 a.m. — 12 p.m.

Place: 100 Community Pl., 1st Fl. Conf. Rm., Side A, Crownsville, MD

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

Contact: Diane Jennings (410) 697-9407
[17-12-13]

**MARYLAND STATE LOTTERY AND
GAMING CONTROL COMMISSION**

Subject: Public Meeting

Date and Time: June 29, 2017, 10 a.m. — 12 p.m.

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

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

[17-12-28]

**MARYLAND HEALTH CARE
COMMISSION**

Subject: Public Meeting

Date and Time: June 15, 2017, 1 — 4 p.m.

Place: 4160 Patterson Ave., Rm. 100, Baltimore, MD

Contact: Valerie Wooding (410) 764-3570
[17-12-03]

**MARYLAND HEALTH CARE
COMMISSION**

Subject: Formal Start of Review

Add'l. Info: The Maryland Health Care Commission (MHCC) hereby gives notice of docketing of the following applications for Certificate of Need:

Bayada Hospice — (Baltimore City) — Matter No. 16-24-2387; Establish a general hospice program in Baltimore City; Proposed Cost: \$108,500.

Carroll Hospice — (Baltimore City) — Matter No. 16-24-2388; Establish a general hospice program in Baltimore City; Proposed Cost: \$52,750.

P-B Health — (Baltimore City) — Matter No. 16-24-2389; Establish a general hospice program in Baltimore City; Proposed Cost: \$7,500.

MHCC shall review the applications under Health-General Article, §19-101 et seq., Annotated Code of Maryland, and the applicable State Health Plan standards.

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

Persons desiring to become interested parties in the Commission's review of the above-referenced applications must meet the requirements of COMAR 10.24.01.01B(2) and (20) and must also submit written comments to the Commission no later than close of business July 10, 2017. These comments must state with particularity the State Health Plan standards or review criteria that you believe have not been met by the applicants as stated in COMAR 10.24.01.08F.

Please refer to the Matter/Docket Number listed above in any correspondence on the applications. Copies of the applications are available for review in the office of MHCC during regular business hours by appointment. All correspondence should be addressed to Paul E. Parker, Director, Center for Health Care Facilities Planning and Development, Maryland Health Care Commission, 4160 Patterson Avenue, Baltimore, Maryland 21215.

Contact: Ruby Potter (410) 764-3276
[17-12-23]

MARYLAND HEALTH CARE COMMISSION

Subject: Formal Start of Review

Add'l. Info: The Maryland Health Care Commission (MHCC) hereby gives notice of docketing of the following application for Certificate of Need:

Visiting Nursing Association of Maryland — Matter No. 17-R1-2393— Expand home health services into Caroline, Kent, Queen Anne’s and Talbot Counties.

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

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

Persons desiring to become interested parties in the Commission’s review of the above-referenced applications must meet the requirements of COMAR 10.24.01.01B(2) and (20) and must also submit written comments to the Commission no later than close of business July 10, 2017. These comments must state with particularity the State Health Plan standards or review criteria that you believe have not been met by the applicants as stated in COMAR 10.24.01.08F.

Please refer to the Matter/Docket Number listed above in any correspondence on the applications. Copies of the application are available for review in the office of MHCC during regular business hours by appointment. All correspondence should be addressed to Paul E. Parker, Director, Center for Health Care Facilities Planning and Development, Maryland Health Care Commission, 4160 Patterson Avenue, Baltimore, Maryland 21215.

Contact: Ruby Potter (410) 764-3276
[17-12-24]

MARYLAND HEALTH CARE COMMISSION

Subject: Formal Start of Review

Add'l. Info: The Maryland Health Care Commission (MHCC) hereby gives notice of docketing of the following application for Certificate of Need:

Mid-Atlantic Surgery Center, LLC — (Anne Arundel County) — Matter No. 16-02-2381 — Conversion of a single specialty (plastic surgery), multi-operating room (2 OR’s) ambulatory surgery center to a multi-specialty surgery center located

at 2448 Holly Avenue, Suite 400, Annapolis; Proposed Cost: \$500,000.

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

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

Persons desiring to become interested parties in the Commission’s review of the above-referenced applications must meet the requirements of COMAR 10.24.01.01B(2) and (20) and must also submit written comments to the Commission no later than close of business July 10, 2017. These comments must state with particularity the State Health Plan standards or review criteria that you believe have not been met by the applicants as stated in COMAR 10.24.01.08F.

