

Maryland Register

Issue Date: September 29, 2017

Volume 44 • Issue 20 • Pages 937—974

IN THIS ISSUE

Judiciary
Regulations
Errata
Special Documents
General Notices

Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before September 11, 2017, 5 p.m.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 September 11, 2017.

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



Information About the Maryland Register and COMAR

MARYLAND REGISTER

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

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

The following information is also published regularly in the Register:

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

CITATION TO THE MARYLAND REGISTER

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

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

CODE OF MARYLAND REGULATIONS (COMAR)

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

CITATION TO COMAR REGULATIONS

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

DOCUMENTS INCORPORATED BY REFERENCE

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

HOW TO RESEARCH REGULATIONS

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

SUBSCRIPTION INFORMATION

For subscription forms for the Maryland Register and COMAR, see the back pages of the Maryland Register. Single issues of the Maryland Register are \$15.00 per issue.

CITIZEN PARTICIPATION IN THE REGULATION-MAKING PROCESS

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

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

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**, 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

Note: All products purchased are for individual use only. Resale or other compensated transfer of the information in printed or electronic form is a prohibited commercial purpose (see State Government Article, §7-206.2, Annotated Code of Maryland). By purchasing a product, the buyer agrees that the purchase is for individual use only and will not sell or give the product to another individual or entity.

Contents

Closing Dates for the Maryland Register

Schedule of Closing Dates and Issue Dates for the Maryland Register 940

COMAR Research Aids

Table of Pending Proposals 941

Index of COMAR Titles Affected in This Issue

COMAR Title Number and Name	Page
09 Department of Labor, Licensing, and Regulation	945, 949
10 Maryland Department of Health	945, 952
12 Department of Public Safety and Correctional Services	945
13A State Board of Education	946
14 Independent Agencies	964
15 Department of Agriculture	944, 948, 965
21 State Procurement Regulations	946
22 State Retirement and Pension System	946
26 Department of the Environment	947
31 Maryland Insurance Administration	947, 967

PERSONS WITH DISABILITIES

Individuals with disabilities who desire assistance in using the publications and services of the Division of State Documents are encouraged to call (410) 974-2486, or (800) 633-9657, or FAX to (410) 974-2546, or through Maryland Relay.

The Judiciary

COURT OF APPEALS OF MARYLAND
DISCIPLINARY PROCEEDINGS 943

Emergency Action on Regulations

15 DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
Food Donation Pilot Program 944

Final Action on Regulations

09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION
BOARD FOR PROFESSIONAL LAND SURVEYORS
Educational Equivalency Requirements 945

10 MARYLAND DEPARTMENT OF HEALTH
BOARD OF PHARMACY
Pharmacy Permit Holder Requirements — Wholesale
Distribution and Nonresident Pharmacy Operations 945

12 DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
POLICE TRAINING AND STANDARDS COMMISSION
General Regulations 945

CORRECTIONAL TRAINING COMMISSION
General Regulations 945

OFFICE OF THE SECRETARY
Inmate Welfare Fund 946

13A STATE BOARD OF EDUCATION
SPECIAL INSTRUCTIONAL PROGRAMS
Provision of a Free Appropriate Public Education 946

21 STATE PROCUREMENT REGULATIONS
ADMINISTRATIVE AND CIVIL REMEDIES
Maryland State Board of Contract Appeals — Procedures for
Appealing Protests 946

22 STATE RETIREMENT AND PENSION SYSTEM MEMBERSHIP

Membership in the Employees' System or the Teachers' System — General 946

26 DEPARTMENT OF THE ENVIRONMENT

AIR QUALITY
Control of Emissions of Volatile Organic Compounds from Consumer Products 947

31 MARYLAND INSURANCE ADMINISTRATION

INSURANCE PRODUCERS AND OTHER INSURANCE PROFESSIONALS
Fiduciary Responsibility of Insurance Producers: Premium
Accounts Commingling of Funds 947

Withdrawal of Regulations

15 DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY
Industrial Hemp 948

Proposed Action on Regulations

09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

OFFICE OF THE SECRETARY
Public Information Act Requests 949

10 MARYLAND DEPARTMENT OF HEALTH

MEDICAL CARE PROGRAMS
Disposable Medical Supplies and Durable Medical Equipment 952

General Medical Assistance Provider Participation
Criteria 953

DEVELOPMENTAL DISABILITIES
Fee Payment System for Licensed Residential and Day Programs 954

Community Supported Living Arrangements Payment System 954

14 INDEPENDENT AGENCIES

OFFICE OF THE PUBLIC DEFENDER
Eligibility for Services 964

15 DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY
Food Donation Pilot Program 965

31 MARYLAND INSURANCE ADMINISTRATION

INSURANCE PRODUCERS AND OTHER INSURANCE PROFESSIONALS
Bail Bonds 967

Errata

COMAR 10.09.06 968

Special Documents

DEPARTMENT OF THE ENVIRONMENT
LAND AND MATERIALS ADMINISTRATION
Notice of Tentative Determination and Public Hearing 969

OFFICE OF THE SECRETARY OF STATE
INTERNATIONAL AND INTERSTATE AGREEMENTS
Memorandum on Strengthening Strategic Cooperation
Between the State of Maryland, USA, and Anhui
Province, PRC 969

Contents

Memorandum of Understanding — Sister State Agreement Between the State of Maryland and Jeollanamdo Province 970

General Notices

ADVISORY COUNCIL ON CEMETERY OPERATIONS
Public Meeting 971

MARYLAND CYBERSECURITY COUNCIL
Public Meeting 971

DEPARTMENT OF THE ENVIRONMENT/LAND AND MATERIALS ADMINISTRATION
Public Meeting 971

FIRE PREVENTION COMMISSION
Public Meeting 971

DEPARTMENT OF HEALTH AND MENTAL HYGIENE
Public Meeting 971
Public Meeting 971

MARYLAND DEPARTMENT OF HEALTH
Public Meeting 971
Public Hearing 971

HISTORIC ST. MARY'S CITY COMMISSION
Public Meeting 971

MARYLAND HEALTH CARE COMMISSION
Public Meeting 972
Notice of Project Change 972
Receipt of Application 972
Formal Start of Review 972

DEPARTMENT OF NATURAL RESOURCES/FISHING AND BOATING SERVICES
Public Notice — 2017 Commercial Horseshoe Crab Fishery Catch Limits — Effective September 18, 2017 972

BOARD OF OCCUPATIONAL THERAPY PRACTICE
Public Meeting 972

RACING COMMISSION
Public Meeting 973

COMMISSION OF REAL ESTATE APPRAISERS AND HOME INSPECTORS
Public Meeting 973

BOARD OF WELL DRILLERS
Public Meeting 973

WORKERS' COMPENSATION COMMISSION
Public Meeting 973

Availability of Monthly List of Maryland Documents

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

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

CLOSING DATES AND ISSUE DATES through JANUARY 19, 2018

Issue Date	Emergency and Proposed Regulations 5 p.m.*	Final Regulations 10:30 a.m.	Notices, etc. 10:30 a.m.
October 13	September 25	October 4	October 2
October 27**	October 6	October 18	October 16
November 13***	October 23	November 1	October 30
November 27***	November 6	November 15	November 13
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.

COMAR Online

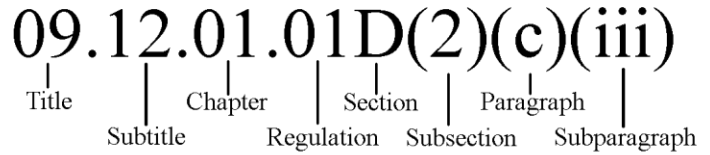
The Code of Maryland Regulations is available at www.dsd.state.md.us as a free service of the Office of the Secretary of State, Division of State Documents. The full text of regulations is available and searchable. Note, however, that the printed COMAR continues to be the only official and enforceable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

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

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

REGULATIONS CODIFICATION SYSTEM

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



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

Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed

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

Table of Pending Proposals

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

09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

- 09.01.04.01—17 • 44:20 Md. R. 949 (9-29-17)
- 09.03.06.02—27 • 44:2 Md. R. 92 (1-20-17)
- 09.03.12.01,.08 • 44:17 Md. R. 840 (8-18-17)
- 09.13.05.03 • 44:2 Md. R. 114 (1-20-17)
- 09.16.01.04,.05 • 44:10 Md. R. 489 (5-12-17)
- 09.19.07.01 • 44:3 Md. R. 192 (2-3-17)
- 09.23.06.02—17 • 44:19 Md. R. 900 (9-15-17)
- 09.32.01.05,.12,.15-1,.16,.24 • 44:3 Md. R. 193 (2-3-17)
- 09.32.01.18 • 44:3 Md. R. 194 (2-3-17)
- 09.35.02.02,.03 • 43:21 Md. R. 1170 (10-14-16)

10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitles 01—08 (1st volume)

- 10.01.01.01—11 • 44:2 Md. R. 131 (1-20-17)

Subtitle 09 (2nd volume)

- 10.09.12.03—05,.07 • 44:20 Md. R. 952 (9-29-17)
- 10.09.36.03 • 44:20 Md. R. 953 (9-29-17)
- 10.09.44.03 • 44:10 Md. R. 491 (5-12-17)
- 10.09.49.02,.04—07,.09—11 • 44:14 Md. R. 665 (7-7-17)
- 10.09.79.01—08 • 44:11 Md. R. 529 (5-26-17)

Subtitles 10 — 22 (3rd Volume)

- 10.21.14.01—04,.06,.10 • 44:16 Md. R. 810 (8-4-17)
- 10.21.25.03-2,.05—13 • 43:19 Md. R. 1077 (9-16-16)
- 10.22.17.06—08 • 44:20 Md. R. 954 (9-29-17)
- 10.22.18.04 • 44:20 Md. R. 954 (9-29-17)

Subtitles 23 — 36 (4th Volume)

- 10.27.01.02 • 44:2 Md. R. 131 (1-20-17)

- 10.29.15.02—05,.07,.08 • 43:26 Md. R. 1494 (12-23-16)
44:12 Md. R. 595 (6-9-17)
- 10.32.02.17 • 44:16 Md. R. 811 (8-4-17)

Subtitles 37—66 (5th Volume)

- 10.46.01.01,.02 • 44:14 Md. R. 669 (7-7-17)
- 10.46.04.02,.04,.07 • 44:14 Md. R. 669 (7-7-17)
- 10.46.07.01,.03—06 • 44:14 Md. R. 669 (7-7-17)
- 10.62.01.01 • 43:22 Md. R. 1245 (10-28-16)
- 10.62.08.03,.05—07 • 43:22 Md. R. 1245 (10-28-16)
- 10.62.09.03 • 43:22 Md. R. 1245 (10-28-16)
- 10.62.12.02 • 43:22 Md. R. 1245 (10-28-16)
- 10.62.15.04—07 • 43:22 Md. R. 1245 (10-28-16)
- 10.62.19.02,.04—06 • 43:22 Md. R. 1245 (10-28-16)
- 10.62.20.03 • 43:22 Md. R. 1245 (10-28-16)
- 10.62.22.02 • 43:22 Md. R. 1245 (10-28-16)
- 10.62.25.03,.05—07 • 43:22 Md. R. 1245 (10-28-16)
- 10.62.26.03 • 43:22 Md. R. 1245 (10-28-16)
- 10.62.28.02 • 43:22 Md. R. 1245 (10-28-16)
- 10.63.07.01—14 • 44:17 Md. R. 841 (8-18-17)

11 DEPARTMENT OF TRANSPORTATION

Subtitles 01—10

- 11.01.18.01,.02 • 43:22 Md. R. 1251 (10-28-16)

Subtitles 11—22 (MVA)

- 11.14.08.01,.03—05,.09 • 44:18 Md. R. 868 (9-1-17)

12 DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

- 12.02.27.01—40 • 44:19 Md. R. 902 (9-15-17)
- 12.03.01.01—35 • 44:19 Md. R. 902 (9-15-17)
- 12.12.30.01—40 • 44:19 Md. R. 902 (9-15-17)

PENDING PROPOSALS

942

12.16.02.01—,40 • 44:19 Md. R. 902 (9-15-17)

13A STATE BOARD OF EDUCATION

13A.04.16.01—,03 • 44:18 Md. R. 871 (9-1-17)

13A.12.02.21 • 44:12 Md. R. 596 (6-9-17)

13B MARYLAND HIGHER EDUCATION COMMISSION

13B.02.06.01—,13 • 44:13 Md. R. 634 (6-23-17)

14 INDEPENDENT AGENCIES

14.06.03.07 • 44:20 Md. R. 964 (9-29-17)

14.22.02.02 • 44:18 Md. R. 872 (9-1-17)

14.28.02.01—,14 • 44:18 Md. R. 879 (9-1-17)

14.28.07.01—,07 • 44:18 Md. R. 879 (9-1-17)

14.28.08.02—,14 • 44:15 Md. R. 767 (7-21-17)

14.36.01.03,13 • 44:17 Md. R. 844 (8-18-17)

14.36.04.01,04—,08 • 44:17 Md. R. 844 (8-18-17)

15 DEPARTMENT OF AGRICULTURE

15.01.12.01—,07 • 44:20 Md. R. 965 (9-29-17)

17 DEPARTMENT OF BUDGET AND MANAGEMENT

17.04.11.03 • 44:16 Md. R. 812 (8-4-17)

19A STATE ETHICS COMMISSION

19A.01.01.02 • 44:16 Md. R. 812 (8-4-17)

19A.01.01.02 • 44:16 Md. R. 816 (8-4-17)

19A.03.04.01—,04 • 44:16 Md. R. 812 (8-4-17)

19A.04.01.02 • 44:16 Md. R. 816 (8-4-17)

19A.04.Appendix A • 44:16 Md. R. 812 (8-4-17)

19A.04.Appendix A • 44:16 Md. R. 816 (8-4-17)

19A.04.Appendix B • 44:16 Md. R. 812 (8-4-17)

19A.04.Appendix B • 44:16 Md. R. 816 (8-4-17)

19A.05.Appendix A • 44:16 Md. R. 812 (8-4-17)

19A.05.Appendix A • 44:16 Md. R. 816 (8-4-17)

19A.05.Appendix B • 44:16 Md. R. 812 (8-4-17)

19A.05.Appendix B • 44:16 Md. R. 816 (8-4-17)

19A.07.01.06 • 44:16 Md. R. 812 (8-4-17)

26 DEPARTMENT OF THE ENVIRONMENT

Subtitles 08—12 (Part 2)

26.08.02.03-1,03-3,04-1,08 • 44:11 Md. R. 533 (5-26-17)

26.08.07.04 • 43:24 Md. R. 1361 (11-28-16)

26.08.09.01,04,06,07,08 • 44:11 Md. R. 533 (5-26-17)

26.11.02.01,10 • 44:14 Md. R. 685 (7-7-17)

26.11.09.01,04,06,11 • 44:12 Md. R. 600 (6-9-17)

26.11.33.01—,14 • 44:12 Md. R. 602 (6-9-17)

26.11.36.01—,04 • 44:14 Md. R. 685 (7-7-17)

Subtitles 19—27 (Part 4)

26.19.01.01—,61 • 43:23 Md. R. 1293 (11-14-16) (ibr)

31 MARYLAND INSURANCE ADMINISTRATION

31.03.02.02,03 • 44:17 Md. R. 845 (8-18-17)

31.03.05.09,15 • 44:20 Md. R. 967 (9-29-17)

31.08.13.03,04,06 • 43:20 Md. R. 1146 (9-30-16)

31.08.14.03 • 44:18 Md. R. 880 (9-1-17)

31.08.15.06 • 44:17 Md. R. 846 (8-18-17)

31.08.18.01—,03 • 44:18 Md. R. 880 (9-1-17)

31.10.44.01—,09 • 44:15 Md. R. 776 (7-21-17)

31.15.10.04 • 44:18 Md. R. 880 (9-1-17)

33 STATE BOARD OF ELECTIONS

33.16.02.01 • 44:19 Md. R. 930 (9-15-17)

33.16.04.02 • 44:19 Md. R. 930 (9-15-17)

33.16.05.03,04 • 44:19 Md. R. 930 (9-15-17)

33.16.06.04 • 44:19 Md. R. 930 (9-15-17)

33.16.07.03 • 44:19 Md. R. 930 (9-15-17)

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

36.03.01.02,03 • 44:17 Md. R. 847 (8-18-17)

36.03.03.07 • 44:17 Md. R. 847 (8-18-17)

36.03.10.02,11,19,20,24,27,28,38,41,42,

.51 • 44:17 Md. R. 847 (8-18-17)

36.04.01.20,31 • 44:17 Md. R. 847 (8-18-17)

36.05.02.16 • 44:17 Md. R. 847 (8-18-17)

36.05.03.03 • 44:17 Md. R. 847 (8-18-17)

The Judiciary

COURT OF APPEALS OF MARYLAND

DISCIPLINARY PROCEEDINGS

This is to certify that by a Per Curiam Order of the Court of Appeals dated September 7, 2017, **LANCE BUTLER III**, 2022 Trenton Place, SE, Washington, DC 20020, has been disbarred, effective immediately, from the further practice of law in the State, and his name as an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 19-761).

