



Maryland Register

Issue Date: December 27, 2024

Volume 51 • Issue 26 • Pages 1175—1228

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Evaluation
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Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before December 9, 2024, 5 p.m.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 December 9, 2024.

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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Wes Moore, Governor; **Susan C. Lee**, Secretary of State; **Gail S. Klakring**, Administrator; **Tracey A. Johnstone**, Editor, Maryland Register; **Tarshia N. Neal**, Subscription Manager; **Tami Cathell**, Help Desk, COMAR and Maryland Register Online.

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COMAR Online

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

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

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

Availability of Monthly List of Maryland Documents

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

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

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CLOSING DATES AND ISSUE DATES THROUGH December 2025[†]

Issue Date	Emergency and Proposed Regulations 5 p.m.*	Notices, etc. 10:30 a.m.	Final Regulations 10:30 a.m.
2025			
January 10	December 23	December 30	December 31**
January 24	January 6	January 13	January 15
February 7	January 17**	January 27	January 29
February 21	February 3	February 10	February 12
March 7	February 14**	February 24	February 26
March 21	March 3	March 10	March 12
April 4	March 17	March 24	March 26
April 18	March 31	April 7	April 9
May 2	April 14	April 21	April 23
May 16	April 28	May 5	May 7
May 30	May 12	May 19	May 21
June 13	May 23**	June 2	June 4
June 27	June 9	June 16	June 18
July 11	June 23	June 30	July 2
July 25	July 7	July 14	July 16
August 8	July 21	July 28	July 30
August 22	August 4	August 11	August 13
September 5	August 18	August 25	August 27
September 19	August 29**	September 8	September 10
October 3	September 15	September 22	September 24
October 17	September 29	October 6	October 8
October 31	October 10**	October 20	October 22
November 14	October 27	November 3	November 5
December 1***	November 10	November 17	November 19
December 12	November 24	December 1	December 3
December 26	December 8	December 15	December 17

[†] Please note that this table is provided for planning purposes and that the Division of State Documents (DSD) cannot guarantee submissions will be published in an agency's desired issue. Although DSD strives to publish according to the schedule above, there may be times when workload pressures prevent adherence to it.

* Also note that proposal deadlines are for submissions to DSD for publication in the Maryland Register and do not take into account the 15-day AELR review period. The due date for documents containing 8 to 18 pages is 48 hours before the date listed; the due date for documents exceeding 18 pages is 1 week before the date listed.

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

** Note closing date changes due to holidays.

*** Note issue date changes due to holidays.

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 Subtitle Chapter Regulation Subsection Paragraph 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 and corrections pertaining to proposed regulations are listed, followed by “(err)” or “(corr),” respectively. 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.

03 COMPTROLLER OF THE TREASURY

03.03.05.01-1 • 51:25 Md. R. 1144 (12-13-24)

05 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

05.20.05.02—.04 • 51:25 Md. R. 1145 (12-13-24)
05.20.06.01—.12 • 51:26 Md. R. 1189 (12-27-24)

07 DEPARTMENT OF HUMAN SERVICES

07.02.25.01—.24 • 51:19 Md. R. 861 (9-20-24)

08 DEPARTMENT OF NATURAL RESOURCES

08.02.08.13 • 51:25 Md. R. 1147 (12-13-24)
08.02.12.01,.03 • 51:25 Md. R. 1148 (12-13-24)
08.02.11.01 • 51:23 Md. R. 1039 (11-15-24)
08.02.22.02 • 51:10 Md. R. 534 (5-17-24)

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10.07.14.01—.65 • 51:6 Md. R. 272 (3-22-24)

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The Governor

EXECUTIVE ORDER 01.01.2024.37

Renewal of Executive Order 01.01.2024.09 (Declaration of a State of Emergency)

WHEREAS, I, Wes Moore, Governor of the State of Maryland, issued Executive Order 01.01.2024.09 declaring a State of Emergency due to the significant infrastructure damage to the Francis Scott Key Bridge in Baltimore on March 26, 2024

WHEREAS, The declaration of the State of Emergency was renewed on November 8, 2024, by Executive Order 01.01.2024.36;

WHEREAS, Because of the on-going impact of this incident, emergency conditions continue to exist Statewide;

NOW, THEREFORE, I, WES MOORE, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 14 OF THE PUBLIC SAFETY ARTICLE OF THE MARYLAND CODE, HEREBY DECLARE THAT THE STATE OF EMERGENCY CONTINUES TO EXIST IN THE STATE OF MARYLAND, THAT THE MARCH 26, 2024 DECLARATION IS RENEWED, AND FURTHER PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. The Maryland Department of Emergency Management is hereby directed to continue to coordinate the State preparedness and response to impacts of this incident.

B. All other appropriate State authorities are hereby authorized to activate their emergency preparedness plans and engage, deploy, use, and coordinate available resources in furtherance of those plans.

C. The Maryland National Guard remains on regular duty.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in Annapolis, this 6th Day of December, 2024.

WES MOORE
Governor

ATTEST:

SUSAN C. LEE
Secretary of State

[24-26-24]

Regulatory Review and Evaluation

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

Title 14

INDEPENDENT AGENCIES

Subtitle 27 MARYLAND ENVIRONMENTAL SERVICE

Notice of Opportunity for Public Comment

In accordance with the Regulatory Review and Evaluation Act, State Government Article, §§10-130—10-138, Annotated Code of Maryland, the Maryland Environmental Service is currently reviewing and evaluating the following chapters under COMAR 14.27

COMAR 14.27.02 Human Resources

COMAR 14.27.03 Procurement

COMAR 14.27.04 Public Information Act Requests

The Maryland Environmental Service would like to provide interested parties with an opportunity to participate in the review and evaluation process by submitting comments on these regulations. Comments should be submitted by mail to Pamela Fuller, Senior Paralegal, Maryland Environmental Service, 259 Najoles Road, Millersville, MD 21118, or by email to pfuller@menv.com. Please put "Regulatory Review" in the subject line. Comments must be received no later than February 27, 2025.

[24-26-26]

Emergency Action on Regulations

<p>Symbol Key</p> <ul style="list-style-type: none">• Roman type indicates text existing before emergency status was granted.• <i>Italic type</i> indicates new text.• [Single brackets] indicate deleted text.
<p>Emergency Regulations</p> <p>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.</p>

Title 10

MARYLAND DEPARTMENT
OF HEALTH

Subtitle 15 FOOD

10.15.03 – Food Service Facilities

Authority: Health General Article, §§18-102, 21-101, 21-102, 21-211, 21-234, 21-301, 21-330.1, Annotated Code of Maryland

Notice of Emergency Action
[24-189-E]

The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to amend Regulation .27 of **COMAR 10.15.03 Food Service Facilities**.
Emergency status began: November 27, 2024.
Emergency status expires: May 26, 2025.

Estimate of Economic Impact
The emergency action has no economic impact.

Economic Impact on Small Businesses
The emergency action has minimal or no economic impact on small businesses.

.27 Farmer's Market, Bake Sales, and Cottage Food Business.
A.—B. (text unchanged)
C. Cottage Food Business.
 (1)—(7) (text unchanged)
 (8) *The phone number required in §§C(1)(c)(i) and (viii) of this regulation shall enable contact with the cottage food business by the Department within 24 hours.*
 (9) *The email address required in §C(1)(c)(i) of this regulation shall enable contact with the cottage food business by the Department within 48 hours.*
D. (text unchanged)

LAURA HERRERA SCOTT
Secretary of Health

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

01.02.11 Maryland Safe at Home Address Confidentiality Program

Authority: Real Property Article, §§3-114—3-120; State Government Article, §§7-301—7-313; Annotated Code of Maryland

Notice of Final Action
[24-128-F]

On December 17, 2024, the Secretary of State adopted amendments to Regulations **.03** and **.11** under **COMAR 01.02.11 Maryland Safe at Home Address Confidentiality Program**. This action, which was proposed for adoption in 51:21 Md. R. 928—929 (October 18, 2024), has been adopted as proposed.

Effective Date: January 6, 2025.

SUSAN C. LEE
Secretary of State

Title 05
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Subtitle 23 Public Health Impact Assessments

05.23.01 Procedure

Authority: Land Use Article, §7-509, Annotated Code of Maryland

Notice of Final Action
[24-141-F]

On December 17, 2024, the Secretary of Housing and Community Development adopted new Regulations **.01—****.04** under a new chapter, **COMAR 05.23.01 Procedure**, under a new subtitle, **Subtitle 23 Public Health Impact Assessments**. This action, which was proposed for adoption in 51:22 Md. R. 966—968 (November 1, 2024), has been adopted as proposed.

Effective Date: January 6, 2025.

JACOB DAY
Secretary of Housing and Community Development

Title 08
DEPARTMENT OF NATURAL RESOURCES

Subtitle 02 FISHERIES SERVICE

08.02.01 General

Authority: Natural Resources Article, §4-1006.1, Annotated Code of Maryland

Notice of Final Action
[24-122-F]

On December 18, 2024, the Secretary of Natural Resources adopted amendments to Regulation **.12** under **COMAR 08.02.01 General**. This action, which was proposed for adoption in 51:22 Md. R. 968—969 (November 1, 2024), has been adopted as proposed.

Effective Date: January 6, 2025.

JOSH KURTZ
Secretary of Natural Resources

Title 09
MARYLAND DEPARTMENT OF LABOR

Subtitle 13 BOARD FOR PROFESSIONAL LAND SURVEYORS

09.13.07 Educational Equivalency Requirements

Authority: Business Occupations and Professions Article, §§15-208 and 15-305, Annotated Code of Maryland

Notice of Final Action
[24-118-F]

On December 4, 2024, the Board for Professional Land Surveyors adopted amendments to Regulations **.02** and **.04** under **COMAR 09.13.07 Educational Equivalency Requirements**. This action, which was proposed for adoption in 51:19 Md. R. 870—871 (September 20, 2024), has been adopted as proposed.

Effective Date: January 6, 2025.

T.J. FRAZIER
Board Chair

Title 10 MARYLAND DEPARTMENT OF HEALTH

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.21 Pharmacists

Authority: Health-General Article, §§2-104(b), 2-105(b), 15-103, and 15-148(c), Annotated Code of Maryland

Notice of Final Action

[23-325-F]

On December 16, 2024, the Secretary of Health adopted amendments to Regulations **.02—.06** under **COMAR 10.09.21 Pharmacists**. This action, which was proposed for adoption in 51:2 Md. R. 81-82 (January 26, 2024), has been adopted as proposed.

Effective Date: January 6, 2025.

LAURA HERRERA SCOTT
Secretary

Title 31 MARYLAND INSURANCE ADMINISTRATION

Subtitle 03 INSURANCE PRODUCERS AND OTHER INSURANCE PROFESSIONALS

31.03.18 Public Adjusters

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

Notice of Final Action

[24-134-F]

On December 3, 2024, the Maryland Insurance Administration adopted amendments to Regulation **.02** and new Regulation **.17** under **COMAR 31.03.18 Public Adjusters**. This action, which was proposed for adoption in 51:21 Md. R. 946 (October 18, 2024), has been adopted as proposed.

Effective Date: January 6, 2025.

MARIE GRANT
Acting Insurance Commissioner

Subtitle 04 INSURERS

31.04.18 Form Filings Under the Maryland Insurance Acquisitions Disclosure and Control Act

Authority: Insurance Article, §§1-101(jj), 2-109, 2-205, 2-209, and 5-901—5-917, Annotated Code of Maryland

Notice of Final Action

[24-135-F]

On December 3, 2024, the Maryland Insurance Administration adopted amendments to Regulation **.02** and new Regulation **.15** under **COMAR 31.04.18 Form Filings Under the Maryland Insurance Acquisitions Disclosure and Control Act**. This action, which was proposed for adoption in 51:21 Md. R. 946—948 (October 18, 2024), has been adopted as proposed.

Effective Date: January 6, 2025.

MARIE GRANT
Acting Insurance Commissioner

Title 33 STATE BOARD OF ELECTIONS

Subtitle 04 INSPECTION AND COPYING OF PUBLIC RECORDS

Notice of Final Action

[24-033-F]

On August 15, 2024, the State Board of Elections adopted amendments to:

- (1) Regulations **.02** and **.07** of **COMAR 33.04.01** under **COMAR 33.04.01 In General**; and
- (2) Regulations **.01—.03** under **COMAR 33.04.02 Confidentiality of Certain Information**.

This action, which was proposed for adoption in 51:8 Md. R. 375—376 (April 19, 2024), has been adopted as proposed.

Effective Date: January 6, 2025.

JARED DEMARINIS
State Administrator

Notice of Final Action

[24-087-F]

On October 24, 2024, the State Board of Elections adopted amendments to:

- (1) Regulations **.01**, **.03**, and **.05** under **COMAR 33.03.02 Copies of Registration Lists**;
- (2) Regulation **.02** under **COMAR 33.05.02 Voter Registration Applications**; and
- (3) Regulation **.05** under **COMAR 33.17.06 Early Voting Activities**.

This action, which was proposed for adoption in 51:16 Md. R. 762—763 (August 9, 2024), has been adopted as proposed.

Effective Date: January 6, 2025.

JARED DEMARINIS
State Administrator

Withdrawal of Regulations

Title 09

MARYLAND DEPARTMENT OF LABOR

Subtitle 33 JOB SERVICE

09.33.02 Economic Stabilization

Authority: Labor and Employment Article, §§11-301—[11-304,] 11-306;
State Government Article, §10-206; Annotated Code of Maryland

Notice of Withdrawal

[23-269-W]

Pursuant to State Government Article, §10-116(b), Annotated Code of Maryland, notice is given that the proposal to amend Regulations .01—.03, adopt new Regulations .04, .08, and .09, and amend and recodify existing Regulations .04—.06 to be .05—.07 under **COMAR 09.33.02 Economic Stabilization Act**, which was published in 50:25 Md. R. 1100—11021 (December 15, 2023), has been withdrawn by operation of law.

GAIL S. KLAKRING
Administrator
Division of State Documents

Title 26

DEPARTMENT OF ENVIRONMENT

Subtitle 04 REGULATION OF WATER SUPPLY, SEWAGE DISPOSAL, SOLID WASTE, AND RECYCLABLE MATERIALS

26.04.01 Quality of Drinking Water in Maryland

Authority: Environment Article, Title 9, Subtitles 2 and 4, Annotated Code of Maryland

Notice of Withdrawal

[23-311-W]

The Secretary of the Environment withdraws amendments to Regulations .01, .01-1, and .20, and the adoption of a new Regulation .37 under **COMAR 26.04.01 Quality of Drinking Water in Maryland**, as published in 51:6 Md. R. 309—311 (March 22, 2024).

SERENA MCILWAIN
Secretary of the Environment

Title 30

MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS (MIEMSS)

Notice of Withdrawal

[23-234-W]

Pursuant to State Government Article, §10-116(b), Annotated Code of Maryland, notice is given that the proposal to amend Regulation .02 under **30.01.01 Definitions**, and Regulations .04 and .06—.09 under **COMAR 30.02.02 Licensure and Certification**, which was published in 50:24 Md. R. 1061—1064 (December 1, 2023), has been withdrawn by operation of law.

GAIL S. KLAKRING
Administrator
Division of State Documents

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, 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 05

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Subtitle 20 REVITALIZATION PROGRAMS

05.20.06 Catalytic Revitalization Project Tax Credit

Authority: Housing and Community Development Article, §6-904, Annotated Code of Maryland

Notice of Proposed Action

[24-195-P]

The Secretary of Housing and Community Development proposes to adopt new Regulations .01—.12 under a new chapter, **COMAR 05.20.06 Catalytic Revitalization Project Tax Credit**.

Statement of Purpose

The purpose of this action is to describe policies and procedures for program administration under the Catalytic Revitalization Project Tax Credit Program.

Estimate of Economic Impact

I. Summary of Economic Impact. The tax credit program under Housing and Community Development Article, §§6-901- 6-905, Annotated Code of Maryland provides a tax against the state income tax for “catalytic revitalization projects”. The tax credit would apply to 20 percent of approved project costs defined as: substantial rehabilitation of historic property that was formerly owned by the State or federal government. The rehabilitation of the property will foster economic, housing and community development within 2,500 feet of the facility. The definition of catalytic revitalization projects includes

former education, mental health, or military facilities. Total amount of tax credits issued is capped at \$15,000,000 per project and may issue a tax credit to a project every 2 years. Assuming the full \$15,000,000 in tax credits were allocated and claimed for a project, general fund revenues would decrease by \$75,000,000, or 20 percent of the tax credit amount claimed. This would be a refundable credit. Applicants could receive cash payment for tax credits that exceed their State income tax liability.

II. Types of Economic Impact.

Impacted Entity	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:		
Local Governments	(R+)	Indeterminable
	Benefit (+)	
	Cost (-)	Magnitude
D. On regulated industries or trade groups:	NONE	
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:		
Public	(+)	Indeterminable

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

C. Local governments may benefit from increased revenue associated with rehabilitation and adaptive reuse of property formerly owned by the State or federal government. The magnitude of the benefit cannot be determined.

F. The public will benefit from increased economic activity and revenue associated with adaptive reuse of vacant or underutilized State or federal facilities.

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 John Papagni, Program Officer, Division of Neighborhood Revitalization, Department of Housing and Community Development, 7800 Harkins Road, Lanham MD 20706, or call 301-429-7670, or email to john.papagni@maryland.gov. Comments will be accepted through January 27, 2025. A public hearing has not been scheduled.

.01 General.

This chapter prescribes the policies, procedures, and authorizations for allocating the Catalytic Revitalization Project Tax Credit described in this chapter.

.02 Definitions.

A. In this chapter, the following terms have the meanings indicated and as defined in the Act.

B. Terms Defined.

(1) "Act" means the Housing and Community Development Article, Title 6, Subtitle 9, Annotated Code of Maryland.

(2) "Affordable" means housing costs do not exceed 30 percent of a household's annual income.

(3) "Catalytic revitalization project" means the substantial rehabilitation of a property in the State:

(a) That was formerly owned by the State or the federal government;

(b) In which rehabilitation will foster economic, housing, and community development within the community in which the property is located; and

(c) That is out of service and was formerly used as a college or university, K–12 school, hospital, mental health facility, or military facility or installation.

(4) "Costs" means the costs incurred to develop a catalytic revitalization project and includes the costs of:

(a) Necessary studies, surveys, plans, and specifications;

(b) Architectural, engineering, or other special services, including flood plain studies, environmental audits, and critical area or wetland assessments;

(c) Land and improvements;

(d) Site preparation;

(e) Construction and rehabilitation, as applicable;

(f) Indemnity and surety bonds and premiums on insurance;

(g) Temporary relocation expenses of residents, if applicable;

and

(h) Other costs determined to be acceptable by the Department.

(5) "Department" means the Department of Housing and Community Development.

(6) "New construction costs" means the costs associated with the construction of new structures that connect, expand, or integrate the existing structures to be rehabilitated.

(7) "Owned" means a prior ownership interest in real property pursuant to a:

(a) Deed;

(b) Long-term lease;

(c) Federal or State law or legal authority that allowed use and occupation of real property for a governmental purpose; or

(d) Other legal instrument.

(8) "Rehabilitation costs" means the costs associated with the rehabilitation of existing structures.

(9) "Secretary" means the Secretary of Housing and Community Development.

(10) "State tax credit" means the Catalytic Revitalization Project Tax Credit allowed under the Act and this chapter.

.03 Eligible Applicants.

A. An individual, nonprofit organization, or business entity that is proposing a catalytic revitalization project may apply to the Department for an allocation of the available State tax credit.

B. An applicant shall be in good standing and qualified to do business in Maryland.

C. An applicant shall have the legal authority to execute an enforceable agreement with the Department.

.04 Applications.

A. The Department may accept applications on a first-come, first-served basis or in competitive rounds to be announced by the Department when the State tax credit is available under the Act.

B. The Department shall consider the following factors when reviewing an application with an emphasis on applications that promote affordable housing:

(1) Historic preservation;

(2) Community development; and

(3) Economic development.

C. An application submitted to the Department shall:

(1) Be on standard application forms prescribed by the Department;

(2) Be submitted by an eligible applicant under Regulation .03 of this chapter;

(3) Be for a catalytic revitalization project;

(4) Provide a description of how the project will promote the factors listed in §B of this regulation;

(5) Describe if the project will be completed in phases; and

(6) Any other information required by the Department.

D. Applications shall be accompanied by all documentation in the form and containing the information specified by the application procedures adopted by the Department, which may vary depending on the type of project.

E. Application Evaluation.

(1) Each application submitted shall be reviewed by the Department to determine whether all of the information required under this chapter is contained in the application.

(2) Upon submission of all required information, the Department shall undertake an analysis of each application and make a recommendation to the Secretary as to whether a project is eligible for an initial allocation of the State tax credit and any special terms and conditions for a project

(3) The Department shall identify if a project will be in phases and eligible for multiple final tax credit certificates.

F. Approval of Applications.

(1) If the Department recommends approval of a project for an initial State tax credit allocation, the Department shall present the project to the Secretary.

(2) The Secretary shall approve, disapprove, or approve with modifications an initial State tax credit allocation to be provided according to procedures established by the Secretary.

(3) The Secretary, in the sole discretion of the Secretary, may delegate to an authorized officer of the Department the authority to approve, disapprove, or approve with modifications an initial State tax credit allocation.

(4) The Secretary may require that the applicant execute an enforceable agreement related to the construction and rehabilitation of a catalytic revitalization project and issuance of the State tax credit.

G. If the Department does not recommend approval of a project for an initial State tax credit allocation, the Department shall issue a written notice of rejection with an evaluation and explanation for rejection.

.05 Allocation and Calculation of the Credit.

A. Upon the approval of an application, the Department shall issue an initial tax credit certificate to the applicant:

(1) Allocating the initial amount of the State tax credit for the project; and

(2) Specifying the terms and conditions of the State tax credit.

B. Subject to the limitations of §C of this regulation:

(1) An initial State tax credit certificate shall equal 20 percent of the applicant's estimated new construction costs and rehabilitation costs for the project; and

(2) Upon completion of the project or a phase of the project, a final tax credit certificate shall equal 20 percent of the applicant's actual new construction costs and rehabilitation costs for the completed phase of the project.

C. For purposes of calculating the credit authorized under §B of this regulation, the portion of costs that are attributed to new construction costs may not exceed 50 percent of the total costs of the catalytic revitalization project or phase.

D. A final tax credit certificate may not be issued for more than 20 percent of the project's eligible expenses to date.

E. A final tax credit certificate may not be issued that would exceed the aggregated limit of a project's initial tax credit certificate.

