

Maryland Register

Issue Date: March 21, 2025

Volume 52 • Issue 6 • Pages 257—312

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Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before March 3, 2025, 5 p.m.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 March 3, 2025.

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

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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.
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 Chapter Section Paragraph
 Subtitle Regulation Subsection Subparagraph

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

Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed

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previously printed in the Maryland Register lists the regulations, by COMAR title, that have been adopted, amended, or repealed in the Maryland Register since the regulations were originally published or last supplemented in the Code of Maryland Regulations (COMAR).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

Table of Pending Proposals

The table below lists proposed changes to COMAR regulations. The proposed changes are listed by their COMAR number, followed by a citation to that issue of the Maryland Register in which the proposal appeared. Errata 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.

<p>02 OFFICE OF THE ATTORNEY GENERAL</p> <p>02.06.04.01—06 • 52:6 Md. R. 270 (3-21-25)</p> <p>07 DEPARTMENT OF HUMAN SERVICES</p> <p>07.05.01.02—23 • 52:2 Md. R. 71 (1-24-25) 07.02.25.01—24 • 51:19 Md. R. 861 (9-20-24)</p> <p>08 DEPARTMENT OF NATURAL RESOURCES</p> <p>08.02.22.02 • 51:10 Md. R. 534 (5-17-24)</p> <p>09 MARYLAND DEPARTMENT OF LABOR</p> <p>09.03.06.02,.04 • 52:1 Md. R. 27 (1-10-25) 09.03.06.02,.04 • 52:2 Md. R. 79 (1-24-25) (corr) 09.03.06.02,.06,.16 • 51:14 Md. R. 685 (7-12-24) 09.08.01.04, .19 • 52:6 Md. R. 271 (3-21-25) 09.08.03.02, .03 • 52:6 Md. R. 271 (3-21-25) 09.08.06.02 • 52:6 Md. R. 271 (3-21-25) 09.11.09.02 • 51:15 Md. R. 713 (7-26-24) 09.12.61.01,.02,.07—09 • 52:2 Md. R. 79 (1-24-25) 09.22.01.04, .15 • 52:6 Md. R. 273 (3-21-25) 09.22.02.03, .05 • 52:6 Md. R. 273 (3-21-25) 09.30.01.01—10 • 51:24 Md. R. 1084 (12-2-24) 09.36.07.01—13 • 52:6 Md. R. 274 (3-21-25) 09.42.01.01—03 • 51:21 Md. R. 929 (10-18-24) 09.42.02.01—10 • 51:21 Md. R. 932 (10-18-24) 09.42.03.01—10 • 51:21 Md. R. 933 (10-18-24) 09.42.04.01—12 • 51:21 Md. R. 937 (10-18-24) 09.42.05.01—05 • 52:1 Md. R. 28 (1-10-25)</p> <p>10 MARYLAND DEPARTMENT OF HEALTH</p> <p>Subtitles 01—08 (1st volume) 10.01.17.02 • 52:2 Md. R. 80 (1-24-25)</p>	<p>10.07.14.01—65 • 52:2 Md. R. 82 (1-24-25)</p> <p style="text-align: center;">Subtitle 09 (2nd volume)</p> <p>10.09.02.07 • 52:5 Md. R. 241 (3-7-25) (ibr) 10.09.11.11 • 52:3 Md. R. 162 (2-7-25) 10.09.12.01,.04—06 • 52:3 Md. R. 164 (2-7-25) 10.09.16.07 • 52:6 Md. R. 277 (3-21-25) 10.09.24.02,.07,.12 • 52:3 Md. R. 162 (2-7-25) 10.09.24.03-1 • 52:5 Md. R. 242 (3-7-25) 10.09.35.08 • 52:6 Md. R. 278 (3-21-25) 10.09.36.01, .03, .04, .08 • 52:6 Md. R. 279 (3-21-25) 10.09.37.03 • 52:5 Md. R. 242 (3-7-25) 10.09.43.10,.13 • 52:3 Md. R. 164 (2-7-25) 10.09.44 .01, .03—09, .11, .12, .15, .16, .18,.20—24 • 52:6 Md. R. 279 (3-21-25) 10.09.50.01—07 • 51:26 Md. R. 1192 (12-27-24) 10.09.53.04,.05 • 51:4 Md. R. 206 (2-23-24) 10.09.59.01,.04—07,.09 • 51:26 Md. R. 1194 (12-27-24) 10.09.66. 01—11 • 52:3 Md. R. 166 (2-07-25) 10.09.76.04,.05 • 52:5 Md. R. 243 (3-7-25) 10.09.92.04,.05 • 51:1 Md. R. 38 (1-12-24)</p> <p style="text-align: center;">Subtitles 10—22 (3rd volume)</p> <p>10.10.13.06,.12 • 52:2 Md. R. 119 (1-24-25) 10.15.03.27 • 51:25 Md. R. 1151 (12-13-24) 10.16.06.02,.21 • 52:2 Md. R. 81 (1-24-25)</p> <p style="text-align: center;">Subtitles 23—36(4th volume)</p> <p>10.25.07.02,.09—12 • 51:24 Md. R. 1086 (12-2-24) 10.25.18.01—04,.08,.10,.13,.14 • 51:24 Md. R. 1088 (12-2-24) 10.27.01.02 • 52:5 Md. R. 244 (3-7-25) 10.28.02.02, .03, .05 • 52:6 Md. R. 286 (3-21-25)</p>
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- 36.02.08.01—.09 • 51:25 Md. R. 1170 (12-13-24)
- 36.02.09, .01—.05 • 51:24 Md. R. 1099 (12-2-24)
- 36.03.10,.07,.12,.14,.20,.28,.38 • 51:23 Md. R. 1059 (11-15-24)
- 36.03.10.36 • 51:24 Md. R. 1118 (12-2-24)
- 36.04.02.02 • 51:23 Md. R. 1059 (11-15-24)

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36.05.03.15 • 51:24 Md. R. 1118 (12-2-24)

36.08.01.02 • 51:23 Md. R. 1059 (11-15-24)

36.08.02.01 • 51:23 Md. R. 1059 (11-15-24)

36.08.03.01—,04,,06 • 51:23 Md. R. 1059 (11-15-24)

36.08.04.01,,03 • 51:23 Md. R. 1059 (11-15-24)

36.09.01.02 • 51:23 Md. R. 1059 (11-15-24)

36.09.02.01,,01—,06 • 51:23 Md. R. 1059 (11-15-24)

36.09.03.01—,07 • 51:23 Md. R. 1059 (11-15-24)

36.09.04.01—,07 • 51:23 Md. R. 1059 (11-15-24)

36.09.05.01—,03 • 51:23 Md. R. 1059 (11-15-24)

36.10.12.03 • 51:23 Md. R. 1059 (11-15-24)

36.10.13.06,,37,,40,,45 • 51:23 Md. R. 1059 (11-15-24)

36.10.13.39 • 51:24 Md. R. 1118 (12-2-24)

36.10.14.06 • 51:23 Md. R. 1059 (11-15-24)

36.10.18.04,,05 • 51:23 Md. R. 1059 (11-15-24)

The General Assembly

For additional up-to-date information concerning bills introduced in the General Assembly, log on to <http://mlis.state.md.us> and click on Bill Information and Status. You may then enter a specific bill number for information about that bill. You may also click on Senate Synopsis or House Synopsis for the most recent synopsis list for each house, or click on Synopsis Index for a listing of all bill synopses since the beginning of the legislative session.

SYNOPSIS NO. 4

House Bills

HB1526 Del Phillips. Business Occupations and Professions - Professional Engineers - Examination.