* * * * *

This is to certify that by a Per Curiam Order of the Court of Appeals dated September 11, 2017, **LOUISA CONTENT MCLAUGHLIN**, McLaughlin Law Group, P.O. Box 237, Bel Air, Maryland 21014, has been disbarred, effective immediately, from the further practice of law in the State, and her name as an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 19-761).

* * * * *

This is to certify that by a Per Curiam Order of the Court of Appeals dated September 12, 2017, **MAURICE MARNEA MOODY**, 6500 Harford Road, Suite A, Baltimore, Maryland 21214, has been disbarred, effective immediately, from the further practice of law in the State, and his name as an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 19-761).

[17-20-21]

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 15 DEPARTMENT OF AGRICULTURE Subtitle 01 OFFICE OF THE SECRETARY

15.01.12 Food Donation Pilot Program

Authority: Tax-General Article, §10-741, Annotated Code of Maryland

Notice of Emergency Action

[17-238-E]

The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to new Regulations **.01—.07** under **COMAR 15.01.12 Food Donation Pilot Program**.

Emergency status began: September 8, 2017.

Emergency status expires: January 3, 2018.

Editor's Note: The text of this document will not be printed here because it appears as a Notice of Proposed Action on pages 965—966 of this issue, referenced as [17-238-P].

JOSEPH BARTENFELDER
Secretary of Agriculture

Final Action on Regulations

Symbol Key

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

Title 09

DEPARTMENT OF LABOR, LICENSING, AND REGULATION

Subtitle 13 BOARD FOR PROFESSIONAL LAND SURVEYORS 09.13.07 Educational Equivalency Requirements

Authority: Business Occupations and Professions Article, §15-305, Annotated Code of Maryland

Notice of Final Action

[17-110-F]

On August 2, 2017, the Board for Professional Land Surveyors adopted amendments to Regulation .02 under **COMAR 09.13.07 Educational Equivalency Requirements**. This action, which was proposed for adoption in 44:8 Md. R. 411—412 (April 14, 2017), has been adopted as proposed.

Effective Date: October 9, 2017.

STEVE LONG
Executive Director

Title 10

MARYLAND DEPARTMENT OF HEALTH

Subtitle 34 BOARD OF PHARMACY 10.34.37 Pharmacy Permit Holder Requirements — Wholesale Distribution *and Nonresident Pharmacy Operations*

Authority: Health-Occupations Article, §§12-205, 12-403, and 12-406, Annotated Code of Maryland

Notice of Final Action

[17-177-F]

On September 14, 2017, the Secretary of Health adopted amendments to Regulation .01 and new Regulation .04 under **COMAR 10.34.37 Pharmacy Permit Holder Requirements — Wholesale Distribution and Nonresident Pharmacy Operations**. This action, which was proposed for adoption in 44:14 Md. R. 668—669 (July 7, 2017), has been adopted as proposed.

Effective Date: October 9, 2017.

DENNIS SCHRADER
Secretary of Health

Title 12

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

Subtitle 04 POLICE TRAINING AND STANDARDS COMMISSION 12.04.01 General Regulations

Authority: Correctional Services Article, §2-109; Public Safety Article, §3-208; Annotated Code of Maryland

Notice of Final Action

[17-171-F]

On August 22, 2017, the Secretary of Public Safety and Correctional Services adopted amendments to Regulations .17 under **COMAR 12.04.01 General Regulations**. This action, which was proposed for adoption in 44:14 Md. R. 673—674 (July 7, 2017), has been adopted as proposed.

Effective Date: October 9, 2017.

STEPHEN T. MOYER
Secretary of Public Safety and Correctional Services

Subtitle 10 CORRECTIONAL TRAINING COMMISSION

12.10.01 General Regulations

Authority: Correctional Services Article, §2-109; *Public Safety Article, §3-207*; Annotated Code of Maryland

Notice of Final Action

[17-180-F]

On August 22, 2017, the Secretary of Public Safety and Correctional Services adopted amendments to Regulations .01, .03, .04, and .09 under **COMAR 12.10.01 General Regulations**. This action, which was proposed for adoption in 44:14 Md. R. 674—675 (July 7, 2017), has been adopted as proposed.

Effective Date: October 9, 2017.

STEPHEN T. MOYER
Secretary of Public Safety and Correctional Services

**Subtitle 11 OFFICE OF THE
SECRETARY**

12.11.09 Inmate Welfare Fund

Authority: Correctional Services Article, §§2-109 and 10-502, Annotated Code of Maryland

Notice of Final Action
[17-165-F]

On August 9, 2017, the Secretary of Public Safety and Correctional Services adopted amendments to Regulations .02 — .04 under **COMAR 12.11.09 Inmate Welfare Fund**. This action, which was proposed for adoption in 44:13 Md. R. 631—632 (June 23, 2017), has been adopted as proposed.

Effective Date: October 9, 2017.

STEPHEN T. MOYER
Secretary of Public Safety and Correctional Services

**Title 13A
STATE BOARD OF
EDUCATION**

**Subtitle 05 SPECIAL INSTRUCTIONAL
PROGRAMS**

**13A.05.01 Provision of a Free Appropriate
Public Education**

Authority: Education Article, §§2-205, 7-305, 8-301—8-307, 8-3A-01—8-3A-08, and 8-401—8-416; Human Services Article, §§8-401—8-409; Labor and Employment Article, §§11-801 and 11-901 et seq.; State Government Article §9-1607.1; Annotated Code of Maryland
Federal Statutory Reference: 20 U.S.C. §§1411—1416; Federal Regulatory References: 34 CFR 99, 300, and 301

Notice of Final Action
[17-191-F]

On September 19, 2017, the Maryland State Board of Education adopted amendments to Regulation .08 under **COMAR 13A.05.01 Provision of a Free Appropriate Public Education**. This action, which was proposed for adoption in 44:15 Md. R. 766—767 (July 21, 2017), has been adopted as proposed.

Effective Date: October 9, 2017.

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

**Title 21
STATE PROCUREMENT
REGULATIONS**

**Subtitle 10 ADMINISTRATIVE AND
CIVIL REMEDIES**

**21.10.07 Maryland State Board of Contract
Appeals — Procedures for Appealing Protests**

Authority: State Finance and Procurement Article, §§12-101 and 15-201 — 15-223, Annotated Code of Maryland

Notice of Final Action
[17-200-F]

On September 21, 2017, the Maryland State Board of Contract Appeals adopted amendments to Regulation .03 under **COMAR 21.10.07 Maryland State Board of Contract Appeals — Procedures for Appealing Protests**. This action, which was proposed for adoption in 44:16 Md. R. 818—819 (August 4, 2017), has been adopted as proposed.

Effective Date: October 9, 2017.

BETHAMY N. BEAM
Chairman

**Title 22
STATE RETIREMENT AND
PENSION SYSTEM**

Subtitle 04 MEMBERSHIP

**22.04.02 Membership in the Employees' System
or the Teachers' System — General**

Authority: State Personnel and Pensions Article, §§21-108, 21-110, 22-207, 23-205, and 23-209, Annotated Code of Maryland

Notice of Final Action
[17-210-F]

On September 19, 2017, the Board of Trustees for the State Retirement and Pension System adopted amendments to Regulation .04 under **COMAR 22.04.02 Membership in the Employees' System or the Teachers' System — General**. This action, which was proposed for adoption in 44:16 Md. R. 819 (August 4, 2017), has been adopted as proposed.

Effective Date: October 9, 2017.

R. DEAN KENDERDINE
Executive Director

Title 26 DEPARTMENT OF THE ENVIRONMENT

Subtitle 11 AIR QUALITY

26.11.32 Control of Emissions of Volatile Organic Compounds from Consumer Products

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 Final Action

[17-143-F-I]

On September 18, 2017, the Secretary of the Environment adopted amendments to Regulations **.01 — .05, .06, .08, .12, .14, and .16** and new Regulation **.05-1** under **COMAR 26.11.32 Control of Emissions of Volatile Organic Compounds from Consumer Products**. This action, which was proposed for adoption in 44:11 Md. R. 543 — 557 (May 26, 2017), has been adopted as proposed.

Effective Date: October 9, 2017.

BENJAMIN H. GRUMBLES
Secretary of the Environment

premiums funds. The prohibition was already included in the body of the Regulations, so the addition of the cross reference in Regulation .02 is a technical clarification.

.02 General Requirements.

A. (proposed text unchanged)

B. *Commingling of Premium.*

(1) (proposed text unchanged)

(2) *An insurance producer acting as such in this State may:*

(a) (proposed text unchanged)

(b) *Unless prohibited by the carrier, or by Regulation .04 of this chapter, commingle a single carrier's premium with the premium of one or more other carriers into one or more premium accounts.*

C. (proposed text unchanged)

[[F.]] D. (proposed text unchanged)

ALFRED W. REDMER, JR.
Insurance Commissioner

Title 31 MARYLAND INSURANCE ADMINISTRATION

Subtitle 03 INSURANCE PRODUCERS AND OTHER INSURANCE PROFESSIONALS

31.03.03 Fiduciary Responsibility of Insurance Producers: Premium Accounts Commingling of Funds

Authority: Insurance Article, §§2-109 and 10-126, Annotated Code of Maryland

Notice of Final Action

[17-112-F]

On September 7, 2017, the Insurance Commissioner adopted new Regulation **.01**, amendments to and the recodification of existing Regulations **.01—03** to be Regulations **.02—04**, and the repeal of existing Regulation **.04** under **COMAR 31.03.03 Fiduciary Responsibility of Insurance Producers: Premium Accounts Commingling of Funds**. This action, which was proposed for adoption in 44:8 Md. R. 415—416 (April 14, 2017), has been adopted with the nonsubstantive changes shown below.

Effective Date: January 1, 2018.

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 .02B(2)(b): A cross reference, "Regulation .04 of this chapter", was added to demonstrate that Regulation .04 is a prohibition on when an insurance producer may commingle

Withdrawal of Regulations

Title 15 DEPARTMENT OF AGRICULTURE

Subtitle 01 OFFICE OF THE SECRETARY

15.01.11 Industrial Hemp

Authority: Agriculture Article, §14-102(c), Annotated Code of Maryland

Notice of Withdrawal

[17-192-W]

The Secretary of Agriculture withdraws the proposal to adopt new Regulations **.01—.10** under a new chapter, **COMAR 15.01.11 Industrial Hemp Regulations**, as published in 44:15 Md. R. 773—775 (July 21, 2017).

JOSEPH BARTENFELDER
Secretary of Agriculture

Proposed Action on Regulations

For information concerning citizen participation in the regulation-making process, see inside front cover.
Symbol Key <ul style="list-style-type: none"> • Roman type indicates existing text of regulation. • <i>Italic type</i> indicates proposed new text. • [Single brackets] indicate text proposed for deletion.
<p style="text-align: center;">Promulgation of Regulations</p> <p>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.</p> <p>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.</p> <p>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.</p>

Title 09

DEPARTMENT OF LABOR, LICENSING, AND REGULATION

Subtitle 01 OFFICE OF THE SECRETARY

09.01.04 Public Information Act Requests

Authority: Business Regulation Article, §2-105; *General Provisions Article, Title 4*; Annotated Code of Maryland

Notice of Proposed Action [17-239-P]

The Secretary of Labor, Licensing and Regulation proposes to amend Regulations **.01**, **.02**, and **.04**, repeal existing Regulations **.05—07**, **.15**, and **.16**, amend and recodify existing Regulations **.08—12**, **.13**, **.14**, and **.17** to be **.05—09**, **.11**, **.12**, and **.13**, respectively, and adopt new Regulation **.10** under **COMAR 09.01.04 Public Information Act Requests**.

Statement of Purpose

The purpose of this action is to update the Office of the Secretary's regulations governing Public Information Act Requests.

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 Milena Trust, Office of the Attorney General, DLLR, 500 N. Calvert Street, Baltimore, MD 21201, or call 410-230-6139, or email to milena.trust@maryland.gov, or fax to 410-333-6503. Comments will be accepted through October 30, 2017. A public hearing has not been scheduled.

.01 General.

A. These regulations set out procedures for filing requests with the Department of Labor, Licensing, and Regulation (*the Department*) for the inspection and copying of records under [Access to Public Records, State Government Article, Title 10, Subtitle 6, Part III,] *the Public Information Act, General Provisions Article, Title 4*, Annotated Code of Maryland.

B. It is the policy of the Department to facilitate public access to the records of the Department, when access is allowed by law, by minimizing costs and time delays to persons requesting information.

.02 Definitions.

A. ["Act" means the Public Information Act, State Government Article, Title 10, Subtitle 6, Part III, Annotated Code of Maryland.

B. "Applicant" means a person requesting disclosure of public records.] *Unless otherwise noted, the definitions set forth in General Provisions Article, Title 4, Annotated Code of Maryland, apply in this chapter.*

[C.] B. "Custodian" means [an authorized person] *the Secretary of the Department or the Secretary's designee* employed by the Department [having] *who* has personal custody and control of public records of the Department.

[D. "Department" means the Department of Labor, Licensing and Regulation

E. "MPIA officer" means the person assigned to each major component of the Department responsible for monitoring and processing MPIA requests submitted to his or her agency.

F. "Official Custodian" means the person who is responsible for the maintenance, care, and keeping of the public records of the Department. Unless otherwise provided by law, the Secretary is the official custodian of the Department's records.

G. "Public records" means all paper, correspondence, forms, books, photographs, photostats, films, microfilms, sound recordings,

maps, drawings, or other written documents, regardless of physical form or characteristics. Public records includes all copies made or received by the Department in connection with the transaction of public business and includes the salaries of all employees of the Department.]

C. "PIA Coordinator" means the Department employee who is responsible for accepting, monitoring, and, with advice from the Department's legal staff, processing of requests for public records.

D. "Public Access Ombudsman" means the official appointed under General Provisions Article, Title 4, Subtitle 1B, to address disputes under the Public Information Act, General Provisions Article, Title 4, Annotated Code of Maryland.

[H.] E. (text unchanged)

[I.] F. "Working day" means a day other than Saturday, Sunday, [or] a State holiday, or a day of State emergency closure.

[J.] G. "Written documents" means all books, papers, copies of electronic communications, maps, photographs, cards, tapes, computer disks, flash drives, recordings, computerized records, and other documentary materials, regardless of physical form or characteristics.

.04 [Necessity for Written] Request to Inspect a Public Record.

[A. Inspections.

(1) Except as otherwise provided in this regulation, the custodian shall generally make public records available for inspection by an applicant without demanding a written request.

(2) The custodian shall require a written request if the custodian reasonably believes that the Act or any other law may prevent the disclosure of the record to the applicant or that a written request will materially assist the Department in responding to the request.

B. Copies. If the applicant is requesting a copy of any public record, the custodian may require a written request by the applicant.]

A. *Necessity for Written Request.* Except as otherwise provided in General Provisions Article, Title 4, Annotated Code of Maryland, the custodian shall require a written request via regular or electronic means from a person or governmental unit that wishes to inspect a public record.

B. *Contents of Written Request.* A written request shall contain the applicant's name and address, shall be signed by the applicant, and shall reasonably identify by brief description the record sought.

C. *Addressee.* A written request shall be addressed to the custodian of the record. If the custodian is unknown to the applicant, the request may be addressed to the Secretary.

[.08] .05 Response to Written Request.

A. *Decision to Grant a Request.*

(1) If the custodian decides to grant a written request for inspection, [he] the custodian shall [produce] be responsible for producing the public record for inspection immediately or within a reasonable period, not to exceed 30 days from the date [of] the request [when that period of time is needed to retrieve the information] was received.

(2) If the custodian reasonably believes that it will take more than ten (10) working days to produce the public record, the custodian shall indicate in writing via regular or electronic mail within 10 working days after receipt of the request:

(a) The amount of time the custodian anticipates it will take to produce the public record;

(b) An estimate of the range of fees that may be charged to comply with the request for public records; and

(c) The reason why it will take more than 10 working days to produce the public records.