Please refer to the Matter/Docket Number listed above in any correspondence on the applications. Copies of the application are available for review in the office of MHCC during regular business hours by appointment. All correspondence should be addressed to Paul E. Parker, Director, Center for Health Care Facilities Planning & Development, Maryland Health Care Commission, 4160 Patterson Avenue, Baltimore, Maryland 21215.

Contact: Ruby Potter (410) 764-3276
[17-12-27]

MARYLAND HEALTH CARE COMMISSION

Subject: Notice of Receipt of a Letter of Intent and Review for Organ Transplant Services — Liver

Add'l. Info: On May 22, 2017, the MHCC received a Letter of Intent from MedStar-Franklin Square Medical Center — Establish a liver transplant program at the hospital.

Pursuant to COMAR 10.24.01.08A(3) the Commission hereby initiates a 30-day period in which additional Letters of Intent to apply for a Certificate of Need may be submitted to establish Liver Transplant Program. Franklin Square Medical Center located in Baltimore County is included in The Transplant Resource Center of Maryland (TRC) which includes, Central Maryland, Western Maryland, the Eastern Shore and Calvert and St. Mary’s Counties. Additional Letters of Intent for Liver Transplant Programs in the TRC’s service

area should be submitted to the MHCC, 4160 Patterson Avenue, Baltimore, Maryland 21215, and are due by the close of business, July 10, 2017.

Contact: Ruby Potter (410) 764-3276
[17-12-29]

MARYLAND HEALTH CARE COMMISSION

Subject: Notice of Receipt of a Letter of Intent and Review for Organ Transplant Services — Kidney

Add'l. Info: On May 22, 2017, the MHCC received a Letter of Intent from MedStar-Franklin Square Medical Center — Establish a kidney transplant program at the hospital.

Pursuant to COMAR 10.24.01.08A(3) the Commission hereby initiates a 30-day period in which additional Letters of Intent to apply for a Certificate of Need may be submitted to establish Kidney Transplant Program. Franklin Square Medical Center located in Baltimore County is included in The Transplant Resource Center of Maryland (TRC) which includes, Central Maryland, Western Maryland, the Eastern Shore and Calvert and St. Mary’s Counties. Additional Letters of Intent for Kidney Transplant Programs in the TRC’s service area should be submitted to the MHCC, 4160 Patterson Avenue, Baltimore, Maryland 21215 and are due by the close of business, July 10, 2017.

Contact: Ruby Potter (410) 764-3276
[17-12-30]

MARYLAND HEALTH CARE COMMISSION/RURAL HEALTHCARE DELIVERY WORKGROUP

Subject: Public Meeting

Date and Time: July 25, 2017, 1 — 5 p.m.

Place: Chesapeake College, 100 College Cir., Rm. HEC 110, Wye Mills, MD

Contact: Erin Dorrien (410) 764-3284
[17-12-11]

GOVERNOR’S COMMISSION ON MARYLAND MILITARY MONUMENTS

Subject: Public Meeting

Date and Time: July 12, 2017, 1 — 3 p.m.

Place: 100 Community Pl., Conf. Rm. A, Crownsville, MD

Contact: Karen Kennedy (410) 697-9550
[17-12-18]

DEPARTMENT OF NATURAL RESOURCES/FISHING AND BOATING SERVICES

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 2017 commercial striped bass common pool hook and line fishery on Tuesday, June 6, 2017, one hour before sunrise, with a catch limit of 250 lbs/permittee/week and 500 lbs/vessel/day. The common pool fishery will close on Wednesday, June 7, 2017, one hour before sunset.

Mark J. Belton
Secretary of Natural Resources

Contact: Tamara O'Connell (410) 260-8271

[17-12-26]

BOARD OF OCCUPATIONAL THERAPY PRACTICE

Subject: Public Meeting

Date and Time: June 16, 2017, 9 a.m. — 12 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 also may be discussed. An Executive Session is possible. Sign language interpreters and/or appropriate accommodations for qualified individuals with disabilities will be provided upon request. Please call 1-800-735-2255. The meeting may take place by teleconference. Please call the office for information.

Contact: Lauren Murray (410) 402-8556

[17-12-06]

MARYLAND DEPARTMENT OF TRANSPORTATION AVIATION ADMINISTRATION

Subject: Public Meeting

Date and Time: August 16, 2017, 6 p.m.; Additional Date: Wednesday, November 15, 2017, 6 p.m.