HB1527 Del Roberts. Illegal Dumping and Litter Control Law - Video Evidence and Reward Programs.

HB1528 Del Roberts. Task Force to Study Student Athlete Name, Image, and Likeness Programs in Maryland - Establishment.

HB1529 Del McCaskill. Baltimore County Board of Education - Alterations of Elected Member Districts and Establishment of Redistricting Process.

HB1530 Del McCaskill. Publicly Funded Prekindergarten - Eligible Prekindergarten Provider Data Dashboard.

HB1531 Dels Simmons and Pruski. Anne Arundel County - Actions to Repossess for Failure to Pay Rent - Summons.

HB1532 Del Howard. Vehicle Emissions Inspection Program - Testing and Inspection - Grounds for Failure.

HB1533 Del Wells (BCA). Motor Vehicle Administration Records - Access to Digital Photographic Images and Signatures - Baltimore City.

HB1534 Del Holmes. Condominiums and Homeowners Associations - Elections, Financial Statements, and Enforcement.

HB1535 Del Szeliga, et al. Electric Companies and Gas Companies - Customer Bill Surcharge - Repeal.

HB1536 Del Szeliga, et al. Residential and Commercial Utility Taxes and Fees - Tax- and Fee-Free Period.

HB1537 Del Wims. Real Property - Implied Warranties - Incomplete or Missing Improvements.

HB1538 Del Woods. Maryland Medical Assistance Program - Maternal Health Monitoring Pilot Program.

HB1539 Del Woods. Transportation - Identification Cards - Issuance to Minors.

HB1540 Calvert County Delegation. Calvert County - Payment in Lieu of Taxes Agreements - Emergency Services.

HB1541 Del Holmes. Condominiums - Mandatory Insurance Coverage.

HB1542 Del Terrasa, et al. Maryland Public Ethics Law - Regulated Lobbyists - Reporting Requirements.

HB1543 Del Stein. Gaming - Sports Wagering Facilities - Request for Relocation.

HB1544 Del Bhandari, et al. Public Safety - Maryland Law Enforcement Public Service Medal and Key Bridge Collapse Victims Memorial Tribute.

HB1545 Del Moon, et al. Board of Public Works - Comptroller - Delinquent Federal Funds.

HB1546 Del Moon, et al. Board of Public Works - Central Collection Unit - Delinquent Federal Funds.

HB1547 Del A. Jones. Barbers and Cosmetologists - License Qualifications - Domestic Violence Awareness Training.

HB1548 Del Conaway. Employment - Harassment and Intimidation - Reporting.

HB1549 Del Conaway. Departments of Public Works - Water Main Breaks - Publication Requirement.

HB1550 Del Conaway. Criminal Procedure - Sexual Assault Evidence Collection Kits - Testing and Reporting.

HB1551 Del McCaskill. Alcoholic Beverages - Class 5 Breweries - On-Premises Consumption.

HB1552 Del Wims. Maryland Commission for Men's Health - Reestablishment.

HB1553 Del Fair. Commercial Law - Broadband Access - Low-Income Consumer Programs (Maryland Broadband Opportunity and Fairness Act).

HB1554 Del Moon. Sales and Use Tax - Taxable Business Services - Alterations.

HB1555 Del Bhandari, et al. Funeral Establishments, Crematories, and Reduction Facilities - Oversight (Ensuring Dignity and Accountability in Crematory and Funeral Home Operations Act).

HB1556 Del Stein. Environment - Advanced Clean Cars II Program and Advanced Clean Trucks Regulation - Application and Enforcement.

Senate Bills

SB1037 Baltimore City Senators. Baltimore City - Sales Tax - Authorization.

SB1038 Sen Charles. Family Law - Child Support - Multifamily Adjustment.

SB1039 Sen Sydnor. Alcoholic Beverages - Class 5 Breweries - On-Premises Consumption.

SB1040 Sen Hester. Department of Budget and Management - Expedited Hiring Program (FEDERAL Jobs Act of 2025).

SB1041 Sen Kramer. Property Tax - Charter Counties - Application of County Tax Limitation on Public Safety Budget.

SB1042 Sen Benson. Prince George's County - Property Tax Credit for Grocery Stores - Alterations.

SB1043 Sen Benson. Transportation Trust Fund - Revenue and Distribution (Maryland Mobility Act of 2025).

SB1044 Sen Attar. State Board of Education - Student Transportation - Alternative School Vehicles.

SB1045 Sen Hettleman. Sales and Use Tax - Taxable Business Services - Alterations.

SB1046 Sens McKay and Smith. Correctional Officers - Body-Worn Digital Recording Devices.

The Judiciary

SUPREME COURT OF MARYLAND

DISCIPLINARY PROCEEDINGS

This is to certify that by an Order of this Court dated March 5, 2025 **GARY PISNER** (CPF# 8906140178), as of March 5, 2025, Gary Pisner has been disbarred effective immediately, and his name has been stricken from the register of attorneys in this Court. Notice of this action is given in accordance with Maryland Rule 19-761(b).

* * * * *

Final Action on Regulations

Symbol Key

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

Title 09

MARYLAND DEPARTMENT OF LABOR

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

09.19.08 Temporary Permits and Reciprocity

Authority: Business Occupations and Professions Article, §§16-216(2), 16-220, 16-305, and 16-507, Annotated Code of Maryland

Notice of Final Action

[24-100-F]

On February 26, 2025, the Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors adopted amendments to Regulation **.02** under **COMAR 09.019.08 Temporary Permits and Reciprocity**. This action, which was proposed for adoption in 51:19 Md. R. 871 (September 20, 2024), has been adopted as proposed.

Effective Date: March 31, 2025.

TODD BLACKISTONE
Executive Director

Subtitle 36 COMMISSION OF REAL ESTATE APPRAISERS, APPRAISAL MANAGEMENT COMPANIES, AND HOME INSPECTORS—HOME INSPECTORS

Notice of Final Action

[24-101-F]

On February 11, 2025, the Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors adopted:

(1) Amendments to Regulation **.01** under **COMAR 09.36.06 Code of Ethics**; and

(2) Amendments to Regulation **.02** under **COMAR 09.36.08 Continuing Professional Competency**.

This action, which was proposed for adoption in 51:19 Md. R. 871—872 (September 20, 2024), has been adopted as proposed.

Effective Date: March 31, 2025.

TODD BLACKISTONE
Executive Director

Title 10

MARYLAND DEPARTMENT OF HEALTH

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.03 Pharmacy Services

Authority: Health-General Article, §§2-104(b), 15-103, 15-103.1, 15-105, 15-118, and 15-148, Annotated Code of Maryland

Notice of Final Action

[24-200-F]

On February 26, 2025, the Secretary of Health adopted amendments to Regulations **.04—05** under **COMAR 10.09.03 Pharmacy Services**. This action, which was proposed for adoption in 51:25 Md. R. 1148 (December 13, 2024), has been adopted as proposed.

Effective Date: March 31, 2025.

LAURA HERRERA SCOTT
Secretary of Health

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.10 Nursing Facility Services

Authority: Health-General Article, §§2-104(b), 15-103, 15-105, 19-14B-01, and 19-310.1, Annotated Code of Maryland

Notice of Final Action

[24-188-F]

On February 28, 2025, the Acting Secretary of Health adopted amendments to Regulations **.07** and **.08** under **COMAR 10.09.10 Nursing Facility Services**. This action, which was proposed for adoption in 51:25 Md. R. 1148—1149 (December 13, 2024), has been adopted as proposed.

Effective Date: March 31, 2025.