.06 Notice and Certification.

A. Sixty days before the last day of the taxable year in which a catalytic revitalization project that has been issued an initial State tax credit allocation is completed or a phase of the project is completed, the applicant shall:

(1) Notify the Secretary that the project or project phase has been completed; and

(2) Certify that the project is a catalytic revitalization project eligible for the State tax credit.

B. The notice and certification to the Secretary shall be in a form prescribed by the Department and contain documentation required by the Department.

C. Upon final review and verification of the notice and certification, the Secretary shall issue to the applicant a final credit certificate for the project or project phase before or by the last day of the taxable year in which the project or a phase of the project was completed, stating the final State tax credit amount for the project or project phase, not to exceed the aggregated credit amount initially allocated to the project.

.07 Use of Tax Credit.

A. The State tax credit is a credit against State income taxes that may be used in accordance with the Act, this chapter, and Tax-General Article, §10-753, Annotated Code of Maryland.

B. If the State tax credit allowed under this chapter in any taxable year exceeds the total tax otherwise payable by the individual, nonprofit organization, or business entity for that taxable year, the individual, nonprofit organization, or business entity may claim a refund in the amount of the excess.

C. The credit allowed under this chapter may be allocated among the partners, members, or shareholders of a business entity in any manner agreed to by those persons in writing.

D. The amount of the tax credit allowed, but not claimed, under this chapter may be transferred, by written instrument, in whole or in part, to any individual, nonprofit organization, or business entity.

E. For the taxable year of any transfer under §D of this regulation, the transferee may apply the tax credit against the total tax otherwise payable by the transferee in that taxable year.

F. If the tax credit exceeds the total tax otherwise payable by the transferee in any taxable year, the transferee:

(1) May claim a refund in the amount of the excess;

(2) May carry forward and apply the excess credit for succeeding taxable years until the full amount of the credit is used; or

(3) May transfer the remainder of the tax credit to an individual, a nonprofit organization, or a business entity in accordance with §D of this regulation.

.08 Compliance.

A. The Department may monitor a project for compliance and require reports from the applicant demonstrating compliance with this chapter, the Act and any agreement with the Department.

B. The Comptroller or the Secretary may not recapture a State tax credit authorized under this chapter if:

(1) The catalytic revitalization project is transferred, in whole or in part, by fee simple transfer of real property or by transfer of an ownership interest in the entity that owns the project to a new owner; and

(2) The Secretary has issued a final tax credit certificate for the catalytic revitalization project under Regulation .06C of this chapter.

C. After 30 days of providing written notice to the Department, the original recipient of an initial tax credit issued under this chapter may transfer the initial tax credit certificate to one or more other individuals, nonprofit organization, or business entities.

D. The transfer of an initial tax credit need not involve a transfer of the catalytic revitalization project, whether by fee simple transfer of real property or a transfer of a portion or all of the ownership interest that the original recipient holds in the entity that owns the real property to a new owner or owners.

E. An initial tax credit certificate may not be transferred to another person without the express written consent of the original recipient or be transferred as part of the involuntary transfer of the real property ownership interest in an entity that owns the real property without the prior written consent of the original recipient of the certificate and the Secretary.

F. The Secretary may revoke an initial credit certificate on a finding by the Secretary that the recipient is not in compliance with the initial credit certificate or an agreement with the Department regarding the initial credit certificate.

G. If the Secretary revokes an initial credit certificate under §D of this regulation, the Secretary may award an initial credit certificate to another applicant, provided that the award does not exceed the amount of the revoked initial credit certificate.

H. The Secretary may not revoke a tax credit certificate awarded on or before July 1, 2024 unless the individual, nonprofit organization, or business entity that received the tax credit certificate ceases rehabilitation of the catalytic revitalization project for which the tax credit was awarded.

.09 Administration.

A. Guidelines and Manuals. The Department may adopt guidelines and manuals related to the administration of this chapter and the Act.

B. The Department shall ensure that the application forms, guidelines and manuals are publicly available on its website and at its offices.

C. Delegation of Authority. An action or decision required to be taken or permitted to be made by the Department under the Act, or by the Secretary or the Department under this chapter, may be delegated by the Secretary to an employee of the Department.

.10 Waiver.

The Secretary may waive or vary provisions of this chapter to the extent that the waiver or variance is consistent with the Act and if, in the written determination of the Secretary, the application of a regulation in a specific case or in an emergency situation would be inequitable or contrary to the purposes of the Act.

.11 False Statements.

A person may not knowingly make or cause to be made a false statement or report in any document required to be furnished to the Department or in any agreement relating to the tax credits.

.12 Tax Credit Availability.

Except as provided in Regulation .08 of this chapter, the Secretary may not:

A. Accept applications and award an initial credit certificate for more than one catalytic revitalization project within a 2-year period; or

B. Issue tax credit certificates for credit amounts in the aggregate totaling more than \$15,000,000 within a 2-year period.

JACOB DAY

Secretary of Housing and Community Development

Title 10

MARYLAND DEPARTMENT OF HEALTH

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.50 EPSDT School Health-Related Services or Health-Related Early Intervention Services

Authority: Health-General Article, §§2-104(b), 15-103, and 15-124,
Annotated Code of Maryland

Notice of Proposed Action

[24-211-P]

The Secretary of Health proposes to amend Regulations **.01—.07** under **COMAR 10.09.50 EPSDT School Health-Related Services or Health-Related Early Intervention Services**.

Statement of Purpose

The purpose of this action is to:

(1) Update certain definitions to reflect the expansion of school-based psychological services, which will be available to all students (with or without an IEP/IFSP) effective January 1, 2025;

(2) Add school psychologist to the list of professionals who can be employed by and render services in a school;

(3) Add psychological services to the services covered when not delivered in accordance with an IEP or IFSP; and

(4) Update the term “therapeutic behavior” to “therapeutic behavioral” throughout the chapter.

Estimate of Economic Impact

I. Summary of Economic Impact. The total economic impact in Fiscal Year 2025 is \$17,182,790.91, subject to 50 percent FMAP for Medicaid enrolled children and 65 percent FMAP for CHIP enrolled children.

II. Types of Economic Impact.

Impacted Entity	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
A. On issuing agency:		
Maryland Department of Health	(E+)	\$17,182,790.91
B. On other State agencies:		
	NONE	
C. On local governments:		
	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:		
Local School Systems	(+)	\$17,182,790.91
E. On other industries or trade groups:		
	NONE	
F. Direct and indirect effects on public:		
	NONE	

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

A(1). (1) Regulations will be effective for 6 months of Fiscal Year 2025. (2) A school year is 9 months. (3) School aged children (ages 5 through 18) with a mental health diagnosis are eligible to receive mental health services in schools. (4) 175,103 Medicaid eligible children without an IEP/IFSP are potentially eligible for school-based behavioral health services. (5) MDH assumes uptake of services will increase over time. Initial uptake assumed is 16.5 percent. (6) 14,363 children will receive one school-based intake evaluation by a school psychologist at a rate of \$168.02 in a school year. 9,575 children will receive an intake evaluation in Fiscal Year 2025. (7) 28,892 children will receive eight school-based psychotherapy services provided by a school psychologist at a rate of \$101.07 per unit in a school year. 19,261 children will receive these services in Fiscal Year 2025. (8) The total annual impact is \$25,774,186.36 (\$12,034,258.86 General Funds, \$13,739,927.50 Federal Funds). (9) The monthly impact is \$2,863,798.53 (the total annual impact divided by the 9 months of the school year). The impact in Fiscal Year 2025 is \$17,182,790.91 (the monthly impact multiplied by 6). (10) This amount is subject to 50 percent Medical Assistance Percentage (FMAP) for the non-CHIP population and 65 percent FMAP for the CHIP population.

D(1). See A.

Economic Impact on Small Businesses

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

The proposed action allows all Medicaid eligible students to receive certain psychological services in the school setting, which may have an impact on community psychological services providers. Community psychological services providers and school-based providers will need to coordinate to ensure appropriate delivery and avoid duplication of services. These community providers may also be impacted by the new avenues in which participants can receive services, resulting in a potential decrease in the number of participants who utilize community providers.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Jordan Fisher Blotter, Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 West Preston Street, Room 534 Baltimore, Maryland 21201, or call 410-767-0938, or email to mdh.regs@maryland.gov. Comments will be accepted through January 27, 2025. A public hearing has not been scheduled.

.01 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)–(29) (text unchanged)

(30) “Participant” means a Medical Assistance recipient who is eligible for and receives *school-based* health-related services [in an IEP or health-related early intervention services in an IFSP].

(31)–(34) (text unchanged)

(35) “Provider” means a local school system, local lead agency, State-operated education agency, or State-supported education agency which meets the conditions for participation as defined in Regulation .03 of this chapter to provide *school-based* health-related services [in an IEP or health-related early intervention services in an IFSP].

(36) “Psychological services” means the delivery of services by a *qualified* licensed mental health professional, including administering psychological and developmental tests and other assessment procedures, interpreting assessment results, obtaining, integrating, and interpreting information about child behavior and child and family conditions related to learning, mental health, and development, and planning and managing a program of psychological services including psychological counseling for children and families [which are necessary to develop and implement an IEP or an IFSP pursuant to COMAR 13A.05.01.03B and 13A.13.01.03B].

(37) (text unchanged)

(38) “*School psychologist*” means an individual certified by the Maryland State Department of Education to provide psychological services in a school-based setting.

[(38)] (39)–[(41)] (42) (text unchanged)

[(42)] (43) “Therapeutic [behavior] *behavioral* aide” means an individual who has been trained to implement a behavior plan as specified in the IEP or IFSP under the supervision of a licensed physician or authorized practitioner pursuant to Health Occupations Article, Annotated Code of Maryland.

[(43)] (44) “Therapeutic [behavior] *behavioral* service” means a one-to-one individualized rehabilitative service, rendered by a therapeutic [behavior] *behavioral* aide, using appropriate methods of preventing or decreasing maladaptive behaviors for a Medicaid recipient who is eligible for and receives health-related services in an IEP or health-related early intervention services in an IFSP.

.02 Licensure and Certification.

A. A provider shall ensure that the provider's employees who render school health-related services meet the licensure [and] *or* certification requirements for their profession, as specified in §B of this regulation.

B. A professional employed by a provider shall have the following qualifications:

(1)–(11) (text unchanged)

(12) A *school psychologist* shall be certified in accordance with COMAR 13A.12.04.09 to practice in the jurisdiction in which services are provided;

[(12)] (13) A social worker shall be licensed as [a clinical social worker to practice in the jurisdiction in which services are provided; and];

(a) A master social worker in accordance with COMAR 10.42.01.04 to practice in the jurisdiction in which services are provided;

(b) A certified social worker in accordance with COMAR 10.42.01.04 to practice in the jurisdiction in which services are provided; or

(c) A certified social worker-clinical in accordance with COMAR 10.42.01.04 to practice in the jurisdiction in which services are provided;

[(13)] (14)–[(14)] (15) (text unchanged)

[(15)] (16) A therapeutic [behavior] *behavioral* provider shall be approved by the Department in accordance with COMAR 10.09.50.05A.

.03 Conditions for Participation.

A. General requirements for participation in EPSDT school health-related or health-related early intervention services are that a:

(1) (text unchanged)

(2) Therapeutic [behavior] *behavioral* aide shall be:

(a)–(b) (text unchanged)

B. (text unchanged)

.04 Covered Services.

A. The Program covers the services listed in §§B and C of this regulation when the services are:

(1) Necessary to identify the need for a health-related service or health-related early intervention service [that may be furnished as part of an IEP or an IFSP];

(2) (text unchanged)

(3) Necessary for the maximum reduction of physical or mental disability and restoration of a participant to the participant's best possible functional level; *and*

(4) Rendered in accordance with accepted professional standards; and

(5) Delivered in accordance with an IEP or an IFSP, which is developed at the time of referral for health-related services or health-related early intervention services].

B. The following services are covered under this chapter *when delivered in accordance with an IEP or an IFSP, which is developed at the time of referral for health-related services or health-related early intervention services*:

(1) Audiology services [delivered in accordance with an IEP or an IFSP], which include the identification, evaluation, and treatment of auditory impairments;

(2) Nursing services [delivered in accordance with an IEP or an IFSP], which:

(a)–(d) (text unchanged)

(3) Nutrition services which include conducting assessments of nutritional history and dietary intake and developing and monitoring appropriate plans to address a participant's nutritional needs [in accordance with an IFSP];

(4) Occupational therapy services [delivered in accordance with an IEP or an IFSP], which include any screening, evaluations, or treatments necessary to implement a program of activities, with the goal to develop or maintain the adaptive skills necessary to achieve a participant's adequate and appropriate physical and mental functioning;

(5) Physical therapy services [delivered in accordance with an IEP or an IFSP], which include screening and evaluations necessary to determine a participant's level of functioning, as well as any treatment, which may use therapeutic exercises for the purpose of preventing, restoring, or alleviating a movement dysfunction and related functional problems;

(6) Psychological services [delivered in accordance with an IEP or an IFSP], which include the evaluation, diagnosis, and treatment of

emotional or behavioral problems in order for a participant to benefit from an educational or early intervention program including the counseling of parents and parent training when the participant is present;

(7) Speech-language pathology services [delivered in accordance with an IEP or an IFSP], which include, diagnosis, evaluation, or treatment; and

(8) Therapeutic [behavior] *behavioral* services which:

(a) Includes one-to-one services by a trained therapeutic behavioral aide [delivered in accordance with the IEP or IFSP]; and

(b) (text unchanged)

C. Psychological services, as described in §B(6) of this regulation, are covered under this chapter even if the services are not delivered in accordance with an IEP or an IFSP.

.05 Limitations.

A.—B. (text unchanged)

C. Therapeutic [behavior] *behavioral* services may only be provided if:

(1)—(4) (text unchanged)

(5) The therapeutic [behavior] *behavioral* aide is not a member of the recipient's immediate family or an individual who ordinarily resides in the recipient's home; and

(6) (text unchanged)

.06 Preauthorization.

A. Therapeutic [behavior] *behavioral* services shall be preauthorized through the IEP or IFSP process.

B. Psychological services that are not delivered in accordance with an IEP or IFSP shall be preauthorized by the Administrative Services Organization in accordance with COMAR 10.09.59.08.

.07 Payment Procedures.

A.—E. (text unchanged)

F. Psychological services not delivered in accordance with an IEP or IFSP are reimbursable when they are:

(1) *Rendered by a school psychologist or school social worker that:*

(a) *Meets the qualifications of this chapter; and*

(b) *Is enrolled with the Medicaid Program in accordance with COMAR 10.09.36; and*

(2) *Billed by a local education agency in accordance with COMAR 10.09.59.09.*

LAURA HERRERA SCOTT
Secretary of Health

10.09.59 Specialty Mental Health Services

Authority: Health-General Article, §§2-104(b), 2-105(b), 15-102.8, 15-103, 15-105, and 15-105.2, Annotated Code of Maryland

Notice of Proposed Action

[24-213-P]

The Secretary of Health proposes to amend Regulations **.01**, **.04**—**.07**, and **.09** under **COMAR 10.09.59 Specialty Mental Health Services**.

Statement of Purpose

The purpose of this action is to:

(1) Add local school systems (LSSs) as an eligible provider of specialty mental health services to implement the expansion of school-based behavioral health services;

(2) Update licensure types for clinical counselors and provider requirements for mobile treatment providers to align with current policy for provider qualifications;

(3) Remove traumatic brain injury service providers as eligible providers of specialty mental health services to align with a Program sunset that occurred in 2023; and

(4) Update and clarify outdated references.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has an impact on individuals with disabilities as follows:

The proposed action implements reimbursement for certain school-based behavioral health services rendered by local school systems. To the extent that individuals with disabilities utilize these services, they may benefit from the new service coverage.

Opportunity for Public Comment

Comments may be sent to Jordan Fisher Blotter, Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 West Preston Street, Room 534 Baltimore, Maryland 21201, or call 410-767-0938, or email to mdh.regs@maryland.gov. Comments will be accepted through January 27, 2025. A public hearing has not been scheduled.

.01 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) “Administrative services organization (ASO)” means the [contactor] *contractor* procured by the State to provide the Department with administrative support services to operate the Maryland Public Behavioral Health System.

(2) “Behavioral Health Administration (BHA)” means the administration within the Department that establishes regulatory requirements that behavioral health programs are to maintain in order to become licensed by the Department.

[(2)] (3)—[(4)] (5) (text unchanged)

[(5)] “Medicaid Emergency Psychiatric Demonstration” means the federal demonstration program established under Section 2707 of the Patient Protection and Affordable Care Act.]

(6) “Individualized education program (IEP)” has the meaning stated in COMAR 10.09.50.01.

(7) “Individualized Family Service Plan (IFSP)” has the meaning stated in COMAR 10.09.50.01.

(8) “Local school system (LSS)” means a local public school district.

[(6)] (9)—[(8)] (11) (text unchanged)

[(9)] “Office of Health Care Quality” means the office within the Department responsible for the certification and inspection of programs.]

[(10)] (12)—[(15)] (17) (text unchanged)

.04 Provider Requirements for Participation.

A. Individual Practitioner Providers. To participate in the Program as an individual practitioner of specialty mental health services, the provider shall:

- (1) (text unchanged)
- (2) Demonstrate, by training and experience, the competency to provide mental health services as one of the following:
 - (a)—(e) (text unchanged)
 - (f) A licensed certified counselor which includes:
 - (i) A licensed *clinical* professional counselor;
 - (ii) A licensed *clinical* marriage and family therapist;
 - (iii) A licensed *clinical* counselor-alcohol and drug; or
 - (iv) (text unchanged)
 - (g)—(h) (text unchanged)

B. Community Mental Health Program Providers. To participate in the Program as a community-based mental health program provider, the provider shall be approved under COMAR 10.63.01, 10.63.02, and 10.63.06 and possess licensure by the Behavioral Health Administration as:

- (1)—(2) (text unchanged)
- (3) A mobile treatment program, which shall:
 - (a) (text unchanged)
 - (b) Consist of a multidisciplinary team including, at a minimum:
 - (i) (text unchanged)
 - (ii) A psychiatrist or psychiatric nurse practitioner (CRNP-PMH);
 - (iii) (text unchanged)
 - (iv) At least one licensed social worker or licensed graduate social worker; and
 - (v) (text unchanged)
 - (c) (text unchanged)

[(4) For dates of service between October 1, 2018 and September 30, 2021, a health care service provided through telehealth is equivalent to the same health care service provided through an in-person visit if the service provided through telemedicine is provided by a fully integrated psychiatrist or psychiatric nurse practitioner (CRNP-PMH) attached to an ACT or mobile treatment program.]

[(5)] (4) (text unchanged)

C. (text unchanged)

D. Other Licensed or Approved Mental Health Providers. To participate in the Program as a specialty mental health provider not defined in §§A—C of this regulation, a provider shall be approved pursuant to COMAR as a:

- (1)—(6) (text unchanged)
- [(7) Traumatic brain injury provider in compliance with COMAR 10.09.46; or]
- [(8)] (7) Medical laboratory in compliance with COMAR 10.09.09[.]; or
- (8) Local school systems in compliance with COMAR 10.09.50 as a provider of school-based health-related services.

.05 Eligibility.

A. (text unchanged)

B. Individuals are eligible for Psychiatric Rehabilitation Programs for adults if the individual:

- (1) (text unchanged)
- (2) Has a diagnosis listed in COMAR [10.09.70.02L] 10.67.08.02N; and
- (3) (text unchanged)

C. Individuals are eligible for Psychiatric Rehabilitation Programs for minors if the individual:

- (1)—(3) (text unchanged)

(4) Has a diagnosis listed in COMAR [10.09.70.02L] 10.67.08.02N and severe functional impairments in at least one life domain;

(5) (text unchanged)

(6) Is at risk [for] of requiring a higher level of care, or is returning from a higher level of care.

D. (text unchanged)

.06 Covered Services.

A. The ASO shall reimburse the following specialty mental health services rendered to participants when authorized by the ASO:

[A.] (1) Medically necessary specialty mental health services delivered by providers listed in Regulation .04 of this chapter, for which the primary diagnosis is listed in COMAR [10.09.70.02I or J] 10.67.08.02M or N;

[B.] (2) Telehealth services as defined in COMAR 10.09.49 when rendered in accordance with limitations in Regulation .07 of this chapter; and

[C.] (3) Presumptive drug tests and definitive drug tests, when ordered by a specialty mental health provider, with a behavioral health primary diagnosis listed in COMAR [10.09.70.02I or J] 10.67.08.02M or N on the claim.

B. Specialty mental health services billed by local school systems are covered under the following conditions:

(1) The services are not furnished as part of an individualized education program or individualized family service plan as defined in COMAR 10.09.50.01; and

(2) The services are rendered by a school psychologist or school social worker that meets the qualifications described in COMAR 10.09.50.02.

.07 Limitations.

The Program does not cover the following:

A.—C. (text unchanged)

D. Specialty mental health services for participants in an institution for mental disease as defined in 42 CFR §435.1009 unless the service is delivered through the [Medicaid Emergency Psychiatric Demonstration] §1115 HealthChoice Demonstration Waiver;

E.—J. (text unchanged)

K. [Telehealth services other than those services that are specified in COMAR 10.09.49] Psychiatric rehabilitation program services rendered via telehealth when:

(1) They are rendered as a group service; or

(2) The total services rendered via telehealth comprise more than 50 percent of a participant's services rendered;

L.—M. (text unchanged)

N. Services delivered by Federally Qualified Health Centers other than those billed using the T-code or H-code, which may include the following, delivered by two separate but appropriately licensed providers:

(1) (text unchanged)

(2) One [T-code] H-code for substance use disorder services per day;

O.—X. (text unchanged)

.09 Payment Procedures.

