

Maryland Register

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Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before July 16, 2018, 5 p.m.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 July 16, 2018.

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)

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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.

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

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

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

Availability of Monthly List of Maryland Documents

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

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

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September 28	September 10	September 19	September 17
October 12	September 24	October 3	October 1
October 26	October 5**	October 17	October 15
November 9	October 22	October 31	October 29
November 26***	November 5	November 14	November 9**
December 7	November 19	November 28	November 26
December 21	December 3	December 12	December 10
2019			
January 4	December 17	December 26	December 24
January 18	December 31	January 9	January 7

* 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 changes

The regular closing date for Proposals and Emergencies is Monday.

REGULATIONS CODIFICATION SYSTEM

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

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

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

Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed

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

Table of Pending Proposals

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

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The Governor

EXECUTIVE ORDER 01.01.2018.17

Student Loan Repayment Benefits to Relieve State Workforce Shortages

WHEREAS, Critical workforce shortage areas exist in the State that if left unaddressed will compromise the safety of State workplaces and adversely impact the delivery of services;

WHEREAS, When State government is properly staffed, efficiencies are created, safety is enhanced, and services to the citizens of Maryland are improved;

WHEREAS, Student loan debt in the United States currently totals more than \$1 trillion, and is the second largest total debt balance after mortgage debt;

WHEREAS, Nearly 60 percent of Maryland college students are graduating with student loan debt, averaging more than \$27,000 per student;

WHEREAS, Student loan debt is preventing Marylanders from buying houses and investing in their retirement;

WHEREAS, Repayment of student loan debt is an important pathway to achieving financial and family stability; and

WHEREAS, Providing employees with relief from student loan debt will create a robust recruitment and retention tool for critical workforce shortage areas;

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

A. Establishment.

There shall be State employee loan repayment benefits for eligible employees working in critical workforce shortage areas for units in the State Personnel Management System and the Transportation Services Human Resources System.

B. Eligibility.

1. Applicants for the benefits must:

- i. work in a critical workforce shortage area, as designated by the Secretary; and
- ii. have remained in the service of the employing unit for a duration established by the Secretary.

2. A participating employee whose employment is terminated is not eligible to receive further benefits.

C. Administration.

1. The Secretary of the Department of Budget and Management shall administer the benefits to enhance the recruitment and retention of employees in critical workforce shortage areas.

2. The benefits shall be administered centrally by the Department of Budget and Management's Office of Personnel Services and Benefits.

3. The Secretary may delegate the administration of the benefits for the Transportation Services Human Resources System to the Secretary of the Department of Transportation or the Secretary's designee.

4. By January 1, 2019, the Secretary shall establish guidelines for the administration of the benefits.

GIVEN Under my Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 16th Day of June, 2018.

LAWRENCE J. HOGAN, JR.
Governor

ATTEST:

JOHN C. WOBENSMITH
Secretary of State

[18-16-27]

EXECUTIVE ORDER 01.01.2018.18

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

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

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

NOW THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 14 OF THE PUBLIC SAFETY ARTICLE, DECLARE THAT THE STATE OF EMERGENCY CONTINUES TO EXIST PERTAINING TO THE NEED TO CONTROL AND ELIMINATE THE HEROIN, OPIOID, AND FENTANYL OVERDOSE CRISIS AND HEREBY RENEW EXECUTIVE ORDER 01.01.2017.02, EFFECTIVE FROM JULY 25, 2018, AND SHALL EXPIRE ON AUGUST 24, 2018, UNLESS SOONER TERMINATED OR EXTENDED IN WRITING BY ME.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 24th Day of July, 2018.

LAWRENCE J. HOGAN, JR.
Governor

ATTEST:

JOHN C. WOBENSMITH
Secretary of State

[18-16-28]

Open Meetings Compliance Board

NOTICE OF ANNUAL MEETING

The Open Meetings Compliance Board will hold its annual meeting at 1 p.m. on August 9, 2018, in Room 161 of the Arundel Center, 44 Calvert Street, Annapolis, Maryland. The public is invited to attend.

If you are interested in attending, please contact Janice Clark at **OpenGov@oag.state.md.us** or 410-576-7033 so that we may make the necessary arrangements. An agenda will be available when determined and will be posted at <http://www.marylandattorneygeneral.gov/Pages/OpenGov/OpenMeetings/default.aspx#meetings>.

All future notices of the Open Meetings Compliance Board will be posted on the open meetings webpage of the Attorney General's website at <http://www.marylandattorneygeneral.gov/Pages/OpenGov/OpenMeetings/index.aspx>.

[18-16-07]

The Judiciary

IN THE COURT OF APPEALS OF MARYLAND

DISCIPLINARY PROCEEDINGS

This is to certify that by an Order of the Court of Appeals dated April 26, 2018, **JAYME LYNN LEVY**, 2700 Remington Avenue, #510, Baltimore, Maryland 21211, has been disbarred by consent, effective June 26, 2018, 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 an Order of the Court of Appeals dated July 9, 2018, **ANGELA M. BLYTHE**, 3 South 3rd Street, Oakland, Maryland 21550, has been disbarred by consent, 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 an Opinion & Order of the Court of Appeals dated July 13, 2018, **WALTER LLOYD BLAIR**, c/o Robert Cappell & Associates, 3405 Epic Court, Bowie, Maryland 20716, 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).

[18-16-24]

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 13A STATE BOARD OF EDUCATION

Subtitle 14 CHILD AND FAMILY DAY CARE

13A.14.06 Child Care Subsidy Program

Authority: *Education Article, §2-303 and Title 9.5* [Family Law Article, §§5-550, 5-561, and 5-570], Annotated Code of Maryland

Agency Note: Federal Regulatory Reference — Child Care and Development Fund 45 CFR 98.50

Notice of Emergency Action

[18-194-E]

The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to amendments to Regulation .03 under COMAR 13A.14.06 Child Care Subsidy Program.

Emergency status began: July 9, 2018.

Emergency status expires: January 4, 2019.

Comparison to Federal Standards

There is no corresponding federal standard to this emergency action.

Estimate of Economic Impact

I. Summary of Economic Impact. The purpose of the proposed emergency status for COMAR 13A.14.06.03H, Child Care Subsidy Income Eligibility Scale, is to enable more families to access child care subsidies for their children, thereby reducing or eliminating the large surplus of funds each year resulting from the outdated and low-eligibility tables.

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

Benefit (+)

Cost (-)

Magnitude

D. On regulated industries or trade groups:	(+)	Unknown
E. On other industries or trade groups:	(+)	Unknown
F. Direct and indirect effects on public:	(+)	Unknown

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

A. The increased number of families receiving subsidies will not cost the agency any additional money; the current contract for distributing payments is not dependent upon the number of recipients. Any additional child care providers entering the market due to the increase in supply of families receiving child care subsidies as a result of this action can be absorbed by the current MSDE staff.

B. MSDE is the only agency that is affected by child care subsidies.

C. Local governments will experience increased productivity and tax revenues from an expanded workforce as a result of more parents given access to child care.

D. The increase in the number of families eligible to participate in the child care subsidy program leads to increased revenue for child care providers who, in turn, add to a larger tax base and may contribute revenue to Service Employees International Union (SEIU).

E. The increase in the number of families eligible to participate in the child care subsidy program leads to increased revenue for child care providers who, in turn, purchase materials, resources, and services from multiple vendors, adding to the tax base.

F. More parents will have access to child care and therefore be able to work or participate in training or education. With more access to child care subsidies, fewer parents will need to use unlicensed and unsafe child care, and may have expanded choice of providers as the market expands.

Economic Impact on Small Businesses

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

With more families eligible to receive child care subsidies, current providers will be able to serve additional children in their centers and homes. The increased supply of eligible families with access to subsidies may result in additional child care providers entering the market.

EMERGENCY ACTION ON REGULATIONS

.03 Eligibility.

A.—G. (text unchanged)

H. Income Eligibility Scale.

(existing table proposed for repeal)

<i>Family Size</i>	<i>Gross Income</i>	<i>Copayment Level</i>
1	\$ 0—13,618	A
	13,619—17,022	B
	17,023—18,724	C
	18,725—20,425	D
	20,426—22,128	E
	22,129—23,830	F
	23,831—25,533	G
	25,534—29,362	H
	29,363—33,192	I
	33,193—37,193	J
2	\$ 0—17,808	A
	17,809—22,259	B
	22,260—24,485	C
	24,486—26,710	D
	26,711—28,936	E
	28,937—31,163	F
	31,164—33,389	G
	33,390—38,397	H
	38,398—43,405	I
	43,406—48,637	J
3	\$ 0—21,998	A
	21,999—27,496	B
	27,497—30,247	C
	30,248—32,995	D
	32,996—35,745	E
	35,746—38,495	F
	38,496—41,245	G
	41,246—47,431	H
	47,432—53,617	I
	53,618—60,081	J
4	\$ 0—26,188	A
	26,189—32,734	B
	32,735—36,008	C
	36,009—39,279	D
	39,280—42,554	E
	42,555—45,828	F
	45,829—49,102	G
	49,103—56,466	H
	56,467—63,830	I
	63,831—71,525	J
5	\$ 0—30,378	A
	30,379—37,971	B
	37,972—41,769	C
	41,770—45,564	D
	45,565—49,362	E
	49,363—53,160	F
	53,161—56,958	G
	56,959—65,501	H
	65,502—74,043	I
	74,044—82,969	J
6	\$ 0—34,568	A
	34,569—43,208	B
	43,209—47,530	C
	47,531—51,849	D
	51,850—56,171	E
	56,172—60,493	F

EMERGENCY ACTION ON REGULATIONS

<i>Family Size</i>	<i>Gross Income</i>	<i>Copayment Level</i>
	60,494—64,814	G
	64,815—74,535	H
	74,536—84,256	I
	84,257—94,413	J
7	\$ 0—35,354	A
	35,355—44,190	B
	44,191—48,611	C
	48,612—53,027	D
	53,028—57,447	E
	57,448—61,867	F
	61,868—66,287	G
	66,288—76,229	H
	76,230—86,171	I
	86,172—96,558	J
8	\$ 0—36,139	A
	36,140—45,173	B
	45,174—49,691	C
	49,692—54,206	D
	54,207—58,724	E
	58,725—63,242	F
	63,243—67,760	G
	67,761—77,923	H
	77,924—88,086	I
	88,087—98,704	J
9	\$ 0—36,925	A
	36,926—46,155	B
	46,156—50,771	C
	50,772—55,384	D
	55,385—60,001	E
	60,002—64,617	F
	64,618—69,233	G
	69,234—79,617	H
	79,618—90,001	I
	90,002—100,850	J
10	\$ 0—37,711	A
	37,712—47,137	B
	47,138—51,851	C
	51,852—56,562	D
	56,563—61,277	E
	61,278—65,992	F
	65,993—70,707	G
	70,708—81,311	H
	81,312—91,916	I
	91,917—102,996	J

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

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 01

EXECUTIVE DEPARTMENT

Subtitle 02 SECRETARY OF STATE

01.02.08 Notary Public Fees

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

Notice of Final Action

[18-152-F]

On July 25, 2018, the Secretary of State adopted amendments to Regulation **.03** under **COMAR 01.02.08 Notary Public Fees**. This action, which was proposed for adoption in 45:12 Md. R. 622—623 (June 8, 2018), has been adopted as proposed.