B. *Decision to Deny a Request.*

(1) If the custodian decides to deny the written request, [he] the custodian shall do so within 30 days [of] after receipt of the written

request and shall immediately [upon deciding to deny the request,] notify the applicant of the denial [, and the reason for it].

(2) If a request is denied, the custodian shall provide the applicant, at the time of the denial or within 10 working days, a written statement that provides the following information:

(a) The reason for the denial, including, for records denied under General Provisions Article, §4-343, Annotated Code of Maryland, a brief explanation of:

(i) Why the denial is necessary; and

(ii) Why the harm from disclosure of the public record would be greater than the public interest in providing access to the information in the public record such that disclosure of the public record would be contrary to the public interest;

(b) The legal authority for the denial;

(c) Without disclosing the protected information, a brief description of the undisclosed records that will enable the applicant to assess the applicability of the legal authority for the denial; and

(d) Notice of the remedies available for review of the denial.

C. *Records Not in Custody or Control.*

(1) If a requested public record is not in the custody or control of the person to whom written application is made, that person shall, within 10 working days of the receipt of the request, notify the applicant that the person does not have custody or control of the requested public record.

(2) If that person knows the name of the custodian of the public record or the location or possible location of the record, this information shall also be given to the applicant.

D. [With the consent of the applicant, any time limit imposed by §§A—C may be extended for an additional period not to exceed 30 days] *Extension of Time.* Any time limit imposed under this regulation may be extended either with the consent of the applicant for an additional period not to exceed 30 days, or if the applicant seeks resolution of a dispute under General Provisions Article, §4-1B-04, Annotated Code of Maryland, before the Public Access Ombudsman.

[.09] .06 [Records Temporarily Unavailable] Electronic Records.

[If a requested public record is in the custody and control of the person to whom written application is made but is not immediately available for inspection or copying, the custodian shall, within 10 working days of the receipt of the request, notify the applicant and set a date and hour within a reasonable time for inspection or copying.]

A. Except as provided in §§C and D of this regulation, the custodian shall provide an applicant with a copy of the public record in a searchable and analyzable electronic format if:

(1) The public record is in a searchable and analyzable electronic format;

(2) The applicant requests a copy of the public record in a searchable and analyzable electronic format; and

(3) The custodian is able to provide a copy of the public record, in whole or in part, in a searchable and analyzable electronic format that does not disclose information that may not be disclosed under the Act.

B. The custodian shall provide a portion of the public record in a searchable and analyzable electronic format if:

(1) Requested by the applicant; and

(2) The custodian is able to do so by using the existing functions of the database or software program that contains the searchable and analyzable data.

C. The custodian is not required to:

(1) Create or reconstruct a public record in an electronic format if the public record is not available in an electronic format; or

(2) Release an electronic record in a format that would jeopardize or compromise the security or integrity of the original

record or of any proprietary software in which the record is maintained.

D. The custodian may remove metadata from an electronic document before providing the electronic record to an applicant by:

- (1) Using a software program or function; and
- (2) Converting the electronic record into a different searchable and analyzable format.

[.10] .07 Public Records Destroyed or Lost.

If the custodian is aware that a requested public record of the Department has been destroyed or lost, the custodian [to whom the application is made shall, within 10 working days of the request, notify the applicant of this fact and explain in the response the reasons why the record cannot be produced] shall within a reasonable time notify the applicant that the public record is not available and explain the reasons why the public record cannot be produced.

[.11] .08 Review of the Denial.

A. If [a written request is denied by the custodian for a reason other than that stated in Regulations .09 or .10, above,] the custodian denies a request to inspect or copy a public record of the Department, the applicant may[, within 30 days after receipt of the notice of the denial, request an administrative hearing] file an action for judicial enforcement under General Provisions Article, §4-362, Annotated Code of Maryland, without pursuing the remedies set forth in §§B and C of this regulation.

B. [If the applicant requests a hearing, the hearing shall be conducted by a hearing officer designated by the Secretary and the hearing shall be governed by State Government Article, Title 10, Subtitle 2, Annotated Code of Maryland. After the hearing, the hearing officer shall prepare a recommended decision for the Secretary. The Secretary shall issue the final decision of the Department.] If the custodian charges a fee of more than \$350 under Regulation .12 of this chapter, the applicant may, within 90 days after the date the fee is imposed, file a written complaint with the Board under General Provisions Article, §4-1A-05(a), Annotated Code of Maryland.

C. [If the hearing results in a total or partial denial of the written request, the applicant may file an appropriate action in the circuit court under State Government Article, § 10-623, Annotated Code of Maryland.] The applicant and the custodian may contact the Public Access Ombudsman to resolve, under General Provisions Article, Title 4, Subtitle 1B, Annotated Code of Maryland, a dispute relating to a request for public records.

[D. If the applicant chooses not to request a hearing under § A, above, the applicant may file an action for judicial enforcement under State Government Article, § 10-623, Annotated Code of Maryland, without exhausting that administrative remedy.]

[.12] .09 Disclosure Against Public Interest.

A. Denial Pending Court Order.

(1) If, in the opinion of the Secretary, disclosure of any public record that is otherwise required to be disclosed under the Act would do substantial injury to the public interest, the Secretary may temporarily deny the request and seek a court order allowing continued nondisclosure.

(2) A temporary denial shall be in writing [and apply within 10 working days of the denial to the appropriate circuit court for an order permitting continued denial or restriction of access. Notice of the application filed with the circuit court shall be served on the applicant in the same manner that is provided for service of process by the Maryland Rules of Procedure].

B. Circuit Court Review.

(1) Within 10 working days after the denial, the Secretary shall apply to the appropriate circuit court for an order permitting continued denial or restriction of access.

(2) Notice of the Secretary's complaint shall be served on the applicant in the manner provided for service of process by the Maryland Rules.

.10 Time and Place of Inspection.

A. An applicant may inspect any public record that the applicant is entitled to inspect during the normal working hours of the Department.

B. The place of inspection shall be the place where the public record is located, unless the custodian, after taking into account the applicant's expressed preferences, determines that another place of inspection is more suitable and convenient.

[.13] .11 Inspection of Occupational and Professional Licensing Data for Compelling Public Purpose.

A. A compelling public purpose shall be deemed to exist under [State Government Article, §10-617(h)(3),] General Provisions Article, §4-333, Annotated Code of Maryland, and the custodian of occupational and professional licensing records within the Department may permit the right of inspection of occupational and professional licensing data on individual persons other than that data specified under [State Government Article, §10-617(h)(2),] General Provisions Article, §4-333, Annotated Code of Maryland, as set forth in this regulation.

B. — D. (text unchanged)

[.14] .12 Fees.

A. The fee schedule for copying and certifying copies of records is as follows:

(1) Copies. [The fee for each copy is 25 cents per page if reproduction is made by a photocopying machine within the Department. If records are not susceptible to photocopying (for example, punch cards, magnetic tapes, blueprints, and microfilm), the fee for copies will be based on the actual cost of reproduction.]

(a) The fee for each copy made is 25 cents per page if reproduction is made by a standard printer or photocopying or scanning machine within the Department;

(b) The fee for each copy made otherwise shall be based on the actual cost of reproduction.

(2) Certification of Copies. If a person requests that a copy of a public record be certified as a true copy, an additional fee of \$1 per page (or, if appropriate, per item) shall be charged.

(3) Minimum Fee Charged. A charge will not be made if the total amount of the fee would be [\$1] \$5 or less.

B. Notwithstanding §A[above] of this regulation, if the fees for copies, print-outs, photographs, or certified copies of any public record are specifically prescribed by a law other than the Act or this regulation, the prescribed fee shall be charged.

C. If the custodian is unable to copy a public record within the Department, the custodian shall make arrangements for the prompt reproduction of the record at public or private facilities outside the Department. The custodian shall either collect from the applicant a fee to cover the actual cost of reproduction or direct the applicant to pay the cost of reproduction directly to the facility making the copy.

D. Before copying a record, the custodian shall estimate the cost of reproduction, including any search and preparation fees, and either obtain the agreement of the applicant to pay the cost or [demand] require prepayment of any estimated fee before reproducing the record.

E. *Search and Preparation Fees.*

(1) Except as provided in [§F, below] §E(2) of this regulation, the official custodian may charge reasonable fees for [official or employee] time expended fulfilling the following tasks:

(a) [searching] *Searching* for requested public records[or for any time expended preparing records for inspection and copying.];

(b) *Reviewing requested public records for potential disclosure; and*

(c) *Preparing public records for inspection and copying.*

[F.] (2) The official custodian may not charge any search or preparation fee for the first 2 hours of [official or employee] time that is needed to respond to a request [for information] to copy or inspect a public record.

[G.] F. [Upon request, the] *Waiver or Reduction of Fee.*

(1) The official custodian may waive or reduce any fee charged pursuant to this regulation if:

[the custodian determines that the waiver or reduction is in the public interest. The official custodian shall consider, among other relevant factors, the ability of the applicant to pay the cost or fee.]

(a) *The applicant requests a waiver; and*

(b) *The custodian determines that the waiver or reduction is in the public interest or if the applicant is indigent and files an affidavit verifying the facts support a claim of indigency.*

(2) *In determining whether a fee is in the public interest, the custodian shall consider, among other relevant factors, the ability of the applicant to pay the fee.*

[H.] G. If the applicant requests that copies of a public record be mailed or delivered to the applicant or a third party, the custodian may charge the applicant for the cost of postage or delivery [to the applicant].

[.17].13 **Sociological Information.**

A. Definition. For purposes of this regulation and as provided for under General Provisions Article, §4-330, Annotated Code of Maryland, "sociological information" means any of the following information requested from the Department:

(1) — (5) (text unchanged)

B. Nondisclosure. [The] *Unless otherwise prohibited from disclosure under applicable state or federal laws, the Department may not disclose sociological information to a requester, except that sociological information may be disclosed:*

(1) (text unchanged)

(2) [To parties litigating claims for unemployment insurance to the extent the sociological information would be available to private parties in litigation;

(3) When required by a duly issued subpoena; or

[(4)] (3) (text unchanged)

KELLY M. SCHULZ

Secretary of Labor, Licensing, and Regulation

Title 10 MARYLAND DEPARTMENT OF HEALTH

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.12 Disposable Medical Supplies and Durable Medical Equipment

Authority: Health-General Article, §§2-104(b), 15-103, 15-105, and 15-129,
Annotated Code of Maryland

Notice of Proposed Action

[17-243-P]

The Secretary of Health proposes to amend Regulations .03—.05 and .07 under COMAR 10.09.12 Disposable Medical Supplies and Durable Medical Equipment.

Statement of Purpose

The purpose of this action is to:

(1) Update participation criteria for DMS/DME providers to require Medicare approval status, based on CMS guidance;

(2) Remove corrective shoes as an item not covered under this chapter; and

(3) Require that the ordering provider be enrolled in the Maryland Medical Assistance Program and be identified on the invoice.

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, Maryland Department of Health, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to mdh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through October 30, 2017. A public hearing has not been scheduled.

.03 Conditions for Participation.

To participate in the Program, the provider:

A. *Effective January 1, 2018, shall be in an approved status with Medicare;*

[A.] B. [Shall] *Effective April 1, 2012 through December 31, 2017, shall, unless exempt from Medicare accreditation requirements:*

(1) (text unchanged)

(2) [Effective November 1, 2011, provide] *Provide documentation of:*

(a)—(b) (text unchanged)

(3) [Effective April 1, 2012, be] *Be accredited or terminated from the Program;*

[B.] C. (text unchanged)

[C. If located more than 25 miles from the border of Maryland, shall provide to the Program documentation demonstrating that the enrollment and screening requirements of 42 CFR Part 455, Subpart E, have been performed within the 12 months preceding the application for initial enrollment or revalidation of enrollment by:

- (1) A Medicare contractor; or
- (2) The Medicaid agency or the Children’s Health Insurance Program of another state;]

D.—I. (text unchanged)

.04 Covered Services.

A. The following medically necessary items are covered when ordered by [a prescriber] *an individual who is enrolled as a provider in the Program on the date of service:*

- (1)—(9) (text unchanged)

B.—F. (text unchanged)

.05 Limitations.

The Program does not cover:

A.—C. (text unchanged)

D. The following durable medical equipment:

- (1)—(4) (text unchanged)
- [(5) Corrective shoes;]
- [(6)] (5)—[(20)] (19) (text unchanged)

E.—L. (text unchanged)

M. Rental of equipment for any period longer than 90 days without renewed documentation of continued medical need from the prescriber for each 90-day period; [and]

N. Modifications to motor vehicles[.];

O. Disposable medical supplies and durable medical equipment ordered by an individual who is not enrolled as a provider in the Program on the date of service; and

P. Disposable medical supplies and durable medical equipment ordered by an entity, facility, or other provider that is not an individual.

.07 Payment Procedures.

A.—Y. (text unchanged)

Z. The disposable medical supplies or durable medical equipment provider shall identify the individual who ordered the disposable medical supplies and durable medical equipment by recording the individual practitioner’s National Provider Identifier (NPI) number on the claim.

DENNIS SCHRADER
Secretary of Health

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.36 General Medical Assistance Provider Participation Criteria

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

Notice of Proposed Action

[17-242-P]

The Secretary of Health proposes to amend Regulation **.03** under **COMAR 10.09.36 General Medical Assistance Provider Participation Criteria**.

Statement of Purpose

The purpose of this action is to clarify that providers may not seek payment from multiple State agencies for the same service and that providers shall comply with all standards of practice, professional

standards and levels of service as set forth in all applicable federal and State laws, statutes, rules, and regulations, as well as all administrative policies, procedures, transmittals, and guidelines issues by the Department. Finally, this proposal updates references to hospital services chapters.

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, Maryland Department of Health, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to mdh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through October 30, 2017. A public hearing has not been scheduled.

.03 Conditions for Participation.

A. To participate in the Program, the provider shall [comply with the following criteria]:

- (1)—(6) (text unchanged)

(7) *Comply with all standards of practice, professional standards and levels of service as set forth in all applicable federal and State laws, statutes, rules, and regulations as well as all administrative policies, procedures, transmittals, and guidelines issued by the Department;*

- [(7)] (8)—[(20)] (21) (text unchanged)

B. A provider may not seek payment from more than one State agency for the same service.

[B.] C.—[D.] E. (text unchanged)

[E.] F. The following types of providers shall comply with the requirements of 42 CFR Part 489, Subpart I, Advance Directives:

- (1) [Hospitals] *Acute hospitals* under COMAR [10.09.06 and 10.09.34] 10.09.92;
- (2) *Chronic hospitals* under COMAR 10.09.93;
- (3) *Special pediatric hospitals* under COMAR 10.09.94;
- (4) *Special psychiatric hospitals* under COMAR 10.09.95;
- [(2)] (5)—[(6)] (9) (text unchanged)

DENNIS SCHRADER
Secretary of Health

**Subtitle 22 DEVELOPMENTAL
DISABILITIES**

Notice of Proposed Action

[17-241-P]

The Secretary of Health proposes to amend:

- (1) Regulations ~~.06—.08~~ under **COMAR 10.22.17 Fee Payment System for Licensed Residential and Day Programs**; and
- (2) Regulation **.04** under **COMAR 10.22.18 Community Supported Living Arrangements Payment System**.

Statement of Purpose

The purpose of this action is to establish in COMAR the FY18 reimbursement rates for Licensed Residential and Day Programs and Personal Support services as part of Community Supported Living Arrangements (CSLA) services.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed action increases the rate paid to providers.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	(E+)	\$36,288,004
B. On other State agencies:	NONE	
C. On local governments:	NONE	

	Benefit (+) Cost (-)	Magnitude
--	-------------------------	-----------

D. On regulated industries or trade groups:	(+)	\$36,288,004
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

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

A. A 3.5 percent increase in rates will cause the expenditures of the Developmental Disabilities Administration (DDA) for community services to increase by an estimated \$38,288,004 in total funds. The total general funds impact of these changes is \$19,847,939.

D. Regulated provider agencies will benefit from increases to rates by an estimated \$36,288,004 in total funds (\$19,847,939 in general funds).

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, Maryland Department of Health, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to mdh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through October 30, 2017. A public hearing has not been scheduled.

10.22.17 Fee Payment System for Licensed Residential and Day Programs

Authority: Health-General Article, §§2-104(b), 7-306.1, 7-910(c), 15-105, 15-107, and 16-201, Annotated Code of Maryland

.06 Determination of Individual Component.