A.—E. (text unchanged)

F. A provider may not bill the Program for:

- (1)—(2) (text unchanged)

(3) Professional services rendered by mail or [telephone/telehealth, unless the services are provided in compliance with COMAR 10.09.49 and any subregulatory guidance issued by the Department; or

(4) (text unchanged)

G.—I. (text unchanged)

LAURA HERRERA SCOTT
Secretary

Subtitle 32 BOARD OF PHYSICIANS

10.32.02 Hearings Before the Board of Physicians

Authority: Health Occupations Article, §§ 1-307, 1-402, 4-602—1-604, 1-606, 14-205, 14-317, 14-404, 14-405, 14-405.1, 14-406—14-409, 14-411, 14-505, 14-5A-03, 14-5A-13(d), 14-5A-16, 14-5A-17, 14-5A-17.1, 14-5A-19, 14-5B-03, 14-5B-12(d), 14-5B-13, 14-5B-14, 14-5B-14.1, 14-5B-16, 14-5C-03, 14-5C-16, 14-5C-17, 14-5C-19, 14-5D-12(d), 14-5D-13—14-5D-16, 14-601, 14-606, 15-205(b), 15-307(f), 15-311, 15-312, 15-314, 15-315, 15-316 and 15-403; State Government Article, §§ 10-206, 10-216 and 10-226, Annotated Code of Maryland

Notice of Proposed Action

[24-212-P]

The Secretary of Health proposes to amend Regulation .02 and adopt new Regulation .18 under COMAR 10.32.02 **Hearings Before the Board of Physicians**. This action was considered at public meetings on March 24, 2021, May 26, 2021, and February 28, 2024 notice of which was given by publication on the Board's website at: <https://www.mbp.state.md.us/forms/Mar21Bagenda.pdf>, <https://www.mbp.state.md.us/forms/May21Bagenda.pdf>, and <https://www.mbp.state.md.us/forms/Feb24Bminutes.pdf> respectively pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to establish a procedure under which administrative actions may be classified as confidential, not for public release, and removed from the licensee's public individual profile, provided certain conditions are met.

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 Jordan Fisher Blotter, Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 W. Preston Street, Room 534 Baltimore, Maryland 21201, or call 410-767-0938, or email to mdh.regs@maryland.gov. Comments will be accepted through January 27, 2025. A public hearing has not been scheduled.

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) "Administrative action" means an order issued by the Board for reasons other than the disciplinary grounds under Health Occupations Article, §14-404, Annotated Code of Maryland, and that is not considered a disciplinary action.

(2) "Administrative expungement" means the classification of a record by the Board as confidential, not for public release, and removed from the licensee's public individual profile.

[(1)] (3)—[(6)] (8) (text unchanged)

[(7)] (9) "Applicant" means an individual who has submitted an application to:

(a) The Board for initial licensure, for administrative expungement, or for administrative reinstatement; or

(b) (text unchanged)

[(8)] (10)—[(29)] (31) (text unchanged)

(32) "Public individual profile" means the licensee profile maintained by the Board in accordance with Health Occupations Article, §14-411.1, Annotated Code of Maryland.

[(30)] (33)—[(41)] (44) (text unchanged)

.18 Administrative Expungement.

A. Administrative Expungements.

(1) The Applicant may file with the Board an application for administrative expungement to have records of an administrative action by a disciplinary panel classified as confidential, not for public release, and removed from the licensee's public individual profile, if:

(a) The application is submitted more than 3 years after the imposition of an administrative action by the Board or after administrative reinstatement or termination of suspension of the license, whichever is later;

(b) The licensee had no incidents of a public sanction since the administrative action identified in the application occurred; and

(c) The licensee is not currently under probation or investigation by the Board.

(2) An application for administrative expungement shall only be granted for the following administrative actions:

(a) Failure to pay taxes or unemployment insurance contributions under Health Occupations Article, §1-213(b), Annotated Code of Maryland;

(b) Failure to complete continuing medical education requirements under Health Occupations Article, §14-316(d), Annotated Code of Maryland;

(c) Failure to renew a license on time under Health Occupations Article, §14-606(a)(5), Annotated Code of Maryland; or

(d) Failure to notify the Board in writing of change of name or address within the time required under Health Occupations Article, §14-316(f).

(3) An administrative expungement shall not be considered for any license denials, reprimands, probations, suspensions, and revocations issued pursuant to Health Occupations Article, §14-404, Annotated Code of Maryland.

B. Application for Administrative Expungement.

(1) The application for administrative expungement shall be filed in writing on a form provided by the Board.

(2) The application fee shall be \$450.

(3) The application fee is non-refundable.

C. Disposition of Application.

(1) If the applicant meets the requirements specified in §§A and B of this regulation, the Board shall inform the applicant when to expect the records to be removed from the applicant's public practitioner profile as required in Health Occupations Article, §14-411.1, Annotated Code of Maryland, and when all Board records will be classified confidential.

(2) If the applicant does not meet the requirements specified in §§A and B of this regulation, the applicant will be deemed ineligible and the Board shall notify the applicant in writing.

(3) An applicant whose application is ineligible under §C(2) of this regulation may reapply when they meet the criteria.

D. The Board is not required to report an administrative expungement to any national database.

E. Nothing in this regulation shall prohibit the Board from using a Board record, previous sanction, or disciplinary action for any regulatory purpose or from releasing records to law enforcement or other governmental body as permitted by law.

LAURA HERRERA SCOTT
Secretary of Health

Subtitle 44 BOARD OF DENTAL EXAMINERS

10.44.22 Continuing Education

Authority: Health Occupations Article, §4-205(a) and (b), Annotated Code of Maryland

Notice of Proposed Action

[24-214-P]

The Secretary of Health proposes to amend Regulations .02, .04— .06, and .08, adopt new Regulations .09, .10, .14, recodify existing Regulations .09— .11, .13 to be Regulations .11— .13, .15, and repeal existing Regulations .12, .14 under **COMAR 10.44.22 Continuing Education**. This action was considered by the Board of Dental Examiners at a public meeting held on July 19, 2023, notice of which was given under the Notice of Public Meetings link on the Board’s website pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to:

- (1) Delineate acceptable continuing education programs and the hours permitted under those programs;
- (2) Increase the number of hours of the Board’s required infection control course from 2 to 3 hours as a condition of license renewal;
- (3) Allow dentists and dental hygienists to receive up to 2 continuing education hours per renewal cycle for attendance at regularly scheduled open session Board meetings;
- (4) Alter the dates upon which licensees must complete continuing education programs as a condition of license renewal;
- (5) Allow dentists and dental hygienists to receive continuing education credit for completing a required course on implicit bias training;
- (6) Amend the list of automatically approved sponsors of continuing education;
- (7) Provide a mechanism for approval of continuing education sponsors who are not automatically approved;
- (8) Accept for continuing education credit those courses that have been approved by certain credentialing agencies;
- (9) Delineate the contents of continuing education certificates of completion; and
- (10) Amend the existing procedures for conducting continuing education audits.

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 Jordan Fisher Blotter, Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 West Preston Street, Room 534 Baltimore, Maryland 21201, or call 410-767-0938, or email to mdh.regs@maryland.gov. Comments will be accepted through January 27, 2025. A public hearing has not been scheduled.

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(6) (text unchanged)

(7) “Significant change” means a change in a Board-approved continuing education program that in the sole discretion of the Board produces a measurable change in the course material or course objectives.

[(7)] (8) (text unchanged)

(9) “Webinar” means a live seminar or other presentation for continuing education credit that takes place on the Internet, allowing participants in different locations to see and hear the presenter and ask questions and receive responses in real time.

.04 Requirements.

A. All continuing education credits shall be pre-approved by the Board.

B. A licensee seeking renewal shall complete at least 30 full hours of Board-approved continuing education.

C. Of the 30 hours of Board-approved continuing education, a minimum of 13 hours shall be completed with attendance at:

(1) In-person Board-approved courses or programs; or

(2) Webinars.

D. To be considered for Board approval, a webinar shall:

(1) Be designed to enhance the licensee’s clinical knowledge and ability to treat dental patients;

(2) Be presented in real time;

(3) Allow all participants an opportunity to interact with the instructor; and

(4) Allow the participants an ample opportunity to ask questions and receive responses in real time.

E. A pre-recorded webinar viewed by a licensee that otherwise meets the requirements of this chapter may be considered by the Board for continuing education credit toward the 17 hours that do not require in-person attendance.

F. A maximum of 17 hours of Board-approved continuing education may be earned for self-study activities, including:

(1) Preparing and presenting table clinics;

(2) Preparing lectures; and

(3) Preparing articles for publication in dental journals.

G. Continuing education courses and programs shall meet the criteria established in Regulation .06 of this chapter.

H. A licensee shall maintain written documentation of successful completion of continuing education programs for 5 years.

I. A licensee may not receive continuing education credit for a course or program that was:

(1) Not Board-approved; or

(2) Completed before the course or program gained Board approval.

J. Unless otherwise provided in this chapter, the Board may not accept a submission for continuing education credit of less than 1 hour.

[A.] K. (text unchanged)

[B.] L. A licensee seeking renewal shall complete [not less than 30 full hours of continuing education, including] a Board- approved course of 2 hours [of] in infection control.

M. A licensee seeking renewal in 2025 and thereafter shall complete a Board-approved course of 3 hours in infection control every renewal cycle.

[C.] *N. A licensee seeking renewal [in 2011 and thereafter] shall complete a Board-approved course of 2 hours in abuse and neglect.*

[D.] *O. The 2-hour, Board-approved course in abuse and neglect required by [§C] §N of this regulation shall:*

(1)—(3) (text unchanged)

[E.] *P. A dentist seeking renewal [in 2015 and thereafter] shall complete a 2-hour Board- approved course on proper prescribing and disposal of prescription drugs[. This course], which shall count toward the 30 full hours of required continuing education.*

[F.] *Q. The 2-hour Board-approved course on proper prescribing and disposal of prescription drugs required by [§E] §P of this regulation shall be completed by each dentist every other renewal cycle.*

[G.] *R. (text unchanged)*

[H.] *S. Cultural Competency, Military Culture, and Implicit Bias Training. A licensee may receive up to a combined total of 4 continuing education hours for Board-approved courses on [cultural competency].:*

(1) *Cultural competency;*

(2) *Military culture; or*

(3) *Implicit bias training.*

[I.] *T. (text unchanged)*

U. A study club course shall first receive Board approval before attendees may receive continuing education credit for attendance at the study club meeting.

V. Dentists and dental hygienists may receive one continuing education credit for attending a regularly scheduled open session Board meeting in its entirety.

W. The Board shall issue a certificate of completion to dentists and dental hygienists who attend a regularly scheduled open session Board meeting in its entirety.

X. A dentist or a dental hygienist may earn up to two continuing education credits per renewal period for attendance at regularly scheduled open session Board meetings.

[J.] *Y. —[L.] AA. (text unchanged)*

BB. The infection control course identified in §M of this regulation shall be a single 3-hour course which teaches the practices contained in the document Centers for Disease Control and Prevention, Summary of Infection Prevention Practices in Dental Settings: Basic Expectations for Safe Care, Atlanta, GA: Centers for Disease Control and Prevention, US Dept. of Health and Human Services; October 2016, or its successor document.

.05 Time Frame for Completing Continuing Education.

A. The period for completing continuing education requirements extends for a 2-year period from [January 1] *July 1* through [December 31] *June 30* of the *second* year following [year] *the effective date of the license.*

B. The 2-year period in which the continuing education shall be completed ends on [December 31] *June 30* of the year in which the license is due for renewal.

C. For the renewal period beginning on June 1, 2025, only, the period for completing continuing education requirements extends for the period January 1, 2023, through June 30, 2025.

.06 Course and Program Eligibility.

A. Eligibility Guidelines.

(1) (text unchanged)

(2) Abuse and Neglect Courses, Cultural Competency Courses, Military Culture Courses, Implicit Bias Training Courses, and Pro Bono Programs. To qualify for continuing education credit for license renewal:

(a) The mandatory course in abuse and neglect identified in Regulation [.04C and D] *.04N and O* of this chapter:

(i) [Do] *Does* not need to be designed to enhance the licensee's clinical knowledge and ability to treat dental patients; and

(ii) (text unchanged)

(b) Cultural competency courses:

(i) (text unchanged)

(ii) Shall be offered by a Board-approved sponsor; [and]

(c) *Military culture courses:*

(i) *Do not need to enhance the licensee's clinical knowledge; and*

(ii) *Shall be offered by a Board-approved sponsor;*

(d) *Implicit bias training courses:*

(i) *Do not need to be designed to enhance the licensee's clinical knowledge and ability to treat dental patients; and*

(ii) *Shall be approved by the Maryland Office of Minority Health and Health Disparities.*

[(c)] (e) (text unchanged)

B. Excluded Courses and Programs. Courses and programs that are not approved for continuing education credit for license renewal include, but are not limited to, the subjects of:

(1)—(3) (text unchanged)

(4) With the exception of those courses or programs on cultural competency, *military culture, and implicit bias training courses*, cultural subjects;

(5)—(8) (text unchanged)

.08 Automatically Approved Sponsors [and Equivalents].

A. (text unchanged)

[B. The Board may approve other sponsors of continuing education credits according to the following:

(1) Sponsors not identified in §A(2) of this regulation may petition the Board for approval of continuing education that they offer; and

(2) The Board shall evaluate the sponsors in §B(1) of this regulation and may, at its discretion, set standards and criteria.

C. If the subject matter of a course, program, or activity satisfies the requirements of Regulation .06 of this chapter, a licensee may petition the Board to accept as the equivalent of an eligible continuing education course or program offered by an approved sponsor:

(1) Courses or programs offered by other sponsors; or

(2) Time spent in any of the following activities:

(a) Preparing and presenting table clinics;

(b) Preparing lectures;

(c) Preparing articles for publication in dental journals; or

(d) Attending study clubs or other meetings involved with clinical dentistry.

D. The Board may accept from any licensee up to 17 hours of continuing education credits for self-study activities for the following:

(1) Courses or programs from approved sponsors identified in §A(2) of this regulation that are designed to enhance the licensee's clinical knowledge and ability to treat dental patients; and

(2) Courses or programs from sponsors not identified in §A(2) of this regulation if the:

(a) Sponsor has petitioned the Board for and received approval of the sponsor's continuing education course or program; and

(b) Continuing education activities qualify under §C of this regulation.]

B. The Board approves for credit any course or program that is designed to enhance the licensee's clinical knowledge and ability to treat dental patients and is approved by any one of the following credentialing agencies:

(1) *The American Dental Association Commission for Continuing Education Recognition Program (CERP);*

(2) *The Academy of General Dentistry Program Approval for Continuing Education (PACE);*

(3) *The American Association of Dental Boards Accredited Continuing Education Program (ACE); and*

(4) *The American Academy of Dental Hygiene (AADH).*

.09 Approval and Rescission of Continuing Education Programs for Sponsors Who Are Not Automatically Approved.

A. *The Board may approve individual programs of sponsors who are not automatically approved sponsors of continuing education credits under Regulation .08 of this chapter.*

B. *Applicants meeting the requirements of this chapter, who are not automatically approved to sponsor continuing education programs may apply to the Board at least 90 days before the scheduled program for authorization to sponsor a program.*

C. *The Board shall provide the applicant with an application form.*

D. *An applicant shall provide the following information on the application which shall be submitted to the Board along with a processing fee as set forth in COMAR 10.44.20:*

(1) *Full name, business address, and contact information of the sponsor;*

(2) *Full name of the program for which approval is sought;*

(3) *A program description;*

(4) *Program objectives;*

(5) *A detailed syllabus of the course;*

(6) *Continuing education hours requested;*

(7) *An overview of any examinations that shall be passed as a condition of program completion; and*

(8) *A sample of the certificate of completion that will be provided to program participants.*

E. *In addition to the requirements of §D of this regulation, the applicant shall provide the following to the Board regarding the program presenter or speaker:*

(1) *Full name, business address, and contact information;*

(2) *Current curriculum vitae;*

(3) *Educational background and all professional degrees earned;*

(4) *A list of all professional licenses or certifications held;*

(5) *A brief description of any other professional programs taught; and*

(6) *A copy of any public disciplinary orders issued by any health occupational board, including the Maryland Dental Board.*

F. *The Board shall give notice to the applicant that the applicant has been approved or disapproved, including a statement whether the number of approved continuing education hours is different from the number requested.*

G. *If a program is disapproved, the Board shall advise the applicant of the reasons for disapproval.*

H. *An approval of a particular program is an approval of the program and the presenter or speaker of that program.*

I. *A sponsor shall resubmit an application and pay a processing fee for approval of the program if:*

(1) *The presenter or speaker changes; or*

(2) *There is a significant change in the course material or course objectives.*

J. *Fees for approval of a continuing education program are nonrefundable.*

K. *A licensee or certificate holder under a Board order may not present a continuing education course or program during the pendency of their Board order.*

L. *A sponsor of a Board-approved continuing education program shall:*

(1) *Maintain records of all attendees for at least 5 years;*

(2) *Provide copies of program attendance to the Board upon request;*

(3) *Provide attendees with an opportunity to complete a program evaluation at the conclusion of the program, which shall be provided to the Board upon request; and*

(4) *Allow the Board to audit the program upon payment of any applicable program fees.*

M. *The Board may rescind approval of a continuing education course or program if it determines that:*

(1) *The course or program:*

(a) *Does not meet the requirements of Regulations .06 and .07 of this chapter; or*

(b) *In the Board's sole discretion, does not meet its stated objectives; or*

(2) *The sponsor has committed fraud or made other misrepresentations to the Board.*

.10 Certificates of Completion.

Legible certificates of program completion shall be provided to those who complete the program and shall contain at least:

A. *The full name of the sponsor;*

B. *The full name of the program;*

C. *The dates of program presentation;*

D. *The location of the program, including whether the program was presented electronically;*

E. *The number of continuing education hours awarded, which may not exceed those approved by the Board;*

F. *The printed name and signature of the presenter or speaker;*

G. *A statement that the program is approved by the Board;*

H. *The Board's program approval number; and*

I. *A statement that the sponsor maintains responsibility for the program.*

.14 Audit of Continuing Education Records.

A. *A dentist or dental hygienist who has completed the continuing education requirements shall attest to the completion on a form supplied by the Board as part of the application for license renewal, reinstatement, or reactivation.*

B. *The Board may request verification of compliance with this chapter through inspection of continuing education records maintained by licensees in accordance with Regulation .03A of this chapter.*

C. *Except as provided in this regulation, the Board shall audit a percentage of dentists and dental hygienists, selected by the Board for each renewal cycle.*

D. *A licensee who receives notice of a continuing education audit shall verify compliance with this chapter by the date specified in the notice and submit to the Board a report of the continuing education hours required for renewal on a form approved by the Board along with the appropriate documentation.*

E. *Documentation. A dentist or dental hygienist shall provide to the Board:*

(1) *A certificate of completion for approved courses or programs;*

(2) *Current CPR certification as specified under Regulation .04 of this chapter;*

(3) *If applicable, proof of Board-approved pro bono dental or dental hygiene services provided; and*

(4) *If a certificate of completion is not available, satisfactory proof of time spent preparing and presenting table clinics, lectures, articles for publications in dental or medical journals, or attending study clubs, or other meetings involved with performing clinical dentistry.*

F. *A dentist or a dental hygienist may request an extension of time to comply with the requirements of this chapter.*

G. *A request for an extension of time under §F of this regulation shall:*

(1) *Be made in writing;*
 (2) *Detail and document the reasons the licensee was not able to complete the continuing education requirements within the allotted time; and*

(3) *Provide a period of time requested by the licensee to complete the required continuing education.*

H. The grant of an extension and the period of the extension is within the sole discretion of the Board.

I. A dentist or dental hygienist who requests and is granted an extension of time by the Board shall be audited at the next renewal cycle.

J. A dentist or dental hygienist granted an extension of time shall attest to completion of continuing education requirements by the end of the extension period.

K. Failure to submit the required attestation or failure to meet continuing education requirements by the end of the extension period may subject the licensee to disciplinary action.

L. The Board's staff shall conduct a preliminary review and evaluation of the documentation submitted to the Board and report their findings to the Board.

M. After the Board's review of the submitted documentation, the Board may find one or both of the following:

(1) That the dentist or dental hygienist has not met the Board's continuing education requirements; or

(2) That the dentist or dental hygienist has submitted courses or programs that have not been Board-approved.

N. The Board may require a dentist or a dental hygienist who has not met the Board's continuing education requirements or who has submitted courses or programs that have not been Board-approved to take additional continuing education courses or programs in order to meet the Board's continuing education requirements.

O. Penalties for Violation.

(1) A false, misleading, or deceptive statement on a renewal, reinstatement, or reactivation form may constitute unprofessional conduct and may result in disciplinary action against the licensee as set forth in Health Occupations Article, §4-315, Annotated Code of Maryland.

(2) Failure to complete continuing education requirements within the time period specified under Regulation .05 of this chapter or any applicable extension constitutes unprofessional conduct and may result in disciplinary action against the licensee as set forth in Health Occupations Article, §4-315, Annotated Code of Maryland.

LAURA HERRERA SCOTT
 Secretary of Health

Subtitle 63 COMMUNITY-BASED BEHAVIORAL HEALTH PROGRAMS AND SERVICES

10.63.08 Civil Money Penalty

Authority: Health-General Article, §§7.5-205(b)(2)–(3), (d), 7.5-402(a)(6),
 Annotated Code of Maryland.

Notice of Proposed Action

[24-190-P]

The Secretary of Health proposes to adopt new Regulations .01—
 .05 under a new chapter, COMAR 10.63.08 Civil Money Penalty.

Statement of Purpose

The purpose of this action is to establish rational criteria for the Maryland Department of Health's Behavioral Health Administration to assess civil penalties for violations of COMAR 10.63 (Community Behavioral Regulation) in order support improved compliance, reduced fraud, and provide a more equitable and sustainable operating environment for providers of behavioral health services in Maryland.

Estimate of Economic Impact

I. Summary of Economic Impact. The Behavioral Health Administration believes that these regulations will increase the quality of care provided by 10.63 providers. While some providers will see civil money penalties levied against them, the intention is not to penalize legitimate service providers. The Department requires a regulatory avenue to address violations of federal or state law or regulation. The true impact will be difficult to conceptualize at this time as the impact will vary largely depending on the nature, severity, and length of violation.

II. Types of Economic Impact.

Impacted Entity	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
A. On issuing agency:		
Maryland Department of Health	(R+)	Indeterminable
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:		
Community Behavioral Health (-) Providers		Indeterminable
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

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

A. While some providers will see civil money penalties levied against them resulting in an increase in revenue for the Department, the true impact will be difficult to conceptualize at this time as the impact will vary largely depending on the nature, severity, and length of violation.

D. While some providers will see civil money penalties levied against them, the true impact will be difficult to conceptualize at this time as the impact will vary largely depending on the nature, severity, and length of violation.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has an impact on individuals with disabilities as follows:

The proposed action creates a civil money penalty for community behavioral health providers, the Department believes these regulations will result in better care for individuals requiring community behavioral health services, including individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Jordan Fisher Blotter, Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 West Preston Street, Room 534, Baltimore, MD 21201, or call 410-767-0938, or email to mdh.regs@maryland.gov. Comments will be accepted through January 27, 2025. A public hearing has not been scheduled.

.01 Scope.

This chapter establishes standards for the imposition of civil money penalties against an organization or program determined to be in violation of this subtitle.