RYAN B. MORAN, DRPH, MHSA
Acting Secretary

Notice of Final Action

[24-202-F]

On February 28, 2025, the Acting Secretary of Health adopted:

(1) Amendments to Regulations **.05** and **.06** under **COMAR 10.09.58 Family Planning Program**; and

(2) Amendments to Regulation **.03** under **COMAR 10.67.08 Maryland Medicaid Managed Care Program: Non-Capitated Covered Services**.

This action, which was proposed for adoption in 51:25 Md. R. 1149—1150 (December 13, 2024), has been adopted as proposed.

Effective Date: March 31, 2025.

RYAN B. MORAN, DRPH, MHSA
Acting Secretary

10.09.77 Urgent Care Centers

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

Notice of Final Action

[24-191-F]

On February 26, 2025, the Secretary of Health adopted an amendment to Regulation **.05** under **COMAR 10.09.77 Urgent Care Centers**. This action, which was proposed for adoption in 51:25 Md. R. 1151 (December 13, 2024), has been adopted as proposed.

Effective Date: March 31, 2025.

LAURA HERRERA SCOTT
Secretary

**Title 11
DEPARTMENT OF
TRANSPORTATION**

**Subtitle 07 MARYLAND
TRANSPORTATION AUTHORITY**

**11.07.07 Electronic Toll Collection and Toll
Violation Enforcement**

Authority: Courts and Judicial Proceedings Article, §§7-301 and 7-302; Transportation Article, §§4-205, 4-312, 21-1414, 21-1415, 26-401, and 27-110; Annotated Code of Maryland

Notice of Final Action

[24-187-F]

On March 10, 2025, the Maryland Transportation Authority adopted amendments to Regulation **.05** under **COMAR 11.07.07 Suspension or Termination of E-Zpass Account Privileges**. This action, which was proposed for adoption in 52:1 Md. R. 33 (January 10, 2025), has been adopted as proposed.

Effective Date: March 31, 2025.

BRUCE GARTNER
Executive Director

**Title 33
STATE BOARD OF
ELECTIONS**

**Subtitle 07 ELECTION DAY
ACTIVITIES**

33.07.04 Order and Decorum

Authority: Election Law Article, §§2-102(b)(4) and 2-202(b), Annotated Code of Maryland

Notice of Final Action

[24-217-F]

On February 27, 2025, the State Board of Elections adopted amendments to Regulation **.02** under **COMAR 33.07.04 Order and Decorum**. This action, which was proposed for adoption in 52:1 Md. R. 40—41 (January 10, 2025), has been adopted as proposed.

Effective Date: March 31, 2025.

JARED DEMARINIS
State Administrator

Subtitle 08 CANVASSING

33.08.01 Definitions; General Provisions

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 11-201, 11-301, and 11-302, Annotated Code of Maryland

Notice of Final Action

[24-218-F]

On February 27, 2025, the State Board of Elections adopted amendments to Regulation **.02** under **COMAR 33.08.01 Definitions; General Provisions**. This action, which was proposed for adoption in 52:1 Md. R. 41 (January 10, 2025), has been adopted as proposed.

Effective Date: March 31, 2025.

JARED DEMARINIS
State Administrator

33.08.05 Post-Election Verification and Audit

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 9-403, 11-201, and 11-309(f), Annotated Code of Maryland

Notice of Final Action

[24-219-F]

On February 27, 2025, the State Board of Elections adopted amendments to Regulation **.05** under **COMAR 33.08.05 Post-Election Verification and Audit**. This action, which was proposed for adoption in 52:1 Md. R. 41 (January 10, 2025), has been adopted as proposed.

Effective Date: March 31, 2025.

JARED DEMARINIS
State Administrator

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 Final Action

[24-174-F]

On February 27, 2025, the State Board of Elections adopted amendments to Regulation .02 under **COMAR 33.15.03 Polling Places**. This action, which was proposed for adoption in 51:26 Md. R. 1214—1215 (December 27, 2024), has been adopted as proposed.

Effective Date: March 31, 2025.

JARED DEMARINIS
State Administrator

33.15.04 Warehouses

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 2-206, 9-106(a), 11-308(a), and 11-303.2, Annotated Code of Maryland

Notice of Final Action

[24-184-F]

On February 27, 2025, the State Board of Elections adopted the repeal of existing Regulation .02, new Regulations .02—, .11, and the recodification of existing Regulation .03 to be Regulation .12 under **COMAR 33.15.04 Warehouses**. This action, which was proposed for adoption in 51:26 Md. R. 1215—1216 (December 27, 2024), has been adopted as proposed.

Effective Date: March 31, 2025.

JARED DEMARINIS
State Administrator

Subtitle 21 SPECIAL ELECTIONS BY MAIL

33.21.07 Canvassing

Authority: Election Law Article, §§2-102, 9-501, 9-502, 9-506, and 11-302, Annotated Code of Maryland

Notice of Final Action

[24-220-F]

On February 27, 2025, the State Board of Elections adopted amendments to Regulation .02 under **COMAR 33.21.07 Canvassing**. This action, which was proposed for adoption in 52:1 Md. R. 41—42 (January 10, 2025), has been adopted as proposed.

Effective Date: March 31, 2025.

JARED DEMARINIS
State Administrator

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 02 OFFICE OF THE ATTORNEY GENERAL

Subtitle 06 GENERAL REGULATIONS

02.06.04 Cooperation with the Maryland Commission on Civil Rights

Authority: State Government Article §20-1048(a), Annotated Code of Maryland

Notice of Proposed Action

[24-208-P]

The Office of the Attorney General proposes to adopt new Regulations .01—.06 under a new chapter, **COMAR 02.06.04 Cooperation with the Maryland Commission on Civil Rights**.

Statement of Purpose

The purpose of this action is to follow State Government Article, §20-1048(a), Annotated Code of Maryland, that requires “In areas of overlapping jurisdiction, the Attorney General and the Commission shall coordinate and make referrals to minimize and eliminate duplication of effort and promote collaboration.”

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 Jonathan Smith, Chief, Assistant Attorney General, Office of the Attorney General, 200 St Paul Place,

or call 410-576-7844, or email to jsmith@oag.state.md.us. Comments will be accepted through April 21, 2025. A public hearing has not been scheduled.

.01 General.

These regulations are promulgated pursuant to State Government Article, §20-1048(a), Annotated Code of Maryland, to promote cooperation between the Attorney General and the Maryland Commission on Civil Rights in areas in which the agencies have overlapping jurisdiction.

.02 Definitions.

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

B. Terms Defined.

(1) “Attorney General” means the Attorney General of Maryland as established by Article V of the Constitution of the State of Maryland.

(2) “Maryland Commission on Civil Rights” or “MCCR” means the State agency established by State Government Article, §20-201, Annotated Code of Maryland.

.03 Jurisdiction of MCCR and the Attorney General Not Disturbed.

A. The Commission and the Attorney General retain all authorities granted to them by law. Nothing in these regulations limits either MCCR or the Attorney General from taking an enforcement action within its authority.

B. MCCR shall retain jurisdiction to:

(1) Investigate individual complaints filed with MCCR;

(2) Require a respondent to answer charges of a certified complaint at a public hearing before an administrative law judge, pursuant to State Government Article §§20-1008 and 20-1027; Annotated Code of Maryland.

(3) Assert claims of an unlawful discriminatory practice in employment, housing, public accommodations, commercial leasing, State contracts, health services, and health facilities pursuant to State Government Article Title 20; Annotated Code of Maryland

(4) Assert claims of an unlawful employment practice arising from a certified complaint in a civil action pursuant to §20-1012; Annotated Code of Maryland.