Place: 991 Corporate Blvd., Assembly Rm., Linthicum, MD

Add'l. Info: Senate Bill 276 established the Citizens Committee for the Enhancement of Communities Surrounding Baltimore/Washington International Thurgood Marshall (BWI) Airport. The intent of this legislation is to provide benefit to those citizens living in the communities impacted by the daily

operations of BWI Airport, by allowing them the opportunity to apply for grants for transportation related projects. Typical projects include speed humps, streetscapes, bus shelters, and sidewalk repairs. These communities must be located within the most recently certified Airport Noise Zone or within 2 miles of the outermost noise contour. The Community Enhancement Committee (Committee) reviews and evaluates the grant applications from eligible communities to ensure that all grant requirements are met. The Maryland Department of Transportation Maryland Aviation Administration (MDOT MAA) and MDOT Legal Office represent the Department on the Committee. Representatives from the Maryland Department of Transportation State Highway Administration (MDOT SHA) and Maryland Department of Transportation Maryland Transit Administration (MDOT MTA) also provide comments and recommendations on projects associated with their agencies, as well as local government, before the recommendations are then forwarded to the MDOT Secretary for approval.

The program funding comes from the Maryland Transportation Trust Fund and is budgeted through The Secretary's Office. The yearly funding formula is equal to \$1 for every aircraft take-off and landing at BWI Airport for the most recently available calendar year. The program is divided into four grant cycles with application deadlines the first of August, November, February, and May.

Transportation Community Enhancement Grant (CEG) Committee Remaining 2017 Meeting Dates:

- Wednesday, August 16
- Wednesday, November 15

Meetings begin at 6 p.m. in the Assembly Room at 991 Corporate Boulevard in Linthicum, Maryland unless otherwise noted. For additional information regarding CEG Committee meetings, please contact Kim Davidson at 410-859-7456.

Contact: Kim Davidson (410) 859-7456

[17-12-14]

DEPARTMENT OF VETERANS AFFAIRS/MARYLAND VETERANS COMMISSION

Subject: Public Meeting

Date and Time: July 18, 2017, 10:30 a.m. — 1 p.m.

Place: 3400 Bryan Point Rd., Accokeek, MD

Contact: Denise Nooe (410) 260-3840

[17-12-25]

BOARD OF WATERWORKS AND WASTE SYSTEMS OPERATORS

Subject: Public Meeting

Date and Time: June 15, 2017, 10 a.m. — 12 p.m.

Place: Maryland Environmental Service, 259 Najoles Rd., Millersville, MD

Contact: Christine Nagle (410) 537-3584

[17-12-02]

BOARD OF WELL DRILLERS

Subject: Public Meeting

Date and Time: June 28, 2017, 9 a.m. — 1 p.m.

Place: MDE, 1800 Washington Blvd., Baltimore, MD

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

Contact: Elaine Nolen (410) 537-4466

[17-12-07]

WORKERS' COMPENSATION COMMISSION

Subject: Public Meeting

Date and Time: June 22, 2017, 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 S. Lackington (410) 864-5300

[17-12-04]

GOVERNOR'S WORKFORCE DEVELOPMENT BOARD

Subject: Public Meeting

Date and Time: June 14, 2017, 3:30 — 5:30 p.m.

Place: 7201 Corporate Center Dr., Hanover, MD

Add'l. Info: Governor's Workforce Development Board Quarterly Meeting

Contact: Darla Henson (410) 767-2408

[17-12-10]

COMAR ORDER INFORMATION SHEET

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| Control of Ionizing Radiation Supplement 27 ONLY                   | \$12        | \$0   | _____    | _____ |
| Control of Ionizing Radiation Supplement 28 ONLY                   | \$18        | \$0   | _____    | _____ |
| Forest Conservation Law                                            | \$15        | \$5   | _____    | _____ |
| Forest Conservation Technical Manual 3 <sup>rd</sup> Edition, 1997 | \$20        | \$8   | _____    | _____ |
| Preventive Maintenance Handbook (PM Handbook) (blue cover)         | \$15        | \$5   | _____    | _____ |
| Vehicle Inspection Handbook (Feb 2012)                             | \$48        | \$9   | _____    | _____ |
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| <b>Title 07</b>                            | Human Resources                                                  | \$80               | \$53                      | _____         | _____ |
| <b>Title 08</b>                            | Natural Resources                                                | \$78               | \$51                      | _____         | _____ |
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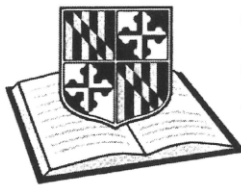
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