Effective Date: August 13, 2018.

JOHN C. WOBENSMITH
Secretary of State

Title 05

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

[18-135-F]

On July 12, 2018, the Secretary of Housing and Community Development adopted:

(1) The repeal in their entirety of Regulations **.01—18** under **COMAR 05.05.03 Rental Allowance Program**; and

(2) New Regulations **.01—14** under a new chapter, **COMAR 05.21.01 Homelessness Solutions Programs**, under a new subtitle, **Subtitle 21 Homelessness Solutions Programs**.

This action, which was proposed for adoption in 45:11 Md. R. 581—585 (May 25, 2018), has been adopted as proposed.

Effective Date: August 13, 2018.

KENNETH C. HOLT
Secretary of Housing and Community Development

Title 08

DEPARTMENT OF NATURAL RESOURCES

Subtitle 03 WILDLIFE

08.03.03 Open Seasons, Bag Limits for Game Birds and Game Animals

Authority: Natural Resources Article, §§10-405 and 10-410, Annotated Code of Maryland

Notice of Final Action

[18-142-F]

On July 24, 2018, the Secretary of Natural Resources adopted amendments to Regulation **.01** under **COMAR 08.03.03 Open Seasons, Bag Limits for Game Birds and Game Animals**. This action, which was proposed for adoption in 45:12 Md. R. 623—624 (June 8, 2018), has been adopted as proposed.

Effective Date: August 13, 2018.

MARK J. BELTON
Secretary of Natural Resources

Subtitle 03 WILDLIFE

08.03.03 Open Seasons, Bag Limits for Game Birds and Game Animals

Authority: Natural Resources Article, §§10-205, 10-405, 10-410, and 10-415, Annotated Code of Maryland

Notice of Final Action

[18-141-F]

On July 24, 2018, the Secretary of Natural Resources adopted the repeal of existing Regulations **.03—05, .07, and .08** and adopted new Regulations **.03—05, .07, and .08** under **COMAR 08.03.03 Open Seasons, Bag Limits for Game Birds and Game Animals**. This action, which was proposed for adoption in 45:12 Md. R. 624—631 (June 8, 2018), has been adopted as proposed.

Effective Date: August 13, 2018.

MARK J. BELTON
Secretary of Natural Resources

Subtitle 03 WILDLIFE

08.03.03 Open Seasons, Bag Limits for Game Birds and Game Animals

Authority: Natural Resources Article, §§10-205 and 10-415, Annotated Code of Maryland

Notice of Final Action

[18-143-F]

On July 24, 2018, the Secretary of Natural Resources adopted amendments to Regulation .06 under COMAR 08.03.03 Open Seasons, Bag Limits for Game Birds and Game Animals. This action, which was proposed for adoption in 45:12 Md. R. 631 (June 8, 2018), has been adopted as proposed.

Effective Date: August 13, 2018.

MARK J. BELTON
Secretary of Natural Resources

Title 10

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 25 MARYLAND HEALTH CARE COMMISSION

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

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

Notice of Final Action

[18-148-F]

On July 24, 2018, the Maryland Health Care Commission adopted amendments to Regulations .01—.04 and .10—.12 under COMAR 10.25.18 Health Information Exchanges: Privacy and Security of Protected Health Information. This action, which was proposed for adoption in 45:12 Md. R. 632—634 (June 8, 2018), has been adopted with the nonsubstantive changes shown below.

Effective Date: August 13, 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(45): A nonsubstantive change was made to make the definition of payor consistent with the definition in Health General §19-132(m). Specifically, in paragraphs .02B(45)(b) and (d), the words “holds a certificate of authority” replace the words “is licensed to operate”.

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(44) (proposed text unchanged)

(45) “Payor” means:

(a) (proposed text unchanged)

(b) A health maintenance organization that [[is licensed to operate]] holds a certificate of authority in the State;

(c) (proposed text unchanged)

(d) A nonprofit health service plan that [[is licensed to operate]] holds a certificate of authority in the State.

(46)—(65) (proposed text unchanged)

ROBERT E. MOFFIT, Ph.D.
Chair

Subtitle 37 HEALTH SERVICES COST REVIEW COMMISSION

10.37.01 Uniform Accounting and Reporting System for Hospitals and Related Institutions

Authority: Health-General Article, §§19-207, 19-211, 19-212, 19-215-19-217, 19-218, 19-220, 19-224, and 19-303, Annotated Code of Maryland

Notice of Final Action

[18-134-F-I]

On July 11, 2018, the Health Services Cost Review Commission adopted amendments to Regulation .02 under COMAR 10.37.01 Uniform Accounting and Reporting System for Hospitals and Related Institutions. This action, which was proposed for adoption in 45:11 Md. R. 590 (May 25, 2018), has been adopted as proposed.

Effective Date: August 13, 2018.

NELSON SABATINI
Chairman
Health Services Cost Review Commission

Title 17

DEPARTMENT OF BUDGET AND MANAGEMENT

Subtitle 04 PERSONNEL SERVICES AND BENEFITS

17.04.03 Selection and Appointments of Eligibles and Notification to Secretary

Authority: State Personnel and Pensions Article, §7-104 and Titles 4, 6, 11, and 13, Annotated Code of Maryland.

Notice of Final Action

[18-147-F]

On July 23, 2017, the Secretary of Budget and Management adopted amendments to Regulation .10 under COMAR 17.04.03 Selection and Appointments of Eligibles and Notification to Secretary. This action, which was proposed for adoption in 45:12 Md. R. 641—642 (June 8, 2018), has been adopted as proposed.

Effective Date: August 13, 2018.

DAVID R. BRINKLEY
Secretary of Budget and Management

Title 21
STATE PROCUREMENT
REGULATIONS

Subtitle 10 ADMINISTRATIVE AND
CIVIL REMEDIES

Notice of Final Action

[18-126-F]

On July 19, 2018, the Board of Public Works adopted:

(1) Amendments to Regulation .02 under **COMAR 21.10.02 Protests**; and

(2) The repeal of Regulations .01—.03 under **COMAR 21.10.03 Bid Protests Concerning Architectural Services and Engineering Services Contracts**.

This action, which was proposed for adoption in 45:10 Md. R. 514 (May 11, 2018), has been adopted as proposed.

Effective Date: August 13, 2018.

SHEILA McDONALD
Executive Secretary

Title 36
MARYLAND STATE
LOTTERY AND GAMING
CONTROL AGENCY

Notice of Final Action

[18-145-F]

On July 24, 2018, the Maryland State Lottery and Gaming Control Agency adopted amendments to:

(1) Regulation .03 under **COMAR 36.03.08 Collection of Taxes, Fees, and Penalties**; and

(2) Regulations .01 and .03 under **COMAR 36.07.01 General**.

This action, which was proposed for adoption in 45:12 Md. R. 642—643 (June 8, 2018), has been adopted as proposed.

Effective Date: August 13, 2018.

GORDON MEDENICA
Director

Title 30
MARYLAND INSTITUTE
FOR EMERGENCY
MEDICAL SERVICES
SYSTEMS (MIEMSS)

Subtitle 01 GENERAL

30.01.02 Documents Incorporated by Reference

Authority: Education Article, §13-516, Annotated Code of Maryland

Notice of Final Action

[18-128-F-I]

On July 10, 2018, the Maryland State Emergency Medical Services Board adopted amendments to Regulation .01 under **COMAR 30.01.02 Documents Incorporated by Reference**. This action was taken at a public meeting, notice of which was given by publication on the Maryland Institute for Emergency Medical Services Systems website, www.miemss.org, from September 1, 2015, through July 10, 2018, under General Provisions Article, §3-302(c), Annotated Code of Maryland. This action, which was proposed for adoption in 45:11 Md. R. 594 (May 25, 2018), has been adopted as proposed.

Effective Date: August 13, 2018.

JEANNIE ABRAMSON
Chief Administrative Officer

Proposed Action on Regulations

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

Symbol Key

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

Promulgation of Regulations

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

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

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

Title 08

DEPARTMENT OF NATURAL RESOURCES

Subtitle 03 WILDLIFE

08.03.04 Forest Wildlife

Authority: Natural Resources Article, §§10-205 and 10-415, Annotated Code of Maryland

Notice of Proposed Action

[18-195-P]

The Secretary of Natural Resources proposes to amend Regulation **.03** under **COMAR 08.03.04 Forest Wildlife**.

Statement of Purpose

The purpose of this action is to allow for the use of an electronic record to show proof of legal harvest by a hunter of white-tailed deer, sika deer, and wild turkey. An electronic record of the confirmation number may be substituted for a field tag or big game harvest record. If a hunter checks in a deer or turkey at the place of kill and obtains the required confirmation number, the hunter may maintain proof of the confirmation electronically through a cell phone, tablet, or other electronic device in lieu of completing and signing the big game harvest. Prior to obtaining the confirmation number within 24 hours of harvesting the animal, the head and hide of a deer must not be removed by the hunter and a wild turkey cannot be processed for consumption. Tagging requirements for a hunter leaving their harvested deer or turkey with another person are described.

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 Karina Stonesifer, Associate Director, Wildlife and Heritage Service, Department of Natural Resources, 12512 Pleasant Valley Road, Flintstone, MD 21530, or call 301-777-2136, or email to karina.stonesifer@maryland.gov, or fax to 301-777-2029. Comments will be accepted through September 4, 2018. A public hearing has not been scheduled.

.03 Tagging and Reporting Deer and Wild Turkey.

A. Tagging.

(1) A game field tag, *including the hunter's name, DNR ID number, and the deer or turkey's date and county of harvest*, serves to identify the hunter who has killed a deer or turkey.

(2) [The] A big game harvest record *of deer and turkey harvested by a hunter* serves to record a hunter's kill. *The big game harvest record shall:*

(a) *Include, for each deer or turkey killed, the species, sex, date and county of harvest, weapon class and confirmation number attained from the Department at the time of reporting in accordance with §B of this regulation; and*

(b) *Be in the hunter's possession while deer or turkey hunting.*

(3) Game field tags and big game harvest records [are] *may be provided by the Department* when purchasing a Maryland hunting license [or], *may be obtained from any DNR sport license agent, or created by the hunter.*

[(4) Any person killing a deer or turkey shall:

(a) Attach a game field tag completed in ink to the head of the deer or leg of the turkey; and

(b) Record in ink the species, date, county of harvest, sex, and weapon class on the hunter's big game harvest record before removing the carcass from the place of the kill.

(5) The completed game field tag shall remain attached to the deer or turkey until the carcass is either:

- (a) Processed by the hunter for consumption;
- (b) Disposed of by a processing facility; or
- (c) Left with a taxidermist.]

(4) A hunter's possession of an electronic record of the confirmation number acquired in accordance with §B of this regulation may substitute for the game field tag or big game harvest record. An electronic record may be presented:

- (a) By accessing the hunter's DNR license system account by a cell phone, tablet, or other electronic device; or
- (b) As a digital copy of a completed big game harvest record.

(5) A game field tag shall be attached to the deer or turkey before removing it from the place of kill.

(6) If a confirmation number has been generated, attaching a game field tag is not required while the deer or turkey remains in the hunter's possession.