(5) Assert claims of an unlawful housing practice arising from a certified complaint in a civil action pursuant to State Government Article, §20-1032;

(6) Investigate discriminatory acts by a unit, officer, or employee of the State, a county, or a municipality; and

(7) Initiate a Commission complaint of discrimination pursuant to State Government Article, §§20-1004(d) and 20-1036, Annotated Code of Maryland.

C. The Attorney General shall retain jurisdiction to investigate, prosecute, and remediate acts of discrimination prohibited under the U.S. Constitution, the Maryland Constitution, state law or federal law.

.04 Information Sharing.

A. To the extent necessary and appropriate to facilitate the shared mission of enforcing civil rights laws, MCCR and the Attorney General shall share information regarding potential civil rights violations.

B. MCCR and the Attorney General shall maintain an agreement delineating the requirements of information sharing.

C. MCCR and the Attorney General shall maintain the confidentiality of joint investigations pursuant to State Government Article, §20-1101, Annotated Code of Maryland.

D. MCCR will not disclose information to the Attorney General regarding claims against entities represented by the Attorney General other than through its ordinary case processing procedures or pursuant to legal process.

E. MCCR and the Attorney General shall meet no less than three times each year to share information concerning observed patterns of civil rights violations and enforcement actions.

.05 Referral of Cases Between MCCR and the Attorney General.

A. If MCCR determines that complaints of civil rights violations may fall within the jurisdiction of the Attorney General, MCCR may refer the complaints to the Attorney General. The Attorney General may investigate, prosecute, and remediate civil rights violations referred by MCCR, but is not required to do so.

B. Pursuant to State Government Article, §20-1041(b)(1), Annotated Code of Maryland, the Attorney General does not have the authority to investigate, prosecute, and remediate civil rights violations on behalf of an individual. The Attorney General may refer these matters to MCCR.

C. The Attorney General may advise the claimant that it is declining the matter and provide information regarding the process for filing a complaint with MCCR.

D. The Attorney General may provide the information received from the claimant directly to MCCR.

E. MCCR will address all referrals in accordance with its ordinary complaint processing procedures.

.06 Coordination in Areas of Overlapping Jurisdiction.

A. MCCR and the Attorney General may jointly investigate, prosecute, and remediate conduct that constitutes a civil rights violation when it serves the public interest.

B. Parallel investigations are permitted in appropriate circumstances after conferral between the Attorney General and MCCR.

JONATHAN SMITH
Chief, Assistant Attorney General

**Title 09
MARYLAND DEPARTMENT
OF LABOR**

**Subtitle 08 HOME IMPROVEMENT
COMMISSION**

Notice of Proposed Action

[25-028-P]

The Home Improvement Commission proposes to amend:

(1) Regulations .04 and .19 under **COMAR 09.08.01 General Regulations**;

(2) Regulations .02 and .03 under **COMAR 09.08.03 Claims Against the Home Improvement Guaranty Fund**; and

(3) Regulation .02 under **COMAR 09.08.06 Civil Citations**.

This action was considered by the Home Improvement Commission at a public meeting on October 3, 2024.

Statement of Purpose

The purpose of this action is to make the Home Improvement Commission's regulations consistent with statutory amendments, formalize existing policy, clarify ambiguities, and improve procedures.

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 David Finneran, Executive Director, Home Improvement Commission, Department of Labor Home Improvement Commission, 100 S Charles St., Tower 1, Baltimore, MD 21201, or call 410-230-6231, or email to DLOPLMHIC-LABOR@maryland.gov. Comments will be accepted through April 21, 2025. A public hearing has not been scheduled.

09.08.01 General Regulations

Authority: Business Regulation Article, §§8-207(a), 8-212(a)(1) and (2), 8-309, 8-311(a)(11)—(13), 8-501(c)(1)(ix), and 8-616, Annotated Code of Maryland

.04 Corporate or Partnership Licensure.

A. (text unchanged)

B. [In order to] To obtain and maintain a corporate or partnership home improvement license, the corporation or partnership shall employ one individual licensed contractor who shall be in responsible charge of the corporation's or partnership's home improvement work.

C. (text unchanged)

D. For purposes of applying the [\$100,000] limitation in Business Regulation Article, §8-405(e)(2), Annotated Code of Maryland, on [Guaranty] Fund awards on account of the conduct of any one licensed contractor, the combined liability of a licensed corporation or partnership and the individual in responsible charge of the corporation's or partnership's work may not exceed [\$100,000] the limitation in the aggregate.

E. (text unchanged)

.19 [Credit Reports] Financial Solvency.

A. An applicant for an original contractor's license shall submit to the Commission with the application a credit report from an approved credit reporting agency and a statement of all outstanding judgments and pending civil actions against the applicant.

B. (text unchanged)

C. An applicant that does not demonstrate a net worth equal to the maximum Fund award available to one claimant for acts of omissions of one contractor under Business Regulation Article, §8-405(e)(1), Annotated Code of Maryland, must obtain a 2-year surety bond for that amount.

D. A licensee that obtains a surety bond to satisfy the financial solvency requirement must maintain a surety bond for an amount equal to the maximum Fund award available to one claimant for acts of omissions of one contractor at all times unless the licensee demonstrates a sufficient net worth and the Commission authorizes the licensee to cancel the bond.

E. At any time, the Commission may require a licensee to demonstrate financial solvency and may revoke a license if the licensee fails to do so.

F. The fact that an applicant or licensee holds a surety bond does not preclude the Commission from denying an application or revoking or suspending a license under Business Regulation Article, §8-311(a)(9), Annotated Code of Maryland.

09.08.03 Claims Against the Home Improvement Guaranty Fund

Authority: Business Regulation Article, §§8-207 and 8-405, Annotated Code of Maryland

.02 Processing of Claims.

A. Filing of Claims. A claimant who seeks compensation from the Home Improvement Guaranty Fund ("Fund") shall file a claim with the Commission on a claim form prepared by the Commission. This claim form shall contain at a minimum:

- (1) (text unchanged)
- (2) The facts and circumstances giving rise to the claim; [and]
- (3) *The address of the home where the claimant resides;*
- (4) *The address of each residential property, whether located within or outside of Maryland, owned by the claimant at any time from the date of the contract giving rise to the claim through the date of filing the claim, and the number of dwelling units at each property; and*

[(3)](5) (text unchanged)

B.—D. (text unchanged)

E. Compulsory Binding Arbitration. When a contract between a claimant and a contractor requires that all contract disputes be submitted to binding arbitration, the claimant shall either:

- (1) (text unchanged)
- (2) Provide evidence to the Commission that the claimant has made good faith efforts to bring the dispute to binding arbitration which the contractor has either rejected or not responded to. The Commission shall then give the contractor written notice that, if the contractor does not demonstrate to the Commission within 10 days of the date of the letter that it has engaged in the arbitration process and has paid its share of any fees necessary to commence the arbitration process [agree to binding arbitration], the Commission will [consider] deem the contractor to have waived the right to enforce the compulsory arbitration clause [to be void] and process the claimant's claim pursuant to this chapter.

F.—G. (text unchanged)

H. An owner is ineligible to make a claim against the Fund under Business Regulation Article, §8-405(f)(2)(ii), Annotated Code of

Maryland, if they do not reside in the home as to which the claim is made and they simultaneously owned more than three residences or dwelling places, whether located within or outside of Maryland, at any time from the date of the contract underlying their claim through the date the claim was filed.

.03 Adjudication of Claims.