.02 Definitions.

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

B. Material Violation

(1) "Material violation" means any course of conduct, including a single incident, that may cause a program, individual, or organization to fail to comply with any statutory, regulatory, or contractual requirement.

(2) "Material violation" includes but is not limited to:

(a) Fraudulent or other behavior which influences or may influence the payment or receipt of money or other property;

(b) Practices which affect or may affect the health or safety of any individual;

(c) Practices which violate or may violate participant rights; or

(d) Failure to comply with a plan of correction or correct deficiencies after receiving a notice of deficiencies.

.03 Civil Money Penalty — Imposition.

A. The Department may impose a civil money penalty against an organization for a material violation of a State or federal law or regulation in any of its programs.

B. The Department may additionally cite violations of accreditation standards in support of an identified violation of law or regulation.

C. A civil money penalty may be imposed regardless of whether any other civil, criminal, or administrative action is taken against the organization or program by any State, federal, or Departmental agency for the same covered period or violation.

D. If a violation occurs at multiple site locations of an organization, each location will constitute a separate violation. If there are multiple services at a location and the violation occurs with multiple services, each service will constitute a separate violation.

E. If the Department determines that a material deficiency, or continuing pattern of deficiencies which together amount to a material violation, exists, the Department shall notify the organization of the deficiency or deficiencies and may:

(1) Permit the organization the opportunity to correct the deficiencies by a specified date; or

(2) Impose a civil money penalty of up to \$500 per day not to exceed \$15,000 in one month until compliance is achieved.

F. If the Department permits an organization the opportunity to correct the deficiencies by a specific date, and the organization fails to comply, the Department may impose a civil penalty of up to \$500 for each day of violation until the organization has submitted sufficient documentation of correction of the deficiency not to exceed \$15,000 in 1 month.

G. In determining whether a civil money penalty is to be imposed and in setting the amount of the civil money penalty, the Department shall consider each of the following:

(1) The number, nature, and seriousness of the violation or violations;

(2) The extent to which the deficiency or deficiencies are part of an ongoing pattern;

(3) The organization's history with the Department, including any prior actions that would indicate whether the violation is an isolated occurrence or represents a pattern of behavior;

(4) The efforts made by the organization to correct the violations and any continuation of conduct after notification of possible violations;

(5) The organization's level of cooperation with the Department or its agents as it relates to the review of the program;

(6) The degree of risk to the health, life, or safety of individuals as a result of the violations, including possibly inhibiting an individual's ability to receive quality services, and appropriate care and treatment; and

(7) Any other reasonable mitigating factors.

H. The Department shall give consideration to the extent to which the organization's size, operations, or financial condition:

(1) May have contributed to the violations; and

(2) May affect the organization's ability to provide care and continue program operations after payment of a civil money penalty.

I. If the civil money penalty is imposed under this chapter, the Department shall issue a written notice to the organization operating the program that:

(1) States the total amount of the civil money penalties being imposed; and

(2) Includes the following information:

(a) Each regulation or statute violated;

(b) The amount of each civil money penalty imposed for each violation;

(c) The manner in which the amount of the civil money penalty was calculated; and

(d) The organization's right to request a hearing in accordance with COMAR 10.63.06; and

(e) The organization's appeal rights.

J. The notice shall be sent to the organization, owner, resident agent, and Board of Directors, as appropriate, by certified mail.

.04 Penalty for Unlicensed Operation.

An organization that operates or purports to operate a service or site without a license that is required pursuant to this subtitle may be assessed a civil money penalty by the Department of \$1,000 per day of operation per location site or service.

.05 Civil Money Penalty — Appeal.

A. An organization aggrieved by the imposition of a civil money penalty may appeal the action by filing a request for a hearing in accordance with COMAR 10.63.06.

B. If the hearing affirms the imposition of the penalty, the Secretary shall issue a final order which shall state the basis on which the order is made, the amount of the civil money penalty imposed, and the manner in which the amount of the civil money penalty was calculated.

C. After exhaustion of all appeals, an organization shall pay a civil money penalty to the Department within 10 days after the organization receives a final order that affirms the imposition of the civil money penalty.

D. The Department, at its discretion, may agree to accept a repayment schedule, which may include a discount for timely payments.

E. If an organization does not pay the civil money penalty to the Department after receiving the final order or according to a negotiated repayment schedule:

- (1) *The balance due shall be referred to the Central Collection Unit; and*
- (2) *The organization and its programs may be subject to licensing action.*

LAURA HERRERA SCOTT
Secretary of Health

Subtitle 67 MARYLAND HEALTHCHOICE PROGRAM

Notice of Proposed Action

[24-210-P]

The Secretary of Health proposes to:

- (1) Amend Regulations .03 and .08 under **COMAR 10.67.03 Maryland Medicaid Managed Care Program: MCO Application;**
- (2) Amend Regulations .03-2, .18, and .19 under **COMAR 10.67.04 Maryland Medicaid Managed Care Program: Managed Care Organizations;**
- (3) Amend Regulation .05-1 under **COMAR 10.67.05 Maryland Medicaid Managed Care Program: Access;**
- (4) Amend Regulation .27 under **COMAR 10.67.06 Maryland Medicaid Managed Care Program: Benefits;** and
- (5) Amend Regulation .02 under **COMAR 10.67.10 Maryland Medicaid Managed Care Program: Sanctions.**

Statement of Purpose

The purpose of this action is to:

- (1) Update Managed Care Organizations (MCOs) staffing requirements for key personnel;
- (2) Update Population Health Incentive Program (PHIP) policy to exclude MCOs with penalties for Healthcare Effectiveness Data Information Set (HEDIS) MCO Performance Monitoring Policy for that measurement year;
- (3) Add an additional core specialty;
- (4) Remove the suspension of automatic MCO assignments affecting supplemental payments;
- (5) No longer require MCOs to provide vitamins and mineral products that are administered orally;
- (6) Authorize the Department to reopen capitation rates for interim rate adjustments in Calendar Year 2025, and require MCOs to provide additional necessary information for rate adjustments;
- (7) Require MCOs to obtain a National Committee on Quality Assurance (NCQA) health equity accreditation within 2 years of their enrollment as an MCO;
- (8) Place a threshold on the financial sanctions that can be appealed; and
- (9) In accordance with SB0474/HB716 – Managed Care Organizations - Retroactive Denial of Reimbursement - Information in Written Statement, add the requirement that the MCO must obtain a written statement from the third party that they will be responsible for payment.

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 Jordan Fisher Blotter, Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 West Preston Street, Room 534 Baltimore, Maryland 21201, or call 410-767-0638, or email to mdh.regs@maryland.gov. Comments will be accepted through January 27, 2025. A public hearing has not been scheduled.

10.67.03 Maryland Medicaid Managed Care Program: MCO Application

Authority: Health-General Article §§15-102 and 15-103, Annotated Code of Maryland

.03 Organization, Operations, and Financing.

Except as provided in Regulation .02B of this chapter, an MCO applicant shall include the following information or descriptions in its application:

A.—H. (text unchanged)

I. The names, addresses, and official capacities of the managing employees or other individuals responsible for the conduct of the affairs of the applicant, including concise position descriptions and background, citing education, training, and experience, for, but not limited to, the applicant's:

- (1) [Plan administrator;] *Chief Executive Officer;*
 - (2) [Medical director;] *Chief Medical Officer;*
 - (3) [Medical records director;] *Chief Information Officer;*
 - (4) [Enrollment/disenrollment director;] *Chief Financial Officer;*
 - (5) [Quality assurance director;] *Chief Quality Officer;*
 - (6) [Case management director;] *Clinical Operations Manager;*
 - (7) [Utilization control manager; and] *Chief Operating Officer;*
 - (8) [Grievance director and marketing director;] *Marketing Director;*
 - (9) *Program Integrity Director;*
 - (10) *Health Equity Director;*
 - (11) *Chief Compliance Officer;*
 - (12) *Appeals and Grievances Manager;*
 - (13) *Provider Relations Manager;*
 - (14) *Special Needs Coordinator, as defined in COMAR 10.67.04.04; and*
 - (15) *Newborn Coordinator, as defined in COMAR 10.67.04.27;*
- J.—T. (text unchanged)

.08 National Committee on Quality Assurance (NCQA) Accreditation.

A. Effective July 1, 2012, an MCO applicant shall [be] *obtain NCQA [accredited] health plan accreditation* within 2 years of their effective date as an MCO.

B. *Effective January 1, 2025, an MCO shall obtain NCQA health equity accreditation within 2 years of their effective date as an MCO.*

10.67.04 Maryland Medicaid Managed Care Program: Managed Care Organizations

Authority: Health-General Article, §§2-104, 15-101, 15-102.3, and 15-103; Insurance Article, §§15-112, 15-605, and 15-1008; Annotated Code of Maryland

.03-2 HealthChoice Population Health Incentive Program (PHIP).

A.—K. (text unchanged)

[L. Incentives awarded under this regulation are not appealable under COMAR 10.67.10.]

L. Effective measurement year 2025, an MCO with penalties under the HEDIS MCO Performance Monitoring Policy included in the HealthChoice MCO Agreement shall be excluded from all rounds of PHIP for that measurement year.

M. Incentives awarded under this regulation and exclusion from PHIP participation are not appealable under COMAR 10.67.10.

.18 Third-Party Liability.

A.—J. (text unchanged)

K. If an MCO identifies another party as being responsible for retroactive denial of reimbursement, the MCO shall:

(1) Obtain a written statement from the third-party that includes:

(a) The name and address of the third party; and

(b) Acknowledgment of responsibility for payment of the denied claim by the third party;

(2) Send this written statement to the provider seeking reimbursement; and

(3) Provide this written statement or a summary report to the Department upon request.

.19 MCO Reimbursement.

A.—C. (text unchanged)

D. Interim Rates Adjustments.

(1)—(6) (text unchanged)

(7) The Department shall make an interim rates adjustment in Calendar Years 2022, 2023, [and] 2024, and 2025 to account for changes in acuity due to alterations in redetermination and enrollment processes related to COVID-19.

E. Interim Rate Adjustment for Calendar Year 2025.

(1) The Department shall re-open the capitation rates for interim rate adjustments in Calendar Year 2025 to revisit the following adjustments:

(a) Risk adjustment;

(b) Trend;

(c) Administration;

(d) Regional factors; and

(e) Relational modeling.

(2) To assist with the assessment, MCOs shall provide additional information to the Department upon request, including detailed claims data as well as a year-to-date HealthChoice Financial Monitoring Report for the calendar year.

10.67.05 Maryland Medicaid Managed Care Program: Access

Authority: Health-General Article, §§2-104, 15-102.1(b)(10), 15-102.3 and 15-103; Insurance Article §§15-112, 15-605, and 15-1008; Annotated Code of Maryland

.05-1 Access Standards: Specialty Provider Network.

A. Standards and Regions.

(1) (text unchanged)

(2) Overall Network Standards.

(a) An MCO shall meet either the time or distance standard set forth in Regulation .06A of this chapter for core, major, and pediatric specialties.

(b) The [8] *nine* core specialties are:

(i)—(iv) (text unchanged)

(v) *Oncology;*

[(v)] (vi)—[(viii)] (ix) (text unchanged)

(c)—(d) (text unchanged)

B. (text unchanged)

C. If an MCO fails to meet the requirements established by this regulation, the Department may suspend the automatic assignment to the MCO of recipients who live in the affected local access area. [A suspension of automatic assignments may affect the MCO's ability to qualify for the Statewide supplemental payments specified under COMAR 10.67.04.03-1.]

10.67.06 Maryland Medicaid Managed Care Program: Benefits

Authority: Health-General Article, Title 15, Subtitle 1, Annotated Code of Maryland

.27 Benefits — Limitations.

A. The benefits or services not required to be provided by an MCO are as follows:

(1)—(21) (text unchanged)

(22) *Enteral nutritional and supplemental vitamins and mineral products when administered orally.*

B. (text unchanged)

10.67.10 Maryland Medicaid Managed Care Program: Sanctions

Authority: Health-General Article, §§15-103(b)(9), Annotated Code of Maryland

.02 Appeal.

A. (text unchanged)

B. The following Department decisions are appealable by the MCO or MCO applicant:

(1)—(2) (text unchanged)

(3) Decision to impose a fine [or other sanction] *valued at \$50,000 or more* on the MCO as described in Regulation .01 of this chapter;

[(4) Order to provide benefits or services to enrollees as described in COMAR 10.67.09.05;]

[(5)] (4)—[(6)] (5) (text unchanged)

[(7) The amount of a penalty or incentive as described in COMAR 10.67.04.03;]

[(8)] (6)—[(10)] (8) (text unchanged)

C.—D. (text unchanged)

E. The following sanctions shall take effect immediately and are not subject to stay during the pendency of an appeal:

(1) (text unchanged)

[(2) Orders to provide a benefit or service to enrollees;]

[(3)] (2)—[(5)] (4) (text unchanged)

LAURA HERRERA SCOTT
Secretary of Health

Title 14

INDEPENDENT AGENCIES

Subtitle 04 MARYLAND

TECHNOLOGY DEVELOPMENT CORPORATION

14.04.12 Maryland Small Business Innovation Research and Technology Transfer Incentive Program

Authority: Economic Development Article, §10-478, Annotated Code of Maryland

Notice of Proposed Action

[24-204-P]

The Maryland Technology Development Corporation proposes to adopt new Regulations .01—.07 under a new chapter, **COMAR 14.04.12 Maryland Small Business Innovation Research and Technology Transfer Incentive Program**. This action was considered by the Board of Directors of the Maryland Technology Development Corporation.

Statement of Purpose

The purpose of this action is to draft new regulations to conform to Ch. 205, Acts of 2021 by adding to the Maryland Technology Development Corporation (“TEDCO”) the Maryland Small Business Innovation Research and Technology Transfer Incentive Program (“MD SBIR-STTR Program”).

The MD SBIR-STTR Program makes available matching awards to qualified Maryland businesses that have received a Phase I or Phase II award under the U.S. Small Business Administration Office of Technology’s Small Business Innovation Research (SBIR) or Small Business Technology Transfer (STTR) program(s). The award is up to 25 percent of the federal SBIR/STTR award (limited to \$25,000 for Phase I funding or \$75,000 for Phase II funding).

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed regulations are required by the enabling statutory legislation and as such the impact of the regulations is minor. A minor impact is expected on small businesses who has received federal SBIR or STTR grants from the proposed regulations

II. Types of Economic Impact.

Impacted Entity	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
A. On issuing agency:		
Maryland Technology Development Corporation	(R+)	Minor
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:	NONE	
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:		
Companies eligible for award	(+)	Minor

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

A. The proposed regulations are required by the enabling statutory legislation and as such the impact of the regulations is minor

F. Expands companies eligible for award. Provides certain qualifying companies that have received a SBIR STTR award with a state match.

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 Alex Choi, Executive Director, Government Program Development, Affairs, & Research, Maryland Technology Development Corporation, 10960 Grantchester Way, Suite 120, Columbia, MD 21044, or call 410-715-4192, or email to achoi@tedcmd.com. Comments will be accepted through January 27, 2025. A public hearing has not been scheduled.

.01 Definitions.

A. *Except as otherwise provided in this subtitle, the following terms have the meanings indicated.*

B. *Terms Defined.*

(1) “Award” means grants, equity financing, debt financing, and other financial assistance provided under the Program.

(2) “Fund” means the Maryland Small Business Innovation Research and Technology Transfer Incentive Matching Fund as described in §§10-473—10-478 of the Act.

(3) “Fiscal year” means the 12-month period from July 1 through the following June 30.

(4) “Program” means the Maryland Small Business Innovation Research and Technology Transfer Incentive Program as described in §§10-473—10-478 of the Act.

(5) “Proposal” means the proposal submitted by the business to an agency of the federal government for a SBIR or STTR award.

(6) “Qualified business” has the meaning stated in §10-401(g) of the Act.

(7) “SBIR award” means the small business innovation research award and has the meaning stated in §10-473 of the Act.

(8) “STTR award” means the small business technology transfer award and has the meaning stated in §10-473 of the Act.

.02 Purpose and Objective.

These regulations prescribe the objectives of the Program and the procedures and guidelines for TEDCO’s selection of businesses to receive an award under the Program. The purpose of the program is to foster job creation and economic development in the State by promoting the commercialization of research conducted by small businesses in the State and facilitating the transfer of technology from universities and federal research laboratories to small businesses.

.03 Eligibility.

A. *Eligibility Criteria.* TEDCO may make an award to an applicant, if TEDCO determines the applicant meets all of the following criteria:

(1) Over half of the applicant’s workforce works at and from a physical location in the State;

(2) The applicant’s principal business operations are conducted from a physical location in the State;

(3) The applicant agrees to execute a securities repurchase agreement or an equivalent commitment, in the form determined and approved by the Office of the Attorney General, requiring the applicant to return to the Fund any money from an award including accrued interest and fees, if the applicant does not remain a qualified business for at least 2 years after receiving the award;

(4) The applicant agrees to return the award if the applicant fails to fulfill the eligibility and maintenance requirements of the Program as set forth in the Act and §A of this regulation;

(5) The applicant agrees to use the award primarily to:

(a) Support business operations in the State; or

(b) In the case of a start-up business, establish and support business operations in the State;

(6) The applicant employs not more than 250 employees;

(7) The applicant is not primarily engaged in retail sales, real estate development, insurance, banking, or lending;

(8) The applicant is not primarily engaged in the provision of professional services by accountants, attorneys, or physicians;

(9) The applicant has received a Phase I or Phase II SBIR award or STTR award during the 6 months immediately preceding the submission of the applicant's application under the Program;

(10) The applicant has received no prior award under the Program in the current fiscal year; and

(11) The applicant has received less than three awards under the Program.

B. Eligibility Information. In order to be considered for an award by TEDCO, an applicant shall submit to TEDCO a written application in accordance with Regulation .04 of this chapter with sufficient information for TEDCO to establish eligibility under §A of this regulation, including:

(1) The total number of the applicant's founders and employees and the number of the applicant's founders and employees working in the State;

(2) The address of the applicant's principal business operations in the State and a copy of the lease, license agreement, deed, or other document that evidences the applicant's right to occupy the physical location of the principal business operations;

(3) Addresses of all the physical locations of the applicant;

(4) A copy of the applicant's proposal submitted to a federal agency for a SBIR award or a STTR award;

(5) A copy of the applicant's SBIR award or STTR award notification; and

(6) Any other information required by TEDCO as necessary to establish that the applicant is eligible for an award under the Program.

C. Verification of Information Submitted to TEDCO. An applicant shall verify, in a form approved by the Office of the Attorney General, the information the applicant submits to TEDCO in an application for an award.

.04 Procedures and Guidelines for Award Decisions.

A. In General. In its sole discretion, TEDCO shall select eligible applicants for an award under the Program based on a written application, applicant's proposal, and TEDCO's diligence.

B. Application Process.

(1) In General. TEDCO shall make available to the public on or through its website:

(a) An application process for awards under the Program; and

(b) Deadlines, if any, to submit the applications.

(2) Required Information. Through an application, an applicant shall submit information sufficient for TEDCO to:

(a) Determine whether applicant meets the eligibility requirements as set forth in the Act and under Regulation .03 of this chapter; and

(b) Any other information required to evaluate program criteria and, if applicable, diversity and inclusion criteria under §B(5) of this regulation.

(3) Preliminary Evaluation of Eligibility. TEDCO's program staff:

(a) Shall perform an initial review of each application in accordance with the Act and Regulation .03 of this chapter; and

(b) May review the application for program criteria under §B(5) of this regulation and may examine the applicant's proposal, budgets, economic impact, and other documents.

(4) Eligibility Determination. Within 45 days from the date an applicant submits the application to TEDCO, TEDCO shall notify the applicant if TEDCO finds the applicant ineligible for an award under Regulation .03 of this chapter.

(5) Program Criteria, Diversity and Inclusion Criteria, and TEDCO's Diligence.

(a) If the applicant is eligible for an award by TEDCO, TEDCO shall consider the program criteria as set forth in §B(5)(b) of this regulation and diversity and inclusion criteria as set forth in §B(5)(c) of this regulation and shall conduct diligence as set forth in §B(5)(d) of this regulation.

(b) Program Criteria. TEDCO shall use the following criteria as the basis of a scoring rubric to evaluate eligible applicants:

(i) Whether the applicant's business promotes commercialization of research in the State or facilitates transfer of technology from universities and federal research laboratories;

(ii) The degree to which the applicant will utilize the award towards commercialization of the research;

(iii) Whether the applicant's business is primarily engaged in research and development activities that assist in the prevention of, preparedness for, or response to a public health crisis in the State;

(iv) The potential economic impact of the applicant's growth in the State;

(v) Whether the award has a potential to foster job creation and economic development in the State; and

(vi) Adherence to the application process.

(c) Diversity and Inclusion Criteria. TEDCO shall consider whether:

(i) The award has the potential to result in a positive economic development impact for a region or an area which is economically distressed or a rural area or a rural community; and

(ii) A founder of the applicant or a member of the applicant's executive leadership has self-identified as a member of a group that is economically disadvantaged.

(d) Diligence. TEDCO's diligence may include:

(i) Review of applicant's proposal, budgets, and impact to the State's ecosystem;

(ii) Site visits;

(iii) Validation of claims and assumptions made in the application; and

(iv) At TEDCO's sole discretion, an applicant's presentation and interview.

C. Scoring. TEDCO shall score each applicant in accordance with a uniform scoring rubric based on the program criteria and diversity and inclusion criteria.

D. Final Approval. The Chief Executive Officer, in the Chief Executive Officer's sole discretion, shall base TEDCO's final decision regarding an award to an eligible applicant on:

- (1) The application;*
 - (2) The aggregate scores from the evaluation of the program criteria and diversity and inclusion criteria under §C of this regulation;*
 - (3) The likelihood that an award will foster job creation and economic development in the State; and*
 - (4) The amount of money available for this program.*
- E. Rejected Applicants. If an applicant is rejected for an award, TEDCO shall notify the applicant in writing.*

.05 Award Limitations.

Subject to the availability of money in the Fund, TEDCO shall provide an award to selected applicants as follows:

A. For Phase I SBIR award or STTR award applicants, an award under the Program shall be the lesser of:

- (1) 25 percent of the Phase I SBIR award or STTR award; or*
- (2) \$25,000.*

B. For Phase II SBIR award or STTR award applicants, an award under the Program shall be the lesser of:

- (1) 25% of the Phase II SBIR award or STTR award; or*
- (2) \$75,000.*

.06 Nondiscrimination.

An applicant shall comply with all applicable federal, State, and local laws regarding discrimination and equal opportunity in employment.