- A.—F. (text unchanged)
- [G.] (proposed for repeal)
- G. *Table of Individual Components Effective July 1, 2017.*
- (1) *Residential Programs.*

<i>Region 1 — Baltimore Metro (Baltimore City, Baltimore County, Anne Arundel, Harford, Howard, Carroll, Queen Anne's)</i>						
		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
<i>Health/Medical Level</i>	<i>1</i>	<i>\$20.54</i>	<i>\$36.76</i>	<i>\$62.68</i>	<i>\$101.53</i>	<i>\$145.58</i>
	<i>2</i>	<i>\$22.46</i>	<i>\$38.70</i>	<i>\$64.62</i>	<i>\$103.46</i>	<i>\$147.50</i>
	<i>3</i>	<i>\$25.57</i>	<i>\$41.80</i>	<i>\$67.69</i>	<i>\$106.56</i>	<i>\$150.59</i>
	<i>4</i>	<i>\$29.76</i>	<i>\$45.99</i>	<i>\$71.88</i>	<i>\$110.75</i>	<i>\$154.78</i>
	<i>5</i>	<i>\$33.44</i>	<i>\$49.67</i>	<i>\$75.59</i>	<i>\$114.44</i>	<i>\$158.47</i>

<i>Region 2 — Washington D.C. Metro (Calvert, Frederick, Prince George's, Montgomery, Charles)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$22.16	\$39.66	\$67.63	\$109.54	\$157.07
	<i>2</i>	\$24.23	\$41.75	\$69.72	\$111.62	\$159.14
	<i>3</i>	\$27.59	\$45.10	\$73.03	\$114.97	\$162.47
	<i>4</i>	\$32.11	\$49.62	\$77.55	\$119.49	\$166.99
	<i>5</i>	\$36.08	\$55.59	\$81.55	\$123.47	\$170.97
<i>Region 3 — Rural (St. Mary's, Caroline, Garrett, Dorchester Kent, Somerset, Talbot, Wicomico, Worcester)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$20.54	\$36.76	\$62.68	\$101.53	\$145.58
	<i>2</i>	\$22.46	\$38.70	\$64.62	\$103.46	\$147.50
	<i>3</i>	\$25.57	\$41.80	\$67.69	\$106.56	\$150.59
	<i>4</i>	\$29.76	\$45.99	\$71.88	\$110.75	\$154.78
	<i>5</i>	\$33.44	\$49.67	\$75.59	\$114.44	\$158.47
<i>Region 4 — Pittsburgh Metro (Allegany)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$20.54	\$36.76	\$62.68	\$101.53	\$145.58
	<i>2</i>	\$22.46	\$38.70	\$64.62	\$103.46	\$147.50
	<i>3</i>	\$25.57	\$41.80	\$67.69	\$106.56	\$150.59
	<i>4</i>	\$29.76	\$45.99	\$71.88	\$110.75	\$154.78
	<i>5</i>	\$33.34	\$49.67	\$75.59	\$114.44	\$158.47
<i>Region 5 — Wilmington Metro (Cecil)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$21.83	\$39.67	\$66.62	\$107.92	\$154.74
	<i>2</i>	\$23.87	\$41.13	\$68.38	\$109.97	\$156.78
	<i>3</i>	\$27.18	\$44.43	\$71.95	\$113.26	\$160.06
	<i>4</i>	\$31.63	\$48.88	\$76.40	\$117.72	\$164.52
	<i>5</i>	\$35.54	\$52.79	\$80.34	\$121.64	\$168.44

PROPOSED ACTION ON REGULATIONS

<i>Region 6 — Hagerstown Metro (Washington)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$20.54	\$36.76	\$62.68	\$101.53	\$145.58
	<i>2</i>	\$22.46	\$38.70	\$64.62	\$103.46	\$147.50
	<i>3</i>	\$25.57	\$41.80	\$67.69	\$106.56	\$150.59
	<i>4</i>	\$29.76	\$45.99	\$71.88	\$110.75	\$154.78
	<i>5</i>	\$33.44	\$49.67	\$75.59	\$114.44	\$158.47

(2) Day Programs.

<i>Region 1 — Baltimore Metro (Baltimore City, Baltimore County, Anne Arundel, Harford, Howard, Carroll, Queen Anne's)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$20.98	\$25.06	\$33.01	\$41.19	\$57.34
	<i>2</i>	\$23.15	\$27.23	\$35.21	\$43.39	\$59.54
	<i>3</i>	\$26.69	\$30.79	\$38.74	\$46.92	\$63.06
	<i>4</i>	\$31.48	\$35.54	\$43.50	\$51.70	\$67.84
	<i>5</i>	\$35.68	\$39.74	\$47.70	\$55.89	\$72.03

Region 2 — Washington D.C. Metro (Calvert, Frederick, Prince George's, Montgomery, Charles)

<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$22.64	\$27.04	\$35.61	\$44.44	\$61.86
	<i>2</i>	\$24.98	\$29.38	\$37.99	\$46.81	\$64.24
	<i>3</i>	\$28.80	\$33.22	\$41.80	\$50.62	\$68.04
	<i>4</i>	\$33.96	\$38.34	\$46.93	\$55.78	\$73.19
	<i>5</i>	\$38.50	\$42.88	\$51.46	\$60.30	\$77.71

Region 3 — Rural (St. Mary's, Caroline, Garrett, Dorchester Kent, Somerset, Talbot, Wicomico, Worcester)

<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$20.98	\$25.06	\$33.01	\$41.19	\$57.34
	<i>2</i>	\$23.15	\$27.23	\$35.21	\$43.39	\$59.54
	<i>3</i>	\$26.69	\$30.79	\$38.74	\$46.92	\$63.06
	<i>4</i>	\$31.48	\$35.54	\$43.50	\$51.70	\$67.84
	<i>5</i>	\$35.68	\$39.74	\$47.70	\$55.89	\$72.03

<i>Region 4 — Pittsburgh Metro (Allegheny)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$20.98	\$25.06	\$33.01	\$41.19	\$57.34
	<i>2</i>	\$23.15	\$27.23	\$35.21	\$43.39	\$59.54
	<i>3</i>	\$26.69	\$30.79	\$38.74	\$46.92	\$63.06
	<i>4</i>	\$31.48	\$35.54	\$43.50	\$51.70	\$67.84
	<i>5</i>	\$35.68	\$39.74	\$47.70	\$55.89	\$72.03

<i>Region 5 — Wilmington Metro (Cecil)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$22.30	\$26.64	\$35.09	\$43.78	\$60.95
	<i>2</i>	\$24.61	\$28.94	\$37.42	\$46.12	\$63.29
	<i>3</i>	\$28.37	\$32.73	\$41.18	\$49.87	\$67.03
	<i>4</i>	\$33.46	\$37.78	\$46.24	\$54.95	\$72.11
	<i>5</i>	\$37.92	\$42.24	\$50.70	\$59.41	\$76.56

<i>Region 6 — Hagerstown Metro (Washington)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$20.98	\$25.06	\$33.01	\$41.19	\$57.34
	<i>2</i>	\$23.15	\$27.23	\$35.21	\$43.39	\$59.54
	<i>3</i>	\$26.69	\$30.79	\$38.74	\$46.92	\$63.06
	<i>4</i>	\$31.48	\$35.54	\$43.50	\$51.70	\$67.84
	<i>5</i>	\$35.68	\$39.74	\$47.70	\$55.89	\$72.03

(3) Supported Employment Programs.

<i>Region 1 — Baltimore Metro (Baltimore City, Baltimore County, Anne Arundel, Harford, Howard, Carroll, Queen Anne's)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$20.98	\$25.06	\$33.01	\$41.19	\$57.34
	<i>2</i>	\$23.15	\$27.23	\$35.21	\$43.39	\$59.54
	<i>3</i>	\$26.69	\$30.79	\$38.74	\$46.92	\$63.06
	<i>4</i>	\$31.48	\$35.54	\$43.50	\$51.70	\$67.84
	<i>5</i>	\$35.68	\$39.74	\$47.70	\$55.89	\$72.03

PROPOSED ACTION ON REGULATIONS

958

<i>Region 2 — Washington D.C. Metro (Calvert, Frederick, Prince George's, Montgomery, Charles)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$22.64	\$27.04	\$35.61	\$44.44	\$61.86
	<i>2</i>	\$24.98	\$29.38	\$37.99	\$46.81	\$64.24
	<i>3</i>	\$28.80	\$33.22	\$41.80	\$50.62	\$68.04
	<i>4</i>	\$33.96	\$38.34	\$46.93	\$55.78	\$73.19
	<i>5</i>	\$38.50	\$42.88	\$51.46	\$60.30	\$77.71
<i>Region 3 — Rural (St. Mary's, Caroline, Garrett, Dorchester Kent, Somerset, Talbot, Wicomico, Worcester)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$20.98	\$25.06	\$33.01	\$41.19	\$57.34
	<i>2</i>	\$23.15	\$27.23	\$35.21	\$43.39	\$59.34
	<i>3</i>	\$26.69	\$30.79	\$38.74	\$46.92	\$63.06
	<i>4</i>	\$31.48	\$35.54	\$43.50	\$51.70	\$67.84
	<i>5</i>	\$35.68	\$39.74	\$47.70	\$55.89	\$72.03
<i>Region 4 — Pittsburgh Metro (Allegany)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$20.98	\$25.06	\$33.01	\$41.19	\$57.34
	<i>2</i>	\$23.15	\$27.23	\$35.21	\$43.39	\$59.54
	<i>3</i>	\$26.69	\$30.79	\$38.74	\$46.92	\$63.06
	<i>4</i>	\$31.48	\$35.54	\$43.50	\$51.70	\$67.84
	<i>5</i>	\$35.68	\$39.74	\$47.70	\$55.89	\$72.03
<i>Region 5 — Wilmington Metro (Cecil)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$22.30	\$26.64	\$35.09	\$43.78	\$60.95
	<i>2</i>	\$24.61	\$28.94	\$37.42	\$46.12	\$63.29
	<i>3</i>	\$28.37	\$32.73	\$41.18	\$49.87	\$67.03
	<i>4</i>	\$33.46	\$37.78	\$46.24	\$54.95	\$72.11
	<i>5</i>	\$37.92	\$42.24	\$50.70	\$59.41	\$76.56

<i>Region 6 — Hagerstown Metro (Washington)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$20.98	\$25.06	\$33.01	\$41.19	\$57.34
	<i>2</i>	\$23.15	\$27.23	\$35.21	\$43.39	\$59.54
	<i>3</i>	\$26.69	\$30.79	\$38.74	\$46.92	\$63.06
	<i>4</i>	\$31.48	\$35.34	\$43.50	\$51.70	\$67.84
	<i>5</i>	\$35.68	\$39.74	\$47.40	\$55.89	\$72.03

(4) Community Learning Services.

<i>Region 1 — Baltimore Metro (Baltimore City, Baltimore County, Anne Arundel, Harford, Howard, Carroll, Queen Anne's)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$20.98	\$25.06	\$33.01	\$41.19	\$57.34
	<i>2</i>	\$23.15	\$27.23	\$35.21	\$43.39	\$59.54
	<i>3</i>	\$26.69	\$30.79	\$38.74	\$46.92	\$63.06
	<i>4</i>	\$31.48	\$35.54	\$43.50	\$51.70	\$67.84
	<i>5</i>	\$35.68	\$39.74	\$47.70	\$58.89	\$72.03

<i>Region 2 — Washington D.C. Metro (Calvert, Frederick, Prince George's, Montgomery, Charles)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$22.64	\$27.04	\$35.61	\$44.44	\$61.86
	<i>2</i>	\$24.98	\$29.38	\$37.99	\$46.81	\$64.24
	<i>3</i>	\$28.80	\$33.22	\$41.80	\$50.62	\$68.04
	<i>4</i>	\$33.96	\$38.34	\$46.93	\$55.78	\$73.19
	<i>5</i>	\$38.50	\$42.88	\$51.46	\$60.30	\$77.71

PROPOSED ACTION ON REGULATIONS

<i>Region 3 — Rural (St. Mary's, Caroline, Garrett, Dorchester Kent, Somerset, Talbot, Wicomico, Worcester)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$20.98	\$25.06	\$33.01	\$41.19	\$57.34
	<i>2</i>	\$23.15	\$27.23	\$35.21	\$43.39	\$59.54
	<i>3</i>	\$26.69	\$30.79	\$38.74	\$46.92	\$63.06
	<i>4</i>	\$31.48	\$35.54	\$43.50	\$51.70	\$67.84
	<i>5</i>	\$35.68	\$39.74	\$47.70	\$55.89	\$72.03
<i>Region 4 — Pittsburgh Metro (Allegany)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$20.98	\$25.06	\$33.01	\$41.19	\$57.34
	<i>2</i>	\$23.15	\$27.23	\$35.21	\$43.39	\$59.54
	<i>3</i>	\$26.69	\$30.79	\$38.74	\$46.92	\$63.06
	<i>4</i>	\$31.48	\$35.54	\$43.50	\$51.70	\$67.84
	<i>5</i>	\$35.68	\$39.74	\$47.70	\$55.89	\$72.03
<i>Region 5 — Wilmington Metro (Cecil)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$22.30	\$26.64	\$35.09	\$43.78	\$60.95
	<i>2</i>	\$24.61	\$28.94	\$37.42	\$46.12	\$63.29
	<i>3</i>	\$28.37	\$32.73	\$41.18	\$49.87	\$67.03
	<i>4</i>	\$33.46	\$37.78	\$46.24	\$54.95	\$72.11
	<i>5</i>	\$37.92	\$42.24	\$50.70	\$59.41	\$76.56

<i>Region 6 — Hagerstown Metro (Washington)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$20.98	\$25.06	\$33.01	\$41.19	\$57.34
	<i>2</i>	\$23.15	\$27.23	\$35.21	\$43.39	\$59.54
	<i>3</i>	\$26.69	\$30.79	\$38.74	\$46.92	\$63.06
	<i>4</i>	\$31.48	\$35.54	\$43.50	\$51.70	\$67.84
	<i>5</i>	\$35.68	\$39.74	\$47.70	\$55.89	\$72.03

(5) Employment Discovery and Customization

<i>Region 1 — Baltimore Metro (Baltimore City, Baltimore County, Anne Arundel, Harford, Howard, Carroll, Queen Anne's)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$20.98	\$25.06	\$33.01	\$41.19	\$57.34
	<i>2</i>	\$23.15	\$27.23	\$35.21	\$43.39	\$59.54
	<i>3</i>	\$26.69	\$30.79	\$38.74	\$46.92	\$63.06
	<i>4</i>	\$31.48	\$35.54	\$43.50	\$51.70	\$67.84
	<i>5</i>	\$35.68	\$39.74	\$47.70	\$55.89	\$72.03

Region 2 — Washington D.C. Metro (Calvert, Frederick, Prince George's, Montgomery, Charles)

<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$22.64	\$27.04	\$35.61	\$44.44	\$61.86
	<i>2</i>	\$24.98	\$29.38	\$37.99	\$46.81	\$64.24
	<i>3</i>	\$28.80	\$33.22	\$41.80	\$50.62	\$68.04
	<i>4</i>	\$33.96	\$38.34	\$46.93	\$55.78	\$73.19
	<i>5</i>	\$38.50	\$42.88	\$51.46	\$60.30	\$77.71

Region 3 — Rural (St. Mary's, Caroline, Garrett, Dorchester Kent, Somerset, Talbot, Wicomico, Worcester)

<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$20.98	\$25.06	\$33.01	\$41.19	\$57.34
	<i>2</i>	\$23.15	\$27.23	\$35.21	\$43.39	\$59.54
	<i>3</i>	\$26.69	\$30.79	\$38.74	\$46.92	\$63.06
	<i>4</i>	\$31.48	\$35.54	\$43.50	\$51.70	\$67.84
	<i>5</i>	\$35.68	\$39.74	\$47.70	\$55.89	\$72.03

PROPOSED ACTION ON REGULATIONS

<i>Region 4 — Pittsburgh Metro (Allegany)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$20.98	\$25.06	\$33.01	\$41.19	\$57.34
	<i>2</i>	\$23.15	\$27.23	\$35.21	\$43.39	\$59.54
	<i>3</i>	\$26.69	\$30.79	\$38.74	\$46.92	\$63.06
	<i>4</i>	\$31.48	\$35.54	\$43.50	\$51.70	\$67.84
	<i>5</i>	\$35.68	\$39.74	\$47.70	\$55.89	\$72.03
<i>Region 5 — Wilmington Metro (Cecil)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$22.30	\$26.64	\$35.09	\$43.78	\$60.95
	<i>2</i>	\$24.61	\$28.94	\$37.42	\$46.12	\$63.29
	<i>3</i>	\$28.37	\$32.73	\$41.18	\$49.87	\$67.03
	<i>4</i>	\$33.46	\$37.78	\$46.24	\$54.95	\$72.11
	<i>5</i>	\$37.92	\$42.24	\$50.70	\$59.41	\$76.56
<i>Region 6 — Hagerstown Metro (Washington)</i>						
<i>Health/Medical Level</i>		<i>Supervision/Assistance Level</i>				
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	<i>1</i>	\$20.98	\$25.06	\$33.01	\$41.19	\$57.34
	<i>2</i>	\$23.15	\$27.23	\$35.21	\$43.39	\$59.54
	<i>3</i>	\$26.69	\$30.79	\$38.74	\$46.92	\$63.06
	<i>4</i>	\$31.48	\$35.54	\$43.50	\$51.70	\$67.84
	<i>5</i>	\$35.68	\$39.74	\$47.70	\$55.89	\$72.03

.07 Provider Components.