A. (text unchanged)

B. Measure of Awards from Guaranty Fund.

(1) The Commission may not award from the Fund any amount for:

- (a)—(c) (text unchanged)
- (d) Court costs; [or]
- (e) Interest[.];
- (f) *Payments made to a person who does not hold a contractor license to correct or complete a deficient home improvement unless the work performed by the unlicensed person did not require a contractor license or was performed by a person who was not required to hold a contractor license under Business Regulation Article, §8-301(c)(4)-(6), Annotated Code of Maryland; or*

(g) *Estimated costs to correct or complete a deficient home improvement based on the estimates of a person who does not hold a contractor license unless the estimated work did not require a contractor license or the unlicensed person was not required to hold a contractor license under Business Regulation Article, §8-301(c)(4)-(6), Annotated Code of Maryland.*

(2) (text unchanged)

(3) Unless it determines that a particular claim requires a unique measurement, the Commission shall measure actual loss as follows:

- (a) (text unchanged)
- (b) If the contractor did work according to the contract and the claimant is not soliciting another contractor to complete the contract, the claimant's actual loss shall be the amount which the claimant paid to the original contractor less the value of any materials [or] and services provided by the contractor.

(c) If the contractor did work according to the contract and the claimant has solicited or is soliciting another contractor to complete the contract or correct the contractor's poor work, the claimant's actual loss shall be the amounts the claimant has paid to or on behalf of the contractor under the original contract, added to any reasonable amounts the claimant has paid or will be required to pay another contractor to repair poor work done by the original contractor under the original contract and complete the original contract, less the original contract price. If the Commission determines that the original contract price is too unrealistically low or high to provide a proper basis for measuring actual loss, the Commission may adjust its measurement accordingly.

(4) The Commission may not award from the Fund an amount in excess of the amount paid by or on behalf of the claimant to or on behalf of the contractor against whom the claim is filed.

C. (text unchanged)

D. Payments.

- (1) (text unchanged)
- (2) The Commission may not award from the Fund:
 - (a) To any one claimant more than [\$20,000] the amount authorized in Business Regulation Article, §8-405(e)(1), Annotated Code of Maryland, for acts or omissions of one contractor; or
 - (b) More than [\$100,000] the amount authorized in Business Regulation Article, §8-405(e)(2) Annotated Code of Maryland) to claimants on account of the conduct of any one licensee, unless, after the Commission has paid out [\$100,000] that amount on account of the conduct of one licensed contractor, that contractor has repaid the full [\$100,000] amount.

(3) If the aggregate amount of the approved claims to be paid from the Fund involving one contractor exceeds [\$100,000] *the maximum payout amount authorized in Business Regulation Article, §8-405(e)(2) Annotated Code of Maryland*, the Commission may either:

(a) Pay the approved claims in the order filed until the [\$100,000] *maximum payout* is reached; or

(b) Prorate the approved claims by awarding each claimant the same percent of their approved claim which [\$100,000] *the maximum payout amount* is of the total amount of the approved claims.

(4) For purposes of this regulation, the term "approved claim" means the amount which the Commission has approved to be paid from the Fund which cannot exceed [\$20,000 per claim] *the amount authorized in Business Regulation Article, §8-405(e)(1), Annotated Code of Maryland*.

09.08.06 Civil Citations

Authority: Business Regulation Article, §§8-207(a) and 8-620(c)(1), Annotated Code of Maryland

.02 Violation.

A.—H. (text unchanged)

I. Acting as a contractor [or subcontractor] or selling a home improvement under a name other than that under which the person is licensed:

(1)—(2) (text unchanged)

J.—S. (text unchanged)

T. Failure to [initial] *obtain owner's initials* on a mandatory arbitration clause [on] *in a contract*:

(1)—(2) (text unchanged)

U.—Y. (text unchanged)

Z. *Reserved*. [Offering to act or acting as a subcontractor without a license from the Commission:

(1) First violation \$500; and

(2) Second or subsequent violation \$1,500.]

AA.—CC. (text unchanged)

DD. *Failure to maintain a surety bond that a licensee is required to hold to satisfy financial solvency requirements under Business Regulation Article, §8-305, Annotated Code of Maryland*:

(1) First violation—\$2,000; and

(2) Second or subsequent violation—\$5,000.

KENNETH SIGMAN
Assistant Attorney General

**Subtitle 22 BOARD OF
COSMETOLOGISTS**

Notice of Proposed Action

[25-020-P]

The Board of Cosmetologists proposes to amend:

(1) Regulations .04 and .15 under **COMAR 09.22.01 General Regulations**, and

(2) Regulations .03 and .05 under **COMAR 09.22.02 Beauty Salons**.

Statement of Purpose

The purpose of this action is to implement the expanded definition of esthetic services enacted by the General Assembly in SB1044 in April 2024 by defining specific esthetic services authorized by the legislation.

Estimate of Economic Impact

The proposed action has no economic impact.

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 amendments will benefit businesses by allowing beauty salons to provide additional services, which may result in additional revenue.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Nicole Fletcher, Executive Director, Board of Cosmetologists, Department of Labor, Board of Cosmetologists, 100 S Charles St. Tower, Suite 9200, Baltimore, MD 21201, or call 410-230-6190, or email to barber.cos@maryland.gov. Comments will be accepted through April 21, 2025. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Board of Cosmetologists during a public meeting to be held on April 7, 2025 at 10:00 am, at <https://meet.google.com/hfy-umgk-iy0>.

09.22.01 General Regulations

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

.04 Esthetician License.

A. An esthetician license authorizes the licensee to engage in providing esthetic services as defined in Business Occupations and Professions Article, [§5-101(l)] *§5-101(o)*, Annotated Code of Maryland.

B. The term "massaging", as used in Business Occupation and Professions Article, [§5-101(l)] *§5-101(o)*, Annotated Code of Maryland, means contact with the skin limited to the beautification, cleansing, and embellishment of the skin during the application and removal of skin care products.

C. *The term "exfoliating" as used in Business Occupation and Professions Article, §5-101(o), Annotated Code of Maryland, means to remove dead skin cells, dirt, bacteria, and excess oil from the skin.*

D. *The term "cosmetic microneedling" as used in Business Occupation and Professions Article, §5-101(o), Annotated Code of Maryland, means the use of cosmetic, non-medical devices that pierce the skin with needles no longer than .5 mm.*

E. *The term "toning" as used in Business Occupation and Professions Article, §5-101(o), Annotated Code of Maryland, means the cleaning, manipulating and stimulating of skin by use of facials, face masks, and wraps.*

.15 Citations to Licensees.

Unless otherwise indicated, the following civil penalties are applicable to the following violations of the laws and regulations of the Board of Cosmetologists discovered by a Board inspector during an inspection of a beauty salon:

A.—C. (text unchanged)

D. Unauthorized services:

(1)—(3) (text unchanged)

[(4) Glycolic acid—formal hearing;]

[(5)] (4) *Chemical peels by the use of acids comprised of greater than 20 percent concentration with a pH value of less than or equal to 3.0, or unbuffered—formal hearing;*

[(6)] (5)—[(7)] (6) (text unchanged)

E.—F. (text unchanged)

09.22.02 Beauty Salons

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

.03 Prohibitions.

The following activities are prohibited in any full service or limited practice salon or in regard to any salon-sponsored services:

A.—I. (text unchanged)

J. Unless an individual possesses a valid and appropriate health occupation license issued by the Maryland Department of Health:

(1) The use of lasers, microdermabrasion equipment, or any other mechanical device used to remove one or more layers of skin; [and]

(2) The use of any product or method that causes tissue destruction or penetrates the blood fluid barrier [, including:];

[(a) Chemical peels; and

(b) Glycolic acids.]

(3) *Chemical peels by the use of acids comprised of greater than 20 percent concentration with a pH value of less than or equal to 3.0, or unbuffered;*

(4) *Mechanical tissue alteration, including, but not limited to:*

(a) *Microdermabrasion; and*

(b) *Electrotherapy;*

(5) *Contouring or sculpting using cryotherapy, radio frequency, or liposuction;*

(6) *Any procedure causing ablation of the dermis or hypodermis; and*

(7) *Any form of skin injections.*

.05 Sanitation Requirements—Estheticians.