.07 Program Administration.

An action or decision required or permitted to be taken or made by TEDCO under the Act or these regulations, including execution of award financing documents, may be taken by the Chief Executive Officer or Chief Executive Officer's designee.

JIGITA PATEL
Assistant Attorney General

Subtitle 17 MARYLAND CANNABIS ADMINISTRATION

Notice of Proposed Action

[24-206-P]

The Maryland Cannabis Administration proposes to:

- (1) Amend Regulation .01 under COMAR 14.17.01 Definitions;**
- (2) Adopt new Regulation .05 under COMAR 14.17.02 General Regulations;**
- (3) Repeal existing Regulation .07, amend and recodify existing Regulation .08 to be Regulation .07, recodify existing Regulation .09 to be .08, and adopt new Regulation .09 under COMAR 14.17.04 Medical Cannabis Program;**
- (4) Amend Regulation .05 under COMAR 14.17.05 Application Process and Issuance of Licenses;**
- (5) Adopt new Regulation .12 under COMAR 14.17.06 Standard Cannabis Licenses;**
- (6) Amend Regulation .02 under COMAR 14.17.07 Micro Licenses;**
- (7) Amend Regulations .03–.05 under COMAR 14.17.08 Laboratory Registration and Operations;**
- (8) Amend Regulation .02 under COMAR 14.17.09 Other Cannabis Businesses;**
- (9) Amend Regulations .02, .03, and .08 under COMAR 14.17.10 Cannabis Grower Operations;**
- (10) Amend Regulation .04 and .18 under COMAR 14.17.11 Cannabis Processor Operations;**

(11) Amend Regulations .02, .04, .10 under COMAR 14.17.12 Cannabis Dispensary Operations;

(12) Amend Regulations .08 and adopt new Regulation .12 under COMAR 14.17.13 Cannabis Products;

(13) Amend Regulations .02 and .06 under COMAR 14.17.14 Complaints, Enforcement, Record Keeping, and Inspections of Cannabis Businesses;

(14) Amend Regulation .05 under COMAR 14.17.15 Cannabis Business Agents;

(15) Amend Regulation .03 under COMAR 14.17.16 Cannabis Business Owners;

(16) Amend Regulation .03 under COMAR 14.17.18 Finished Product Packaging;

(17) Amend Regulation .02 under COMAR 14.17.19 Cannabis Research; and

(18) Amend Regulations .01, .02, .06, .07, .09, .10, and .12 under COMAR 14.17.22 Hearing Procedures.

Statement of Purpose

The purpose of this action is to update regulations in response to stakeholder input, align regulatory language with current practice, and comply with statute. Specifically, it creates new processes for identifying and addressing medical product scarcity, for individuals to protest license renewals in accordance with Alcoholic Beverages and Cannabis Article §36-411, Annotated Code of Maryland, and for the Administration to consider the approval of novel products approved in other jurisdictions. Other modifications include exempting sociological information from inclusion in Public Information Act requests, establishing a standard for discrepancy reporting requirements, authorizing MCA to collect certain reports, and amending contested case hearing procedures. Finally, changes are made to clarify existing requirements and processes for certifying providers, licensees, registrants, and agents to enhance compliance with State law or reduce administrative burdens.

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 Alison Butler, Division Chief, Policy Implementation, Maryland Cannabis Administration, 849 International Drive Linthicum, MD 21090, or call 443-462-6225, or email to mca.policy@maryland.gov. Comments will be accepted through January 27, 2025. A public hearing has not been scheduled.

14.17.01 Definitions

Authority: Alcoholic Beverages and Cannabis Article, §36-101, Annotated Code of Maryland

A. (text unchanged)

B. Terms Defined.

(1)—(35) (text unchanged)

(35-1) “Operational” means physically and actively engaged in the cultivation, processing, or dispensing of cannabis.

(36)—(41) (text unchanged)

(42) Processor.

(a) “Processor” means an entity licensed by the Administration in accordance with Alcoholic Beverages and Cannabis Article, §36-401, Annotated Code of Maryland, that:

(i) (text unchanged)

(ii) Is authorized by the Administration to provide cannabis to [licensed dispensaries] *cannabis licensees* and registered independent testing laboratories.

(b) (text unchanged)

(43)—(58) (text unchanged)

14.17.02 General Regulations

Authority: Alcoholic Beverages and Cannabis Article, §§36-201, 36-401, and 36-403, Annotated Code of Maryland

.05 Sociological Information.

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

(1) Academic or personal records provided to verify social equity status;

(2) Records about an individual’s personal history, age, family, race, national origin, creed, color, sex, pregnancy, sexual orientation, ethnic background, ancestry, physiology, religion, academic achievement, employment, gender identity or expression, genetic information, veteran status, or physical or mental ability;

(3) Family history, identity of relatives, emergency contacts, or representatives;

(4) Medical or psychiatric history;

(5) Social security number;

(6) Date of birth;

(7) Credit card or other banking information;

(8) Personal addresses, personal phone numbers, personal electronic mail address, or personal social media account information;

(9) Information regarding marital status, domestic partnership, dependents, or relatives, including related employment benefits elections;

(10) Information regarding employment status, including disciplinary records and records related to an application for employment;

(11) Applicant information of those not selected for licensure;

(12) Military service;

(13) Driver’s license number;

(14) Immigration status, passport, or visa numbers;

(15) Any information obtained through employment coaching or surveys;

(16) Financial information, including income other than State salary, assets, and liabilities; and

(17) Records not related to the transaction of State business.

B. Except for use in carrying out the Administration’s governmental functions or except as further provided in §C of this regulation, the Administration may not disclose under the Public Information Act, General Provisions Article, §§4-101—4-601, Annotated Code of Maryland, and shall deny a request for inspection or copying of, any part of a public record that contains sociological information relating to an individual.

C. The Administration may disclose sociological information:

(1) To the person in interest or the agent or representative of the person in interest;

(2) With the consent of the person in interest;

(3) Pursuant to a duly issued subpoena;

(4) Pursuant to a court order;

(5) If disclosure is otherwise required by law, including if required to be disclosed under General Provisions Article, §4-333, Annotated Code of Maryland, as part of a licensing record; or

(6) If disclosure is otherwise permitted by law and the Administration determines that disclosure would be in the public’s best interests.

14.17.04 Medical Cannabis Program

Authority: Alcoholic Beverages and Cannabis Article, §§36-201, 36-301, 36-302, 36-410, and 36-601, Annotated Code of Maryland

[.08] .07 Clinical Directors.

A.—F. (text unchanged)

G. The Administration may request information from licensed dispensaries on clinical director utilization in a manner specified by the Administration.

.09 Medical Product Availability.

A. A qualifying patient, registered caregiver, certifying provider, licensee, or clinical director may submit to the Administration, in a manner prescribed by the Administration, information about medical cannabis products that are scarce, limited in production, or no longer available.

B. The Administration may implement programs or incentives to address product scarcity.

14.17.05 Application Process and Issuance of Licenses

Authority: Alcoholic Beverages and Cannabis Article, §§36-202, 36-401, 36-404, and 36-505, Annotated Code of Maryland

.05 Issuance of a License or Rescission of a Conditional License.

A. Conditional License Period.

(1)—(3) (text unchanged)

(4) For purposes of determining consistent good faith effort in §A(3), the Administration will consider demonstrating legal control of a premises to indicate consistent good faith effort if the premises:

(a) Is suitable for the operations of the cannabis license; and

(b) Complies with local planning and zoning requirements.

[(4)] (5)—[(7)] (8) (text unchanged)

B.—F. (text unchanged)

14.17.06 Standard Cannabis Licenses

Authority: Alcoholic Beverages and Cannabis Article, §§36-202, 36-203, 36-401, 36-405—36-407, 36-411, 36-503, and 36-802 Annotated Code of Maryland

.12 Protest of Renewal.

A. Individuals may file a protest against cannabis license renewal with the Administration in a manner prescribed by the Administration.

B. A valid filing of a protest against license renewal under this regulation shall be made by ten or more individuals who are located within 1,000 feet of the license location and are:

(1) Residents;

(2) Commercial tenants; or

(3) Real estate owners.

C. A protest against license renewal shall be made on the basis of:

(1) A violation by the licensee of this subtitle or Alcoholic Beverages and Cannabis Article, Title 36, Annotated Code of Maryland;

(2) A violation by the licensee of civil or criminal law; or

(3) *Conduct by the licensee that creates or maintains conditions that allow other individuals to act in a manner that disturbs the public peace, including:*

- (a) *Obstruction of public rights-of-way by unruly crowds;*
- (b) *Assault, battery, or other disorderly conduct that disturbs the public peace;*
- (c) *Vandalism; or*
- (d) *Littering.*

D. Reasonable Grounds.

(1) *Individuals may only demonstrate reasonable grounds for a protest against license renewal by:*

(a) *Submitting criminal or civil citations, violations, incident reports, or other sanctions against the licensee by:*

- (i) *Local law enforcement;*
- (ii) *The Maryland Cannabis Administration;*
- (iii) *The Alcohol, Tobacco or Cannabis Commission; or*
- (iv) *Any other unit of government with the legal authority to issue fines, citations, or other violations; or*

(b) *Submitting criminal or civil citation, violations, or other sanctions against an individual for conduct occurring within 1,000 feet of the licensed establishment by:*

- (i) *Local law enforcement; or*
- (ii) *Any other unit of government with the legal authority to issue fines, citations, or other violations.*

(2) *The Administration shall determine if the protest filed is based on reasonable grounds.*

(3) *In making the determination of reasonable grounds, the Administration may consider the number of citations, violations, or other sanctions filed under §D(1) of this regulation.*

(4) *A submission under §D(1) of this regulation may only be used for the purposes of a single protest against license renewal filing.*

E. Protest of Renewal Hearing.

(1) *If the Administration determines that the protest is based on reasonable grounds, the Administration shall:*

- (a) *Hold a hearing in accordance with COMAR 14.17.22 of this subtitle; and*
- (b) *Notify the licensee no later than 30 days prior to the hearing date.*

(2) *A hearing under this regulation shall be held within 6 months of the determination by the Administration that the protest was filed on the basis of reasonable grounds.*

F. Sanctions.

(1) *As a result of a hearing held under this regulation, the Administration may immediately:*

- (a) *Suspend, fine, or revoke a license; and*
- (b) *Develop a corrective action plan for the licensee.*

(2) *In determining sanctions against the licensee, the Administration may consider the:*

- (a) *Number of individuals filing the protest;*
- (b) *Grounds on which the protest was filed;*
- (c) *Number of citations, violations, or other sanctions filed against the licensee as a part of the protest against license renewal; and*
- (d) *Any prior protest against license renewal filings or other violations issued by the Administration.*

14.17.07 Micro Licensees

Authority: Alcoholic Beverages and Cannabis Article, §§36-202—203, 36-401, and 36-503, Annotated Code of Maryland

.02 Term of License and License Renewal.

A.—B. (text unchanged)

C. The Administration may verify compliance with the operational restrictions under §B of this regulation within the first 24 months of a micro licensee's operations by:

- (1)—(2) (text unchanged)

(3) For dispensaries, investigating or otherwise verifying that the licensee:

- (a) (text unchanged)
 - (b) Employs [fewer] *no more* than ten [individuals] *registered agents*; and
 - (c) (text unchanged)
- D. (text unchanged)

14.17.08 Laboratory Registration and Operations

Authority: Alcoholic Beverages and Cannabis Article, §§36-202—204, and 36-408, Annotated Code of Maryland

.03 Standards of Care.

A. The independent testing laboratory shall:

- (1)—(9) (text unchanged)
- (10) Make any security video surveillance recording available to the Administration or law enforcement agency for just cause as requested within 48 hours; [and]
- (11) Maintain a log of all visitors to the premises for 2 years[.]; and
- (12) *Conspicuously display a copy of its laboratory registration at the registered premises.*

B. (text unchanged)

.04 Term and Renewal.

A. (text unchanged)

B. An independent testing laboratory may renew its registration by submitting to the Administration:

(1) A [copy of the independent testing laboratory] registration renewal form completed in the manner specified by the Administration;

- (2)—(3) (text unchanged)

.05 Independent Testing Laboratory Responsibilities.

A. In this regulation, “supporting data” means charts, graphs, spectra, or other information resulting from the testing of cannabis or cannabis products.

[A.] B. An independent testing laboratory shall:

- (1)—(2) (text unchanged)
- (3) Perform *sampling*, testing, and analysis of cannabis and cannabis products in accordance with the Administration's Technical Authority;
- (4) In the event [of] a test result [which falls out of specification] is outside action limits:
 - (a) Follow standard operating procedure to confirm or refute the original result; [and]
 - (b) Notify the Administration of the failed test result via reporting in the seed-to-sale tracking system within 24 hours of the determination; and
 - (c) Follow testing protocols established in the MCA's Technical Authority.

(5) Issue to the licensee a certificate of analysis for each batch or lot, with supporting data upon request, to report concentrations of compounds, presences of contaminants, and whether the batch or lot is within [specifications] *action limits* for certain characteristics, as required by the Technical Authority; and

- (6) (text unchanged)

[B.] C. An independent testing laboratory may only handle, test, or analyze cannabis or cannabis products if it:

- (1) (text unchanged)

(2) Is independent from [all other persons and entities involved in the cannabis industry] *any entity licensed under Alcoholic Beverages and Cannabis Article, §36-401, Annotated Code of Maryland, to grow, process, or dispense cannabis*;

[C.] D. Upon request, in a format determined by the Administration, independent testing laboratories shall:

(1) (text unchanged)

(2) As part of a licensee inspection, analyze samples [for deviation from specification] and provide a written report to the Administration.

14.17.09 Other Cannabis Businesses

Authority: Alcoholic Beverages and Cannabis Article, §§36-202, 36-203, 36-401, and 36-409, Annotated Code of Maryland

.02 Cannabis Registrants.

A. A registrant shall be registered with the Administration prior to providing any *laboratory*, transportation, disposal, or security services for any cannabis licensee in Maryland.

B. To register, a cannabis business shall submit:

(1) A completed registration form *in the manner specified by the Administration*;

(2) The name[, address, date of birth, and Social Security number] of each agent for the cannabis business;

[(3) A security plan, including emergency protocol;

(4) A copy of the articles of incorporation and authorization to do business in Maryland;]

[(5)] (3)—[(7)] (5) (text unchanged)

C. (text unchanged)

D. The Administration may deny a registration *or renewal* for any good cause as determined by the Administration.

E.—G. (text unchanged)

H. The business may renew its registration by submitting to the Administration:

(1) A [copy of the] registration *renewal* form *completed in the manner specified by the Administration*; and

(2) [Proof that fingerprints have been submitted to CJIS and the FBI for every cannabis agent.] *The registration fee established in COMAR 14.17.21.*

I. (text unchanged)

14.17.10 Cannabis Grower Operations

Authority: Alcoholic Beverages and Cannabis Article, §§36-202, 36-203, 36-401, 36-402, and 36-410, Annotated Code of Maryland

.02 Cannabis Grower Premises.

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

(1) “Indoor cultivation” means producing cannabis plants in a permanent structure that provides control of environmental conditions using artificial heating, air conditioning, or other climate control.

(2) “Outdoor cultivation” means producing flowering cannabis plants in an area that is directly or indirectly exposed to outdoor elements.

(3) Permanent structure.

(a) “Permanent structure” means a structure that is designed to be used for cultivation for 180 days or more in a one year period.

(b) “Permanent structure” includes a building, shipping container, or greenhouse.

[A.] B. (text unchanged)

[B.] C. [Additional Provisions for Field or Greenhouse Cultivation Premises.] *Outdoor cultivation premises are subject to the following, additional provisions:*

(1) A grower premises for [field] *outdoor* cultivation of cannabis shall be situated to maintain the greatest achievable level of privacy and security.

(2)—(4) (text unchanged)

(5) [A video surveillance system shall be supported by adequate security lighting which may be modified as necessary to include motion control sensors to protect light-dark cycles for proper cultivation] *A grower may modify its security lighting to protect light-dark cycles for proper cultivation, provided the security lighting complies with §§C(4) and F of this regulation.*

(6) *An outdoor cultivation area may not:*

(a) *Be enclosed by a permanent structure; or*

(b) *Employ any artificial heating, air conditioning, or other climate control.*

(7) *In determining whether a cultivation premises qualifies as outdoor, the Administration may consider the number of cultivation cycles that can be produced at the facility.*

[C.] D.—[F.] G. (text unchanged)

[G.] H. Video Surveillance Requirements.

(1)—(6) (text unchanged)

(7) Violation.

(a) (text unchanged)

(b) Each day of recording within the timeframe in [§G(5)(d)] §H(5)(d) of this regulation that a grower fails to provide to the Administration constitutes a separate violation.

[H.] I.—[I.] J. (text unchanged)

.03 Cannabis Grower Controls.

A. (text unchanged)

B. Growing Cannabis.

(1) Horticultural Controls.

(a)—(d) (text unchanged)

(e) Pest Monitoring. A grower shall use integrated pest management practices and techniques to identify and manage plant pathogen and pest problems, including:

(i)—(ii) (text unchanged)

(iii) The use of sticky cards in growing areas, *when applicable*; and

(iv) (text unchanged)

C. (text unchanged)

D. Quality Controls.

(1)—(4) (text unchanged)

(5) Batch Release Controls.

(a) (text unchanged)

(b) If a grower receives test results that [do not meet specifications] *fall outside action limits*, the grower:

(i) [Shall notify the Administration of the determination within 24 hours of receiving the test results;

(ii)] (text unchanged)

[(iii)] (ii) (text unchanged)

(6)—(7) (text unchanged)

E. (text unchanged)

.08 Discrepancy, Theft, and Diversion Reporting.

A. (text unchanged)

B. Theft or Diversion. If the grower finds evidence of a theft or diversion, the grower shall report the theft or diversion to the Administration [and to the law enforcement agency with jurisdiction in the grower’s area] within 1 business day.

C. (text unchanged)

14.17.11 Cannabis Processor Operations

Authority: Alcoholic Beverages and Cannabis Article, §§36-202, 36-203, and 36-401, Annotated Code of Maryland

.04 Cannabis Product Processing.

A.—B. (text unchanged)

C. Batch Release Controls.

(1) (text unchanged)

(2) If a licensed processor receives test results that the lot [does not meet specifications] *falls outside action limits*, the licensed processor:

(a) [Shall notify the Administration of the determination within 24 hours of the receiving the test results;

(b)] May rework or reprocess the lot according to their standard operating procedure; and

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

(3)—(4) (text unchanged)

D. (text unchanged)

.18 Discrepancy, Theft, and Diversion Reporting.

A. (text unchanged)

B. Theft or Diversion. If the processor finds evidence of a theft or diversion, the processor shall report the theft or diversion to the Administration [and to the law enforcement agency with jurisdiction in the processor's area] within 1 business day.

C. (text unchanged)

14.17.12 Cannabis Dispensary Operations

Authority: Alcoholic Beverages and Cannabis Article, §§36-202, 36-203, 36-401, and 36-410, Annotated Code of Maryland

.02 Standard Cannabis Dispensary.

A.—L. (text unchanged)

M. Standard Dispensary Premises Organization.

(1)—(6) (text unchanged)

(7) All cannabis, other than that being displayed, packaged, or dispensed during [business hours] *hours of operation*, shall be kept in a secure room *that complies with §G(2) of this regulation*.

(8) (text unchanged)

N.—O. (text unchanged)

P. To provide curbside pick-up, a standard dispensary shall:

(1) Designate curbside pick-up parking spots within 100 feet from the dispensary's [main] entrance and ensure that dispensary agents only deliver cannabis or cannabis products to the designated parking spots;

(2)—(3) (text unchanged)

Q. *Cannabis Display*. A dispensary may store cannabis in a clear, tamper-evident canister for display purposes, provided the following conditions are met:

(1) During hours of operation, the canister is:

(a) Stored out of sight behind the service area counter when not being actively examined by a qualifying patient, registered caregiver, or adult-use consumer; or

(b) Otherwise stored securely to prevent unauthorized removal of the canister;

(2) Outside of hours of operation, the canister is stored in the dispensary's secure room;

(3) Once the display is no longer in use, the dispensary green wastes the cannabis in accordance with its standard operating procedures;

(4) Product stored inside the display jars is not easily accessible or removable by qualifying patients, registered caregivers, or adult-use consumers; and

(5) Cannabis used for display is recorded in accordance with seed-to-sale tracking system procedures.

.04 Dispensary Operations.

A.—D. (text unchanged)

E. *Upon request by a qualifying patient, registered caregiver, or adult-use consumer, a dispensary shall display any labeling information required under COMAR 14.17.18.03 in an easily readable format.*

.10 Discrepancy, Theft, or Diversion.

A. Discrepancy Reporting.

(1) If a dispensary discerns a discrepancy between the inventory of stock and the seed-to-sale tracking system [outside of normal weight loss due to moisture loss and handling] *of greater than 0.5 percent of total product weight or items*, the dispensary shall:

(a)—(b) (text unchanged)

(2) (text unchanged)

B. Theft or Diversion. If the dispensary finds evidence of a theft or diversion, the dispensary shall report the theft or diversion to the Administration [and to the law enforcement agency with jurisdiction in the dispensary's area] within 1 business day.

C. (text unchanged)

D. *A dispensary shall use the seed-to-sale tracking system for explanation and reporting of discrepancies less than 0.5 percent.*

14.17.13 Cannabis Products

Authority: Alcoholic Beverages and Cannabis Article, §§36-202, 36-203, and 36-203.1, Annotated Code of Maryland

.08 Cannabis Vaporizing Devices.

A.—B. (text unchanged)

C. [Cannabis] *Except as authorized by COMAR 14.17.12.04, cannabis vaporizing devices may not include*:

(1) Vitamin E Acetate; or

(2) Any other] *any solvent, solution, or other substance deemed to be a risk to public health or safety by the Administration [according to COMAR 14.17.02.04].*

.12 Novel Product Requests.

A. In this regulation, "novel product" means a cannabis product that is:

(1) *Not presently authorized in Maryland; and*

(2) *Lawfully produced in another jurisdiction.*

B. A licensed processor may submit a request to the Administration in a manner prescribed by the Administration to approve a novel product.