(7) When leaving a deer or turkey unattended or in the possession of another person, the deer or turkey shall be tagged with:

- (a) A game field tag as described in §A(1) of this regulation, if the deer or turkey has not been reported to the Department; or
- (b) A tag that includes the hunter's name and the confirmation number provided by the Department if the deer or turkey has already been reported to the Department.

(8) The tag required under §A(7) of this regulation shall remain attached to the deer or turkey until the carcass is either:

- (a) Processed for consumption;
- (b) Disposed of by a processing facility; or
- (c) Left with a taxidermist.

B. Harvest Reporting.

(1) (text unchanged)

(2) The harvest of a deer or turkey shall be reported not later than 24 hours after the deer or turkey [is field tagged] was taken into possession by the hunter. Deer must be reported before the head or hide is removed. Turkeys must be reported before being processed for consumption.

(3) After [registering] reporting the kill, the hunter will receive a confirmation number from the Department that shall be recorded in ink on the big game harvest record [adjacent to the information required by §A(4)(b) of this regulation] or shall be in the hunter's possession as an electronic record in accordance with §A(4) of this regulation.

C. [If a deer or wild turkey has been killed lawfully by a hunter who does not possess a hunter's license and is not supplied with a deer or turkey game field tag, that person immediately shall make and attach a tag to the carcass as described in §A of this regulation. The tag shall be legible and bear the name and address of the hunter, the last four digits of the hunter's social security number, the zip code, the date, and county in which the deer or turkey was killed. The big game harvest record shall be completed and a confirmation number obtained as provided for in §§A and B of this regulation.] *The requirements of this regulation apply to all hunters including those hunters who are exempt from the hunting license requirements of Natural Resources Article, §10-301, Annotated Code of Maryland.*

D. A deer or turkey not tagged as required by this regulation and found in the possession of any person [shall] may be confiscated by any [Natural Resources Police Officer] authorized representative of the Department and shall be disposed of as the Director may deem advisable for the best interest of the State.

E. (text unchanged)

MARK J. BELTON
Secretary of Natural Resources

Title 14 INDEPENDENT AGENCIES

Subtitle 27 MARYLAND ENVIRONMENTAL SERVICE

14.27.02 Human Resources System

Authority: Natural Resources Article, §§3-103.1 and 3-127, Annotated Code of Maryland

Notice of Proposed Action

[18-204-P]

The Maryland Environmental Service proposes to amend Regulations .03, .11, .12, and .14 under **COMAR 14.27.02 Human Resources**. This action was considered by the Service at an open meeting held on June 28, 2018, notice of which was given by publication on the Service's website pursuant to General Provisions Article, §3-302, Annotate Code of Maryland.

Statement of Purpose

The purpose of this action is to update and amend the agency Human Resources regulations to be consistent with other State regulations. Amendments were made to:

- Regulation .03 to clarify and expand the list of protected classes covered by EEOC.
- Regulation .11 to increase the amount of annual leave that an employee can carry over into a new fiscal year to the same levels allowed other Executive Branch employees.
- Regulation .12 to correct a cross-reference discovered during regulatory review.
- Regulation .14 to clarify how much accident leave an employee may take, making the Service's regulations consistent with what is provided to other Executive Branch employees.

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 Pamela Fuller, Paralegal, Maryland Environmental Service, 259 Najoles Road, Millersville MD 21108, or call 410-729-8243, or email to pfull@menv.com, or fax to 410-729-8220. Comments will be accepted through September 4, 2018. A public hearing has not been scheduled.

.03 Equal Employment Opportunity.

A. (text unchanged)

B. The Service shall implement this chapter in a manner that does not discriminate on the basis of [race, color, creed, age, sex, national origin, religion, marital status, physical or mental disability, sexual orientation, or other factors not related to work performance or job qualifications.]:

- (1) Race;
- (2) Color;
- (3) Age;
- (4) Creed;

- (5) Sex;
- (6) National origin;
- (7) Religious affiliation, belief, or opinion;
- (8) Marital status;
- (9) Physical or mental disability;
- (10) Sexual orientation;
- (11) Ancestry;
- (12) Gender identity; or
- (13) Other factors not related to work performance or job qualifications.

.11 Annual Leave.

- A. (text unchanged)
- B. Accumulated Annual Leave.
 - (1) An employee may accumulate unused annual leave and may carry over from one calendar year to the next year up to [35] 75 days or [280] 600 hours of that unused annual leave. Any accumulated and unused annual leave in excess of [35] 75 days or [280] 600 hours, whichever is greater, shall be forfeited at the beginning of the first full pay period of the next calendar year.
 - (2) For a part-time employee, annual leave may be accumulated to a maximum determined on the basis of the percentage of [280] 600 hours of annual leave equal to the percentage of employment, and carried into a new calendar year.
- C. — D. (text unchanged)

.12 Sick Leave.

- A. — E. (text unchanged)
- F. Attendance Control — Occurrences.
 - (1) (text unchanged)
 - (2) In order to prevent abuse of sick leave and to ensure medical attention for an employee, the Service may require an employee to submit a certificate which authenticates a period of illness of 1 day or more and which is signed in accordance with [§E(1)] §F(1) of this regulation.
 - (3) (text unchanged)
- G. — J. (text unchanged)

.14 Accident Leave.

- A. Amount of Paid Accident Leave. The Service may grant up to [3 days] 24 hours of paid accident leave to an employee beginning on the first day, or any portion thereof, of absence from work because of an accidental personal injury sustained by the employee in the actual performance of the employee’s job duties, and which is determined to be compensable according to the Maryland Workers’ Compensation Law, Labor and Employment Article, Title 9, Annotated Code of Maryland.
- B. Advanced Accident Leave. The Service may grant additional advance accident leave, of up to 6 months, to an employee while the employee is awaiting a compensable injury decision from the Service’s Workers’ Compensation insurer or a compensable disability decision from the Service’s disability insurer.
- C. Use of Accident Leave.
 - (1) — (2) (text unchanged)
 - (3) An employee’s accident leave ends upon the [earlier] earliest of:
 - (a) [When a] A physician [certifies] certifying in writing that the employee is capable of performing the physical tasks required of the employee’s position; [or]
 - (b) [Upon the first] First receipt by the employee of any compensation from either the Service’s Workers’ Compensation or disability insurer; or
 - (c) The end of 6 months or any extension of advance accident leave granted by the Service.

D. (text unchanged)

ROY McGRATH
Director

Subtitle 27 MARYLAND ENVIRONMENTAL SERVICE

14.27.03 Procurement

Authority: Natural Resources Article, §§3-103 and 3-127, Annotated Code of Maryland

Notice of Proposed Action
[18-200-P]

The Maryland Environmental Service proposes to amend Regulations .06 and .07 under **COMAR 14.27.03 Procurement**. This action was considered by the Service at an open meeting held on June 18, 2018, notice of which was given by publication on the Service’s website pursuant to General Provisions Article, §3-302, Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to update regulations to correct outdated cross-references and updated citations discovered during the regulatory review process.

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 Pamela Fuller, Paralegal, Maryland Environmental Service, 259 Najoles Road, Millersville, MD 21108, or call 410-729-8243, or email to pfull@menv.com, or fax to 410-729-8220. Comments will be accepted through September 4, 2018. A public hearing has not been scheduled.

.06 Source Selection.

- A. (text unchanged)
- B. Prequalification.
 - (1) — (2) (text unchanged)
 - (3) The Service may require that architectural or engineering respondents submit U.S. Government Standard Form [254] 330, Architect/Engineer and Related Services Questionnaire [(SF-254)] (SF-330), in order to be prequalified.
- C. — D. (text unchanged)

.07 Procurement by Competitive Sealed Bidding.

- A. — E. (text unchanged)
- F. Receipt and Opening of Bids.
 - (1) — (2) (text unchanged)
 - (3) An employee of the Service shall open bids publicly, read aloud the bids, and record the bids at the date, time, and place set for bid opening in the bid notice. Opened bids shall be available for public inspection to the extent required by [State Government Article, Title 10, Subtitle 6, Annotated Code of Maryland] General Provisions, Title 4, Subtitle 2, Annotated Code of Maryland. Proprietary information shall be examined by the procurement officer

to determine validity of nondisclosure. The Service may not disclose proprietary information submitted by a bidder, except as required by law. Prices, makes, models, catalog numbers, delivery, and payment terms shall be made available for public inspection.

(4) — (5) (text unchanged)

G. — K. (text unchanged)

ROY McGRATH
Director

Subtitle 27 MARYLAND ENVIRONMENTAL SERVICE

14.27.04 Public Information Act Requests

Authority: *General Provisions Article, §4-201*; *Natural Resources Article, §3-127*; [State Government Article, §10-613;] *Annotated Code of Maryland*

Notice of Proposed Action

[18-201-P]

The Maryland Environmental Service proposes to amend Regulations .01 — .09 under COMAR 14.27.04 **Public Information Act Requests**. This action was considered by the Service at an open meeting held on June 28, 2018, notice of which was given by publication on the Service's website pursuant to *General Provisions Article, §3-302*, *Annotated Code of Maryland*.

Statement of Purpose

The purpose of this action is to update Maryland Environmental Services PIAR to reflect recent legislative changes to the State Public Information Act laws, as codified in *General Provisions Article, §4.101 et seq.*, *Annotated Code of Maryland*, and to correct outdated cross-references discovered during regulatory review.

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 Pamela Fuller, Paralegal, Maryland Environmental Service, 259 Najoles Road, Millersville, MD 21108, or call 410-729-8243, or email to pfull@menv.com, or fax to 410-729-8220. Comments will be accepted through September 4, 2018. A public hearing has not been scheduled.

.01 General.

This chapter establishes procedures for submitting requests to the Maryland Environmental Service for the inspection or copying of public records under [State Government Article, 10-611 — 10-630] *General Provisions Article, §§4-101 — 4-601*, *Annotated Code of Maryland*.

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) "Applicant" has the meaning stated in [State Government Article, §10-611(b)] *General Provisions Article, §4-101(b)*, *Annotated Code of Maryland*.

(2) "Custodian" has the meaning stated in [State Government Article, §10-611(c)] *General Provisions Article, §4-101(d)*, *Annotated Code of Maryland*.

(3) — (4) (text unchanged)

(5) "Person in interest" has the meaning stated in [State Government Article, §10-611(e)] *General Provisions Article, §4-101(g)*, *Annotated Code of Maryland*.

(6) "Public Information Act" means [State Government Article, 10-611-----10-630] *General Provisions Article, §§4-101 — 4-601*, *Annotated Code of Maryland*.

(7) "*Public Information Act Representative*" means the person designated by the Service to receive *Public Information Act* requests and is named on the Service's website.

[(7)] (8) "Public record" has the meaning stated in [State Government Article, §10-611(f)] *General Provisions Article, §4-101(j)*, *Annotated Code of Maryland*.

[(8)] (9) — [(9)] (10) (text unchanged)

.03 Requests for Records.

A. (text unchanged)

B. A request for public records shall:

(1) (text unchanged)

(2) Be addressed to the [custodian] *Public Information Act Representative or Official Custodian*;

(3) — (4) (text unchanged)

.04 Response to Request.