Effective July 1, [2016] 2017, the provider components for all regions are as follows:

A. The residential program provider component is [\$63.95] \$66.19; and

B. The day habilitation, vocational, supported employment, community learning services, and employment discovery and customization program provider component is [\$35.41] \$36.65.

.08 Add-On Component.

A.—I. (text unchanged)

J. Reimbursement for Add-On Components.

(1) (text unchanged)

(2) Effective July 1, [2016] 2017, the amount per unit of service for residential programs is as follows:

(a) In Baltimore City and Allegany, Anne Arundel, Baltimore, Caroline, Carroll, Dorchester, Garrett, Harford, Howard, Kent, Queen Anne's, St. Mary's, Somerset, Talbot, Washington, Wicomico, and Worcester counties — [\$19.11] \$19.78;

(b) In Cecil County — [\$20.12] \$20.82; and

(c) In Calvert, Charles, Frederick, Montgomery, and Prince George's counties — [\$20.37] \$21.09.

(3) Effective July 1 [2016] 2017, the amount per unit of service for day habilitation and community learning services is as follows:

(a) In Baltimore City and Allegany, Anne Arundel, Baltimore, Caroline, Carroll, Dorchester, Garrett, Harford, Howard,

Kent, Queen Anne's, St. Mary's, Somerset, Talbot, Washington, Wicomico, and Worcester counties — [\$21.36] \$22.11;

(b) In Cecil County — [\$22.37] \$23.16; and

(c) In Calvert, Charles, Frederick, Montgomery, and Prince George's counties — [\$22.63] \$23.43.

(4) Effective July 1 [2016] 2017, the amount per unit of service for supported employment and employment discovery and customization is as follows:

(a) In Baltimore City and Allegany, Anne Arundel, Baltimore, Caroline, Carroll, Dorchester, Garrett, Harford, Howard, Kent, Queen Anne's, St. Mary's, Somerset, Talbot, Washington, Wicomico, and Worcester counties — [\$21.32] \$22.11;

(b) In Cecil County — [\$22.37] \$23.16; and

(c) In Calvert, Charles, Frederick, Montgomery, and Prince George's counties — [\$22.63] \$23.43.

(5) Effective July 1 [2016] 2017, the amount per unit of service per individual for professional services is as follows:

(a) In Baltimore City and Allegany, Anne Arundel, Baltimore, Caroline, Carroll, Dorchester, Garrett, Harford, Howard, Kent, Queen Anne's, St. Mary's, Somerset, Talbot, Washington, Wicomico, and Worcester counties — [\$31.51] \$32.61;

(b) In Cecil County — [\$33.28] \$34.44; and

(c) In Calvert, Charles, Frederick, Montgomery, and Prince George's counties — [\$33.73] \$34.90.

10.22.18 Community Supported Living Arrangements Payment System

Authority: Health-General Article, §§2-104(b), 7-306.1, 7-307, 15-105, and 5-107, Annotated Code of Maryland

.04 Rates.

A.—H. (text unchanged)

[I.]—[K.] (proposed for repeal)

I. Fiscal Year 2018 Tables for CSLA's Personal Supports Hourly Rates.

(1) State Fiscal Year 2018 CSLA's Personal Supports Rates: Table for One Individual in a Dwelling Receiving CSLA Services.

Hours of Service Per Week	Hourly Rate Per Individual		
	Baltimore City and Allegany, Anne Arundel, Baltimore, Caroline, Carroll, Dorchester, Garrett, Harford, Howard, Kent, Queen Anne's, St. Mary's, Somerset, Talbot, Washington, Wicomico, and Worcester Counties	Cecil County	Calvert, Charles, Frederick, Montgomery, and Prince George's Counties
1—19	\$30.00	\$31.05	\$31.32
20—22	\$28.69	\$29.69	\$29.95
23-24	\$27.73	\$28.70	\$28.95
25	\$26.84	\$27.78	\$28.02
26	\$25.99	\$26.90	\$27.13
27	\$25.22	\$26.10	\$26.33
28—82	\$24.85	\$25.72	\$25.94

(2) State Fiscal Year 2018 CSLA's Personal Supports Rates: Table for Two Individuals in a Dwelling Receiving CSLA Services.

Hours of Service Per Week	Hourly Rate Per Individual		
	Baltimore City and Allegany, Anne Arundel, Baltimore, Caroline, Carroll, Dorchester, Garrett, Harford, Howard, Kent, Queen Anne's, St. Mary's, Somerset, Talbot, Washington, Wicomico, and Worcester Counties	Cecil County	Calvert, Charles, Frederick, Montgomery, and Prince George's Counties
1-19	\$27.91	\$28.89	\$29.14
20—22	\$26.90	\$27.84	\$28.08
23—24	\$25.99	\$26.90	\$27.13
25	\$25.15	\$26.03	\$26.26
26	\$24.36	\$25.21	\$25.43
27	\$23.63	\$24.46	\$24.67
28—82	\$23.29	\$24.11	\$24.31

PROPOSED ACTION ON REGULATIONS

(3) State Fiscal Year 2018 CSLA's Personal Supports Rates: Table for Three Individuals in a Dwelling Receiving CSLA Services.

<i>Hourly Rate Per Individual</i>			
<i>Hours of Service Per Week</i>	<i>Baltimore City and Allegany, Anne Arundel, Baltimore, Caroline, Carroll, Dorchester, Garrett, Harford, Howard, Kent, Queen Anne's, St. Mary's, Somerset, Talbot, Washington, Wicomico, and Worcester Counties</i>	<i>Cecil County</i>	<i>Calvert, Charles, Frederick, Montgomery, and Prince George's Counties</i>
<i>1-19</i>	<i>\$22.37</i>	<i>\$23.15</i>	<i>\$23.35</i>
<i>20-22</i>	<i>\$21.55</i>	<i>\$22.30</i>	<i>\$22.50</i>
<i>23-24</i>	<i>\$20.81</i>	<i>\$21.54</i>	<i>\$21.73</i>
<i>25</i>	<i>\$20.15</i>	<i>\$20.86</i>	<i>\$21.04</i>
<i>26</i>	<i>\$19.53</i>	<i>\$20.21</i>	<i>\$20.39</i>
<i>27</i>	<i>\$18.93</i>	<i>\$19.59</i>	<i>\$19.76</i>
<i>28-82</i>	<i>\$18.67</i>	<i>\$19.32</i>	<i>\$19.49</i>

J. State Fiscal Year 2018 CSLA's Personal Supports Rates: Table for 1:1 Support or Not More than 8 Hours of Awake-Overnight Support per Residence for Individuals Receiving CSLA Services Regardless of the Number of Individuals in a Dwelling.

<i>Hourly Rate Per Individual</i>			
<i>Hours of Service Per Week</i>	<i>Baltimore City and Allegany, Anne Arundel, Baltimore, Caroline, Carroll, Dorchester, Garrett, Harford, Howard, Kent, Queen Anne's, St. Mary's, Somerset, Talbot, Washington, Wicomico, and Worcester Counties</i>	<i>Cecil County</i>	<i>Calvert, Charles, Frederick, Montgomery, and Prince George's Counties</i>
<i>Hours in Excess of 82</i>	<i>\$18.67</i>	<i>\$19.32</i>	<i>\$19.49</i>

K. State Fiscal Year 2018 CSLA's Personal Supports Rates: Table for Professional Services for Individuals Receiving CSLA Services Regardless of the Number of Individuals in a Dwelling.

<i>Hourly Rate Per Individual</i>			
<i>Hours of Service Per Week</i>	<i>Baltimore City and Allegany, Anne Arundel, Baltimore, Caroline, Carroll, Dorchester, Garrett, Harford, Howard, Kent, Queen Anne's, St. Mary's, Somerset, Talbot, Washington, Wicomico, and Worcester Counties</i>	<i>Cecil County</i>	<i>Calvert, Charles, Frederick, Montgomery, and Prince George's Counties</i>
<i>As preauthorized and approved</i>	<i>\$32.61</i>	<i>\$33.75</i>	<i>\$34.04</i>

DENNIS SCHRADER
Secretary of Health

**Title 14
INDEPENDENT AGENCIES
Subtitle 06 OFFICE OF THE PUBLIC DEFENDER**

14.06.03 Eligibility for Services

Authority: Criminal Procedure Article, §16-210(d), Annotated Code of Maryland

Notice of Proposed Action
[17-237-P]

The Office of the Public Defender proposes to amend Regulation .07 under COMAR 14.06.03 Eligibility for Service.

Statement of Purpose

The purpose of this action is to implement Ch. 606, Acts of 2017, by repealing the regulatory provision requiring the collection of an administrative fee for public defender services. The act made the District Court Commissioners, rather than the Office of the Public Defender (OPD), responsible for determining eligibility for representation of criminal defendants who face a penalty of incarceration. Because the fee specified by in the regulation is, by its terms, an administrative fee to cover costs associated with determining the eligibility of office clients, it will no longer be collected by OPD.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. Due to the indigency of applicants, OPD is generally able to collect approximately 10 percent of the fees imposed, the income of which is offset by the costs for CCU of its collection efforts. For FY 2018, the estimated fees that would be collected without this rule change are approximately \$22,000 (10% of \$220,000), and CCU's estimated postage cost for collection is approximately \$20,000.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	NONE	
B. On other State agencies:		
(1) Fees otherwise collected	(R-)	22,000
(2) CCU expenses for collecting fees	(E-)	20,000
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:	NONE	

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

B(1). \$220,000 in fees imposed and 10% collected, based on historical experience.

B(2). Based on historical experience of number of fees going to collections and postage costs per collections case.

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 Stephen Hut, General Counsel, Office of the Public Defender, 6 Saint Paul Street, Suite 1400, Baltimore, MD 21202, or call 410-767-8479, or email to ahut@opd.state.md.us, or fax to 410-333-8801. Comments will be accepted through October 30, 2017. A public hearing will be held on November 3, 2017, at the Office of the Public Defender, 6 Saint Paul Street, Suite 1400, Baltimore, MD 21202.

.07 Application for Public Defender Services.

[A. Eligibility Interview.]

[(1)] A.—[(2)] B. (text unchanged)

[(3)] C. An applicant applying for services more than 16 working days before the service is required to be rendered may:

[(a)] (1)—[(b)] (2) (text unchanged)

[B. Administrative Fee.

(1) An applicant seeking representation by the office shall be required to enter into an agreement to pay an administrative fee at the time of application.

(2) The fee schedule is as follows:

(a) Adult — \$50;

(b) Juvenile — \$25.

(3) Entering into a fee agreement or paying the administrative fee, or both, is not a condition which shall be met before the provision of representation.

(4) The administrative fee does not apply to applicants who are minors or to applicants for representation related to confinement in a public or private mental health institution.]

PAUL B. DeWOLFE
Public Defender of Maryland

Title 15
DEPARTMENT OF
AGRICULTURE
Subtitle 01 OFFICE OF THE
SECRETARY

15.01.12 Food Donation Pilot Program

Authority: Tax-General Article, §10-741, Annotated Code of Maryland

Notice of Proposed Action

[17-238-P]

The Secretary of Agriculture proposes to adopt new Regulations **.01 — .07** under **COMAR 15.01.12 Food Donation Pilot Program**.

Statement of Purpose

The purpose of this action is to explain the Secretary of Agriculture's pilot program adopted in cooperation with the Comptroller, for tax years 2017, 2018, and 2019 only, that provides a tax credit against the State income tax for eligible food donations made by an eligible farm located in Anne Arundel, Calvert, Charles, Montgomery, Prince George's, or St. Mary's County.

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 Mark Powell, Chief of Marketing, Maryland Department of Agriculture, 50 Harry S. Truman Parkway, Annapolis, Maryland 21401, or call (410) 841-5775, or email to mark.powell@maryland.gov, or fax to (410) 841-5987. Comments will be accepted through October 30, 2017. A public hearing has not been scheduled.

.01 Purpose.

In cooperation with the Comptroller, this chapter explains the Secretary of Agriculture's pilot program, for tax years 2017, 2018,

and 2019 only, that provides a tax credit against the State income tax for eligible food donations made by a farm located in Anne Arundel, Calvert, Charles, Montgomery, Prince George's, or St. Mary's County.

.02 Definitions.

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

B. Terms Defined.

(1) "Certified organic produce" means an eligible food donation that is certified under Title 10, Subtitle 14 of the Agriculture Article as an organically produced commodity.

(2) "Eligible food donation" means fresh farm products for human consumption.

(3) "Qualified farm" means a farm business that is located in Anne Arundel County, Calvert County, Charles County, Montgomery County, Prince George's County, or St. Mary's County.

(4) "Secretary" means the Secretary of Agriculture or the Secretary's designee.

(5) "Tax Credit Certificate Administrator" or "TCCA" means a person or an organization that is authorized under this chapter to receive eligible food donations.

.03 Income Tax Credit Limitations.

A. Subject to the limitations of this chapter, a qualified farm may claim a credit against State income tax for an eligible food donation in the amount stated on any tax credit certificate issued to a qualified farm by a qualified tax credit certificate administrator.

B. The amount of tax credit claimed by a qualified farm is controlled by Tax-General Article, §10-741, Annotated Code of Maryland.

C. The amount of the tax credit may only be claimed by a qualified farm beginning after December 31, 2016, but before January 1, 2020.

D. Unless increased by the Secretary, the aggregate amount of credits for any taxable year for a qualified farm may not exceed \$5,000.

E. A TCCA may not issue a tax credit certificate after December 31, 2019.

.04 Tax Credit Certificate Administrator.

A. General Requirements.

(1) Unless certified by the Secretary, a person or organization may not act as a TCCA. A certified TCCA shall agree in writing with the Secretary to comply with requirements of this chapter.

(2) A TCCA certified by the Secretary, that receives a donation of an eligible food donation from a qualified farm shall issue the qualified farm a tax credit certificate (the Secretary in consultation with the comptroller are required to prepare tax certificate forms) that provides the following information:

- (a) The date of donation;
- (b) The identity of the qualified farm;
- (c) The type of donation;
- (d) The weight of the donation;
- (e) The value of the donation;
- (f) The maximum amount of the tax credit for which the qualified farm is eligible; and

(g) Any other information the State Department of Agriculture or Comptroller requires.

(3) Within 30 calendar days after issuing a tax credit certificate, the certified TCCA shall provide a copy of the tax credit certificate to the Secretary and the Comptroller.

(4) When notified by the Secretary, the TCCA shall stop issuing tax credit certificates as required by Tax-General Article, §10-741(e)(6), Annotated Code of Maryland.

(5) After the Secretary notifies each TCCA to stop issuing tax credit certificates when the total amount of the tax credit certificates

issued during the fiscal year equals or exceeds \$200,000, the Secretary may authorize the issuance of any remaining credits as provided in Tax-General Article, §10-741(e)(6) and (f), Annotated Code of Maryland.

B. Tax Credit Value. The TCCA shall determine the value of the tax credit as follows:

(1) A qualified farm that makes eligible food donations is eligible for a tax credit certificate with a stated tax credit amount equal to 50 percent of the value of eligible food donation.

(2) A qualified farm that makes a donation of certified organic produce is eligible for a tax credit certificate with a stated tax credit amount equal to 75 percent of the value of the donated certified organic produce.

(3) The TCCA shall determine the value of any eligible food donations based on the Secretary's weekly published categories and values of certified organic produce and food donations as required by Tax-General Article, §10-741(d), Annotated Code of Maryland.

C. Record Requirement.

(1) The TCCA shall maintain any records relating to the issuance of any tax credit certificate to any qualified farm.

(2) Any record shall be maintained for 3 years and shall be available to the Secretary or the Comptroller upon request.

D. Conflicts of Interest. A TCCA may not issue a tax credit certificate to any person who owns or operates a qualified farm if the TCCA has a business interest or is a family member of the owner or operator in the farm.

.05 Certification of Tax Credit Certificate Administrator.