C. A valid novel product request shall include:

(1) *A detailed product description;*

(2) *An explanation of how the product deviates from current regulations;*

(3) *Evidence that the same product type is permitted in at least one other state's regulated cannabis market; and*

(4) *Health and safety information, including but not limited to:*

(i) *Available information or studies regarding any beneficial or adverse effects from the use of the product; and*

(ii) *Packaging and labeling strategies to minimize risk to patients, consumers, and children.*

D. The Administration may:

(1) *Make its own determination to approve or deny the request;*

or

(2) *Defer the request to the Public Health Advisory Council.*

E. *The Administration reserves the right to make a final determination on the request.*

14.17.14 Complaints, Enforcement, Record Keeping, and Inspections of Cannabis Businesses

Authority: Alcoholic Beverages and Cannabis Article, §§36-202, 36-203, and 36-901, Annotated Code of Maryland

.02 Records.

A. A licensee shall maintain[, independent]:

(1) *Independent* of the seed-to-sale tracking system, a searchable, secure, tamper-evident record of each distribution that contains:

[(1)] (a)—[(3)] (c) (text unchanged)

[B.] A licensee shall maintain:

(1) (2) To ensure uniformity, for each batch and lot:

(a) Records of production and distribution; and

(b) Daily checklists;

[(2)] (3) A record of test methods and test results for each batch and lot[, including graphs, charts, or spectra from laboratory instrumentation];

[(3)] (4)—[(4)] (5) (text unchanged)

[C.] B. (text unchanged)

.06 Advertising.

A. (text unchanged)

B. A [standard] licensee, registrant, agent, or [employee] *certifying provider* who violates §A of this regulation:

(1)—(2) (text unchanged)

C. (text unchanged)

D. In accordance with the hearing provisions in Regulation .05 of this chapter, the Administration may deny, suspend, or revoke the license or registration of a licensee, registrant, agent, or [employee] *certifying provider* who violates §A of this regulation.

14.17.15 Cannabis Business Agents

Authority: Alcoholic Beverages and Cannabis Article, §§36-202, 36-203, 36-501, and 36-1001—36-1003, Annotated Code of Maryland

.05 Training.

A.—B. (text unchanged)

C. [A] *On an annual basis, a* registered agent employed by a cannabis licensee shall complete a responsible vendor training program that:

(1)—(2) (text unchanged)

D.—E. (text unchanged)

14.17.16 Cannabis Business Owners

Authority: Alcoholic Beverages and Cannabis Article, §§36-202, 36-501, 36-502, 36-503, 36-504, and 36-801, Annotated Code of Maryland

.03 Annual [Report on Minority] Reports for Cannabis Business Owners [and Employees].

A. *Annual Report on Minority Owners and Employees.*

(1) On or before August 1 of each year, each licensee and registrant shall submit a report in a manner determined by the Administration [regarding the licensee's or registrant's minority owners and employees] *in accordance with Alcoholic Beverages and Cannabis Article, §36-801(a), Annotated Code of Maryland.*

(2) *Each licensee and registrant shall maintain the data required for the report in §A(1) of this regulation for a period of 5 years.*

B. *The Administration may request an annual report regarding a licensee's or registrant's environmental resource consumption and waste generation, including but not limited to:*

(1) *Energy and water usage; and*

(2) *Green waste disposal.*

C. *The Administration may require licensees to demonstrate progress toward the stated goals of the diversity plan on a quarterly basis for the first operational year of licensure, in a manner specified by the Administration.*

14.17.18 Finished Product Packaging

Authority: Alcoholic Beverages and Cannabis Article, §§36-202, 36-203, and 36-203.1, Annotated Code of Maryland

.03 General Labeling Requirements.

A.—C. (text unchanged)

D. Product Information.

(1) (text unchanged)

(2) [Cannabinoid and terpene itemization] *The information required under [§D(1)(e)] §D(1)(e)—(g) of this regulation may be printed on an inner layer of a label or made available through a link or QR code.*

E.—F. (text unchanged)

14.17.19 Cannabis Research

Authority: Alcoholic Beverages and Cannabis Article, §§36-202, 36-701, and 36-702, Annotated Code of Maryland

.02 Research and Development.

A.—E. (text unchanged)

F. Limited Testing for Edible Cannabis Product Development.

(1)—(3) (text unchanged)

(4) Any edible cannabis product transferred from the premises for research and development testing shall:

(a) (text unchanged)

(b) Be labeled with the statements:

(i) “CAUTION: [NOT FOR HUMAN OR ANIMAL CONSUMPTION] *THIS PRODUCT IS FOR APPROVED R&D USAGE ONLY.*”; and

(ii) (text unchanged)

(c)—(d) (text unchanged)

14.17.22 Hearing Procedures

Authority: Alcoholic Beverages and Cannabis Article, §36-202, Annotated Code of Maryland

.01 Scope.

A. This chapter applies to hearings [that] *before* the Administration [is required to conduct by statute or regulation except for those hearings for which specific procedural regulations have been promulgated] *or its designee.*

B.—C. (text unchanged)

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) “*Final decision maker*” means:

(a) *The Administration's hearing officer; or*

(b) *A designee for the purpose of rendering a final decision in a contested case.*

(2) “Final decision order” means a final ruling in a contested case that is adverse to a party and which shall comply with the requirements of State Government Article §10-221 et seq., Annotated Code of Maryland.

[(1)] (3) “Hearing” means a [presentation or other preceding] contested case hearing as defined by the Administrative Procedure Act, State Government Article, §10-201 et seq., Annotated Code of Maryland.

[(2)] (4) “Hearing officer” means [a designee empowered by statute to render a decision as defined by the Administrative Procedure Act, State Government Article, §10-201 et seq., Annotated Code of Maryland] the individual designated to preside over an evidentiary hearing in a contested case.

[(3)] (5)—[(4)] (6) (text unchanged)

.06 Prehearing Conference and Case Resolution.

A.—B. (text unchanged)

C. Case Resolution.

(1) The Administration may initiate a case resolution process with parties after *administrative charges have been filed or upon the request [of] for a hearing.*

(2) Any cases that are not resolved through case resolution shall proceed [with] to a hearing in accordance with this chapter.

.07 Scheduling a Hearing.

A. (text unchanged)

B. The hearing officer or their designee shall notify the party:

(1)—(3) (text unchanged)

(4) That the failure to appear for the scheduled hearing [shall be treated as a withdrawal of the request for the hearing] *may nonetheless result in a final decision or order issued by the final decision maker; [and]*

(5) *Of any applicable deadlines for submission of a prehearing statement, motion, or exchange of hearing exhibits; and*

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

C. Upon request by a party, witness, or representative who cannot hear, speak, or understand the spoken or written English language, the Administration shall provide a qualified interpreter during the proceeding in which the party, witness, or representative is participating as required by the Americans with Disabilities Act.

.09 Hearings.

A. (text unchanged)

B. Discovery.

(1) *Discovery may be taken only upon the submission of a stipulation signed by all parties and approved by the hearing officer.*

(2) *If a stipulation described in §B(1) is submitted, the hearing officer may issue such orders as are necessary to implement discovery.*

(3) *Parties may request governmental documents under the Maryland Public Information Act, State Government Article, Title 4., Annotated Code of Maryland.*

[B.] C. Written Subpoenas.

(1) A party may request that the hearing officer issue subpoenas for witnesses [or documents] necessary for the hearing.

(2)—(3) (text unchanged)

[C.] D. (text unchanged)

[D.] E. Burden of Proof.

(1) (text unchanged)

(2) In the hearing of a contested case involving allegations that [the] a party violated a law or regulation, the [presenter of evidence for the] Administration shall bear the burden of [proving] *proof* that the party committed the violations that resulted in the Administration’s action against [a] the party.

(3) (text unchanged)

(4) *In the hearing of a contested case resulting from an advertisement alleged to not comply with the requirements of*

Alcoholic Beverages and Cannabis Article §§36-901—36-903, Annotated Code of Maryland, the respondent shall have the burden of establishing audience composition data sufficient to demonstrate that the audience of the advertisement met the requirement of Alcoholic Beverages and Cannabis Article §36-903(a)(1)(iv), Annotated Code of Maryland.

F. Construction.

(1) *In hearings conducted by an Administrative Law Judge of the Office of Administrative Hearings, COMAR 14.17.22, et seq shall whenever possible be construed as supplementing and in harmony with COMAR 28.02.01.*

(2) *In the event of a conflict between COMAR 14.17.22 et seq. and COMAR 28.02.01, this subtitle shall apply.*

[E.] G. (text unchanged)

.10 Final Determination.

A. [The hearing officer shall issue, in writing, either a final determination or a proposed determination on behalf of the Administration, depending on the nature of the delegation issued by the Administration.] *A Notice of Agency Action becomes a final decision or order if a request for a hearing is not made timely.*

B. *The Administration may delegate to an Administrative Law Judge responsibility to make:*

(1) *Proposed findings of fact;*

(2) *Proposed findings of fact and proposed conclusions of law;*

or

(3) *Proposed findings of fact, proposed conclusions of law, and proposed disposition.*

[B.] C. (text unchanged)

[C.] D. The notice of final determination issued by an Administration hearing officer shall summarize:

(1)—(4) (text unchanged)

[D.] E. (text unchanged)

.12 Judicial Review.

A. (text unchanged)

B. For purposes of an appeal, the venue in the Circuit Court of Anne Arundel County shall be proper as that is where the Administration resides and carries on its regular business [in Anne Arundel County].

WILLIAM TILBURG
Executive Director

Subtitle 38 MARYLAND STATE LIBRARY

14.38.02 Freedom to Read Act

Authority: Education Article, §§ 4-142, 23-101, 23-102.1, 23-105-106, 23-202-202.1, 23-205, 23-406, 23-503 and 23-506-507, Annotated Code of Maryland

Notice of Proposed Action

[24-177-P]

The Maryland State Library Agency proposes to adopt new Regulations .01—.04 under a new chapter, **14.38.02 Freedom to Read Act**. This action was considered at an Open Meeting of the Maryland State Library Board held pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to establish as a matter of policy and priority that library materials, services, and resources exist and should be provided for the interest, information, and enlightenment of all persons the library serves;

(1) A library should not exclude material from its catalog because of the origin, background, or views of a person who created the material; and

(2) A library should not prohibit or remove material from its catalog because of partisan, ideological, or religious disapproval.

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 Morgan Lehr Miller, Maryland State Librarian, Maryland State Library Agency, 25 S. Charles Street, Baltimore, MD 21201, or call 667-219-4801, or email to morgan.miller1@maryland.gov. Comments will be accepted through January 27, 2025. A public hearing has not been scheduled.

.01 Purpose.

The purpose of this chapter is to establish as a matter of policy and priority that:

A. *Library materials, services, and resources exist and should be provided for the interest, information, and enlightenment of all persons the library serves;*

B. *A library should not exclude material from its catalog because of the origin, background, or views of a person who created the material; and*

C. *A library should not prohibit or remove material from its catalog because of partisan, ideological, or religious disapproval.*

.02 Definitions.

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

B. *Terms Defined:*

(1) *“County” means any county of the State and Baltimore City.*

(2) *Library.*

(a) *“Library” includes:*

(i) *The State Library Resource Center;*

(ii) *A Regional Resource Center;*

(iii) *A correctional facility library;*

(iv) *A county library system and the Enoch Pratt Free*

Library in Baltimore;

(v) *The Maryland State Library for the Blind and Print*

Disabled;

(vi) *The Maryland Deaf Culture Digital Library; and*

(vii) *A metropolitan cooperative service program.*

(b) *“Library” does not include a school library media program established by a local school system.*

(3) *“Objection” means a formal challenge submitted to a library for the purpose of removing, reconsidering, or restricting the presence of materials in a library collection.*

(4) *“School library media program” means a library in a school in the public elementary and secondary education system of this State.*

.03 Library Policies and Procedures.

A. *Each library shall adopt and follow a written policy for operation of the library that is consistent with the State standards for libraries set forth in Regulation .01 of this chapter.*

B. *Each policy adopted pursuant to §A of this regulation shall include:*

(1) *An acknowledgement that all Marylanders have the freedom to read;*

(2) *An affirmation that it is the responsibility of the library to provide adequate library services to satisfy the diverse needs of their users;*

(3) *A policy and procedures for librarians and library staff to identify materials that meet users’ needs;*

(4) *A requirement that librarians and library staff curate and develop collections that provide access to the widest possible array of books and other materials that support learning; and*

(5) *A materials reconsideration policy and procedures.*

C. *A materials reconsideration policy and procedures shall:*

(1) *Establish a uniform process to submit an objection to materials in the library;*

(2) *Require material under review due to an objection to remain available for use by the public and library staff until the review process has concluded; and*

(3) *Establish a reasonable timeline to conduct and conclude the review process in a timely manner.*

D. *A library board of trustees or other governing body of a library may not dismiss, suspend, discipline, demote, reassign, transfer, or otherwise retaliate against an employee for performing their job duties consistent with the library’s written policy adopted under §A of this regulation.*

.04 State Funding.

A. *The State Library Board shall ensure that each library that receives State funding is operated in a manner consistent with the State standards for libraries set forth in Regulation .01 of this chapter.*

B. *Receipt of State funding by a public library is contingent upon the library board of trustees or other governing body for the library adopting a written policy that is consistent with the State standards for libraries and conducting the operation of the library in a manner consistent with the written policy.*

C. *If the State Library Board certifies that a library has failed to meet the State standards for libraries, the State Library Board shall notify the Comptroller to withhold all State funds from that library.*

D. *The Comptroller shall continue to withhold funds until the State Library Board certifies that the library has adopted a written policy consistent with the State standards for libraries.*

MORGAN MILLER
Maryland State Librarian

Title 21 **STATE PROCUREMENT** **REGULATIONS**

Subtitle 10 ADMINISTRATIVE AND **CIVIL REMEDIES**

Notice of Proposed Action

[24-209-P]

The Maryland State Board of Contract Appeals proposes to amend:
(1) Regulation .32 under **COMAR 21.10.06 Maryland State Board of Contract Appeals — Procedures for Appealing Contract Disputes.**

(2) Regulation .09 under **COMAR 21.10.07 Maryland State Board of Contract Appeals — Procedures for Appealing Protests.**

Statement of Purpose

The purpose of this action is to efficiently and expeditiously improve the appeals process.

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 Dosch, Deputy Clerk, Maryland State Board of Contract Appeals, 6 St. Paul Street, Suite 601, or call 410-767-8227, or email to Michael.Dosch@maryland.gov. Comments will be accepted through January 27, 2025. A public hearing has not been scheduled.

21.10.06 Maryland State Board of Contract Appeals — Procedures for Appealing Contract Disputes

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

.32 Costs Incurred by Contractor.

[If alleged during the course of the appeal, and within 30 days of receipt of a final decision in which the Board makes a finding that the conduct of unit personnel in processing a contract claim under a contract for construction is in bad faith or without substantial justification, an appellant may request the Appeals Board to award to the appellant the reasonable cost of filing and pursuing the claim, including reasonable attorney fees. Upon the request of either party or the Appeals Board, a hearing shall be held to determine the reasonableness of the costs and fees claimed.]

A. The Appeals Board may award to a contractor the reasonable cost of filing and pursuing a claim, including reasonable attorney's fees, if the Appeals Board finds that the conduct of the unit in processing a contract claim is in bad faith, without substantial justification, or in violation of law. Any allegations of bad faith, lack of substantial justification, or violation of law must be plead with particularity during the course of the proceedings before the Appeals Board.

B. A request for award of costs incurred by the contractor in filing and pursuing a claim shall be made by written motion filed within 15 calendar days of the decision by the Appeals Board finding that the conduct of the unit in processing a contract claim is in bad faith, without substantial justification, or in violation of law. The motion shall specify all costs being requested, shall be substantiated by documented evidence, and the contractor shall certify under oath or affirmation its costs in filing and pursuing a claim. Upon request of a party or on its own initiative, the Appeals Board may conduct a hearing to determine the reasonableness of the costs and fees claimed.

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

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

.09 [Bid and Proposal Protest] Costs Incurred by Interested Party.

[A. Upon sustaining an appeal arising from the final action of a unit on a protest relating to the formation of a procurement contract, the Appeals Board may award the protestor the reasonable costs of filing and pursuing the protest and appeal, not including attorney's fees, when the Appeals Board sustains the appeal based on a violation of law or regulation by the unit conducting the procurement.

B. Before award of the reasonable costs of filing and pursuing the protest and appeal, the Appeals Board shall require the protestor to certify under oath or affirmation its costs in pursuing the protest and

appeal. All costs associated with filing and pursuing the protest and appeal shall be substantiated by documented evidence supporting the validity of the claim. At the request of a party, or upon order of the Board, a hearing may be conducted to determine the reasonableness of the costs sought to be recovered.

C. The reasonable costs of filing and pursuing a protest and appeal include, but are not limited to, the:

(1) Cost of postage, printing, and reproduction incurred in filing the protest and appeal;

(2) Witness fees and expenses;

(3) Costs arising out of written requests for production of documents;

(4) Cost of the additional limited discovery determined by the Appeals Board to be necessary to avoid substantial unfairness or prejudice; and

(5) Filing fees, if any, that may be required by the unit or Appeals Board to be paid upon the filing of the protest or appeal.]

A. The Appeals Board may award an interested party the reasonable costs of filing and pursuing a protest, including reasonable attorney's fees, if:

(1) The interested party appeals the final action of an agency on a protest;

(2) The Appeals Board sustains the appeal; and

(3) The Appeals Board finds that there has been a violation of law or regulation.

B. A request for award of costs incurred by the interested party in filing and pursuing a protest shall be made by written motion filed within 15 calendar days of the decision by the Appeals Board finding a violation of law or regulation. The motion shall specify all costs being requested, shall be sustained by documented evidence, and the interested party shall certify under oath or affirmation its costs in filing and pursuing a protest. Upon request of a party or on its own initiative, the Appeals Board may conduct a hearing to determine the reasonableness of the cost and fees claimed.

MICHAEL DOSCH
Deputy Clerk

**Title 33
STATE BOARD OF
ELECTIONS**

**Subtitle 15 PRECINCTS, POLLING
PLACES, AND FACILITIES**

33.15.03 Polling Places

Authority: Criminal Procedure Article, §11-722; Election Law Article, §§1-101, 2-102(b)(4), 2-202(b), 2-303.1 and 10-101, Annotated Code of Maryland

Notice of Proposed Action

[24-174-P]

The State Board of Elections proposes to amend Regulation .02 under COMAR 33.15.03 Polling Places.

Statement of Purpose

This proposed action adds municipal elected officials to the list of individuals to whom the local boards must provide written notice of a meeting to change the location of a polling place. This notice is required by Chapter 221 (2023) (introduced as HB 410). Municipal elected officials were omitted from the initial text.

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 Danyelle Avery, Administrator, State Board of Elections, 151 West Street Baltimore, MD 21401, or call 410-269-2840, or email to info.sbe@maryland.gov. Comments will be accepted through January 27, 2024. A public hearing has not been scheduled.

.02 New or Changed Polling Place.

A. (text unchanged)

B. Notice of Proposed Changes

(1) (text unchanged)

(2) At least 14 days before the meeting required by §A of this regulation, the local board shall provide written notice of the meeting to:

(a) (text unchanged)

(b) The following elected officials:

(i) (text unchanged)

(ii) County of Commissioner or County Council member elected by voters in the precinct or precincts with the current polling place and proposed polling place; [and]

(iii) *Each Municipal Council member elected by voters in the precinct(s) with the current polling place and proposed polling place; and*

(iv) (text unchanged)

C. – D. (text unchanged)

JARED DEMARINIS
Administrator of Elections

33.15.04 [Storage Facilities] Warehouses

Election Law Article, §§2-102(b)(4), 2-202(b) [and] 2-206, 11-308(a), 9-106(a), and 11-303.2, Annotated Code of Maryland

Notice of Proposed Action

[24-184-P]

The State Board of Elections proposes to repeal existing Regulation .02 to adopt new Regulations .02—,11 and recodify existing Regulation .03 to be Regulation .12 under COMAR 33.15.04 Warehouses.

Statement of Purpose

The purpose of this action is to establish minimum requirements for local board warehouses and reimbursement procedures of warehouse costs by the State Board.

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 Danyelle Avery, Administrator II, State Board of Elections, 151 West Street Annapolis, MD 21401, or call 410-269-2840, or email to dl_regcomments_SBE@maryland.gov.

Comments will be accepted through January 27, 2025. A public hearing has not been scheduled.

.02 Definitions.

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

B. Terms Defined.

(1) “Ballot” has the meaning stated in COMAR 33.10.01.01

(2) “Equipment” means the voting and non-voting system equipment and electronic poll books.

(3) “Non-voting system equipment” means equipment used to conduct an election that is not included in the definition of “EVS voting solution” as defined in COMAR 33.10.01.01.

(4) “Voting location” has the meaning stated in COMAR 33.10.01.01

(5) “Voting system equipment” means the EVS Voting solution as defined in COMAR 33.10.01.01

(6) “Voting unit” has the meaning stated in COMAR 33.10.01.01

(7) “Warehouse” means any facility, other than a voting location, where voting system equipment is under the direct control of the local board of elections and stored when not in use for an election.

.03 Location of Warehouse.

A. Except as provided in §B, a warehouse shall be attached or adjacent to the principal office of the local board of elections.

B. Where the State Board determines no suitable location attached or adjacent to the principal office of the local board of elections exists, a warehouse may be located within a 5 - 10-mile radius of that principal office.

.04 Telecommunications Required.

All warehouses shall be supplied with telecommunication services.

.05 Equipment Storing — In General.

A. A local board shall:

(1) Ensure the availability of warehouse space; and

(2) Maintain direct control of a warehouse.

B. Equipment Generally. The voting system equipment stored in a warehouse shall be stored:

(1) In a secure manner that preserves any potential claims under any applicable warranties or insurance policies; and

(2) In compliance with:

(a) Manufacturer specifications;

(b) This title;

(c) Climate-controlled requirements of the manufacturer; and

(d) Any other legal requirements;

(3) To meet the manufacturer's environmental standards for storage of the equipment;

(4) To meet environmental standards necessary for storage of paper ballots without degradation; and

(5) So that authorized persons can comfortably conduct required pre-election and post-election testing and maintenance of voting equipment.

.06 Insurance Coverage — General.

A. Liability Insurance. Each local board or county government shall maintain liability insurance on the storage facility.

(1) Minimum Coverage. The minimum liability insurance coverage on the storage facility shall be:

(a) \$1,000,000 per occurrence; and

(b) \$2,000,000 in the aggregate.

(2) The State Board and designated personnel shall be named as “additional insured” parties to the liability insurance policy.

B. Property Insurance. Each local board or county government shall maintain property insurance for equipment in the control of the local board.

(1) *Minimum Coverage.* The minimum property insurance coverage shall be the amount necessary to cover the total loss of all equipment in the control of the local board of elections.

(2) *Determination of Coverage.* Coverage shall be determined by the replacement values for the designated equipment.