A. (text unchanged)

B. Sanitation Requirements.

(1)—(5) (text unchanged)

(6) [Blood] *Extraction* lancets shall be [wrapped and discarded] *cleaned and disinfected* immediately after *each* use.

(7) An EPA-registered disinfectant effective against HIV and hepatitis viruses or a hospital-grade tuberculocidal disinfectant shall be:

(a) (text unchanged)

(b) Changed [every 1 to 2 hours, or immediately upon becoming dirty, cloudy, or contaminated with blood] *after each use.*

(8) (text unchanged)

(9) *Microneedling.*

(a) *New needles must be used for each client.*

(b) *Needles must be discarded into a sharps container.*

(c) *Reusable equipment must be cleaned and disinfected after each client.*

KENNETH SIGMAN
Assistant Attorney General

Subtitle 36 COMMISSION OF REAL ESTATE APPRAISERS, APPRAISAL MANAGEMENT COMPANIES, AND HOME INSPECTORS—HOME INSPECTORS

09.36.07 Minimum Standards of Practice

Authority: Business Occupations and Professions Article, §§16-208(a)(2) and 16-216(2), Annotated Code of Maryland

Notice of Proposed Action

[25-017-P]

The Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors proposes to amend Regulations .01—.13 under **COMAR 09.36.07 Minimum Standards of Practice**. This action was considered at a public meeting of the Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors held on February 8, 2025.

Statement of Purpose

The purpose of this action is to amend Regulations .01—.13 under COMAR 09.36.07.

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 Todd Blackistone, Executive Director, Maryland Department of Labor, 100 South Charles Street, Tower 1, Suite 3300, Baltimore, MD 21201, or call 410-230-6165, or email to todd.blackistone@maryland.gov. Comments will be accepted through April 21, 2025. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors during a public meeting to be held on April 8, 2025 at 10:30 a.m., at Maryland Department of Labor, 100 South Charles Street, Tower 1, Third Floor, Baltimore, Maryland 21201.

.01 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) (text unchanged)

(2) Additional Inspection Services.

(a) (text unchanged)

(b) “Additional inspection services” includes, but is not limited to[.]:

(i) [services] *Services* to detect the presence of a wood-destroying insect or organism; *and*

(ii) *Inspection and testing to evaluate the functional ability of septic system including drain and sewage lines.*

(c) “Additional inspection services” includes environmental testing that includes, but is not limited to, tests to determine:

(i) (text unchanged)

(ii) Well water potability; *and*

[(iii)] Functional ability of septic system including drain and sewage lines; and

[(iv)](iii) (text unchanged)

(3) "Adversely affect" means to constitute, or potentially constitute, a negative or destructive impact on the durability or soundness of a *system, component, or structure*.

(4)—(8) (text unchanged)

(9) "Describe" means to *include in the written report*:

(a) [a] A *description of a system or component by its type or other observed significant characteristics to distinguish it from other systems or components*;

(b) *The condition of the inspected item and indicate its proper operation or function; and*

(c) *A statement of recommended corrective action, if appropriate.*

(10)—(15) (text unchanged)

(16) "Household appliance" means [a] *an installed kitchen or laundry apparatus designed to perform a particular task or function[, whether installed or freestanding]*.

(17) "Inspect" means to examine readily accessible systems and components of a building in a *non-invasive manner and in accordance with the standards of practice set forth in this chapter, using normal operating controls and opening readily openable access panels*.

(18)—(20) (text unchanged)

(21) "Readily accessible" means available for visual inspection without requiring moving of personal property, dismantling, destructive measures, or any action that will likely involve risk to a person or property *and does not include opening an access panel or cover that is sealed and cannot be returned to its existing condition*.

(22)—(28) (text unchanged)

(29) "Structural component" means a component that supports [nonvariable] *non-variable forces or weights and variable forces or weights*.

(30)—(34) (text unchanged)

.02 General.

A.—D. (text unchanged)

E. Representative Number. For the purpose of making a finding or conclusion as a result of a home inspection, a home inspector may consider [for] *a representative number of*:

(1)—(2) (text unchanged)

[(3)] Exterior shutters;

[(4)] (3)—[(5)] (4) (text unchanged)

(5) *Exposed attic and floor, including attic and floor framing.*

F. Report. A home inspection report:

(1) (text unchanged)

(2) *Shall contain a description of systems and components in accordance with §D of this regulation;*

[(2)](3)—[(3)](4) (text unchanged)

.03 Limitations and Exclusions.

A.—D. (text unchanged)

E. A home inspector is not required to operate [any system or component that] *or activate*:

(1) [Is] *A system or component that*

(a) [shut] *Is shut down or otherwise inoperable; or*

[(2)] (b) *Does not respond to normal operating controls[.];*

(2) *Shut off valves and manual stop valves;*

(3) *Automatic safety controls;*

(4) *Remote controlled devices via WiFi, Bluetooth, RF, or other electronic means; and*

(5) *Any Smart Home System and associated device.*

F. A home inspector is not required to enter:

(1) (text unchanged)

(2) Under-floor crawl spaces [or], attics, *or other unfinished areas* that are not readily accessible.

G. A home inspector is not required to inspect any of the following:

(1)—(5) (text unchanged)

(6) *Recreational facilities;*

[(6)] (7)—[(7)] (8) (text unchanged)

H. A home inspector is not required to:

(1)—(2) (text unchanged)

(3) Dismantle any system or component, except as explicitly required by the standards of practice set forth in this chapter; [or]

(4) Include in a written report any information from any source concerning previous:

(a)—(b) (text unchanged)

(c) Information contained in a consumer protection bulletin of publication[.];

(5) *Anticipate or speculate about possible future events or conditions, including but not limited to:*

(a) *Decay, deterioration, or damage that may occur after the inspection;*

(b) *Deficiencies from abuse, misuse, or lack of use;*

(c) *Changes in performance of any component or system due to changes in use or occupancy;*

(d) *The consequences of the inspection or its effects on current or future buyers and sellers;*

(e) *Common household accidents, personal injury, or death;*

(f) *Water intrusion; or*

(g) *The future performance of any system or system component; and*

(6) *Provide additional inspection services not specifically set forth in this chapter and in accordance with COMAR 09.36.06.03 and Regulation .02 of this chapter.*

.04 Structural System.

A. A home inspector shall visually inspect the accessible structural system, including the structural components [including foundation and framing].

B. A home inspector shall describe the visible types and materials of the structural system, including the:

(1) *Foundation including a reference to the location of access and methods used to inspect the under-floor crawl spaces and basements;*

(2) *Floor structure;*

(3) *Wall structure;*

(4) *Ceiling structure;*

(5) *Roof structure, including a reference to the location of access and methods used to inspect the attic; and*

(6) *Conditions that adversely impact the structure.*

[B.] C. (text unchanged)

[C. A home inspector shall describe the structural system, including the:

(1) *Foundation, and report the methods used to inspect the under-floor crawl spaces and basements;*

(2) *Floor structure;*

(3) *Wall structure;*

(4) *Ceiling structure; and*

(5) *Roof structure, and report the methods used to inspect the attic.]*

D. (text unchanged)

.05 Exterior.