An applicant who applies to serve as a Tax Credit Certificate Administrator shall apply to the Secretary on a departmental form and shall have the following qualifications:

A. Be a 501c3 nonprofit;

B. Have record-keeping capabilities (information systems) that include the date of the donation, farm name/farmer, type of fresh farm product, and volume in pounds of produce received;

C. Be certified in and comply with safe food handling practices and have been reviewed by an outside organization (i.e. health inspector, AIB certified);

D. Possess a scale certified by the Maryland Department of Agriculture that is calibrated on a quarterly basis;

E. Follow food safety regulations regarding storage and inventory; and

F. Have an established partner network for quick food distribution or distribute directly to clients.

.06 Application Review and Approval.

A. The Secretary shall review each application and certify the most qualified applicants who will best promote the objectives of the Food Donation Pilot Program as described in this chapter.

B. Upon approval of an application for certification, the certified applicant shall execute an agreement with the Secretary that describes the duties and responsibilities of a person or organization acting as a Tax Credit Certificate Administrator.

.07 Penalty.

Upon notice and an opportunity to be heard, for any violation of this chapter, the Secretary may revoke or suspend the authority of any TCCA to issue a tax credit certificate for any qualified farm.

JOSEPH BARTENFELDER
Secretary of Agriculture

Title 31 MARYLAND INSURANCE ADMINISTRATION

Subtitle 03 INSURANCE PRODUCERS AND OTHER INSURANCE PROFESSIONALS

31.03.05 Bail Bonds

Authority: Insurance Article, §§2-108, 2-109(a)(1), [and] 10-126, and 10-309, and Title 10, Subtitle 3, Annotated Code of Maryland

Notice of Proposed Action [17-240-P]

The Insurance Commissioner proposes to amend Regulation .09 and adopt new Regulation .15 under **COMAR 31.03.05 Bail Bonds**.

Statement of Purpose

The purpose of this action is to amend regulations to be consistent with legislative changes that occurred during the 2017 session. Ch. 807, Acts of 2017, amended Insurance Article, §10-309, Annotated Code of Maryland, to require the Insurance Commissioner to adopt a form for use by the bail bonds industry when the bond is being paid in installments. These regulations adopt the form to be used.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. Bail bondsmen may have a minimal decrease in administrative costs as they will no longer need to develop their own bail bond installment agreement form and instead could use the standardized form.

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

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

D. Assuming bail bondsmen have to spend time and resources developing their own bail bond installment agreement forms, the use of the standardized form will slightly decrease their administrative costs.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Lisa Larson, Regulations Manager, Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore, MD 21202, or call 410-468-2007, or email to insuranceregreview.mia@maryland.gov, or fax to 410-468-2020. Comments will be accepted through October 30, 2017. A public hearing has not been scheduled.

.09 Installment Agreement.

A. (text unchanged)

B. The installment agreement *shall be written in the form adopted under Regulation .15 of this chapter* and shall contain the following information:

(1) — (9) (text unchanged)

C. — E. (text unchanged)

.15 Installment Agreement Form.

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

ALFRED W. REDMER, JR.
Insurance Commissioner

Installment Agreement for Unpaid Premium

I (we), the undersigned person(s), jointly and severally (together and separately), promise to pay to the order of: _____ (Bail Bondsman) the principal sum of _____ Dollars (\$ _____) owed for the bail bond of: _____ ("Defendant") in Criminal Case No. _____ in the District/Circuit Court of _____ City/County, Maryland at the address shown below in the Bail Producer Name and Agency Box according to the following payment plan, which consists of a total of _____ installment payments. Payments in the amount of \$ _____ shall be paid:

Weekly Bi-Weekly Monthly

Payments shall continue until the balance due is paid in full. The first payment is due on: _____ and the last payment is due on: _____.

1. This installment agreement does not include a confessed judgment clause that waives a consumer's right to assert a legal defense to an action under this installment agreement.
2. This installment agreement continues in force until all payments have been paid in full.
3. This one page installment agreement represents the **entire agreement**. Any changes or modifications to this installment agreement must be in writing and signed by both parties.

I (we) agree to all terms and conditions of this agreement and acknowledge receipt of a copy of this agreement and a receipt showing the amount of the down payment made.

Bail Bondsman Producer

Person(s) Agreeing to Pay:

Signature: _____

Signature: _____

Print Name: _____

Print Name: _____

Date: _____

Date: _____

Producer License #: _____

Signature: _____

Print Name: _____

Date: _____

NOTICE TO CONSUMERS

This installment agreement continues in force until all payments have been paid in full. This means that YOU MUST CONTINUE TO PAY THE FULL BALANCE OWED even if the Defendant is arrested again and taken into custody on this matter or any other criminal matter, or the case is decided before you have finished paying the total balance due, or the case is dismissed, or the Defendant does not show up for court.

Bail bond installment contracts are regulated by the Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore, MD 21202. Phone: 410-468-2000/ 1-800-492-6116 (toll free)/ 1-800-735-2258 (TTY) www.insurance.maryland.gov.

BAIL BONDSMAN NAME AND AGENCYNAME

[Include: name, address, phone number(s), and license number(s) for both bail bondsman and agency.]

This Page Intentionally Left Blank

Errata

COMAR 10.09.06

At 44:18 Md. R. 865 (September 1, 2017), column 1, lines 2 and 3
from the top:

For: DEPARTMENT OF HEALTH AND MENTAL
HYGIENE

Read: MARYLAND DEPARTMENT OF HEALTH

[17-20-13]

Special Documents

DEPARTMENT OF THE ENVIRONMENT

LAND AND MATERIALS ADMINISTRATION

Notice of Tentative Determination and Public Hearing

In accordance with §1-604 of the Environment Article, Annotated Code of Maryland, notice is given that the Land and Materials Administration has made a Tentative Determination to reissue the following State and National Pollution Discharge Elimination System (NPDES) General Discharge Permits:

General Permit for Discharges of Storm Water and Hydrostatic Test Water From Oil Terminals (MDG34)

This permit authorizes the discharge of storm water from storage tank dikes and loading rack areas and hydrostatic test water to surface or ground waters of the State from petroleum terminals having less than 5,000,000 gallons storage of oil. This permit sets numerical limits on the concentration of the petroleum product contamination following treatment of the storm water or hydrostatic test water.

General Permit for Discharges of Treated Ground Water from Oil Contaminated Ground Water Sources (MDG91)

This permit authorizes the discharge of treated ground water previously contaminated by petroleum products as the result of leaks or spills. This permit sets numerical limits on the effluent concentration of the petroleum product contamination following treatment of the contaminated ground water.

The Department has scheduled a Public Hearing at the Maryland Department of the Environment located at 1800 Washington Blvd., Baltimore MD 21230. The Hearing will be held on October 26, 2017 at 2:00pm in the Patuxent Conference Room. Written comments on the Tentative Determination and draft permits will be accepted until the close of business on November 2, 2017. Comments should be addressed to:

Ms. Hilary Miller, Director
Land and Materials Administration
Maryland Department of the Environment
1800 Washington, Boulevard, Suite 610
Baltimore, Maryland 21230

Similar permits have been authorized for these discharge classes on a 5 year cycle since 1997. Both federal (40 CFR 122) and State (COMAR 26.08.04) regulations require discharge permits for these activities. Specifically, State regulations require that discharges of any wastes or wastewater to surface or ground water, regardless of volume, be authorized by a discharge permit. Federal regulations address discharges to surface waters only, requiring a permit for the discharge of pollutants. The limits for these permits are based on what has been demonstrated to be technologically achievable. Self-monitoring is required to verify compliance. This permit also sets operational requirements, such as routine inspections. The Permit Fact Sheets and Draft Permits may also be viewed via MDE's website at: <http://mde.maryland.gov/Pages/index.aspx>. For further information regarding this Notice or to request an interpreter, please contact Mr. Thomas Yoo, Oil Control Program, Senior Regulatory and Compliance Engineer, at (410) 537-3403.

[17-20-24]

OFFICE OF THE SECRETARY OF STATE

INTERNATIONAL AND INTERSTATE AGREEMENTS

Memorandum on Strengthening Strategic Cooperation Between the State of Maryland, USA, and Anhui Province, PRC

Invited by Mr. Larry Hogan, Governor of the State of Maryland, USA, Mr. Li Jinbin, Secretary of CPC Anhui Provincial Committee and Chairman of Standing Committee of Anhui Provincial People's Congress, led the Anhui Provincial Economy and Friendship Delegation to Maryland on 9 June 2017. During the visit, Governor Larry Hogan and Secretary Li Jinbin had a friendly discussion and reviewed some of the achievements of both sides from the past 37 years. Both sides agreed to deepen cooperation in trade and investment and enhance people-to-people exchanges. Both sides are pleased with the results and support further cooperation. The two sides reached the following agreements through friendly consultation:

1. Both sides highlighted the importance and influence of each side in its country respectively and agreed that Anhui and Maryland should explore their advantages, strengthen the Sister State relationship to promote sustainable economic development, and benefit the citizens of their respective regions;

2. Both sides agreed to continue deepening communications and stronger strategic cooperation based on the principles of fairness and respect, mutual benefits, and win-win strategies;

3. Both sides agreed to hold the event of "China Anhui Week" in Maryland in October 2017, as one of the important ways to enhance friendly exchanges;

4. Both sides agreed to expand cooperation on economy and trade, science and technology, education, healthcare, agriculture, environmental protection, tourism, professional training, youth exchanges, and culture, as appropriate. Maryland may correspondingly hold events in Anhui to promote economic cooperation and people-to-people exchanges between the two sides; and

Both sides agreed to support communication and cooperation in these areas to improve the Sister State relationship.

Signed in Annapolis, Maryland, USA, on 9 June 2017, in duplicate, in both Chinese and English, with both versions being equally authentic.

Lawrence J. Hogan, Jr.
Governor
State of Maryland
USA

Li Jinbin
Party Secretary
Anhui Province
PR China

[17-20-25]

**Memorandum of Understanding — Sister State Agreement
Between the State of Maryland and Jeollanamdo Province**

This Memorandum of Understanding (MOU) is entered into by and between the Government of the State of Maryland of the United States of America and the Government of Jeollanamdo Province of the Republic of Korea (hereinafter referred to as the “Parties”).

Whereas, the Parties wish to amplify the positive experiences already existing between the State of Maryland and the Jeollanamdo Province;

Whereas, the Parties intend to cooperate further;

Whereas, the Parties intend for both the State of Maryland and the Jeollanamdo Province to be mutually benefitted by this MOU, which benefits the Republic of Korea generally;

Now, therefore, the Parties have agreed as follows:

Article 1

The Parties represent that cooperation will take place in the following areas:

- Promotion of trade and business, including entrepreneurship;
- Increasing educational opportunities; and
- Exchange of culture and the arts.

By mutual written consent of both parties, the Parties may adopt other areas of exchange.

Article 2

Information received pursuant to this MOU by one Party from the other shall be used solely for purposes directly related to the exercise of the MOU, unless prior written consent from the other Party is obtained.

Article 3

The Parties shall act in good faith in implementing this MOU; however, the Parties shall not assume any legal or financial obligations or liabilities in this regard whatsoever.

Article 4

This MOU shall not preclude either Party from entering into similar arrangements with any other entity.

Article 5

This MOU shall be entered into this 5th day of September, 2017, effective for a period of three years after its execution, and may be renewed by written agreement of the Parties. Notwithstanding the foregoing, this MOU may be terminated at any time by either Party, excepting Articles 3 and 4, which survive the termination.

Executed in the city of Annapolis, Maryland, this 29th day of August, 2017, duplicate in English and Korean, with both versions being equally valid.

For and on Behalf
of the Government
of the State of Maryland

Lawrence J. Hogan, Jr.
Governor
State of Maryland

Executed in Jeollanamdo, South Korea, this 5th day of September, 2017, duplicate in English and Korean, with both versions being equally valid.

For and on Behalf
of the Government
of the Province of Jeollanamdo

KIM Kab-sub
Acting Governor
Province of Jeollanamdo

[17-20-20]

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: October 26, 2017, 10 a.m. — 1 p.m.
Place: Dept. of Labor, Licensing, and Regulation, 500 N. Calvert St., 3rd Fl., Baltimore, MD
Contact: Deborah Rappazzo (410) 230-6229

[17-20-11]

MARYLAND CYBERSECURITY COUNCIL

Subject: Public Meeting
Date and Time: October 25, 2017, 10 a.m. — 12 p.m.
Place: College Park Marriott Hotel and Conference Center, 3501 University Blvd., East, Chesapeake Salon A, Hyatsville, MD
Add'l. Info: www.umuc.edu/mdcybersecuritycouncil
Contact: Greg von Lehmen, marylandcybersecuritycouncil@umu (301) 985-7077

[17-20-19]

DEPARTMENT OF THE ENVIRONMENT/LAND AND MATERIALS ADMINISTRATION

Subject: Public Meeting
Date and Time: October 13, 2017, 9:30 — 11 a.m.
Place: MD Dept. of the Environment, 1800 Washington Blvd., Baltimore, MD
Add'l. Info: The Maryland Department of the Environment (the Department) has scheduled a meeting of the Controlled Hazardous Substance Advisory Council (the Council). The main purpose of the meeting is for the Department to present, for the Council's consideration, planned modifications to COMAR 26.13, Disposal of Controlled Hazardous Substances.

The planned modifications involve minor changes to make the regulatory language in COMAR consistent with statutory provisions in the Environment Article, Annotated Code of Maryland. The Department will be proposing to amend COMAR to remove obsolete requirements concerning transporting controlled hazardous substances (CHS) and special medical waste. Specifically, the Department intends to propose to remove

from COMAR 26.13 the following requirements that were previously eliminated from Environment Article, Annotated Code of Maryland:

- A requirement that drivers of vehicles transporting CHS be certified by the Department; and
- A requirement that vehicles being used to transport CHS or special medical waste have a certificate affixed to the exterior of the vehicle.

The Department has been implanting these changes administratively, beginning with the effective date of the statutory changes; consequently, there will be no impact on the regulated community from the planned regulatory changes.

The draft agenda for the meeting is as follows:

- Introductions;
- Approval of minutes of previous meeting;
- Discussion of planned, minor changes to COMAR 26.13; and
- Updates from the Land and Materials Administration.

Contact: Edward Hammerberg (410) 537-3314

[17-20-16]

FIRE PREVENTION COMMISSION

Subject: Public Meeting
Date and Time: October 19, 2017, 9:30 a.m.
Place: Laurel Municipal Bldg., Council Chambers, 8103 Sandy Spring Rd., Laurel, MD
Add'l. Info: Portions of the meeting may be held in closed session. If public schools in Prince George's County are CLOSED due to inclement weather, the meeting will be rescheduled.

Contact: Heidi Ritchie (877) 890-0199

[17-20-12]

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subject: Public Meeting
Date and Time: October 19, 2017, 4 — 6 p.m.
Place: DHMH, 201 W. Preston St., Conference Rm. L3, Baltimore, MD
Contact: Priscilla Owusu (410) 767-8827

[17-20-01]

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subject: Public Meeting
Date and Time: October 19, 2017, 4 — 6 p.m.
Place: DHMH, 201 W. Preston St., Conference Rm. L3, Baltimore, MD
Contact: Kathleen Graham (410) 767-2623
[17-20-02]

MARYLAND DEPARTMENT OF HEALTH

Subject: Public Meeting
Date and Time: October 5, 2017, 10 a.m. — 12 p.m.
Place: Anne Arundel County Dept. of Recreation and Parks, Kinder Center/Harvest Hall, 1001 Kinder Farm Park Rd., Millersville (21108), MD
Contact: Linda Rudie (410) 767-8419
[17-20-07]

MARYLAND DEPARTMENT OF HEALTH

Subject: Public Hearing
Date and Time: November 2, 2017, 9 a.m. — 12 p.m.
Place: West Village Commons Towson University, 424 Emerson Dr., Towson, MD
Add'l. Info: Meeting of the Maryland Medicaid Pharmacy Program's Pharmacy and Therapeutics Committee (Preferred Drug List). As soon as available, classes of drugs to be reviewed, speaker guidelines, and driving directions will be posted on the Maryland Pharmacy Program website at <https://mmcp.health.maryland.gov/pap/Pages/Public-Meeting-Announcement-and-Procedures-for-Public-Testimony.aspx>.
Contact: Shawn Singh (410) 767-6896
[17-20-10]

HISTORIC ST. MARY'S CITY COMMISSION

Subject: Public Meeting
Date and Time: October 14, 2017, 10 — 11:30 a.m.
Place: Inn At Brome Howard, 18281 Rosecroft Rd., St. Mary's City, MD
Contact: Porzia Purves (240) 895-4960
[17-20-15]

GENERAL NOTICES

972

MARYLAND HEALTH CARE COMMISSION

Subject: Public Meeting

Date and Time: October 19, 2017, 1 — 4 p.m.