(3) *Loss Payees.* The State of Maryland and the State Board of Elections shall be included as loss payees under the property insurance policy.

C. *Premiums and Deductibles.* A local board or county government shall be responsible for all premiums, deductibles, or retentions associated with any insurance obtained.

D. *Proof of Insurance.* A local board shall provide proof to the State Board that it complied with §§A and B of this regulation for all times any voting system equipment is in the custody of the local board. The local board shall provide proof:

(1) At the beginning of each fiscal year, and

(2) In the form of a current certificate of insurance or similar documentation.

.07 Warehouse Size and Capacity Specifications.

Determination of Size and Capacity Need. Beginning on July 1, 2025, the State Board on a biannual basis shall:

A. Review and update the inventory of voting system equipment, and pollbook equipment, and voting supplies in the local board's custody;

B. Determine the square footage required for storage and workplace-related tasks of the voting system equipment; and

C. Provide written notice to the local board of the warehouse of the square footage requirements within 30 days of the determination.

.08 Security and Safety Specifications.

A. *Access Control.* The warehouse shall be locked and adequately secured to prevent unauthorized access.

(1) *Restricted Access.* Access to the warehouse should be restricted to authorized personnel only.

(2) *Access Control Measures.* Access to the warehouse shall be regulated through appropriate measures, such as:

(a) Implementing badge systems to identify authorized personnel;

(b) Utilizing door entry access devices to restrict entry; and

(c) Recordkeeping practices.

B. *Security Requirements.*

(1) All warehouses must have a security system containing, at minimum:

(a) An alarm that is triggered by unauthorized entry or smoke within the premises; and

(b) Central monitoring for fire and unauthorized entry.

(2) A warehouse shall have real-time video surveillance capabilities unless granted a waiver by the State Administrator.

C. *Safety Inspections.* Routine safety inspections shall be conducted to ensure the security and safety of the stored equipment. These inspections shall include assessments for:

(1) Pest infestation;

(2) Fire hazards;

(3) Water damage;

(4) Mold; and

(5) Any other potential safety concerns.

.09 Occupancy and Control.

A. *Lessees.* The local board and the local governmental entity are the only entities permitted to be named as lessees on any lease for a warehouse.

B. *Control of Warehouse.* The warehouse in which the equipment is stored must always remain under the direct control of the local board.

C. *Limitation on Tenancy.* No other parties, including sub-lessees, may be granted tenancy in the warehouse.

.10 Reimbursement.

A. *Reimbursement Basis.* The State Board shall reimburse the local board for 50 percent of the cost to store:

(1) Voting system equipment;

(2) Electronic pollbook equipment; and

(3) Ballots.

B. *Calculation of Reimbursement Amount.*

(1) The local board shall provide a per-square-foot rate to the State Board based on the terms of its lease.

(2) The State Board shall multiply the per-square-foot rate by the requisite square footage determined by COMAR 33.15.04.07.

(3) The total amount resulting from the calculation in §B(2) of this regulation shall be divided into two, determining the reimbursement amount owed by the State Board.

C. *Disbursement of Reimbursement.* State Board reimbursements may be issued as a credit on the local board's quarterly billing or as a check sent to the local governing entity.

.11 Notice of Damage.

Within 24 hours of discovering damage to the office, warehouse, voting system equipment, or other materials used to conduct an election, the election director shall promptly send a written notification to:

A. The State Administrator; and

B. The local board.

JARED DEMARINIS
Administrator of Elections

Errata

COMAR 15.03.07

At 51:24 Md. R. 1097 (December 2, 2024), column 1, line 1 from the top:

For: **15.03.11 Fees Charged to Test Standards and**

Read: **15.03.07 Fees Charged to Test Standards and**

At 51:24 Md. R. 1097 (December 2, 2024), column 1, line 8 from the top:

For: Regulations **.02—.05, .08—.12, and .15** under **COMAR 15.03.11**

Read: Regulations **.02—.05, .08—.12, and .15** under **COMAR 15.03.07**

COMAR 20.50.09

At 51:24 Md. R. 1097 (December 2, 2024), column 1, following line 3 from the bottom:

Insert:

(10)—(11) (proposed text unchanged)

B. — H. (proposed text unchanged)

Special Documents

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.

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 should be submitted to MHCC's sFTP space on or before the scheduled date of submission. Please contact MHCC staff to set up an account to upload files to MHCC's sFTP space. 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
Adventist Shady Grove Medical Center UPMC Western Maryland Meritus Medical Center	February 21, 2025
Adventist White Oak Medical Center Suburban Hospital University of Maryland Shore Medical Center at Easton	June 20, 2025

[24-26-14]

Average Annual Bed Occupancy Rate and Average Annual Number of Licensed Nursing Home Beds by Jurisdiction and Region: Maryland, Fiscal Years 2020 - 2022							
Region/Jurisdiction		Average Annual Occupancy (%) *			Average Annual Number of Beds **		
		FY 2020	FY 2021	FY 2022	FY 2020	FY 2021	FY 2022
Western Maryland		77.3	70.5	73.9	4,220	4,260	4,223
	Allegany County	77.6	68.0	71.8	908	908	908
	Carroll County	74.6	73.7	77.3	921	921	923
	Frederick County	76.0	68.8	75.0	1,078	1,082	969
	Garrett County	81.0	69.2	72.4	317	317	317
	Washington County	80.0	71.8	72.1	996	1,032	1,106
Montgomery County		77.8	74.5	79.6	4,567	4,577	4,565
Southern Maryland		81.9	78.8	83.4	4,334	4,343	4,266
	Calvert County	76.9	76.4	83.6	292	292	292
	Charles County	83.6	79.8	79.3	507	507	507
	Prince George's County	81.1	79.9	86.7	2,969	2,973	2,896
	St. Mary's County	87.2	73.5	70.2	565	571	571
Central Maryland		79.3	74.1	80.1	12,155	12,119	12,043
	Anne Arundel County	77.7	75.7	80.5	1,763	1,763	1,772
	Baltimore City	83.6	78.1	82.0	3,717	3,717	3,717

	Baltimore County	77.6	72.5	80.5	5,253	5,218	5,133
	Harford County	73.3	62.3	71.7	817	817	817
	Howard County	81.0	74.2	76.1	604	604	604
Eastern Shore		71.2	67.1	72.5	2,598	2,633	2,643
	Caroline County	77.4	74.8	81.5	193	193	193
	Cecil County	86.6	84.8	88.4	442	442	444
	Dorchester County	73.9	66.0	67.1	233	258	258
	Kent County	72.7	73.5	80.2	228	228	228
	Queen Anne's County	67.0	46.9	81.3	120	120	120
	Somerset County	64.3	71.7	87.2	211	211	211
	Talbot County	56.7	49.3	54.4	253	269	269
	Wicomico County	68.6	63.2	62.7	613	613	613
	Worcester County	65.1	61.2	64.5	305	299	307
MD Total		78.4	73.7	78.9	27,873	27,932	27,740

* Licensed Beds Occupancy Rate is based on a ratio of total patient days to total available licensed nursing home days, which excludes temporarily delicensed beds.

** Average Annual Number of Beds is calculated by dividing the total available days by 365 days in FY 2021 and FY 2022 and 366 days in FY 2020.

Source: Maryland Health Care Commission, 2020-2022 Long Term Care Survey, 2020-2022 Nursing Home Inventory Records, FY 2020-2022 Maryland Medical Assistance Program, and Unaudited 2022 Cost Reports.

[24-26-19]

Required Maryland Medical Assistance Participation Rates for Nursing Homes by Region and Jurisdiction: Fiscal Year 2022	
Region/Jurisdiction	Required Medicaid Participation Rate*
Western Maryland	47.9
Allegany County	54.1
Carroll County	45.5
Frederick County	42.5
Garrett County	63.9
Washington County	45.3
Montgomery County	43.1
Southern Maryland	41.4
Calvert County	40.7
Charles County	56.5
Prince George's County	38.8
St. Mary's County	42.5
Central Maryland	48.9

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Anne Arundel County	42.1
Baltimore City	57.1
Baltimore County	45.1
Harford County	46.5
Howard County	52.1
Eastern Shore	50.4
Caroline County	47.6
Cecil County	45.3
Dorchester County	55.4
Kent County	42.4
Queen Anne's County	47.8
Somerset County	59.9
Talbot County	42.0
Wicomico County	58.6
Worcester County	48.6
MD Total	46.7

* Participation Rates are based on weighted mean Medicaid participation (calculated as total county Medicaid days divided by total county patient days) minus 14.6%.

Source: Maryland Health Care Commission, 2022 Long Term Care Survey, 2022 Nursing Home Bed Inventory Records Maryland Medical Assistance Program, and Unaudited 2022 Cost Reports.

[24-26-19]

DEPARTMENT OF STATE POLICE

HANDGUN ROSTER BOARD

Official Handgun Roster

The official Handgun Roster is a complete list of handguns manufactured after January 1, 1985 that have received final approval by the Handgun Roster Board and that are not otherwise prohibited by law to be sold in Maryland. The roster is a live document, continuously updated, that can be accessed at <https://licensingportal.mdsp.maryland.gov/MSPBridgeClient/#/home>.

Effective, July 1, 2021, handgun model numbers were no longer considered by the Maryland Handgun Roster Board.

Any questions regarding the roster can be addressed to the Handgun Roster Board Administrator, Ms. Rachel Rosenberg (410-653-4247).

[24-26-11]

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

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

Under the Public Safety Article, §5-405, Annotated Code of Maryland and COMAR 29.03.03.13 and .14, any person may object to the placement of any of those handguns on the Handgun Roster. Objections must be filed within 30 days after **December 27, 2024**. In addition, any person may petition for the placement of an additional handgun on the Handgun Roster. Forms for objections or petitions may be obtained from: Rachel Rosenberg, Administrator, Handgun Roster Board, 1201 Reisterstown Road, Baltimore, Maryland 21208 (Phone: 410-653-4247).

<u>Make</u>	<u>Model</u>	<u>Caliber</u>	<u>Additional Comments</u>
Biofire Vulcan Inc.	Smart Gun	9 mm	
SIG SAUER/SIGARMS INC.	P320-XFIVE SXG	9 mm	Model addition

<u>Make</u>	<u>Model</u>	<u>Caliber</u>	<u>Additional Comments</u>
PALMETTO STATE ARMORY	Palmetto Sabre Dagger Full Size - S	9 mm	Model addition
SPRINGFIELD ARMORY/INC.	1911 DS Prodigy Comp	9 mm	Model addition
TISAS (SDS IMPORTS)	1911 Match	45 ACP	Model addition
TAURUS	692 Executive Grade	357 Mag / 38 SPL+P / 9 mm	Model addition
FUSION FIREARMS, INC. [Ermox]	XP PRO Pistol	9 mm	Model addition
FUSION FIREARMS, INC. [Ermox]	XF PRO Pistol	9 mm	Model addition
IVER JOHNSON ARMS	EAGLE XL	45 ACP	Caliber addition
CBC (HERITAGE MFG.)	92 Ranch Hand	45 LC	Caliber addition
COLT/COLTS MFG. CO., INC.	Viper	357 Mag / 38 Spl	Caliber addition
BERETTA [Langdon Tactical Technology] (BERETTA USA)	PX4 STORM FULL SIZE G-SD	9 mm	Model addition
SIG SAUER/SIGARMS INC.	P229 PRO	9 mm	Model addition
SIG SAUER/SIGARMS INC.	P226 PRO-CUT	9 mm	Model addition
TISAS	M1911 A1 U.S. Army	9 mm	Model addition
Derya Arms (ARMSCOR-ROCK ISLAND ARMORY)	DY9	9 mm	Model addition
HENRY	Golden Boy Revolver H016BD	22 S/L/LR	Model addition
HENRY	Golden Boy Revolver H016GD	22 S/L/LR	Model addition
S.A.M. Inc. (ATI)	45-K	45 ACP	Model addition
TISAS (SDS IMPORTS)	1911 Carry B9R	9 mm	Model addition
TAURUS ARMAS (TAURUS INTERNATIONAL MFG.)	856 Executive Grade	38 SPL+P	Model addition
Derya Arms (ARMSCOR-ROCK ISLAND ARMORY)	Melik	9 mm	Model addition
BERSA S.A. (RSA ENTERPRISES, INC)	Thunder 45 Ultra Compact	45 ACP	Model addition
German Sport Guns GmbH (Blue Line Solutions LLC)	Mauser HSR	22 LR	Model addition
KIMBER	45th Anniversary Edition	45 ACP	Model addition
BERETTA (Foxtrot)	96 Centurion	40 S&W	Model addition
BRUGGER & THOMET (BRUGGER & THOMET USA)	APC9K SD2 Pistol	9 mm	Model addition
RIFLE DYNAMICS	QUICKHATCH PISTOL	5.56X45mm	Caliber addition
BERETTA USA	950 BS	25 ACP	
Pietro Beretta (R Guns)	82 BB	32 ACP/7.65 mm	
ALDO UBERTI & CO. (CIMARRON ARMS)	Arizona Ranger	45 LC	
CHRISTENSEN ARMS	MODEL 14 / MODERN PRECISION PISTOL (MPP)	223 Rem, 308 Win, 6.5 Creedmoor	Caliber addition
PIETTA (TRADITIONS)	1873 Single Action Frontier	44 Mag	Model addition
MASTERPIECE ARMS	DS9 LOC	9 mm	Model addition
KIMBER	Ultra Aegis II	9 mm	Model addition
BERETTA [Langdon Tactical Technology] (BERETTA USA)	92G Elite LTT Compact	9 mm	Model addition
BERETTA [Langdon Tactical Technology] (BERETTA USA)	92G Elite LTT Centurion	9 mm	Model addition
DPMS	DP-15 Kitty Kat Pistol	5.56 NATO / 223 Rem	Model addition
SPRINGFIELD ARMORY/INC. (HS PRODUKT)	XD Mod.3	9 mm	Model addition
TISAS	1911A1 STAKEOUT	45 ACP	Caliber addition
CANIK (CENTURY ARMS)	METE MC9L	9 mm	Model addition
CANIK (CENTURY ARMS)	METE MC9LS	9 mm	Model addition
SMITH & WESSON	SD40 2.0	40 S&W	Model addition
SMITH & WESSON	M&P 40 M2.0 METAL	40 S&W	Model addition
Bear Creek Arsenal	BC-101 Grizzly Full Size	9 mm	Model addition
Bear Creek Arsenal	BC-102 Grizzly Compact	9 mm	Model addition
FN HERSTAL (FN AMERICA, LLC)	SCAR 15P PISTOL	300 BLK	Caliber addition
WALTHER (Vanguard Arms LLC)	PPQ M3	9 mm	Model addition

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<u>Make</u>	<u>Model</u>	<u>Caliber</u>	<u>Additional Comments</u>
BRUGGER & THOMET (BRUGGER & THOMET USA)	APC300SD Pistol	300 BLK	Model addition
CZ (CZ USA)	CZ 75 B High Polished Stainless	9 mm	Model addition
CZ (CZ USA)	CZ 75 B Matte Stainless	9 mm	Model addition
Alpharms (CENTURY ARMS)	CENTURION 11	45 ACP	Model addition
Alpharms (CENTURY ARMS)	CENTURION 14	9 mm	Model addition
KEL-TEC	PLR-16	5.56 NATO	Caliber addition
P7Pro LLC	P7M8	9 mm	Model addition
BOND ARMS	STINGER	22 Mag	Caliber addition
UMAREX (Hammerli Arms)	Forge H1 22	22 LR	Model addition
DAN WESSON FIREARMS [NYI]	Single Stack Classic (SSC)	40 S&W	Model addition
HECKLER & KOCH	CC9	9 mm	
ZASTAVA (PW ARMS)	M83/92	357 Mag	
CARL WALTHER (WALTHER ARMS)	PDP Pro-X PMM Full Size	9 mm	Model addition
CARL WALTHER (WALTHER ARMS)	PDP Pro-X PMM Compact	9 mm	Model addition
WALTHER	PDP F-Series Pro	9 mm	Model addition
KIMBER	Independence	45 ACP	Model addition
KIMBER	CDS9	9 mm	Model addition
WILSON COMBAT	X-TAC ELITE COMMANDER	9 mm, 45 ACP	Model addition
MORIARTI ARMAMENTS LLC	AR-15	6MM ARC	Caliber addition
PHOENIX TRINITY	Desert Pro	9 mm	Model addition
SMITH & WESSON	60-14	357 Mag	Model addition
DIAMONDBACK FIREARMS	SDR	357 Mag	
ANGSTADT ARMS	AA-0940 / MDP-9 GEN2 Pistol	9 mm	
AREX (Old Steel Guns)	Rex 7.65S	7.65mm	Model addition
GLOCK [Parker Mountain Machine]	PMM G34	9 mm	Model addition
COLT'S PT. F.A. MFG. CO.	Colt Gunsite Pistol Combat Commander Model O	45 ACP	Model addition
Fabbrica D'Armi Pietro Beretta (PW ARMS)	92 SB	9 mm	Model addition
JACOB GREY	TWC Black	9 mm	Model addition
MASTERPIECE ARMS	DS9	9 mm	Model addition
MASTERPIECE ARMS	DS9 Hybrid IDPA V2	9 mm	Model addition
MASTERPIECE ARMS	DS9 LOC-V2	9 mm	Model addition
MASTERPIECE ARMS	DS9-TC Hybrid	9 mm	Model addition
F. LLI PIETTA (TAYLOR'S & CO.)	1873 OUTLAW LEGACY	45 LC	Caliber addition
Fowler Industries	Vanta 9/V9K	9 mm	
BERETTA (BERETTA USA)	92GTS Launch Edition	9 mm	
BERETTA (BERETTA USA)	92GTS Full Size	9 mm	Model addition
BERETTA (BERETTA USA)	92GTS Centurion	9 mm	Model addition
BERETTA USA	92X RDO Compact	9 mm	Model addition
ATLAS GUNWORKS, INC.	EOS	9 mm	Model addition
ATLAS GUNWORKS, INC.	Apollo	9 mm	Model addition
SMITH & WESSON	629-1	44 Mag	Model addition
COMBAT PRECISION	GT	9 mm	
TISAS	1911 Raider B9RDG	9 mm	Model addition
ALDO UBERTI & CO. (TAYLOR & CO.)	1873 CATTLEMAN	9 mm	Model addition
ROCK ISLAND ARMORY	VRPF14	12 Gauge	Model addition
CARL WALTHER (UMAREX USA)	IWI UZI PISTOL (MILITARY AND LAW ENFORCEMENT SALES ONLY)	22 LR HV	Model addition
ALDO UBERTI & CO. (CIMARRON ARMS)	Schofield Model No. 3 1st Model American	44 Russian, 44 Colt, 44 S&W Spl	Model addition
GLOCK [The Tactical Store]	17	9 mm	Model addition

<u>Make</u>	<u>Model</u>	<u>Caliber</u>	<u>Additional Comments</u>
GEISSELE AUTOMATICS	SD-556 Super Duty Pistol	5.56 NATO	Model addition
GEISSELE AUTOMATICS	SD-556 Border Patrol Pistol	5.56 NATO	Model addition
ALG Defense	ALG-556 El Corto Pistol	5.56 NATO	Model addition
AERO PRECISION	X-15 Pistol	9 mm, 5.56 NATO, 300 BLK, 7.62X39mm	Model addition
Competitor Corporation, Inc.	Competitor OP-1	270 Win	
SAVAGE ARMS	516	260 Rem	
ANDERSON MANUFACTURING	AM-15	300 BLK	Caliber addition
ARMSCOR PHILIPPINES-ROCK ISLAND ARMORY (ARMSCOR PRECISION INTERNATIONAL)	STK150	9 mm	Model addition
ARMSCOR PHILIPPINES-ROCK ISLAND ARMORY (ARMSCOR PRECISION INTERNATIONAL)	STK200	9 mm	Model addition
HECKLER & KOCH	VP9SK-B	9 mm	Model addition

[24-26-10]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists Approvals by Rule for projects by the Susquehanna River Basin Commission during the period set forth in DATES.

DATES: November 1 - 30, 2024.

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

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436; e-mail: joyler@srbc.net. Regular mail inquiries may be sent to the above address.

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

Water Source Approval - Issued Under 18 CFR 806.22(f):

1. RENEWAL - Coterra Energy Inc.; Pad ID: Smith P3; ABR-20090554.R3; Springville Township, Susquehanna County, Pa.;

Consumptive Use of Up to 5.0000 mgd; Approval Date: November 14, 2024.

2. RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: James Smith; ABR-20091020.R3; Terry Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 25, 2024.

3. RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: Jayne; ABR-20091021.R3; Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 25, 2024.

4. RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: Roundwood; ABR-201410001.R2; Braintrim Township, Wyoming County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 25, 2024.

5. RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: SGL-12 B Drilling Pad; ABR-201410005.R2; Overton Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 25, 2024.

6. RENEWAL - Coterra Energy Inc.; Pad ID: HunsingerA P2; ABR-201908010.R1; Dimock Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: November 25, 2024.

7. RENEWAL - Coterra Energy Inc.; Pad ID: Teel P1; ABR-20090541.R3; Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: November 25, 2024.

8. RENEWAL - EQT ARO LLC; Pad ID: COP Tract 653 Pad C; ABR-20090415.R3; Beech Creek Township, Clinton County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: November 25, 2024.

9. RENEWAL - Seneca Resources Company, LLC; Pad ID: PHC 6H; ABR-20090721.R3; Lawrence Township, Clearfield County, Pa.;

Consumptive Use of Up to 4.0000 mgd; Approval Date: November 25, 2024.

10. RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: Gowan; ABR-20091001.R3; Terry Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 27, 2024.

11. RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: Harry; ABR-20091017.R3; West Burlington Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 27, 2024.

12. RENEWAL - Coterra Energy Inc.; Pad ID: ButlerL P1; ABR-201405010.R2; Lathrop Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: November 27, 2024.

13. RENEWAL - Coterra Energy Inc.; Pad ID: Teel P6; ABR-20090543.R3; Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: November 27, 2024.

14. RENEWAL - Seneca Resources Company, LLC; Pad ID: DCNR 595 Pad D; ABR-20090827.R3; Bloss Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: November 27, 2024.

15. RENEWAL - Coterra Energy Inc.; Pad ID: BrooksW P2; ABR-201908009.R1; Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: November 29, 2024.

16. RENEWAL - EQT ARO LLC; Pad ID: COP Tract 289 Pad B; ABR-20090409.R3; McHenry Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: November 29, 2024.