A. A home inspector shall visually inspect the [home] *accessible exterior components*, including:

(1)—(2) (text unchanged)

(3) *Attached decks, balconies, stoops, steps and stringers, porches, and their associated railings and balusters;*

(4)—(6) (text unchanged)

B. A home inspector shall describe [the]:

(1) *The exterior:*

(a) [wall] *Wall covering* [,flashing and trim.];

(b) *Flashing;*

(c) *Trim; and*

(d) *Doors;*

(2) *Deck components, including the absence of flashing at the ledger board;*

(3) *Eaves, soffits, and facias;*

(4) *Walkways, patios, driveways, including trip hazards; and*

(5) *Grading and surface drainage that may adversely affect the building.*

C. A home inspector is not required to inspect any of the following:

(1) (text unchanged)

(2) *Fences, including each fence gate;*

(3)—(7) (text unchanged)

.06 Roof System.

A. A home inspector shall visually inspect the *accessible* roof system, including:

(1) (text unchanged)

(2) *Roof drainage [system] components;*

(3) *[Flashings] Flashing; and*

(4) *Skylights, chimneys, and [exterior and] roof penetrations.*

B. A home inspector shall describe the roof covering *including the type and material* and report the methods used to inspect the roof.

C. A home inspector is not required to:

(1) Inspect:

(a) *Antennae and lightning arrestor systems;*

(b) *Interiors of flues or chimneys that are not accessible; [or]*

(c) *Solar panels; or*

[c)] (d) *Other installed accessories;*

(2)—(4) (text unchanged)

.07 Plumbing System.

A. A home inspector shall visually inspect the *accessible* plumbing system, including:

(1)—(8) (text unchanged)

B. A home inspector shall describe the *type and material of the* plumbing system, including:

(1) *Water supply, drain, waste, and vent piping materials, including waste cleanout access location;*

(2) (text unchanged)

(3) *The location of the main water and [main fuel] hose bib shut-off valves; [and]*

(4) *The location of the main fuel shut-off valve; and*

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

C. A home inspector is not required to:

(1) (text unchanged)

(a)—(d) (text unchanged)

(e) *Solar, geothermal, or other renewable energy water heating systems;*

(f)—(g) (text unchanged)

(2) Determine:

(a) *Whether water supply and waste disposal systems are public or private; [or]*

(b) *The quantity or quality of the water supply; or*

(c) *The function of expansion tanks, anti-siphon devices, and water circulating systems;*

(3) *Operate or activate safety valves or shut-off valves[.]; or*

(4) *Test shower pans or other fixtures for leaks.*

.08 Electrical Systems.

A. A home inspector shall visually inspect [an] *the accessible* electrical system, including:

(1)—(4) (text unchanged)

(5) *System bonding;*

[(5)] (6) *Interior components of service panels and [subpanels] distribution panels;*

[(6)] (7)—[(10)] (11) (text unchanged)

B. A home inspector shall describe the *type and materials* of the electrical system, including the:

(1) (text unchanged)

(2) Location of:

(a) [main] *Main disconnect;*

(b) *Service equipment;*

(c) *Distribution [and subpanels] panels; and*

(3) *Wiring methods.*

C. If applicable, a home inspector shall [include in a written report] *describe the:*

(1) (text unchanged)

(2) [Absence] *Presence or absence of:*

(a) [smoke detectors] *Smoke alarms;[and] or*

(b) *Carbon monoxide alarms; and*

(3) *Presence of:*

(a) *Non-arc-resistant CSST gas piping with the recommendation that the bonding of the CSST be reviewed by a licensed master electrician[.]; and*

(b) *Alternative energy systems, including disconnect locations.*

D. (text unchanged)

.09 Heating System.

A. A home inspector shall visually inspect *accessible:*

(1)—(2) (text unchanged)

(3) [Heating distribution] *Heat Sources.*

B. A home inspector shall describe [energy sources and cooling methods by distinguishing characteristics and means of distribution.]:

(1) *The type of system;*

(2) *Energy sources; and*

(3) *Heating methods by distinguishing characteristics and means of distribution.*

C. *A home inspector shall operate the heating system using normal operating controls, including emergency or auxiliary modes, if applicable.*

[C.] D. (text unchanged)

.10 Air-Conditioning System.

A. A home inspector shall inspect the *accessible* installed central and through-wall cooling equipment.

B. A home inspector shall describe [the energy sources and hearing methods by distinguishing characteristics and means of distribution.]:

(1) *Permanently installed cooling equipment;*

(2) *Energy sources;*

(3) *Cooling methods by distinguishing characteristics and means of distribution; and*

(4) *Condensate drainage system.*

C. *A home inspector shall operate the cooling system using normal operating controls and describe that the system was operated.*

[C.] D. A home inspector is not required to:

(1) *Inspect electronic air filters; [or]*

(2) *Determine the adequacy of the cooling system or the distribution balance[.]; or*

(3) *Operate the cooling equipment if it may damage the system or components.*

.11 Interior.

- A. A home inspector shall visually inspect *accessible*:
 - (1) (text unchanged)
 - (2) *Ramps, [Steps] steps, stairways, landings, and railings;*
 - (3) Countertops and [a representative number of] installed cabinets;
 - (4) [A representative number of doors] *Doors* and windows, *including safety glazing; [and]*
 - (5) Garage doors and garage door operators[.]; *and*
 - (6) *Household appliances including installed ovens, ranges, surface cooking appliances, microwave ovens, dishwashing machines, and food waste grinders by using normal operating controls to activate the primary function.*
- B. *A home inspector shall describe a condition that presents, at the time of the inspection, an unsafe condition.*
- [B.]C. A home inspector is not required to inspect:
 - (1)—(2) (text unchanged)
 - (3) Window treatments, *including window glass types or coatings;*
 - (4) (text unchanged)
 - [(5) Household appliances; or]
 - [(6)] (5) *Recreational facilities[.];*
 - (6) *Appliances not listed in section §A(6) of this regulation;*
 - (7) *Each control or feature of an inspected appliance; or*
 - (8) *Microwave radiation leakage.*

.12 Insulation and Ventilation.

- A. A home inspector shall visually inspect *accessible*:
 - (1)—(3) (text unchanged)
- B. A home inspector shall describe:
 - (1) *Insulation and vapor retarders or barriers in accessible unfinished spaces; [and]*
 - (2) *If applicable, the absence of insulation in unfinished spaces at conditioned surfaces[.]; and*
 - (3) *The presence or absence of a moisture barrier in a crawlspace.*
- C. A home inspector is not required to:
 - (1) *Disturb insulation, [or vapor] retarders, or barriers; or*
 - (2) (text unchanged)

.13 Fireplaces and Solid Fuel Burning Appliances.

- A. A home inspector shall visually inspect *accessible*:
 - (1)—(2) (text unchanged)
- B. (text unchanged)
- C. A home inspector is not required to:
 - (1) Inspect any of the following:
 - (a) (text unchanged)
 - (b) [Firescreens]*Fire Screens* and doors;
 - (c)—(d) (text unchanged)
 - (e) [Mantles]*Mantels* and fireplace surrounds;
 - (f) *Combustion make-up air devices; [or]*
 - (g) *Gravity-controlled and fan-assisted heat distribution assists; or*
 - (h) *Detached chimneys or solid fuel or gas burning appliances;*
 - (2)—(4) (text unchanged)

SEAN TROXELL
Chairman

Title 10 MARYLAND DEPARTMENT OF HEALTH

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.16 Behavioral Health Crisis Services

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

Notice of Proposed Action

[25-030-P]

The Secretary of Health proposes to amend Regulation .07 under COMAR 10.09.16 Behavioral Health Crisis Services.

Statement of Purpose

The purpose of this action is to update the listed provider reimbursement rate to the 3 percent increased rate, effective for Fiscal Year 2025, in accordance with the Fiscal Year 2025 Budget.