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

Contact: Valerie Wooding (410) 764-3570
[17-20-08]

MARYLAND HEALTH CARE COMMISSION

Subject: Notice of Project Change

Add'l. Info: On September 1, 2017 the Maryland Health Care Commission (MHCC) received notice and a request for approval of project changes under COMAR 10.24.01.17B from Suburban Hospital, holder of a Certificate of Need (CON), Docket No. 15-15-2368.

The project's sponsor has requested approval for:

1. Fitting out shell space included in the original plans with an additional 54 private med/surg rooms;

2. Relocating 2 cardiac catheterizations labs from existing 3rd floor consolidating the labs in to the planned surgical suite on the first floor;

3. Modifying supporting departments located in the cellar level of the project;

4. Adding stairwell and elevator to provide better public access to an existing auditorium;

5. Relocating the spaces assigned closed to the new main entrance; and

6. Increase in project costs of \$17,503,423.

Please refer to the Docket No. listed above in any correspondence on this request, a copy of which is available for review by appointment in MHCC offices during regular business hours. All correspondence should be addressed to Kevin McDonald, Chief, Certificate of Need, MHCC, 4160 Patterson Avenue, Baltimore, Maryland 21215.

Contact: Ruby Potter (410) 764-3276
[17-20-14]

MARYLAND HEALTH CARE COMMISSION

Subject: Receipt of Application

Add'l. Info: On September 8, 2017, the Maryland Health Care Commission (MHCC) received a Certificate of Need application submitted by:

VNA of Maryland — Matter No. 17-R4-2407 — Expand an Existing Home Health Agency into the lower eastern shore and provide home health services in Dorchester, Somerset, Wicomico and

Worcester Counties; Proposed Cost: \$34,000.

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

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

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

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

Contact: Ruby Potter (410) 764-3276
[17-20-17]

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:

Bethesda Chevy Chase Surgery Center — Matter No. 17-15-2401 — Conversion of a procedure room to a second operating room, lease of additional space and replace procedure room at the facility.

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 application 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 application 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 October 30, 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 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
[17-20-18]

DEPARTMENT OF NATURAL RESOURCES/FISHING AND BOATING SERVICES

Subject: Public Notice — 2017 Commercial Horseshoe Crab Fishery Catch Limits — Effective September 18, 2017

Add'l. Info: The Secretary of the Maryland Department of Natural Resources (DNR) pursuant to the Code of Maryland Regulations (COMAR) 08.02.10.01G(4) is modifying the catch limits for the commercial horseshoe crab fishery, effective 12:01 a.m. September 18, 2017.

Catch Limits:

September 18, 2017 through November 30, 2017: A permittee may not land more than 500 male horseshoe crabs, regardless of the amount specified on their permit. An individual may not land more than 25 male horseshoe crabs unless they are in possession of a valid horseshoe crab landing permit.

Status of Previous Public Notices Issued in 2017 for the Horseshoe Crab Commercial Fishery:

The quota and season established in the public notice effective May 1, 2017 remain the same. The catch limits established for permittees in the public notice effective May 1, 2017 are no longer in effect.

The public notice effective August 18, 2017 is no longer in effect.

All other rules remain the same (COMAR 08.02.10.01).

Mark J. Belton

Secretary of Natural Resources

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

[17-20-22]

BOARD OF OCCUPATIONAL THERAPY PRACTICE

Subject: Public Meeting

Date and Time: October 20, 2017, 9 a.m. — 12 p.m.

Place: Spring Grove Hospital Campus, Bland Bryant Bldg., 55 Wade Ave., 4th Fl., Baltimore, 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
[17-20-09]

RACING COMMISSION

Subject: Public Meeting

Date and Time: October 26, 2017, 12:30 — 1 p.m.

Place: Laurel Park, Laurel, MD

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

[17-20-05]

COMMISSION OF REAL ESTATE APPRAISERS AND HOME INSPECTORS

Subject: Public Meeting

Date and Time: October 10, 2017, 10:30 a.m. — 12 p.m.

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

Contact: Patti Schott (410) 230-6165

[17-20-04]

BOARD OF WELL DRILLERS

Subject: Public Meeting

Date and Time: October 25, 2017, 9 a.m. — 1:30 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

[17-20-06]

WORKERS' COMPENSATION COMMISSION

Subject: Public Meeting

Date and Time: October 12, 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 a closed session.

Contact: Amy Lackington (410) 864-5300

[17-20-03]

COMAR ORDER INFORMATION SHEET

Date _____ Subscriber I.D. _____

Name _____

Company _____

Address _____

City _____ State _____ Zip _____

Tel. _____ Fax _____

Email: _____

_____ Check enclosed, made payable to "Division of State Documents"

_____ Visa/Master Card/American Express/Discover card payment:

Acct.# _____ **Exp.** _____

Signature _____ Tel: _____

Return form & payment to: Office of the Secretary of State, Division of State Documents ~
 State House ~ Annapolis, MD 21401 ~ Tel: 410-260-3876 ~ 800-633-9657 ext. 3876 ~ Fax: 410-280-5647

~~~~~

## SPECIAL COMAR PUBLICATIONS

| Publication / Handbook                                             | Print Price | S & H | Quantity | Total |
|--------------------------------------------------------------------|-------------|-------|----------|-------|
| Control of Ionizing Radiation (through supplement 28)              | \$163       | \$12  | _____    | _____ |
| 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   | _____    | _____ |
|                                                                    |             |       | Total    | _____ |

**If quantity is more than one, shipping charges may vary, please call 410-260-3876 for pricing.**

## COMAR SUBSCRIPTION SCHEDULES

| PDF QUARTERLY UPDATES            | PRINT SEMI-ANNUAL UPDATES       |
|----------------------------------|---------------------------------|
| After March 30 <sup>th</sup>     | After June 30 <sup>th</sup>     |
| After June 30 <sup>th</sup>      | After December 31 <sup>st</sup> |
| After September 30 <sup>th</sup> |                                 |
| After December 31 <sup>st</sup>  |                                 |

**PDF – A replacement title(s) in its entirety will be sent in electronic format.**

**PRINT – Entire chapters affected will be sent for replacement and insertion into COMAR title book(s).**



## COMAR IN PDF — ORDER FORM

| Titles                                     | Agency Name                                                      | Price <sup>1</sup> | Subscription <sup>2</sup> | Quantity      | Total |
|--------------------------------------------|------------------------------------------------------------------|--------------------|---------------------------|---------------|-------|
| <b>Complete set of COMAR in PDF format</b> |                                                                  | \$1,000            | \$500                     | _____         | _____ |
| <b>Title 01</b>                            | Executive Department                                             | \$35               | \$24                      | _____         | _____ |
| <b>Title 02</b>                            | Office of the Attorney General                                   | \$22               | \$13                      | _____         | _____ |
| <b>Title 03</b>                            | Comptroller of the Treasury                                      | \$30               | \$20                      | _____         | _____ |
| <b>Title 04</b>                            | General Services                                                 | \$16               | \$10                      | _____         | _____ |
| <b>Title 05</b>                            | Housing and Community Development                                | \$78               | \$50                      | _____         | _____ |
| <b>Title 07</b>                            | Human Services                                                   | \$80               | \$53                      | _____         | _____ |
| <b>Title 08</b>                            | Natural Resources                                                | \$78               | \$51                      | _____         | _____ |
| <b>Title 09</b>                            | Labor, Licensing and Regulation                                  | \$89               | \$60                      | _____         | _____ |
| <b>Title 10</b>                            | Maryland Department of Health (All parts) **                     | \$272              | \$180                     | _____         | _____ |
| <b>Title 10</b>                            | Part 1 **                                                        | \$48               | \$32                      | _____         | _____ |
| <b>Title 10</b>                            | Part 2 **                                                        | \$75               | \$50                      | _____         | _____ |
| <b>Title 10</b>                            | Part 3 **                                                        | \$75               | \$50                      | _____         | _____ |
| <b>Title 10</b>                            | Part 4 **                                                        | \$50               | \$35                      | _____         | _____ |
| <b>Title 10</b>                            | Part 5 **                                                        | \$69               | \$50                      | _____         | _____ |
| <b>Title 11</b>                            | Transportation (All parts) **                                    | \$106              | \$75                      | _____         | _____ |
| <b>Title 11</b>                            | Part 1 (Transportation) **                                       | \$42               | \$25                      | _____         | _____ |
| <b>Title 11</b>                            | Part 2 (MVA)**                                                   | \$74               | \$50                      | _____         | _____ |
| <b>Title 12</b>                            | Public Safety and Correctional Services                          | \$67               | \$43                      | _____         | _____ |
| <b>Title 13A</b>                           | Board of Education                                               | \$63               | \$42                      | _____         | _____ |
| <b>Title 13B</b>                           | Higher Education Commission                                      | \$25               | \$15                      | _____         | _____ |
| <b>Title 14</b>                            | Independent Agencies                                             | \$80               | \$53                      | _____         | _____ |
| <b>Title 15</b>                            | Agriculture                                                      | \$48               | \$30                      | _____         | _____ |
| <b>Title 16</b>                            | Juvenile Service                                                 | \$23               | \$15                      | _____         | _____ |
| <b>Title 17</b>                            | Budget and Management                                            | \$28               | \$16                      | _____         | _____ |
| <b>Title 18</b>                            | Assessments and Taxation                                         | \$20               | \$12                      | _____         | _____ |
| <b>Title 19A</b>                           | State Ethics Commission                                          | \$24               | \$14                      | _____         | _____ |
| <b>Title 20</b>                            | Public Service Commission                                        | \$49               | \$32                      | _____         | _____ |
| <b>Title 21</b>                            | State Procurement Regulations                                    | \$48               | \$30                      | _____         | _____ |
| <b>Title 22</b>                            | State Retirement and Pension System                              | \$22               | \$13                      | _____         | _____ |
| <b>Title 23</b>                            | Board of Public Works                                            | \$18               | \$11                      | _____         | _____ |
| <b>Title 24</b>                            | Commerce                                                         | \$34               | \$20                      | _____         | _____ |
| <b>Title 25</b>                            | State Treasurer                                                  | \$16               | \$9                       | _____         | _____ |
| <b>Title 26</b>                            | Environment (All parts) **                                       | \$189              | \$125                     | _____         | _____ |
| <b>Title 26</b>                            | Part 1 **                                                        | \$54               | \$35                      | _____         | _____ |
| <b>Title 26</b>                            | Part 2 **                                                        | \$83               | \$52                      | _____         | _____ |
| <b>Title 26</b>                            | Part 3 **                                                        | \$57               | \$38                      | _____         | _____ |
| <b>Title 26</b>                            | Part 4 **                                                        | \$37               | \$24                      | _____         | _____ |
| <b>Title 27</b>                            | Critical Area Comm. for the Chesapeake and Atlantic Coastal Bays | \$18               | \$10                      | _____         | _____ |
| <b>Title 28</b>                            | Office of Administrative Hearings                                | \$16               | \$9                       | _____         | _____ |
| <b>Title 29</b>                            | State Police                                                     | \$30               | \$18                      | _____         | _____ |
| <b>Title 30</b>                            | MD Institute for Emergency Medical Services Systems              | \$25               | \$17                      | _____         | _____ |
| <b>Title 31</b>                            | Maryland Insurance Administration                                | \$68               | \$45                      | _____         | _____ |
| <b>Title 32</b>                            | Aging                                                            | \$25               | \$15                      | _____         | _____ |
| <b>Title 33</b>                            | State Board of Elections                                         | \$42               | \$25                      | _____         | _____ |
| <b>Title 34</b>                            | Planning                                                         | \$31               | \$18                      | _____         | _____ |
| <b>Title 35</b>                            | Veterans Affairs                                                 | \$16               | \$9                       | _____         | _____ |
| <b>Title 36</b>                            | Maryland State Lottery and Gaming Control Agency                 | \$48               | \$30                      | _____         | _____ |
|                                            | Binders ( <u>not</u> included in PDF price)                      | \$15               | + S & H                   | _____         | _____ |
|                                            |                                                                  |                    |                           | <b>Total:</b> | _____ |

Prices are for single-user license only ~ Multi-user licenses are available. Please call 410-260-3876 for pricing information.

<sup>1</sup> Price is per copy of each Title.

<sup>2</sup> Annual Subscription - Receive updated COMAR Title(s) quarterly. ~ Subscription quantities MUST match Title quantities.

\*\* See the following page for description of contents.

**COMAR IN PRINT — ORDER FORM (8 ½ x 11 format)**

| Titles                                                   | Agency Name                                                      | Price <sup>1</sup> | Subscription <sup>2</sup> | Quantity                  | Total |
|----------------------------------------------------------|------------------------------------------------------------------|--------------------|---------------------------|---------------------------|-------|
| <b>Complete set of COMAR in Print (includes binders)</b> |                                                                  | \$1,425            | \$700                     | _____                     | _____ |
| <b>Title 01</b>                                          | Executive Department                                             | \$47               | \$30                      | _____                     | _____ |
| <b>Title 02</b>                                          | Office of the Attorney General                                   | \$31               | \$20                      | _____                     | _____ |
| <b>Title 03</b>                                          | Comptroller of the Treasury                                      | \$41               | \$25                      | _____                     | _____ |
| <b>Title 04</b>                                          | General Services                                                 | \$23               | \$12                      | _____                     | _____ |
| <b>Title 05</b>                                          | Housing and Community Development                                | \$103              | \$70                      | _____                     | _____ |
| <b>Title 07</b>                                          | Human Services                                                   | \$104              | \$70                      | _____                     | _____ |
| <b>Title 08</b>                                          | Natural Resources                                                | \$102              | \$70                      | _____                     | _____ |
| <b>Title 09</b>                                          | Labor, Licensing and Regulation                                  | \$116              | \$75                      | _____                     | _____ |
| <b>Title 10</b>                                          | Maryland Department of Health (All Parts)**                      | \$350              | \$230                     | _____                     | _____ |
| <b>Title 10</b>                                          | Part 1 **                                                        | \$65               | \$40                      | _____                     | _____ |
| <b>Title 10</b>                                          | Part 2 **                                                        | \$99               | \$70                      | _____                     | _____ |
| <b>Title 10</b>                                          | Part 3 **                                                        | \$99               | \$70                      | _____                     | _____ |
| <b>Title 10</b>                                          | Part 4 **                                                        | \$69               | \$42                      | _____                     | _____ |
| <b>Title 10</b>                                          | Part 5 **                                                        | \$91               | \$62                      | _____                     | _____ |
| <b>Title 11</b>                                          | Transportation (All parts) **                                    | \$137              | \$85                      | _____                     | _____ |
| <b>Title 11</b>                                          | Part 1 (Transportation)**                                        | \$55               | \$35                      | _____                     | _____ |
| <b>Title 11</b>                                          | Part 2 (MVA) **                                                  | \$102              | \$70                      | _____                     | _____ |
| <b>Title 12</b>                                          | Public Safety and Correctional Services                          | \$86               | \$55                      | _____                     | _____ |
| <b>Title 13A</b>                                         | Board of Education                                               | \$83               | \$60                      | _____                     | _____ |
| <b>Title 13B</b>                                         | Higher Education Commission                                      | \$34               | \$20                      | _____                     | _____ |
| <b>Title 14</b>                                          | Independent Agencies                                             | \$103              | \$70                      | _____                     | _____ |
| <b>Title 15</b>                                          | Agriculture                                                      | \$63               | \$40                      | _____                     | _____ |
| <b>Title 16</b>                                          | Juvenile Service                                                 | \$32               | \$20                      | _____                     | _____ |
| <b>Title 17</b>                                          | Budget and Management                                            | \$38               | \$25                      | _____                     | _____ |
| <b>Title 18</b>                                          | Assessments and Taxation                                         | \$28               | \$18                      | _____                     | _____ |
| <b>Title 19A</b>                                         | State Ethics Commission                                          | \$33               | \$20                      | _____                     | _____ |
| <b>Title 20</b>                                          | Public Service Commission                                        | \$64               | \$42                      | _____                     | _____ |
| <b>Title 21</b>                                          | State Procurement Regulations                                    | \$65               | \$42                      | _____                     | _____ |
| <b>Title 22</b>                                          | State Retirement and Pension System                              | \$33               | \$18                      | _____                     | _____ |
| <b>Title 23</b>                                          | Board of Public Works                                            | \$26               | \$15                      | _____                     | _____ |
| <b>Title 24</b>                                          | Commerce                                                         | \$47               | \$25                      | _____                     | _____ |
| <b>Title 25</b>                                          | State Treasurer                                                  | \$23               | \$12                      | _____                     | _____ |
| <b>Title 26</b>                                          | Environment (All parts) **                                       | \$241              | \$160                     | _____                     | _____ |
| <b>Title 26</b>                                          | Part 1 **                                                        | \$72               | \$42                      | _____                     | _____ |
| <b>Title 26</b>                                          | Part 2 **                                                        | \$109              | \$72                      | _____                     | _____ |
| <b>Title 26</b>                                          | Part 3 **                                                        | \$76               | \$50                      | _____                     | _____ |
| <b>Title 26</b>                                          | Part 4 **                                                        | \$51               | \$30                      | _____                     | _____ |
| <b>Title 27</b>                                          | Critical Area Comm. for the Chesapeake and Atlantic Coastal Bays | \$26               | \$15                      | _____                     | _____ |
| <b>Title 28</b>                                          | Office of Administrative Hearings                                | \$23               | \$12                      | _____                     | _____ |
| <b>Title 29</b>                                          | State Police                                                     | \$40               | \$22                      | _____                     | _____ |
| <b>Title 30</b>                                          | MD Institute for Emergency Medical Services Systems              | \$34               | \$20                      | _____                     | _____ |
| <b>Title 31</b>                                          | Maryland Insurance Administration                                | \$90               | \$62                      | _____                     | _____ |
| <b>Title 32</b>                                          | Aging                                                            | \$34               | \$18                      | _____                     | _____ |
| <b>Title 33</b>                                          | State Board of Elections                                         | \$57               | \$35                      | _____                     | _____ |
| <b>Title 34</b>                                          | Planning                                                         | \$42               | \$25                      | _____                     | _____ |
| <b>Title 35</b>                                          | Veterans Affairs                                                 | \$23               | \$12                      | _____                     | _____ |
| <b>Title 36</b>                                          | Maryland State Lottery and Gaming Control Agency                 | \$65               | \$43                      | _____                     | _____ |
|                                                          | Additional Binder                                                | \$15               | + S & H                   | _____                     | _____ |
| <b>Shipping &amp; Handling Total:</b> _____              |                                                                  |                    |                           | <b>Order Total:</b> _____ |       |

<sup>1</sup> Price is per copy of each Title and includes binders.

<sup>2</sup> Annual Subscription - Receive updated information semi-annually ~ Subscription quantities MUST match Title quantities.

\*\* See the following page for description of contents

*Note: COMAR prices are subject to change. Check the date on the lower right hand corner of this form. If the form is more than three months old, call the COMAR Subscription Manager (410-260-3876) to confirm prices. **Fees are not refundable.***

| <b>Shipping/Handling</b>                              |                 |
|-------------------------------------------------------|-----------------|
| <u>Publication Total</u>                              | <u>Shipping</u> |
| \$ 0-50                                               | \$15            |
| \$ 51-150                                             | \$25            |
| \$ 151-300                                            | \$30            |
| \$ 301-400                                            | \$45            |
| \$400 + please call Subscription Department.          |                 |
| <i>State agencies using courier, may omit S&amp;H</i> |                 |

Titles 10, 11, and 26 are available in Parts, listed below with Subtitles, and may be purchased separately.

## Title 10 Maryland Department of Health

### Part 1

- 01 Procedures
- 02 Division of Reimbursements
- 03 Health Statistics
- 04 Fiscal
- 05 Freestanding Ambulatory Care Facilities
- 06 Diseases
- 07 Hospitals
- 08 Health Facilities Grants

### Part 2

- 09 Medical Care Programs

### Part 3

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

### Part 4

- 23 Advance Directive Registry
- 24 Maryland Health Care Commission
- 25 Maryland Health Care Commission
- 26 Board of Acupuncture
- 27 Board of Nursing
- 28 Board of Examiners in Optometry
- 29 Board of Morticians and Funeral Directors
- 30 Maryland Commission on Kidney Disease
- 31 Health Occupation Boards
- 32 Board of Physicians
- 33 Board of Examiners of Nursing Home Administrators
- 34 Board of Pharmacy
- 35 Postmortem Examiners Commission
- 36 Board of Examiners of Psychologists

### Part 5

- 37 Health Services Cost Review Commission
- 38 Board of Physical Therapy Examiners
- 39 Board of Nursing – Certified Nursing Assistants
- 40 Board of Podiatric Medical Examiners
- 41 Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech-Language Pathologists
- 42 Board of Social Work Examiners
- 43 Board of Chiropractic Examiners
- 44 Board of Dental Examiners
- 45 Maryland Community Health Resources Commission
- 46 Board of Occupational Therapy Practice
- 47 Alcohol and Drug Abuse Administration
- 48 Child Abuse and Neglect Medical Reimbursement Program
- 49 State Anatomy Board
- 50 Tissue Banks
- 51 Forensic Laboratories
- 52 Preventive Medicine
- 53 Board of Nursing – Electrology Practice Committee
- 54 Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)
- 55 State Board of Spinal Cord Injury Research
- 56 Board of Dietetic Practice
- 57 Board for Certification of Residential Child Care Program Professionals
- 58 Board of Professional Counselors and Therapists
- 59 Catastrophic Health Emergencies
- 60 Board of Environmental Health Specialists
- 61 Health Enterprise Zone Initiative
- 62 Natalie Laprade Medical Marijuana Commission
- 63 Community-Based Behavioral Health Programs and Services
- 64 Practice of Licensed Direct-Entry Midwives
- 65 Board of Massage Therapy Examiners
- 66 Office of the Inspector General

## Title 11 Department of Transportation

### Part 1

- 01 Office of the Secretary
- 02 Transportation Service Human Resources System
- 03 Maryland Aviation Administration
- 04 State Highway Administration
- 05 Maryland Port Administration
- 06 Mass Transit Administration
- 07 Maryland Transportation Authority
- 08 State Railroad Administration
- 09 Vacant
- 10 Vacant

### Part 2

- 11 Motor Vehicle Administration – Administrative Procedures
- 12 MVA – Licensing of Businesses and Occupations
- 13 MVA – Vehicle Equipment
- 14 MVA – Vehicle Inspections
- 15 MVA – Vehicle Registration
- 16 MVA – Vehicle Operations
- 17 MVA – Driver Licensing and Identification Documents
- 18 MVA – Financial Responsibility Requirements
- 19 MVA – School Vehicles
- 20 MVA – Motorcycle Safety Program
- 21 MVA – Commercial Motor Vehicles
- 22 MVA – Preventive Maintenance Program
- 23 MVA – Drivers' Schools, Instructors & Driver Education Program

## Title 26 Department of the Environment

### Part 1

- 01 General Provisions
- 02 Occupational, Industrial, and Residential Hazards
- 03 Water Supply, Sewerage, Solid Waste, and Pollution Control Planning and Funding
- 04 Regulation of Water Supply, Sewage Disposal, and Solid Waste
- 05 Board of Well Drillers
- 06 Waterworks and Waste Systems Operators
- 07 Board of Environmental Sanitarians

### Part 2

- 08 Water Pollution
- 09 Maryland CO<sub>2</sub> Budget Trading Program
- 10 Oil Pollution and Tank Management
- 11 Air Quality
- 12 Radiation Management

### Part 3

- 13 Disposal of Controlled Hazardous Substances
- 14 Hazardous Substance Response Plan
- 15 Disposal of Controlled Hazardous Substances — Radioactive Hazardous Substances
- 16 Lead
- 17 Water Management
- 18 Susquehanna River Basin Commission

### Part 4

- 19 Oil and Gas Resources
- 20 Surface Coal Mining and Reclamation under Federally Approved Program
- 21 Mining
- 22 Coastal Facilities Review
- 23 Nontidal Wetlands
- 24 Tidal Wetlands
- 25 Ballast Water Management
- 26 Community Right-to-Know Fund
- 27 Hazardous Material Security



Date: \_\_\_\_\_

Subscriber Id.# \_\_\_\_\_

# Maryland Register

## Archive Order Form

The Division of State Documents has created pdf files of all the Maryland Register issues since 1974. The issues from 1974—2003 are scanned images of the actual Register in pdf format and, as such, are not searchable, while the issues beginning with 2004 are *searchable text* in pdf format files.

❖ Single issues of the Maryland Register from 1974—present

\_\_\_\_\_ \$10 Per issue of the Register from 1974—present via emailed pdf file.  
Please specify **Issue(s)**: \_\_\_\_\_

\_\_\_\_\_ \$15 Per issue of the Maryland Register from 1974—present via mailed hard-copy  
Please specify **Issue(s)**: \_\_\_\_\_

❖ An archival library of all Maryland Register issues from 1974—2016:

\_\_\_\_\_ \$375 2 DVDs (1974 — 2016)

\_\_\_\_\_ \$50 One year of the Maryland Register from 1974—2003 (unsearchable):  
Please specify **Year(s)**: \_\_\_\_\_

❖ \_\_\_\_\_ \$100 A single year of issues from 2004 forward will be available in January of the year following their publication. These will be searchable files, on CD.

Please specify year(s) between 2004 through 2016: \_\_\_\_\_

**Note:** All products purchased are for individual use only. Resale or other compensated transfer of the information in printed or electronic form is a prohibited commercial purpose (see State Government Article, §7-206.2, Annotated Code of Maryland).

**By purchasing a product, the buyer agrees that the purchase is for individual use only and will not sell or give the product to another individual or entity.**

❖ Please order by *faxing* the completed form to:

Fax: 410-280-5647

Business/Agency: \_\_\_\_\_

Name: \_\_\_\_\_

❖ By *mailing* it to:

Division of State Documents  
State House  
Annapolis, MD 21401

Billing Address: \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_

❖ By *emailing* it to:

[dsubscriptions\\_sos@Maryland.gov](mailto:dsubscriptions_sos@Maryland.gov)

Recipient's Email: \_\_\_\_\_

❖ By *calling*: 410-260-3876