17. RENEWAL - Pennsylvania General Energy Company, L.L.C.; Pad ID: COP Tract 293 Pad-A; ABR-201908004.R1; Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: November 29, 2024.

18. RENEWAL - Pennsylvania General Energy Company, L.L.C.; Pad ID: COP Tract 729 Pad-A; ABR-201908003.R1; Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: November 29, 2024.

Authority: Public Law 91-575, 84 Stat. 1509 *et seq.*, 18 CFR parts 806 and 808.

Dated: December 12, 2024.

JASON E. OYLER
General Counsel and Secretary to the Commission
[24-26-22]

SUSQUEHANNA RIVER BASIN COMMISSION

Minor Modification Notice

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists the minor modifications approved for previously approved projects by the Susquehanna River Basin Commission during the period set forth in DATES.

DATES: November 1-30, 2024

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

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423, ext. 1312; fax (717) 238-2436; e-mail: joyler@srbc.gov. Regular mail inquiries may be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists previously approved projects, receiving approval of minor modification, described below, pursuant to 18 CFR §806.18 or to Commission Resolution Nos. 2013-11 and 2015-06, for the time period specified above.

1. Seneca Resources Company – Cowanesque River, Docket No. 20241217, Deerfield Township, Tioga County, Pa.; modification approval to change the intake design; Approval Date: November 13, 2024.

Authority: Public Law 91-575, 84 Stat. 1509 *et seq.*, 18 CFR parts 806 and 808.

Dated: December 12, 2024.

JASON E. OYLER
General Counsel and Secretary to the Commission.
[24-26-21]

SUSQUEHANNA RIVER BASIN COMMISSION

Actions Taken at the December 12, 2024 Meeting

AGENCY: Susquehanna River Basin Commission

ACTION: Notice.

SUMMARY: As part of its regular business meeting held on December 12, 2024, in Harrisburg, Pennsylvania the Commission approved the applications of certain water resources projects and took additional actions, as set forth in the Supplementary Information below.

DATES: December 12, 2024.

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

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary, telephone: (717) 238-0423, ext. 1312, fax: (717) 238-2436; e-mail: joyler@srbc.gov. Regular mail inquiries may be sent to the above address. See also the Commission website at www.srbc.gov.

SUPPLEMENTARY INFORMATION: In addition to the actions taken on projects identified in the summary above, these actions were also taken: (1) adoption of the 2025 regulatory program fee schedule; (2) approval of a contribution to an abandoned mine drainage project; (3) approval to release a proposed general permit, GP-04 Into-Basin Diversion of Water for public comment; and (4) actions on 16 regulatory program projects.

Project Applications Approved:

1. Project Sponsor and Facility: Chesapeake Appalachia, L.L.C. (Susquehanna River), Sheshequin Township, Bradford County, Pa. Application for surface water withdrawal of up to 4.000 mgd (peak day).

2. Project Sponsor and Facility: Coterra Energy Inc. (Tunkhannock Creek), Lenox Township, Susquehanna County, Pa. Application for renewal and modification of surface water withdrawal of up to 2.880 mgd (peak day) (Docket No. 20191201).

3. Project Sponsor and Facility: Coterra Energy Inc. (Tunkhannock Creek), Nicholson Township, Wyoming County, Pa. Application for renewal and modification of surface water withdrawal of up to 2.880 mgd (peak day) (Docket No. 20230903).

4. Project Sponsor and Facility: Dover Township, York County, Pa. Application for groundwater withdrawal of up to 0.144 mgd (30-day average) from Well 11.

5. Project Sponsor and Facility: East Cocalico Township Authority, East Cocalico Township, Lancaster County, Pa. Application for renewal of groundwater withdrawal of up to 0.115 mgd (30-day average) from Well 2A (Docket No. 19990901). **Source and service area are located in an Environmental Justice area.**

6. Project Sponsor and Facility: Edgewood by Sand Springs, LLC (Nescopeck Creek), Butler Township, Luzerne County, Pa. Applications for renewal of surface water withdrawal of up to 0.317 mgd (peak day) and consumptive use of up to 0.249 mgd (30-day average) (Docket No. 19980102).

7. Project Sponsor: New Enterprise Stone & Lime Co., Inc. Project Facility: Roaring Spring Quarry (Halter Creek 2), Taylor Township, Blair County, Pa. Applications for renewal and modification of consumptive use of up to 0.380 mgd (peak day) and surface water withdrawal of up to 0.288 mgd (peak day) (Docket No. 19940705 and Certificate of Registration No. GF-202204215).

8. Project Sponsor: New Enterprise Stone & Lime Co., Inc. Project Facility: Shippensburg Quarry, Southampton Township, Cumberland County, Pa. Applications for groundwater withdrawals (30-day averages) of up to 0.065 mgd from the Transit Well and 0.020 mgd from the Quarry Well, and consumptive use of up to 0.150 mgd (peak day).

9. Project Sponsor and Facility: Newport Borough Water Authority, Oliver Township, Perry County, Pa. Application for renewal and modification of groundwater withdrawal of up to 0.096 mgd (30-day average) from Well 1 (Docket No. 20140908).

10. Project Sponsor: Pennsylvania Fish & Boat Commission. Project Facility: Benner Spring State Fish Hatchery, Benner Township, Centre County, Pa. Applications for groundwater withdrawals (30-day averages) of up to 0.720 mgd from Well 1 (renewal of Docket No. 19940701) and up to 0.311 mgd from Well 3.

11. Project Sponsor and Facility: Schuylkill County Municipal Authority, Butler Township, Schuylkill County, Pa. Application for renewal of groundwater withdrawal of up to 0.362 mgd (30-day average) from the Gordon Well (Docket No. 20090624). **Service area is located in an Environmental Justice area.**

12. Project Sponsor and Facility: Strasburg Lancaster County Borough Authority, Strasburg Township, Lancaster County, Pa. Application for renewal of groundwater withdrawal of up to 0.275 mgd

(30-day average) from the Fisher Well (Docket No. 19890107). **Service area is located in an Environmental Justice area.**

13. Project Sponsor and Facility: SWN Production Company, LLC (Susquehanna River), Great Bend Township, Susquehanna County, Pa. Application for renewal of surface water withdrawal of up to 2.000 mgd (peak day) (Docket No. 20191209).

14. Project Sponsor and Facility: Tallman Family Farms, L.L.C. (Wiconisco Creek), Washington Township, Dauphin County, Pa. Application for surface water withdrawal of up to 0.720 mgd (peak day).

Projects Tabled:

15. Project Sponsor: The H&K Group. Project Facility: Penn/MD Materials, Fulton Township, Lancaster County, Pa. Applications for consumptive use of up to 0.024 mgd (peak day) and groundwater withdrawals (30-day averages) of up to 1.980 mgd from the Pit Sump, 0.004 mgd from the Primary and Secondary Well, and 0.011 mgd from the Tertiary Well.

16. Project Sponsor: Valley CC LLC. Project Facility: Valley Country Club, Sugarloaf Township, Luzerne County, Pa. Applications for renewal of groundwater withdrawals (30-day averages) of up to 0.090 mgd from the Shop Well and up to 0.090 mgd from the Pumphouse Well (Docket No. 20090632).

Authority: Public Law 91-575, 84 Stat. 1509 *et seq.*, 18 CFR parts 806, 807, and 808.

Dated: December 12, 2024

JASON E. OYLER
General Counsel and Secretary to the Commission
[24-26-20]

WATER AND SCIENCE ADMINISTRATION

Water Quality Certification 23-WQC-0045

*National Railroad Passenger Corporation (AMTRAK)
1 Massachusetts Ave NW
Washington, DC 20001*

Add'l. Info: Pursuant to COMAR 26.08.02.10F(3)(c), The Maryland Department of the Environment is providing notice of its issuance of Water Quality Certification 23-WQC-0045.

Location: Between Harford (Havre de Grace) and Cecil (Perryville) counties and the Susquehanna River.

The purpose of the project is to construct two replacement and parallel four-track elevated train bridges spanning the Susquehanna River and on land between Harford (Havre de Grace) and Cecil (Perryville) counties. One lane will be designed specifically for high-speed passenger train service. The existing two-track moveable swing bridge above the waterway, in addition to the remaining in-use AMTRAK rail sections on land are to be dismantled and removed.

NONTIDAL IMPACTS (Havre de Grace: Gasheys Creek, Lilly Run, and Susquehanna River/ Use I): The project will permanently impact 20,974 square feet of forested nontidal wetland, 8,619 square feet of forested (isolated) nontidal wetland, 18,297 square feet of emergent nontidal wetland, 2,488 square feet of emergent (isolated) nontidal

wetland, 163,141 square feet of a 25-foot nontidal wetland buffer, 14,140 square feet of a perennial nontidal stream, 7,586 square feet of an intermittent nontidal stream, and 286,331 square feet of a 100-year nontidal floodplain. Permanent impacts proposed in Perryville: (Mill Creek and Susquehanna River/ Use I): The project will permanently impact an additional 20,402 square feet of forested nontidal wetland, 10,944 square feet of scrub-shrub nontidal wetland, 44,653 square feet of emergent nontidal wetland, 124,392 square feet of a 25-foot nontidal wetland buffer, 16,782 square feet of a perennial nontidal stream, 1,816 of an intermittent nontidal stream and 38,601 square feet of a 100-year nontidal floodplain. No temporary impacts are being proposed to any nontidal wetland, 25-foot nontidal wetland buffer, or 100-year nontidal floodplain in both Harford and Cecil Counties for this project. Havre de Grace: The project will temporarily impact 9,225 square feet of a perennial nontidal stream and 2,291 square feet of an intermittent nontidal stream. Perryville: The project will temporarily impact 8,704 square feet of a perennial nontidal stream and 34,261 square feet of an intermittent nontidal stream.

TIDAL IMPACTS (Susquehanna River/ Use II): The new bridge spans will be supported with a total of eighteen piers within State Tidal Wetlands totaling 5,875 square feet and the spans will total approximately 5.51 acres over the Susquehanna. The existing bridge will be mechanically demolished after the first new span is complete with existing in-water foundations mechanically removed to two feet below the mudline. The construction of the new bridge spans will require construction of 14,637 square feet of temporary trestles and ninety-six temporary 36-inch diameter mooring piles.

The WQC and its attachments may be viewed at the following link:
<https://mde.maryland.gov/programs/Water/WetlandsandWaterways/Pages/WQC.aspx>

Appeal of Final Decision. This Water Quality Certification is a final agency decision. Any person aggrieved by the Department's decision to issue this WQC may appeal such decision in accordance with COMAR 26.08.02.10F(4). A request for appeal shall be filed with the Department within 30 days of publication of the final decision and specify in writing the reason why the final decision should be reconsidered. A request for appeal shall be submitted to: Secretary of the Environment, Maryland Department of the Environment, 1800 Washington Boulevard, Baltimore, MD 21230. Any request for an appeal does not stay the effectiveness of this WQC.

Contact: Please contact Louis Parnes (nontidal) at louis.parnes@maryland.gov or 410-537-3786, or Matthew Wallach (tidal) at matthew.wallach@maryland.gov or 410-207-0893 with any questions.

[24-26-15]

WATER AND SCIENCE ADMINISTRATION

Water Quality Certification 24-NT-0026

*BHC, Inc.-Kenwood Village
 11611 Old Georgetown Road, Second Floor
 Rockville, Maryland 20852
 Attn: Joe Zdrojewski*

Add'l. Info: Pursuant to COMAR 26.08.02.10F(3)(c), The Maryland Department of the Environment is providing notice of its issuance of a Water Quality Certification 24-NT-0026.

Location: South of the intersection of Harry S. Truman Drive and White House Road, Upper Marlboro in Prince George's County, Maryland 20774.20613

The purpose of the project is to construct a residential development with associated utilities, roads, and stormwater management facilities.

Description of Authorized Work:

The project will permanently impact 2,856 square feet of emergent nontidal wetlands, 14,197 square feet of forested nontidal wetlands, 11,371 square feet of the 25-foot nontidal wetland buffer, 650 linear feet (7,048 square feet) of intermittent streams, and 5,544 square feet of the 100-year nontidal floodplain. The project will temporarily impact 3,606 square feet of emergent nontidal wetlands, 3,220 square feet of forested nontidal wetlands, 20,402 square feet of the 25-foot nontidal wetland buffer, 36 linear feet (546 square feet) of intermittent streams, and 11,752 square feet of the 100-year nontidal floodplain.

The WQC and its attachments may be viewed at the following link:
<https://mde.maryland.gov/programs/Water/WetlandsandWaterways/Pages/WQC.aspx>

Appeal of Final Decision. This Water Quality Certification is a final agency decision. Any person aggrieved by the Department's decision to issue this WQC may appeal such decision in accordance with COMAR 26.08.02.10F(4). A request for appeal shall be filed with the Department within 30 days of publication of the final decision and specify in writing the reason why the final decision should be reconsidered. A request for appeal shall be submitted to: Secretary of the Environment, Maryland Department of the Environment, 1800 Washington Boulevard, Baltimore, MD 21230. Any request for an appeal does not stay the effectiveness of this WQC.

Contact: Gailynn Milligan at Gailynn.milligan@maryland.gov or 410-537-4178.

[24-26-23]

WATER AND SCIENCE ADMINISTRATION

Water Quality Certification 24-WQC-0028

*Maryland Department of Transportation, Maryland Transportation Authority (MDTA)
 Attn: Mr. Brian Wolfe
 8019 Corporate Drive, Suite F
 Nottingham, MD 21236*

Add'l. Info: Pursuant to COMAR 26.08.02.10F(3)(c), The Maryland Department of the Environment is providing notice of its issuance of a Water Quality Certification 24-WQC-0028

Location: The project is located along the same alignment as the Francis Scott Key (FSK) Bridge within MDTA's existing right-of-way, extending approximately 2.4 miles including approximately 1 mile over the Patapsco River connecting I-695 over the Patapsco River, in Anne Arundel and Baltimore Counties.

The purpose of the project is to rebuild the FSK Bridge along the same alignment within the MDTA existing right-of-way and reconnect I-695 over the Patapsco River. The bridge will be constructed to current design standards and will result in temporary and permanent impacts to State tidal wetlands, nontidal wetlands, the 25-foot nontidal wetland buffer, and nontidal waterways, including the 100-year nontidal floodplain. Activities in nontidal wetlands, buffers, waterways, and the 100-year nontidal floodplain may include erosion and sediment control placement, roadway demolition, bridge demolition, clearing, grubbing, grading, pile driving, bridge construction, paving, roadway construction, constructing roadway drainage, stormwater management best management practices construction, seeding, and planting. Activities in tidal wetlands may include bridge demolition, pier demolition, dredging, temporary pile driving, production/permanent pile driving, tremie concrete pours for bridge foundation, bridge construction, temporary pile removal or cutting, barge spudding, marine loading, and off-loading.

The WQC and its attachments may be viewed at the following link: <https://mde.maryland.gov/programs/Water/WetlandsandWaterways/Pages/WQC.aspx>

Appeal of Final Decision: This Water Quality Certification is a final agency decision. Any person aggrieved by the Department's decision to issue this WQC may appeal such decision in accordance with COMAR 26.08.02.10F(4). A request for appeal shall be filed with the Department within 30 days of publication of the final decision and specify in writing the reason why the final decision should be reconsidered. A request for appeal shall be submitted to: Secretary of the Environment, Maryland Department of the Environment, 1800 Washington Boulevard, Baltimore, MD 21230. Any request for an appeal does not stay the effectiveness of this WQC.

Contact: Matthew Wallach at matthew.wallach@maryland.gov or 410-207-0893.

[24-26-16]

WATER AND SCIENCE ADMINISTRATION

Water Quality Certification 24-WQC-0045

Tradepoint TiL Terminals LLC

*6995 Bethlehem Boulevard, Suite 100
Baltimore, Maryland 21219*

Add'l. Info: Pursuant to COMAR 26.08.02.10, The Maryland Department of the Environment is providing notice of a scheduled Public Hearing for Water Quality Certification 24-WQC-0045.

Location: 6995 Bethlehem Blvd, Sparrows Point, Maryland 21219

Tradepoint TiL Terminals (TTT) has requested a Water Quality Certification (WQC) for the Sparrows Point Container Terminal Project (SPCT). SPCT is a proposed +/- 330-acre terminal located in Baltimore County, MD within the Tradepoint Atlantic property on the southwest peninsula known as Coke Point. The proposed terminal would consist of a +/- 3,000-foot marginal wharf with ship-to-shore (STS) cranes, a container yard, gate complex, intermodal/rail yard, and various support structures. To provide vessel access to the wharf, the project would include deepening and widening of the existing Sparrows Point Channel and turning basin, which would require dredging and placement of approximately 4.2 million cubic yards (MCY) of dredged material. The proposed project would include the construction of an offshore dredged material containment facility (DMCF) in Coal Pier Channel adjacent to Coke Point, a proposed +/- 28-acre facility including 19.6 acres in tidal wetland area, and an upland DMCF on TPA property at High Head Industrial Basin a proposed +/- 44 acre facility, as well as use of existing permitted upland DMCFs managed by Maryland Port Administration (MPA) (Cox Creek and Masonville DMCFs), and an ocean placement site (Norfolk Ocean Disposal Site [NODS]).

The purpose of this notice is to solicit comments from the public about the proposed work and to announce the date of a Maryland Department of the Environment public informational hearing on the subject application. At this time, no decision has been made as to whether a certification will be issued. A public informational hearing has been scheduled for the referenced project on Tuesday, February 25, 2025 at Sollers Point Multi-Purpose Center: 323 Sollers Point Rd, Dundalk, MD 21222. There will be a poster session from 5:00 P.M. to 6:00 P.M., followed by the hearing which will begin at 6:00 P.M. and will end no later than 9:00 P.M. In case of inclement weather, an alternate hearing will be held with the same schedule on March 4. If the hearing on February 25 is held, there will not be a hearing on March 4. A virtual public informational hearing is scheduled for February 27, with a poster session consisting of rotating slides from 2:00 P.M. to 3 P.M., followed by the hearing which will begin at 3:00 P.M. and end no later than 6:00 P.M. To participate in the virtual public informational hearing, please use the following link: <https://bit.ly/SPCTWaterQuality>. Written comments will be accepted until Friday, March 21, 2025. All project information and updates will be available on the following page: <https://mde.maryland.gov/programs/water/WetlandsandWaterways/Pages/TPASparrowsPointContainerTerminal.aspx>

Contact: Matt Wallach at matthew.wallach@maryland.gov or 410-207-0893.

[24-26-17]

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.

BOARD OF PUBLIC ACCOUNTANCY

Subject: Public Meeting
Date and Time: January 7, 2025, 9 a.m. — 12 p.m.
Place: 1100 N. Eutaw Street
 Virtual: <https://meet.google.com/yai-nvov-tdm>, Baltimore, MD
Add'l. Info: Public Meeting
Contact: Christopher Dorsey 410-230-6318
 [24-26-04]

BOARD OF PUBLIC ACCOUNTANCY

Subject: Public Hearing
Date and Time: January 7, 2025, 10:30 — 11:30a.m.
Place: 1100 N. Eutaw Street, Baltimore, MD
Contact: Christopher Dorsey 410-230-6318
 [24-26-05]

BOARD OF DIETETIC PRACTICE

Subject: Public Meeting
Date and Time: January 16, 2025, 10 a.m. — 12 p.m.
Place: Goggle Meet Teleconference
 Please see Board's website for details.
Contact: Lenelle Cooper 410-764-4733
 [24-26-12]

STATE BOARD OF INDIVIDUAL TAX PREPARERS

Subject: Public Meeting
Date and Time: January 13, 2025, 10 a.m. — 12 p.m.
Place: 1100 N. Eutaw Street, Baltimore, MD
 Virtual: <https://meet.google.com/duk-vsdy-zno?authuser=0>
Contact: Christopher Dorsey 410-230-6318
 [24-26-06]

MARYLAND DEPARTMENT OF TRANSPORTATION OFFICE OF MINORITY BUSINESS ENTERPRISE

Subject: Announcement of Calendar Year 2025 Limitation on the Personal Net Worth (PNW) of a Socially and Economically Disadvantaged Individual as it relates to Certification of a Minority Business Enterprise (MBE)
Add'l. Info: The Maryland Department of Transportation Office of Minority Business

Enterprise (OMBE) gives notice that effective January 1, 2025, the Personal Net Worth of a disadvantaged owner whose ownership interest in a firm is relied upon for certification in the State's MBE program, may not exceed \$2,136,382. This PNW limit will apply to all MBE certification decisions rendered between January 1, 2025, and December 31, 2025. This action is taken in accordance with the Annotated Code of Maryland State Finance and Procurement Article § 14-301(k)(3).
Contact: Jan Walker-Emeogo, 410-865-1240
 [24-26-25]

DEPARTMENT OF VETERANS AFFAIRS/MARYLAND VETERANS COMMISSION

Subject: Public Meeting
Date and Time: January 21, 2025, 10:30 a.m. — 1 p.m.
Place: 100 Community Place, Crownsville, MD
Contact: Denise Nooe 410-260-3840
 [24-26-13]

NORTHEAST MARYLAND WASTE DISPOSAL AUTHORITY

Subject: Public Meetings Notice Procedure
Add'l. Info: The Authority gives notice of meetings by posting a notice on its website under "Documents/Media Room" — subcategory "Press Releases/Notices," also accessible through "Quick Links" Authority Board Meetings, and at the entrance of its offices. Notice is hereby given that the Authority's website address is: nmwda.org; its offices are located at Tower II - Suite 402, 100 S. Charles Street, Baltimore, Maryland 21201. Notice is also hereby given that portions of Authority meetings may be held in closed session.
Contact: Kimberly Gordon 410-333-2730
 [24-26-3]

NORTHEAST MARYLAND WASTE DISPOSAL AUTHORITY

Subject: Other Public Meetings Notice Procedure
Add'l. Info: The Authority gives notice of meetings by posting a notice on its website under "Documents/Media Room" — subcategory "Press Releases/Notices," also accessible through "Quick Links" Authority Board Meetings, and at the entrance of its offices. Notice is hereby given that the Authority's website address is: nmwda.org; its offices are located at Tower II - Suite 402, 100 S. Charles Street, Baltimore, Maryland 21201. Notice is also hereby given that portions of Authority meetings may be held in closed session.
Contact: Kimberly Gordon 410-333-2730
 [24-26-02]

BOARD OF WELL DRILLERS

Subject: Public Meeting
Date and Time: January 15, 2025, 9 a.m. — 1 p.m.
Place: Maryland Department of the Environment 1800 Washington Boulevard Baltimore, MD Aqua Conference Room
Add'l. Info: A portion of this meeting may be held in closed session.
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