[A. If the custodian grants a written request for inspection, the custodian shall produce the record, or a copy, for inspection within a reasonable time, not to exceed 30 days from the date the custodian receives the request.

B. If the custodian denies the request, the custodian shall do so within 30 days of receipt of the written request and, immediately upon denying the request, shall notify the applicant of the denial. Any reasonable severable portion of a public record shall be provided after deletion of the portions which may be withheld from disclosure. Within 10 working days of the denial, the custodian shall give the applicant a written statement that gives the reasons and legal authority for the denial and contains a notice of the remedies for review of the denial.

C. If a requested public record is not in the custody of the individual to whom the written application is made, the individual shall, within 10 working days of the receipt of the request, notify the applicant. If the individual knows the name of the custodian of the public record or the location or possible location of the public record, this information shall also be given to the applicant.

D. With the consent of the applicant, the time limits imposed by A — C of this regulation may be extended for not more than 30 days.]

A. *Responses to a request under the Maryland Public Information Act shall be made in accordance with General Provisions Article, §§4-201 — 4-302, Annotated Code of Maryland.*

[E.] B. The custodian shall deny inspection of a public record in accordance with [State Government Article, 10-615 — 10-617] *General Provisions Article, §§4-301 — 4-302*, *Annotated Code of Maryland*.

[F. The custodian may deny inspection of a public record in accordance with State Government Article, §10-618, *Annotated Code of Maryland*.]

.05 Notification of Person in Interest.

The custodian, unless otherwise prohibited by law, may notify a person in interest before disclosing the public record. If the custodian denies inspection in accordance with Regulation [.04F] .04B of this chapter, the custodian may consider the views of the person in interest before granting or denying the request to inspect the public record.

.06 Review of Denial.

[A. If a written request is denied by the custodian, the applicant may, within 30 days after receipt of the denial, submit a request to the Director for an administrative hearing on the denial.

B. The hearing shall be conducted by a hearing officer designated by the Director. If the custodian who denied the request is not the Director, the hearing officer shall prepare a recommended decision which shall be submitted to the Director, and the Director shall make the final decision. If the custodian who denied the request is the Director, the hearing officer shall make the final decision.

C. An applicant may also file an action for judicial review under State Government Article, §10-623, Annotated Code of Maryland.]

A. *Review of the denial may be submitted to the Office of the Public Access Ombudsman in accordance with General Provisions Article, §§4-1B-01 — 4-1B-04, Annotated Code of Maryland.*

B. *Disputes concerning fees charged by the Service under Regulation .08 of this chapter may be submitted to the Public Information Act Compliance Board in accordance with General Provisions Article, §4-1A-05, Annotated Code of Maryland.*

C. *An applicant may obtain judicial review in accordance with General Provisions Article, §4-362, Annotated Code of Maryland.*

.07 Disclosure Against Public Interest.

A. If the official custodian believes that inspection of a public record will cause substantial injury to the public interest, the official custodian may[:] *deny the Request in accordance with General Provisions Article, §4-343, Annotated Code of Maryland.*

[(1) Temporarily deny the request in writing; and

(2) Petition, within 10 working days after the denial, the appropriate circuit court for an order permitting the continued denial of inspection.

B. Notice of the petition filed in the circuit court shall be served upon the applicant in the same manner provided for service of process by the Maryland Rules of Procedure.]

.08 Fees.

A. Fee Schedule.

(1) — (3) (text unchanged)

(4) Search, Review, and Record Preparation Fees. The Service shall charge the applicant for the actual cost of labor expenses, including overhead costs at the Service’s standard overhead rate, incurred by the Service for searching or preparing public records for inspection or copying, *including staff and attorney review time.* The Service may not charge for any labor expenses for the first 2 hours of official or employee time needed to respond to a request for public records or to search or prepare the public records.

(5) — (6) (text unchanged)

B. — C. (text unchanged)

D. Before *searching, assembling, and copying* a public record, the custodian shall estimate the cost of copying and obtain the agreement of the applicant that the cost *for search, preparation, review, and assembly* shall be paid. The custodian may demand prepayment of an estimated fee before copying a public record. If the custodian requires prepayment, then the time limitations in this chapter may not begin until the applicant makes full payment.

E. (text unchanged)

.09 Waiver or Reduction of Fees.

A. The [Director] *Official Custodian* may waive or reduce any fee charged under this chapter *in accordance with General Provisions Article, §4-206(e), Annotated Code of Maryland.* [if the Director determines that:

(1) The public record requested is promotional in nature or is routinely distributed by the Service to the public; or

(2) After consideration of the applicant’s ability to pay all or a portion of the fee and other relevant factors, a waiver or reduction of the fee is in the public interest.

B. The decision of the Director to waive or reduce a fee is within the sole discretion of the Director, and the Director’s decision is final.]

ROY McGRATH
Director

Title 15
DEPARTMENT OF
AGRICULTURE
Subtitle 01 OFFICE OF THE
SECRETARY

15.01.15 Use of Antimicrobial Drugs

Authority: Agriculture Article, §§3-1001, 3-1002, 3-1005, and 3-1006, Annotated Code of Maryland

Notice of Proposed Action

[18-196-P]

The Secretary of Agriculture proposes to adopt new Regulations **.01—.05** under a new chapter, **COMAR 15.01.15 Use of Antimicrobial Drugs.**

Statement of Purpose

The purpose of this action is to describe the restrictions on the use of medically important antimicrobial drugs in the production of cattle, swine, and poultry.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michael W. Radebaugh, VMD, State Veterinarian, Maryland Department of Agriculture, 50 Harry S. Truman Parkway, Annapolis, Maryland 21401, or call 410-841-5787, or email to michael.radebaugh@maryland.gov, or fax to 410-841-5999. Comments will be accepted through September 4, 2018. A public hearing has not been scheduled.

.01 Purpose.

The purpose of this chapter is to describe the restrictions on the use of medically important antimicrobial drugs in the production of cattle, swine and poultry.

.02 Definitions.

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

B. *Terms Defined.*

(1) *“Animal” means cattle, swine or poultry.*

(2) “Medically important antimicrobial drug” means any drug from a class of drug or derivative of a class of drug that is:

(a) Made from a mold or bacterium that kills or slows the growth of other microbes, specifically bacteria; and

(b) Either:

(i) Used in human beings or intended for use in human beings to treat or prevent disease or infection; or

(ii) Listed in Appendix A of the federal Food and Drug Administration’s Guidance for Industry #152, including critically important, highly important, or important antimicrobial drugs.

(3) “Prophylaxis” means the administration for preventative use of a medically important antimicrobial drug to an animal or multiple animals to address an elevated risk of the contraction of a particular disease or infection.

(4) “Regular pattern” means repeating the dosage of medically important antimicrobial drug known as pulse dosing to the same animal or group of animals that is inconsistent with its approved duration and indication of use.

.03 When Permitted.

A. Except as provided in this regulation, a person may administer a medically important antimicrobial drug to cattle, swine, or poultry if, in the professional judgment of a licensed veterinarian, the medically important antimicrobial drug is necessary:

- (1) To treat a disease or infection;
- (2) To control the spread of a disease or infection; or
- (3) For a surgery or medical procedure.

B. A person may administer a medically important antimicrobial drug to cattle, swine, or poultry if, in the professional judgment of a licensed veterinarian, the medically important antimicrobial drug is necessary for prophylaxis to address an elevated risk of contraction of a particular disease or infection.

C. Unless administration of a medically important antimicrobial drug is consistent with §A of this regulation, a person may not administer a medically important antimicrobial drug in a regular pattern to cattle, swine, or poultry.

D. A person may not administer a medically important antimicrobial drug to cattle, swine, or poultry solely for the purpose of:

- (1) Promoting weight gain; or
- (2) Improving feed efficiency.

.04 Applicability.

Except as otherwise provided in federal law or regulation, this chapter does not apply to antimicrobial use in:

A. Cattle on a farm operation that sells fewer than 200 cattle per year;

B. Swine on a farm operation that sells fewer than 200 swine per year; or

C. Poultry on a farm operation that sells fewer than 60,000 birds per year.

.05 Civil Penalty.

A. The Department may impose a civil penalty on any person who violates the requirements of this chapter up to \$2,000 for each violation.

B. Before imposing any civil penalty under this chapter, the Department shall consider the following:

- (1) The nature and gravity of each violation;
- (2) The willfulness of the violation and the extent to which the existence of the violation was known to the person but uncorrected by the person; and
- (3) A history of prior violations, if any.

C. The Department shall issue a written notice of violation to the person subject to this chapter upon finding that a violation has occurred or is ongoing. The written notice of violation shall include:

- (1) A statement of the regulation violated by the person;
- (2) A description of the evidence of a violation;
- (3) A statement informing the person of the right to an informal meeting with the Department;
- (4) The amount of the proposed civil penalty;
- (5) A statement of the remedial action necessary to bring the person into compliance; and
- (6) A reasonable amount of time, as determined by the Department, to correct a violation.

D. A person may petition the Department for a contested case hearing on the violation and penalty within 30 calendar days of the issuance of the notice of violation by the Department.

E. Unless a person requests a contested case hearing, the person shall promptly pay the penalty. Payment of a penalty is not a substitute for compliance. If the person continues to violate this chapter, the Department may impose additional civil penalties.

JOSEPH BARTENFELDER
Secretary of Agriculture

**Subtitle 15 MARYLAND
AGRICULTURAL LAND
PRESERVATION FOUNDATION**

15.15.05 Easement Termination Requests

Authority: Agriculture Article, §§2-504 and 2-514, Annotated Code of Maryland

Notice of Proposed Action
[18-197-P]

The Secretary of Agriculture proposes to repeal existing Regulations .01—.09 and adopt new Regulations .01—.09 under **COMAR 15.15.05 Easement Termination Requests.**

Statement of Purpose

The purpose of this action is to explain the required process for an eligible landowner to follow when requesting that the Maryland Agricultural Land Preservation Foundation terminate an agricultural land preservation easement.

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 Michelle Cable, Executive Director, Maryland Agricultural Land Preservation Foundation, Maryland Department of Agriculture, 50 Harry S. Truman Parkway, Annapolis, MD 21401, or call (410) 841-5719, or email to michelle.cable@maryland.gov, or fax to (410) 841-5730. Comments will be accepted through September 4, 2018. A public hearing has not been scheduled.

.01 Purpose.

A. This chapter provides the process for an eligible landowner to request that the Maryland Agricultural Land Preservation Foundation terminate an agricultural land preservation easement. Each easement granted to the Foundation is of perpetual duration and may be terminated only under extraordinary circumstances. The easement's broad purpose is to:

- (1) Provide a present and future source of agricultural products within the State for the citizens of the State;
- (2) Control urban expansion, which is consuming the agricultural land and woodland of the State;
- (3) Curb the spread of urban blight and deterioration; and
- (4) Protect agricultural land and woodland as open-space land.

B. An easement may be reviewed for possible termination 25 years after the purchase of the easement, but only if the Board of Public Works approved the easement for purchase before October 1, 2004, unless the right to apply to terminate the easement has been waived in the deed of easement or in a subsequent written instrument.