~~~~~  
(Please circle payment choice and complete the order form)

Money Order or Check # _____ Amount: \$ _____ or

VISA, MasterCard, American Express, Discover ~ Amount: \$ _____

Card # _____ Card Exp. Date: _____

Signature: _____ Phone: _____



Date: _____

Subscriber Id.# _____

Maryland Register

Print and E-Version Order Form

The Maryland Register is a biweekly publication containing proposed, emergency, and final administrative regulations as well as other State government information. The Register serves as the temporary supplement to the Code of Maryland Regulations (COMAR). 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.

See separate [Order Form](#) for the Maryland Register Archive Issues from 1974 — 2016.

- ❖ _____ \$225 A single year of the Maryland Register in Print ~ 1st Class Mail Delivery.
- ❖ _____ \$ 15 1 Binder for half a year of Maryland Register issues in Print.
- ❖ _____ \$ 25 2 Binders for a full year of Maryland Register issues in Print.
- ❖ _____ \$190 A **single-user** annual e-Subscription, which provides a searchable pdf text file of each issue, emailed directly to one recipient's email address.
- ❖ _____ \$130 *Per additional user, per account subscription.* Call 410-260-3876 for details.

Note: All products purchased are for individual use only. Resale or other compensated transfer of the information in printed or electronic form is a prohibited commercial purpose (see State Government Article, §7-206.2, Annotated Code of Maryland). By purchasing a product, the buyer agrees that the purchase is for individual use only and will not sell or give the product to another individual or entity.

- ❖ Please order by *faxing* the completed form to: Business/Agency: _____
 Fax: 410-280-5647 Name: _____
- ❖ By *mailing* it to: Billing Address: _____
 Division of State Documents _____
 State House City, State, Zip _____
 Annapolis, MD 21401 Tel: _____ Fax: _____
- ❖ By *emailing* it to: Recipient's Email: _____
dsubscriptions_sos@Maryland.gov
- ❖ By *calling*: 410-260-3876

~~~~~  
(Please circle payment choice and complete the order form)

**Money Order or Check # \_\_\_\_\_ Amount: \$ \_\_\_\_\_ or**

**VISA, MasterCard, American Express, Discover ~ Amount: \$ \_\_\_\_\_**

Card # \_\_\_\_\_ Card Exp. Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_

**Fees are not refundable.**

Last updated 1/2017

**MDH Pamphlets ORDER FORM**

Date: \_\_\_\_\_

Subscriber ID#: \_\_\_\_\_

Name: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_ P. O. Box: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

| <b><u>Codification #</u></b> | <b><u>Pamphlet Title</u></b>                                                    | <b><u>Price / #</u></b> |
|------------------------------|---------------------------------------------------------------------------------|-------------------------|
| COMAR 10.05                  | Freestanding Ambulatory Care Facilities — Dec 2015.....                         | * \$10 × _____          |
| COMAR 10.07.01               | Acute General Hospitals and Special Hospitals — March 2015.....                 | \$10 × _____            |
| COMAR 10.07.02               | Comprehensive Care Facilities and Extended Care Facilities — May 2014.....      | \$15 × _____            |
| COMAR 10.07.03               | Health Care Staff Agencies — Dec 2015.....                                      | \$ 9 × _____            |
| COMAR 10.07.05               | Residential Service Agencies — March 2016.....                                  | \$11 × _____            |
| COMAR 10.07.06               | Hospital Patient Safety Program — Apr 2004 .....                                | \$ 8 × _____            |
| COMAR 10.07.07               | Nursing Referral Service Agencies — Dec 2006.....                               | \$ 8 × _____            |
| COMAR 10.07.09               | Bill of Rights: Comp. Care Facil. & Extended Care Facilities — Aug 2009.....    | \$ 9 × _____            |
| COMAR 10.07.10               | Home Health Agencies — June 2016.....                                           | \$ 8 × _____            |
| COMAR 10.07.11               | Health Maintenance Organizations — Aug 2010.....                                | \$10 × _____            |
| COMAR 10.07.14               | Assisted Living Programs — Aug 2016.....                                        | \$15 × _____            |
| COMAR 10.07.21               | Hospice Care Programs — Sep 1998 .....                                          | \$ 9 × _____            |
| COMAR 10.10                  | Laboratory Regulations — Aug 2016 .....                                         | \$17 × _____            |
| COMAR 10.12.04               | Day Care for the Elderly and Adults with a Medical Disability — Dec 2015 .....  | \$ 9 × _____            |
| COMAR 10.15.03               | Food Service Facilities — March 2016.....                                       | \$15 × _____            |
| COMAR 10.21                  | Mental Hygiene Regulations — Dec 2014.....                                      | \$27 × _____            |
| COMAR 10.22                  | Developmental Disabilities — Oct 2015.....                                      | \$20 × _____            |
| COMAR 10.47                  | Alcohol And Drug Abuse Administration — Feb 2016.....                           | \$15 × _____            |
| COMAR 10.51                  | Forensic Laboratories — July 2015.....                                          | \$15 × _____            |
| COMAR                        | Nurse Practice Act — Mar 2017 ... (8x11 format optional binder extra \$15)..... | \$32 × _____            |
| COMAR 10.62                  | Natalie Laprade Medical Cannabis Commission — Sep 2015 .....                    | \$15 × _____            |
| COMAR 10.63                  | Community-Based Behavioral Health Programs & Services.....                      | \$13 × _____            |

\* Price of pamphlets includes shipping. TOTAL: \$ \_\_\_\_\_

Payment Method, \_\_\_\_\_ Check enclosed, made payable to: “The Division of State Documents”

Choose/Check one: \_\_\_\_\_ VISA / Master Card / American Express / Discover card payment:

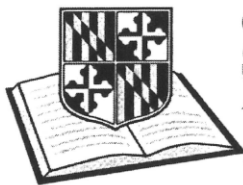
Acct.# \_\_\_\_\_ Exp. Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Tel: \_\_\_\_\_

**Return form and payment to:** Office of the Secretary of State  
Division of State Documents ~ State House ~ Annapolis, MD 21401  
Tel: 410-260-3876 ~ 800-633-9657 ~ Fax: 410-280-5647

**Note:** COMAR prices may change. Check the date on the lower right hand corner of this form. If the form is more than 3 months old, call the Subscription Manager 410-260-3876 to confirm prices. **Last Updated 5/2017**





**Office of the  
Secretary of State**  
*Division of State Documents*  
State House  
Annapolis, MD 21401

***PUBLISHERS OF:***

The Code of Maryland Regulations (COMAR)  
The Maryland Register

*For information, contact:*

Telephone: 410.260.3876 or 800.633.9657  
E-Mail address: [dsubscriptions\\_sos@maryland.gov](mailto:dsubscriptions_sos@maryland.gov)  
Website: [www.dsd.state.md.us](http://www.dsd.state.md.us)