C. As Agriculture Article, §2-514, Annotated Code of Maryland, provides, a termination must be approved by the Foundation and by the county governing body where the land is located. Similar to when an easement is purchased, the Foundation and the county have separate duties and responsibilities when reviewing an easement for possible termination. In the case of easement termination, the county's responsibility is to consider factors relating to local land use policies, while the Foundation's separate responsibility is to determine whether future profitable farming is feasible on the land under easement. The Foundation may only approve the termination if it finds that future profitable farming is not feasible. If either the county or the Foundation deny any termination request, an easement may not be terminated.

.02 Definitions.

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

B. Terms Defined.

- (1) "Agricultural product" includes, but is not limited to, livestock and crops.
- (2) "County governing body" means the board of county commissioners or, in a charter county, the county executive and the county council of a county.
- (3) "Easement" means an agricultural land preservation easement held by the Maryland Agricultural Land Preservation Foundation, solely or jointly with any other entity or local government, and approved for purchase by the Board of Public Works prior to October 1, 2004.
- (4) "Foundation" means the Maryland Agricultural Land Preservation Foundation.
- (5) "Landowner" means the fee simple owner of the land that is subject to easement restrictions.
- (6) "Profitable farming is feasible on the land" means that an agricultural product can be produced on the land that can be sold to realize an excess of return over expenditures, excluding any expenditures or costs to construct farm structures, to acquire the land itself, or to service any debt or financing incurred to acquire the land.
- (7) "Secretary" means the Secretary of Agriculture.

.03 Landowner's Request for Easement Termination.

A. Request. A landowner, whose farm is subject to an easement, may submit a written request to the Foundation to review the easement for possible termination.

B. Form. A landowner's written request shall be submitted on a form provided by the Foundation that explains, as defined by this

chapter, why profitable farming is not feasible on the land under the easement.

C. Restriction. A landowner's request for termination review may not be considered by the Foundation unless 25 years have passed from the date that the Foundation purchased the easement.

.04 County Review.

A. Notice to County of Landowner's Request. Upon receipt of a landowner's request for review to terminate an easement on the form provided by the Foundation, the Foundation shall notify the governing body of the county where the land is located of the landowner's request.

B. County Agricultural Advisory Board Recommendation. Upon receipt from the Foundation of a landowner's request for review to terminate an easement, the county governing body shall notify and ask for the recommendation of the county agricultural preservation advisory board, established under Agriculture Article, §2-504.1, Annotated Code of Maryland, or any other appropriate county agency or board. The advisory board or other county agency shall recommend to the county governing body the approval or disapproval of the termination of the easement based on current land use regulations, local comprehensive planning, and any local priorities for the preservation of agricultural land.

C. County Public Hearing. Upon receipt of the recommendation of the county agricultural preservation advisory board and, as determined by the county, any other appropriate county agency or board, the county governing body shall conduct a public hearing, after adequate public notice, to consider approving or disapproving the termination of the easement based on the following criteria:

- (1) The county agricultural preservation advisory board's recommendation regarding the termination request;
- (2) Local comprehensive planning and zoning considerations;
- (3) Local priorities to preserve agricultural land;
- (4) Local patterns of development; and
- (5) Other land use considerations.

D. County Decision. After conducting the public hearing required in §C of this regulation, the county governing body shall prepare a written decision on the landowner's termination request, which decision shall either:

- (1) Deny the termination request and end the termination review process; or
- (2) Approve the termination request for additional review by the Foundation.

.05 Foundation Review.

A. The Foundation shall review a landowner's termination request only if the county governing body approves a landowner's termination request in writing

B. The Foundation's review of a landowner's termination request requires the Foundation Board of Trustees members at large to determine, in writing, whether profitable farming is feasible on the land, which determination may be based on the following:

- (1) An expert opinion as to whether profitable farming on the land is feasible;
- (2) The effect of any nonagricultural development adjacent to the land;
- (3) Whether markets exist for any agricultural products that can be produced on the land;
- (4) The profitability of nearby farms, if such information is readily available to the Board of Trustees members at large;
- (5) Any information the landowner asks the Board of Trustees members at large to consider; or
- (6) Any additional information the Board of Trustees members at large deem relevant to determine if it is feasible to farm the land in a profitable manner.

C. To assist with the determination of whether profitable farming is feasible on the land, the landowner may request the Foundation Board of Trustees members at large to conduct a hearing, which request shall be submitted in writing to the Foundation within 30 days after the date of the county governing body's written decision approving the landowner's termination request. If the landowner fails to request a hearing within the required time period, no hearing shall be required.

D. Standard of Review for Foundation Consideration of Termination Request.

(1) To determine whether profitable farming is feasible on the land, the Foundation Board of Trustees members at large shall presume that it is feasible to farm the subject land in a profitable manner and the landowner has the burden to rebut this presumption.

(2) The standard by which feasibility of profitable farming is measured is based on whether any landowner can profitably farm the land in question and not whether the particular landowner seeking termination has been able to profitably farm the land.

E. Foundation's Decision. The Foundation Board of Trustees members at large shall prepare a written decision regarding the landowner's termination request, which decision shall either:

(1) Deny the termination request and end the termination review process; or

(2) Approve the termination request for additional consideration by the Secretary and the State Treasurer.

.06 Secretary and State Treasurer Review.

A. The Secretary and State Treasurer shall consider a landowner's termination request only if the county governing body and the Foundation Board of Trustees members at large approve a landowner's termination request in writing.

B. An easement may only be terminated if both the Secretary and the State Treasurer approve the request for termination, which approval or denial may be provided by the Secretary and the State Treasurer's designees serving on the Foundation's Board of Trustees.

.07 Appeal.

The landowner seeking the termination request may appeal any decision of the county governing body, the Foundation Board of Trustees members at large, the Secretary or the State Treasurer to the circuit court of the county where the land is located.

.08 Landowner Repurchase of Easement.

A. Order of Two Appraisals at Landowner's Expense. Within 10 days after both the Secretary and the State Treasurer approve the termination request, the landowner shall remit good funds as instructed by the Foundation to pay for the cost of two appraisals to determine the fair market value of the easement land, which appraisals shall be ordered by the Department of General Services. The date of valuation shall be the date that the Foundation Board of Trustees members at large approved the landowner's termination request. If the Department of General Services must also determine the agricultural value of the land as provided by §C(1) of this regulation, it shall order two appraisals of the agricultural value of the land at the same time it orders the two appraisals to determine the fair market value of the easement land. The landowner shall pay the costs to acquire all such appraisals.

B. Determining Fair Market Value. After review of the two appraisals of the subject property, the Department of General Services shall determine the land's fair market value and promptly notify the Foundation in writing of its determination. For purposes of this regulation, the fair market value of land is the price as of the valuation date for the highest and best use of the property which a vendor, willing but not obligated to sell, would accept for the property, and which a purchaser, willing but not obligated to buy,

would pay for the property if it were not subject to an agricultural land preservation easement.

C. Determining Agricultural Value.

(1) Based on the Ordered Appraisals. If, at the time the Foundation acquired the easement, the land's agricultural value was determined by an appraisal, the Department of General Services shall determine the land's agricultural value and promptly notify the Foundation of its determination. For purposes of this regulation, the agricultural value of land, as determined by an appraisal, is the price as of the valuation date which a vendor, willing but not obligated to sell, would accept for the property, and which a purchaser, willing but not obligated to buy, would pay for the property as a farm unit, to be used for agricultural purposes.

(2) Based on the Agricultural Formula. If, at the time the Foundation acquired the easement, the land's agricultural value was determined by the agricultural formula, the Foundation shall use the formula in effect at the time for determining the land's agricultural value.

D. The Foundation shall notify the landowner of the land's approved fair market value and agricultural value after:

(1) The Department of General Services has notified the Foundation of these approved values as provided in §§B and C(1) of this regulation; and

(2) If applicable, the Foundation determines the land's agricultural value as provided in §C(2) of this regulation.

E. Election to Repurchase. As required by Agriculture Article, §2-514(i)(4)(ii), Annotated Code of Maryland, the landowner has no more than 30 days following the notification set forth in §D of this regulation to elect to repurchase the easement by paying to the Foundation the difference between the fair market value and the agricultural value of the subject land. Such election notice must be received by the Foundation, in writing, within 30 days following the date of the notification set forth in §D of this regulation.

F. Repurchase. The landowner has no more than 180 days following the notification set forth in §D of this regulation to repurchase the easement by paying to the Foundation the difference between the fair market value and the agricultural value of the subject land, subject to Board of Public Works approval, as set forth in State Finance and Procurement Article, §10-301 et seq., Annotated Code of Maryland.

G. Upon receipt of payment of all required funds as specified in §§A and F of this regulation, the Foundation shall prepare, execute, and deliver to the landowner for recording a Termination of Easement.

.09 Subsequent Request for Termination After Denial or Failure to Repurchase.

If a request for termination is denied, or if the landowner fails to elect to repurchase the easement within 30 days of the notification required under Regulation .08D of this chapter, or fails to repurchase the easement within 180 days of the same notification, the landowner may not again request termination of the easement until 5 years after the last request for termination.

JOSEPH BARTENFELDER
Secretary of Agriculture

**Title 19A
STATE ETHICS
COMMISSION**

Subtitle 01 PROCEDURES

19A.01.01 General Provisions

Authority: General Provisions Article, §§5-206 and 5-606, Annotated Code of Maryland

Notice of Proposed Action

[18-203-P]

The Maryland State Ethics Commission proposes to amend Regulation .04 under **COMAR 19A.01.01 General Provisions**. This action was considered at an open meeting held pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to update State Ethics Commission regulations to conform to the provisions of the General Provisions Article, Title 5, Annotated Code of Maryland, to update provisions related to public access to financial disclosure statements.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michael W. Lord, Executive Director, State Ethics Commission, 45 Calvert Street, 3rd Floor, Annapolis, Maryland 21401, or call 410-260-7770, or email to michael.lord@maryland.gov, or fax to 410-260-7746. Comments will be accepted through September 4, 2018. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the State Ethics Commission during a public meeting to be held on October 25, 2018, at the Commission's Office.

.04 Information Provisions.

A. — D. (text unchanged)

E. [Financial] *Except as set forth in §§F and G of this regulation, financial disclosure statements filed by [public] officials and candidates for office as State officials pursuant to General Provisions Article, Title 5, Subtitle 6, Annotated Code of Maryland, may be examined by the public only in person at the Commission's offices as set forth in §B of this regulation. Any person examining these statements shall record his name, home address, and the name of the person whose disclosure is examined or copied. This record of examination shall be forwarded upon request to the person whose disclosure statement was so examined and copied.*

F. The Commission will not provide public access to a portion of a statement that is filed after January 1, 2019 that includes an individual's principal home address, designated second home

address, or both, that is identified by the individual as the individual's home address.

G. Subject to §F of this regulation, for statements filed on or after January 1, 2019, the Commission will make freely available to the public on the Internet, through an online registration program, a financial disclosure statement filed pursuant to General Provisions Article §5-601(a) and a preliminary disclosure that is filed pursuant to General Provisions Article §5-602(c) that is filed by a State official, a candidate for office as a State official, or a Secretary of a principal department of the Executive Branch.

[F]. H. — [G]. I. (text unchanged)

MICHAEL W. LORD
Executive Director

**Title 20
PUBLIC SERVICE
COMMISSION**

**Subtitle 50 SERVICE SUPPLIED BY
ELECTRIC COMPANIES**

**20.50.12 Service Quality and Reliability
Standards**

Authority: Public Utilities Article, §§7-213, 13-201, and 13-202, Annotated Code of Maryland

Notice of Proposed Action

[18-202-P]

The Public Service Commission proposes to amend Regulation .03 under **COMAR 20.50.12 Service Quality and Reliability Standards**. This action was considered by the Public Service Commission at a scheduled rule-making (RM63) meeting held on Thursday, June 21, 2018, notice of which was given under General Provisions Article, §3-302, Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to revise the method of identifying a poorest performing feeder (PPF) and to ensure the reliability of the Electric Distribution System in Maryland. The new method is a performance-based approach, which could reduce the amount of money spent on remediation with a more effective method for the utilities to improve their overall reliability indices. The revised regulation is the result of a work group that studied this process since September 22, 2016. The studies included a review of about 20 other states that use similar procedures to ensure electric distribution reliability. The indices (SAIDI and SAIFI) measure both the duration and frequency of electrical outages. A feeder can serve between 10 and 1000 customers. The regulation also address repeat poorest performing feeders and specifics about what outages can be excluded.

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 changes use a performance-based method to be used by electric distribution companies in Maryland for improving the reliability of electric service. Any economic impacts would be internal to the electric company. Cost savings and improved reliability would ultimately be a benefit for the ratepayers.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+)	Magnitude
	Cost (-)	
D. On regulated industries or trade groups:		
Internal efficiencies for utilities	(+)	\$20,000,000
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:		
Benefit for electric ratepayers	(+)	\$20,000,000

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

D. In Staff’s Poorest Performance Feeder Workgroup Progress Report, January 31, 2017 (Mail Log No. 212204), Attachment F, four investor-owned electric companies submitted their spending for the 2012 PPFs. Their total was \$37,653,000.

In Staff’s Poorest Performing Feeder Workgroup Final Report, January 30, 2018 (Mail Log No. 218774), Table 2, showed the recommended COMAR regulation will result in 41 rather than 91 selections of PPF’s in all electric companies annually, a reduction of 50 feeders out of 91. Therefore, the cost savings for Maryland electric distribution companies (EDC) will be roughly 50/91-37,653,000 = \$20 million in 2012 dollars.

F. Cost savings are internal to the electric distribution companies (EDC) and would have a downward impact on rate increases.

Economic Impact on Small Businesses

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

Reduction in spending on utility equipment may affect small business contractors that do utility work. Benefits would accrue to businesses that have experienced excessive power outages.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Terry J. Romine, Executive Secretary, Public Service Commission, 6 St. Paul Street, 16th Floor, Baltimore, MD 21202, or call 410-767-8067, or fax to 410-333-6495. Comments will be accepted through September 4, 2018. A public hearing has not been scheduled.

.03 Poorest Performing Feeder Standard.

A. Poorest Performing Feeder Standard for Feeders Assigned to Maryland.

(1) A utility shall report in its annual performance report CAIDI, SAIDI, and SAIFI indices for [3 percent of] all feeders assigned to Maryland that are identified by the utility as having the poorest feeder reliability.

(2) For [an investor-owned] each utility, each index shall be calculated and reported in the annual performance report using [the following sets of input] all interruption data, and all interruption data minus the following exclusions:

(a) [All interruption data; and] Source loss, including any outage that occurs on the feeder by an event occurring external to the feeder;

(b) [All interruption data minus major outage event interruption data.] Major outage events; and

(c) Planned outages.

[(3) For cooperatively owned utilities, each index shall be calculated and reported in the annual performance report using the following sets of input data:

(a) All interruption data;

(b) All interruption data minus major outage event interruption data; and

(c) All interruption data minus major outage event interruption data and minus outage data resulting from an outage event occurring on another utility’s electric system.

(4) The method used by a utility to identify the feeders with poorest reliability and the quantitative results derived from the method shall be stated in the annual performance report and the method may not be subsequently changed by the utility without Commission approval.]

(3) For each utility, the feeders with poorest reliability shall be all feeders having circuit reliability performance 250 percent or more above the utility’s System-Wide SAIFI and SAIDI, which shall be calculated in accordance with the exclusions identified in §A(2) of this regulation.

[(5)] (4) No feeder [ranked in the poorest performing 3 percent of feeders] shall [perform] appear in [the] a utility’s list of poorest performing [3 percent of] feeders during [either of the two subsequent] three consecutive 12-month reporting periods, [after allowing one 12-month reporting period for the utility to implement remediation measures,] unless the utility has undertaken reasonable remediation measures to improve the performance of the feeder.

[(6) A utility shall not consider the poorest performing feeders from the immediately preceding reporting period when determining the poorest performing feeders for the current reporting period.]

B. Poorest Performing Feeder Standard for Feeders Not Assigned to Maryland.

(1)—(3) (text unchanged)

(4) The reliability indices and method for identifying the performance of feeders under this provision shall be consistent with §A(2), [(4)] (3), and [(6)] (4) of this regulation.

C. Evaluation of Remedial Actions. For the feeders that are identified as having the poorest performance, the utility shall provide the following information:

(1) (text unchanged)

(2) In the five subsequent annual performance reports, the performance of the feeder shall be reported with its performance ranking. [This reporting requirement does not alter §A(6) of this regulation.]

D. (text unchanged)

E. If a utility fails to satisfy the standard in [§A(5)] §A(4) of this regulation with respect to a feeder assigned to Maryland, it shall provide a corrective action plan, preferably in its annual performance report but by no later than April 1.

TERRY J. ROMINE
Executive Secretary

Title 30

MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS (MIEMSS)

Subtitle 01 GENERAL

30.01.02 Documents Incorporated by Reference

Authority: Education Article, §13-516, Annotated Code of Maryland

Notice of Proposed Action [18-199-P-I]

The State Emergency Medical Services Board proposes to amend Regulation .01 under **COMAR 30.01.02 Documents Incorporated by Reference**. This action was considered and approved by the State Emergency Medical Services Board at its regular meeting held on June 12, 2018, notice of which was given by publication on the Maryland Institute for Emergency Medical Systems website, www.miemss.org, from September 1, 2015, through June 12, 2018, under General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to incorporate by reference the current Maryland Medical Protocols for Emergency Medical Services Providers.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. Ambulances required to carry Ketamine would pay \$178 a dose, and ambulances required to carry a Laryngeal Tube Airway Device (King LYS-D) would pay \$350 for the device.

II. Types of Economic Impact.	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
<hr/>		
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:		
(1) Ketamine	(E+)	\$178 per dose
(2) Laryngeal Tube Airway Device (King LYS-D)	(E+)	\$350 per device
<hr/>		
	Benefit (+) Cost (-)	Magnitude
<hr/>		
D. On regulated industries or trade groups:	NONE	
E. On other industries or trade groups:	NONE	

F. Direct and indirect effects on public:		
(1) Ketamine	(+)	Uncertain
(2) Laryngeal Tube Airway Device	(+)	Uncertain

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

C(1). Ambulances participating in the Voluntary Ambulance Inspection Program will be required to carry two doses.

C(2). Ambulance participating in the Voluntary Ambulance Inspection Program will be required to carry one device.

F(1). Additional medication for pain management and excited delirium syndrome.

F(2). Additional breathing device for pediatric patients.

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 E. Fremont Magee, Assistant Attorney General, Maryland Institute for Emergency Medical Services Systems, 653 West Pratt Street, Baltimore, MD 21201 or call 410-706-8531, or email to fmagee@miemss.org, or fax to 410-706-2138. Comments will be accepted through September 4, 2018. A public hearing has not been scheduled.

Editor’s Note on Incorporation by Reference

Pursuant to State Government Article, §7-207, Annotated Code of Maryland, the Maryland Medical Protocols for Emergency Medical Services Providers (MIEMSS July 1, 2018 Edition) has been declared a document generally available to the public and appropriate for incorporation by reference. For this reason, it will not be printed in the Maryland Register or the Code of Maryland Regulations (COMAR). Copies of this document are filed in special public depositories located throughout the State. A list of these depositories was published in 45:1 Md. R. 8 (January 5, 2018), and is available online at www.dsd.state.md.us. The document may also be inspected at the office of the Division of State Documents, 16 Francis Street, Annapolis, Maryland 21401.

.01 Incorporation by Reference.

A. (text unchanged)

B. Documents Incorporated.

(1) “Maryland Medical Protocols for Emergency Medical Services Providers (MIEMSS July 1, [2017] 2018 Edition)”. This document can be obtained through the Maryland Institute for Emergency Medical Services Systems at 653 W. Pratt Street, Baltimore, Maryland 21201 (410-706-4449).

(2) — (4) text unchanged.

PATRICIA GAINER
Acting Co-Executive Director

Special Documents

MARYLAND DEPARTMENT OF THE ENVIRONMENT WATER AND SCIENCE ADMINISTRATION

Notice of Tentative Determination and Public Hearing — General Permit for Discharges from Tanks, Pipes, Other Liquid Containment Structures, Dewatering Activities, and Groundwater Remediation

The Department proposes to reissue the State/NPDES (National Pollution Discharge Elimination System) permit 11HT (NPDES No. MDG67) as the new 17HT. The 11HT permit's full title was the General Discharge Permit from Tanks, Pipes, and Other Liquid Containment Structures. The 17HT will be known as the General Discharge Permit from Tanks, Pipes, Other Liquid Containment Structures, Dewatering Activities, and Groundwater Remediation. The 17HT permit applies to discharges of wastewater from hydrostatic testing, potable water systems, construction dewatering, groundwater remediation, flushing of fire control systems, and tank bottoms, and stormwater from storage tank containment structures in the state of Maryland.

The permit requires specific control measures and limitations at the facility based on the type of discharge. When the permit is formally adopted, industries currently covered by the 11HT permit will have 6 months to file a notice of intent (NOI) and fee payment to the Department to obtain coverage under the reissued permit.

The proposed permit requires the effluent from each type of discharge regulated by the permit meet specific numerical and narrative limits. The proposed permit also requires monitoring and on-line electronic submission of Discharge Monitoring. For the 17HT permit, the Department is also proposing several changes from the 11HT, which include:

- Addition of dewatering activities and groundwater remediation to allowable discharges (pursuant to a regulation change to COMAR 26.08.04.09 K(2)). This will streamline the permitting process for discharges currently regulated by individual permits under a standard set of requirements;
- Clarification of limitations by reformatting permit into separate "Discharge Categories." This will serve to greatly increase the understanding of which permit limitations are applicable to each type of discharge, which was a primary concern among current permittees;
- New requirements regarding chemical additives used for wastewater treatment. Modeled after other general permits, this offers specifics regarding the procedure by which basic treatment additives can be approved and standardize the process for all permittees;
- Expansion of the requirement for a Pollution Prevention Plan (PPP) to include all types of discharge regulated by the permit. Prior iterations of this permit only required a PPP for a few of the permitted sources. This requirement will ensure that all

permittees are establishing and documenting necessary treatment methods in advance and tracking performance of those methods in actual practice;

- More specific requirements regarding visual monitoring of discharges. The new permit specifies required timeline and documentation procedures for visual monitoring, eliminating confusion caused by past permit language; and
- Introduction of a tiered monitoring frequency concept based on flow for discharges from hydrostatic testing and groundwater remediation. This concept is logical as it increases monitoring requirements as volume increases, requiring additional sampling for discharges which would have a greater potential to impact receiving streams.

The permit also includes several clarifications on the types of eligible discharges authorized by the permit and updates various permit conditions: requirements to obtain coverage under an individual permit, as necessary; termination of coverage under a permit; continuation of an expired general permit; the definitions of relevant terms; facility operation and maintenance; permit modification; and civil penalties for violations of permit conditions.

All other terms and conditions remain unchanged from the 11HT permit.

The Department will hold a public hearing concerning the tentative determination on **September 6, 2018 from 1 to 3 p.m. in the Aqua and Terra Conference Rooms at the Maryland Department of the Environment, 1800 Washington Boulevard Baltimore, MD 21230.** Persons who wish to present information regarding the tentative determination may speak at the public hearing, submit written comments at the public hearing, or submit a written statement to the Department no later than **5:00 p.m. on September 13, 2018.** Written comments should be addressed to the **Maryland Department of the Environment, Water and Science Administration, 1800 Washington Blvd., Baltimore, Maryland 21230-1708, Attn.: Mr. Michael Richardson, Chief, Industrial and General Permits Division.** All comments will be considered in making a final determination.

The draft permit and fact sheet may be downloaded from <http://clktr4ck.com/MD-Permit-Portal> by searching for 17HT0000 as the State Num and then clicking the "More Info." button. These and other documents may also be reviewed and downloaded from the hydrostatic testing general permit page (here: <http://clickmeterlink.com/MD-HTGP>). Finally, supporting information for the tentative determination, including the draft permit and fact sheet, may be reviewed by contacting Mr. Richardson at the above address or by telephone at (410) 537-3323 or 1-800-633-6101 to schedule an appointment. Copies of documents may be procured at a cost of \$0.36 per page.

Any hearing-impaired person may request an interpreter to be present at the public hearing by contacting the Office of Fair Practices, at (410) 537-3964 at least ten working days prior to the scheduled hearing date. TTY users should contact the Maryland Relay Service at 1-800-201-7165.

[18-16-22]

MARYLAND HEALTH CARE COMMISSION

SCHEDULE FOR CERTIFICATE OF ONGOING PERFORMANCE REVIEWS PERCUTANEOUS CORONARY INTERVENTION SERVICES

The Maryland Health Care Commission provides the following schedule for the review of applications for Certificates of Ongoing Performance of percutaneous coronary intervention (PCI) services. This schedule replaces the schedule for PCI services published on May 11, 2018.

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

Percutaneous Coronary Intervention Services

Hospitals		Application Submission Date
Anne Arundel Carroll Howard County General Johns Hopkins Bayview	MedStar Franklin Square St. Agnes UM Baltimore Washington UM Upper Chesapeake	January 25, 2019
MedStar Union Memorial Peninsula Regional Sinai of Baltimore The Johns Hopkins	University of Maryland UM St. Joseph Western Maryland	April 19, 2019
Frederick Memorial Holy Cross of Silver Spring MedStar Southern Maryland Meritus	UM Prince George's AHC Shady Grove Suburban AHC Washington Adventist	July 26, 2019

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

[18-16-25]

AVERAGE ANNUAL BED OCCUPANCY RATE AND AVERAGE ANNUAL LICENSED NURSING HOME BED CAPACITY BY JURISDICTION AND REGION: MARYLAND, FISCAL YEARS 2014 — 2016

Region	Jurisdiction	Average Annual Bed Occupancy Rate (%)*			Average Annual Bed Capacity **		
		FY 2014	FY 2015	FY 2016	FY 2014	FY 2015	FY 2016
Western Maryland		91.0	89.7	87.9	4,315	4,329	4,362
	Allegany	88.8	88.8	86.8	904	903	907
	Carroll	91.2	88.7	87.1	921	921	921
	Frederick	90.1	89.1	88.6	1,062	1,064	1,080
	Garrett	93.4	95.7	89.8	313	309	316
	Washington	92.9	90.3	88.1	1,114	1,133	1,138
Montgomery County	Montgomery	87.3	87.1	87.0	4,527	4,506	4,456
Southern Maryland		92.6	91.4	91.6	4,060	4,137	4,020
	Calvert	85.4	92.0	83.4	302	302	302
	Charles	93.5	88.1	91.5	418	482	489
	Prince George's	93.3	91.6	92.2	2,775	2,790	2,666
	St Mary's	92.0	92.8	92.9	565	563	563

SPECIAL DOCUMENTS

Central Maryland		89.9	89.9	89.8	12,196	12,237	12,053
	Anne Arundel County	86.3	88.6	89.7	1,751	1,758	1,760
	Baltimore City	91.2	90.5	90.3	3,724	3,749	3,643
	Baltimore County	89.7	89.9	89.2	5,397	5,393	5,315
	Harford	92.9	91.4	91.2	770	769	769
	Howard	89.7	89.1	89.6	553	568	566
Eastern Shore		86.5	83.4	83.8	2,572	2,605	2,552
	Caroline	92.0	82.2	85.4	187	187	187
	Cecil	84.0	78.6	81.7	429	454	454
	Dorchester	87.6	86.7	87.3	242	240	240
	Kent	75.7	80.0	80.4	228	228	228
	Queen Anne's	93.7	88.7	82.3	110	120	120
	Somerset	91.6	86.4	88.6	211	211	211
	Talbot	90.2	89.7	86.6	260	260	260
	Wicomico	84.9	80.6	82.0	607	613	550
	Worcester	88.3	87.6	83.5	297	292	302
Maryland Total		89.7	89.0	88.7	27,669	27,814	27,443

* Average Annual Bed Occupancy Rate is the ratio of total nursing home patient days to total available licensed nursing home bed days, which excludes temporarily delicensed beds.

** Average Annual Bed Capacity is calculated by dividing the total available nursing home bed days in each year by 365 days in FY 2014 and FY 2015 and by 366 days in the FY 2016 leap year.

Source: Maryland Health Care Commission, 2016 Long Term Care Survey, 2016 Nursing Home Bed Inventory Records; Maryland Medical Assistance Program, unaudited 2016 cost reports.

Note: Charlotte Hall (St. Mary's) utilization and bed capacity is included in all years.

[18-16-12]

**REQUIRED MARYLAND MEDICAL ASSISTANCE PARTICIPATION RATES
FOR NURSING HOMES BY REGION AND JURISDICTION: FISCAL YEAR 2016**

Region/Jurisdiction	Required Medicaid Participation Rate*
Western Maryland	50.06
	Allegany County
	58.40
	Carroll County
	48.77
	Frederick County
	42.83
	Garrett County
	62.44
	Washington County
	47.95
Montgomery County	42.41
Southern Maryland	43.03
	Calvert County
	41.38
	Charles County
	54.80
	Prince Georges County
	41.04
	St Mary's County
	43.13
Central Maryland	48.86
	Anne Arundel County
	39.06
	Baltimore City
	58.44
	Baltimore County
	44.82
	Harford County
	49.70
	Howard County
	53.89

Eastern Shore		54.76
	Caroline County	57.29
	Cecil County	49.43
	Dorchester County	62.13
	Kent County	46.77
	Queen Anne's County	60.45
	Somerset County	61.61
	Talbot County	52.12
	Wicomico County	56.14
	Worcester County	53.27
MD Total		47.66

* Participation Rates are based on weighted mean Medicaid participation (calculated as total county Medicaid days divided by total county patient days) minus 14.1%.

Note: As 2016 was a Leap Year, relevant calculations were adjusted to reflect 366 days.

Source: Maryland Health Care Commission, 2016 Long Term Care Survey, 2016 Nursing Home Bed Inventory Records; Maryland Medical Assistance Program, unaudited 2016 cost reports.

[18-16-13]

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.

EMERGENCY MEDICAL SERVICES BOARD

Subject: Public Meeting
Date and Time: August 14, 2018, 9 — 11 a.m.; Part of the meeting may include a closed session.
Place: 653 W. Pratt St., Baltimore, MD
Add'l. Info: The State Emergency Medical Services Board (EMS Board) meets regularly on the 2nd Tuesday of each month.
Contact: Leandrea Gilliam (410) 706-4449
 [18-16-05]

MARYLAND DEPARTMENT OF HEALTH

Subject: Public Meeting
Date and Time: August 22, 2018, 10 a.m. — 12 p.m.
Place: Maryland Restaurant Association, 6301 Hillside Ct., Columbia, MD
Add'l. Info: Parking is free and available on-site.
Contact: Eamon Flynn (410) 767-4071
 [18-16-14]

HISTORIC ST. MARY'S CITY COMMISSION

Subject: Public Meeting
Date and Time: September 22, 2018, 10 — 11:30 a.m.
Place: 18281 Rosecroft Rd., St. Mary's City, MD
Contact: Porzia Purves (240) 895-4960
 [18-16-23]

MARYLAND INSURANCE ADMINISTRATION

Subject: Public Hearing
Date and Time: August 20, 2018, 9 a.m. — 12 p.m.
Place: Maryland Insurance Administration, 200 St. Paul Pl., 24th Fl., Hearing Rm., Baltimore, MD
Add'l. Info: The Maryland Insurance Administration will conduct a public hearing on specific rate increase requests being made by certain long-term care insurance carriers operating in Maryland. The hearing will focus on several rate increase requests before the Maryland Insurance Administration. In the individual long-term care market, these include requests from Senior Health Insurance

Company of Pennsylvania, John Hancock Life Insurance Company, MedAmerica Insurance Company, and Massachusetts Mutual Life Insurance Company. The purpose of the hearing is for insurance company officials to explain their reasons for the rate increases. Commissioner Redmer will also listen to comments from stakeholders at the hearing. Prior to the hearing, copies of each company's actuarial memorandum will be posted to the Maryland Insurance Administration's website.

If you plan on attending, please RSVP to Nancy Muehlberger. If you will be dialing into the public hearing, and wish to provide oral testimony, please RSVP to Nancy Muehlberger. Testimony will only be heard via the telephone to those who have RSVP'd in advance of the public hearing. Written comments and RSVPs should be sent to Nancy Muehlberger by August 13, 2018, either by email to longtermcare.mia@maryland.gov or by mail to 200 St. Paul Place, Suite 2700, Baltimore, MD 21202 or by fax to 410-468-2038.

Any questions regarding this matter should be directed to Nancy Muehlberger, Actuarial Analyst, by August 13, by email to Nancy.Muehlberger@maryland.gov. For more information on the hearing please see the following link:

<http://insurance.maryland.gov/Consumer/pages/Long-Term-Care-Hearing-August-20-2018.aspx>

Contact: Adam Zimmerman (410) 468-2048

[18-16-08]

MARYLAND STATE LOTTERY AND GAMING CONTROL COMMISSION

Subject: Public Meeting
Date and Time: August 23, 2018, 10 a.m. — 12 p.m.
Place: Montgomery Park Business Center, 1800 Washington Blvd., Ste. 330, Baltimore, MD
Contact: Kathy Lingo (410) 230-8790
 [18-16-06]

MARYLAND HEALTH CARE COMMISSION

Subject: Receipt of Application
Add'l. Info: On July 6, 2018 the Maryland Health Care Commission (MHCC) received four Certificate of Need applications submitted by:

Amedisys Maryland, LLC — Matter No. 18-R1-2424 — Expansion of an existing home health care agency into the Upper Eastern Shore counties of Caroline, Kent and Queen Anne's counties.

Bayada Home Health Care, Inc. — Matter No. 18-R1-2425 — Expansion of an existing home health care agency into Cecil County.

Optimal Health Care, Inc. — Matter No. 18-R1-2426 — Expansion of an existing Residential Service Agency into providing home health services into the Upper Eastern Shore counties of Caroline, Cecil, Kent, Queen Anne's and Talbot Counties.

Quality One Care Home Health, Inc. — Matter No. 18-R1-2427 — Expansion of an existing Residential Service Agency into providing home health services into the Upper Eastern Shore counties of Caroline, Cecil, Kent, Queen Anne's and Talbot Counties.

The MHCC shall review the applications under Health-General Article, §19-101 et seq., and COMAR 10.24.01.

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

Please refer to the Matter No. listed above in any correspondence on the applications. A copy of the applications are 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

[18-16-09]

MARYLAND HEALTH CARE COMMISSION

Subject: Exemption from CON Review

Add'l. Info: The Maryland Health Care Commission has received on July 6, 2018 a request from:

Shore Health System, Inc. d/b/a University of Maryland Shore Medical Center at Dorchester and University of Maryland Shore Medical Center at Easton — Conversion of University of Maryland Shore Medical Center at Dorchester to a Freestanding Medical Facility; Estimated Cost: \$42,383,869.

A copy of the Exemption Request 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, Director, Center for Health Care Facilities Planning & Development, Maryland Health Care Commission, 4160 Patterson Avenue, Baltimore, Maryland 21215-2299.

Contact: Ruby Potter (410) 764-3276

[18-16-10]

MARYLAND HEALTH CARE COMMISSION

Subject: Receipt of Application

Add'l. Info: On July 11, 2018 the Maryland Health Care Commission (MHCC) received a Certificate of Need application submitted by:

Adventist Rehabilitation Hospital of Maryland — Matter No. 18-15-2428 — Relocation of 42 rehabilitation beds (32 beds currently licensed to Adventist and operating with Washington Adventist Hospital (WAH), plus an additional 10 waiver beds that Adventist plans to add to WAH location in current space) to two floors built by Washington Adventist Hospital at its facility presently under construction in White Oak; Proposed cost: \$19,500,000.

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 applications are 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

[18-16-11]

MARYLAND HEALTH CARE COMMISSION

Subject: Exemption from CON Review

Add'l. Info: The Maryland Health Care Commission has received on July 13, 2018 a request from:

Shore Health System, Inc. d/b/a University of Maryland Shore Medical Center at Easton and University of Maryland Shore Medical Center at Dorchester — Merger and Consolidation of the two facilities and the relocation of medical/surgical/gynecological/addiction and psychiatric beds from Dorchester to Easton; Estimated Cost: \$8,517,265.

A copy of the Exemption Request 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, Director, Center for Health Care Facilities Planning & Development, Maryland Health Care Commission, 4160 Patterson Avenue, Baltimore, Maryland 21215-2299.

Contact: Ruby Potter (410) 764-3276

[18-16-15]

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:

Seasons Residential Treatment Center — (Prince George's County) — Docket No. 17-16-2048; Construct and operate a 72 bed residential treatment facility with 16 intensive treatment beds, 20 D&A beds, and 36 PRTF beds in a facility located on Allentown Road, (Tax Parcel # 09-23334), Fort Washington, Maryland; Proposed Cost: \$15,885,092.

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

application. 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 September 4, 2018. These comments must state with particularity the State Health Plan standards or review criteria that you believe have not been met by the applicant as stated in COMAR 10.24.01.08F.

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

Contact: Ruby Potter (410) 764-3276

[18-16-16]

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:

Brinton Woods Health & Rehabilitation at Winfield — Matter No. 18-06-2422 — Relocation of the 60-bed facility located at 1442 Buckhorn Road, Sykesville to a state-of-the-art facility on the campus of Carroll Hospital Center; Estimated Project Cost: \$14,837,500.

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 application. 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 September 4, 2018. These comments must state with particularity the

GENERAL NOTICES

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State Health Plan standards or review criteria that you believe have not been met by the applicant as stated in COMAR 10.24.01.08F.

Please refer to the Docket Number listed above in any correspondence on the application. 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 & Development, Maryland Health Care Commission, 4160 Patterson Avenue, Baltimore, Maryland 21215.

Contact: Ruby Potter (410) 764-3276
[18-16-17]

BOARD OF OCCUPATIONAL THERAPY PRACTICE

Subject: Public Meeting
Date and Time: August 17, 2018, 9 a.m. — 12 p.m.
Place: Teleconference, MD
Add'l. Info: Health Occupations Article, Title 10, Annotated Code of Maryland, and COMAR 10.46 amendments, additions, and revisions, including fee changes, may be discussed/voted on. Budget information may also be discussed. It may be necessary to go into executive session. Sign language interpreters and/or appropriate accommodations for qualified individuals with disabilities will be provided upon request. Please call 1-800-735-2255. The meeting will take place by teleconference. Please call the office for information.
Contact: Lauren Murray (410) 402-8556
[18-16-21]

STATE TREASURER'S OFFICE

Subject: Public Meeting
Date and Time: September 5, 2018, 1 p.m.
Place: Louis L. Goldstein Treasury Bldg., 80 Calvert St., Assembly Rm. #114—116, Annapolis, MD
Add'l. Info: Legislative Review and the Size and Condition of Tax-Supported Debt
Contact: Christian Lund (410) 260-7920
[18-16-02]

STATE TREASURER'S OFFICE

Subject: Public Meeting
Date and Time: September 12, 2018, 1 p.m.
Place: Louis L. Goldstein Treasury Bldg., 80 Calvert St., Assembly Rm. #114—116, Annapolis, MD
Add'l. Info: Review of Capital Programs and the Size and Condition of Debt of Higher Education Institutions
Contact: Christian Lund (410) 260-7920
[18-16-03]

STATE TREASURER'S OFFICE

Subject: Public Meeting
Date and Time: September 26, 2018, 1 p.m.
Place: Louis L. Goldstein Treasury Bldg., 80 Calvert St., Assembly Rm. #114—116, Annapolis, MD
Add'l. Info: Recommendation of General Obligation Bond Authorizations
Contact: Christian Lund (410) 260-7920
[18-16-04]

OFFICE OF THE SECRETARY OF STATE/NOTARY WORK GROUP

Subject: Public Meeting
Date and Time: August 14, 2018, 1 p.m. — 3 p.m.; Additional Dates: September 11, 2018, 1—3 p.m.; October 9, 2018, 1—3 p.m.; November 13, 2018, 2—4 p.m.
Place: 100 Community Pl., 1st Fl. Conf. Rm., Side B, Crownsville, MD
Add'l. Info: Meetings of the Notary Work Group

Purpose: The purpose of the Notary Work Group is to study, review, and make recommendations about the entire body of law, including Remote Notarizations, physical presence, fees, enforcement, and more in the State of Maryland.

Goals: To determine if the notary law needs to be revised, to align the notary law with related laws in the State of Maryland, and to propose recommendations regarding the body of notary laws and remote notarizations that currently exist in other states.

Meetings of the Notary Work Group will be held in compliance with the Maryland Open Meetings Act, General Provisions Article, §§3-201—3-206, Annotated Code of Maryland.

Contact: Michael Schlein (410) 260-3863
[18-16-26]

MARYLAND DEPARTMENT OF TRANSPORTATION/OFFICE OF MINORITY BUSINESS ENTERPRISE

Subject: Public Meeting
Date and Time: August 8, 2018, 8:30 a.m. — 5 p.m.
Place: Maryland Dept. of Transportation, 7201 Corporate Center Dr., Hanover, MD
Add'l. Info: Additional MBEAC Meetings:
Aug 22, 2018, 8:30 a.m. — 5 p.m.
Sep 5, 2018, 8:30 a.m. — 5 p.m.
Sep 19, 2018, 8:30 a.m. — 5 p.m.
Oct 3, 2018, 8:30 a.m. — 5 p.m.
Oct 17, 2018, 8:30 a.m. — 5 p.m.
Oct 31, 2018, 8:30 a.m. — 5 p.m.
Nov 14, 2018, 8:30 a.m. — 5 p.m.

Nov 28, 2018, 8:30 a.m. — 5 p.m.
Dec 5, 2018, 8:30 a.m. — 5 p.m.
Contact: Sabrina Bass (410) 865-1240
[18-16-19]

MARYLAND DEPARTMENT OF TRANSPORTATION/OFFICE OF MINORITY BUSINESS ENTERPRISE

Subject: Public Meeting
Date and Time: August 22, 2018, 8:30 a.m. — 5 p.m.
Place: Maryland Dept. of Transportation, 7201 Corporate Center Dr., Hanover, MD
Add'l. Info: Additional MBEAC Meetings:
Sep 5, 2018, 8:30 a.m. — 5 p.m.
Sep 19, 2018, 8:30 a.m. — 5 p.m.
Oct 3, 2018, 8:30 a.m. — 5 p.m.
Oct 17, 2018, 8:30 a.m. — 5 p.m.
Oct 31, 2018, 8:30 a.m. — 5 p.m.
Nov 14, 2018, 8:30 a.m. — 5 p.m.
Nov 28, 2018, 8:30 a.m. — 5 p.m.
Dec 5, 2018, 8:30 a.m. — 5 p.m.
Contact: Sabrina Bass (410) 865-1240
[18-16-20]

WORKERS' COMPENSATION COMMISSION

Subject: Public Meeting
Date and Time: August 23, 2018, 9:30 — 11 a.m.
Place: 10 E. Baltimore St., Baltimore, MD
Add'l. Info: Portions of this meeting may be held in closed session.
Contact: Amy Lackington (410) 864-5300
[18-16-01]

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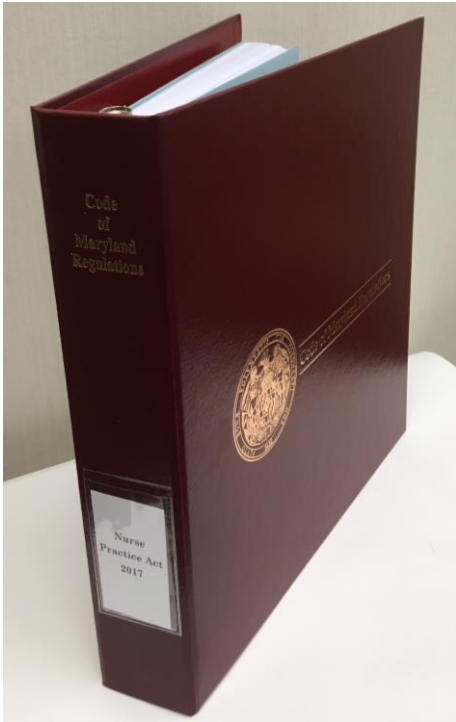
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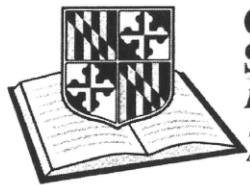
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