Estimate of Economic Impact

I. Summary of Economic Impact. The budget for Fiscal Year 2025 includes a 3 percent reimbursement rate increase for behavioral health crisis services. For Mobile Crisis Team (MCT) services, this represents an estimated \$354,424 increase in expenditures. For Behavioral Health Crisis Stabilization Center (BHCSC) services, this represents an estimated \$82,921 increase in expenditures. The Department estimates a total fiscal impact on Medicaid of \$437,345

II. Types of Economic Impact.

Impacted Entity	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
A. On issuing agency:		
Maryland Department of Health	(E+)	\$437,345
B. On other State agencies:		
	NONE	
C. On local governments:		
	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:		
(1) Maryland Medicaid BHCSC Providers	(+)	\$82,921
(2) Maryland Medicaid MCT Providers	(+)	\$354,424
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) The Department’s previous projection for Fiscal Year 2025 MCT services expenditures was \$33,754,656.

LAURA HERRERA SCOTT
Secretary of Health

(2) The Department assumes that 35 percent of the individuals utilizing mobile crisis services will be Medicaid recipients, resulting in a projected total Medicaid cost of \$11,814,130.

(3) Incorporating the 3 percent reimbursement rate increase, the Department anticipates an increase in projected expenditures for MCT to be \$12,168,553. This reflects a difference of \$354,424 with 85 percent federal funds (\$301,260) and 15 percent general funds (\$53,164).

(4) The Department’s previous projections for Fiscal Year 2025 BHCSC services expenditures was \$7,897,250.

(5) The Department assumes that 35 percent of the individuals utilizing BHCSC services will be Medicaid recipients, resulting in a project total Medicaid cost of \$2,764,037.

(6) Incorporating the 3 percent reimbursement rate increase, the Department anticipates an increase in projected expenditures for BHCSC to be \$2,846,958. This reflects a difference of \$82,921 with 65.6 percent blended federal funds (\$54,396) and 34.4 percent general funds (\$28,442).

D(1). See A above.

D(2). See A above.

Economic Impact on Small Businesses

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

To the extent that MCT and BHCSC providers are small businesses and are eligible to enroll in Maryland Medicaid to provide these services, providers are estimated to receive approximately \$437,359 in additional revenue.

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 April 21, 2025. A public hearing has not been scheduled.

.07 Payment Procedures.

A.—B. (text unchanged)

C. [Rates] For dates of service June 1, 2024 through June 30, 2024, rates for the services outlined in this chapter shall be as follows:

(1) For services [outlined in this regulation as] delivered through a mobile crisis team:

(a)—(b) (text unchanged)

(2) For services [outlined in this regulation as] delivered through a behavioral health crisis stabilization center:

(a)—(b) (text unchanged)

D. For dates of service beginning July 1, 2024, rates for the services outlined in this chapter shall be as follows:

(1) For services delivered through a mobile crisis team:

(a) Mobile crisis team services — \$115.15 per 15-minute unit increment; and

(b) Mobile crisis follow-up outreach — \$115.15 per 15-minute unit increment.

(2) For services delivered through a behavioral health crisis stabilization center:

(a) Behavioral Health Crisis Stabilization Center — \$742.85 per diem; and

(b) Office-based evaluation and management services, according to COMAR 10.09.02.07D.

10.09.35 Hospice Care

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

Notice of Proposed Action

[25-032-P]

The Secretary of Health proposes to amend Regulation .08 under COMAR 10.09.35 Hospice Care.

Statement of Purpose

The purpose of this action is to provide for a two-tier routine home care rate in accordance with federal regulation 42 CFR §418.301—302. This action allows for enhanced reimbursement rates during the first 60 days of hospice care and last 7 days of a participant’s life to reflect enhanced care needs during these periods.

Estimate of Economic Impact

I. Summary of Economic Impact. The total fiscal impact is estimated to be \$18,397 for Fiscal Year 2025 due to the increased reimbursement rates during the first 60 days of hospice care and the last 7 days of a participant’s life.

II. Types of Economic Impact.

Impacted Entity	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
A. On issuing agency:		
Maryland Department of Health	(E+)	\$18,397
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:		
Maryland Medicaid Hospice Providers	(+)	\$18,397
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) The average length of stay for hospice is 180 days. It is expected that the increased rate for the first 60 days is offset by the reduced rate for the remaining days in Hospice Care. Therefore, there is no economic impact associated with the increase rate for the first 60 days.

(2) The average unit cost for the service intensity-add on is \$16.32.

(3) The number of recipients in Fiscal Year 2025 of the service intensity add-on is 128.

(4) The estimated average number of units of the service intensity add-on required by a single participant in Fiscal Year 2025 is 8.807.

(5) The anticipated cost for the service intensity add-on in Fiscal Year 2025 is \$18,397. \$16.32 (average unit cost) x 128 (number of recipients) x 8.807 (average number of units) = \$18,397 (anticipated cost).

D. See A. above.

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 rate changes and service intensity add-on will result in individuals with disabilities receiving more frequent and higher quality medically necessary services from Hospice providers.

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 April 21, 2025. A public hearing has not been scheduled.

.08 Payment Procedures.

A. Reimbursement Principles.

(1) The Program shall pay the provider at one of four [rates] *rate categories* for each day that the participant is under the provider's care, subject to the conditions, limitations, and exceptions set forth in this chapter.

(2) The payment rates for providers shall be those established by the [Health Care Financing Administration (HCFA)] *Centers for Medicare and Medicaid Services* of the U.S. Department of Health and Human Services for hospice care under a Medical Assistance Program.

(3) (text unchanged)

B. Categories of Hospice Care for Reimbursement.

(1) Routine Home Care.

(a)—(b) (text unchanged)

(c) *The routine home care rate is paid at one of the following levels, whichever is applicable:*

(i) *An enhanced rate for the first 60 days in which the participant is enrolled in hospice; or*

(ii) *A lesser rate for day 61 and thereafter.*

(2)—(4) (text unchanged)

C. (text unchanged)

D. Service Intensity Add-On.

(1) *In addition to the routine home care rate paid under §B(1) of this regulation, the provider shall be paid for visits made by a social worker or a registered nurse, when provided during routine home care in the last 7 days of the participant's life.*

(2) *The service intensity add-on payment is equal to the continuous home care hourly rate divided by four.*

(3) *The provider shall be paid in 15-minute increments for a maximum of four hours daily.*

[D.] E—[G.] H. (text unchanged)

LAURA HERRERA SCOTT
Secretary of Health

10.09.36 General Medical Assistance Provider Participation Criteria

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

Notice of Proposed Action

[25-023-P]

The Secretary of Health proposes to amend Regulations **.01**, **.03**, **.04**, and **.08** under **COMAR 10.09.36 General Medical Assistance Provider Participation Criteria**.

Statement of Purpose

The purpose of this action is to:

(1) Align regulations with current policy requiring providers to obtain an appropriate State Department of Assessments and Taxation (SDAT) identification number;

(2) Clarify that providers may not seek payment from participants for covered service claims denied by the Department for any reason;

(3) Require providers who bill the public behavioral health system for certain services to provide certain data elements;

(4) Align regulations with current policy requiring providers to obtain an individual National Provider Identification (NPI) number for each service location;

(5) Clarify prohibition on billing the Program or participants for certain activities;

(6) Prohibit providers from requesting that participants waive Medicaid coverage as a condition for receiving services; and

(7) Indicate the Department's reporting requirements when providers are terminated from the Program for failure to comply with applicable law.

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 April 21, 2025. A public hearing has not been scheduled.

.01 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(21) (text unchanged)

(2) *"State Department of Assessments and Taxation (SDAT)" means the State Department of Assessments and Taxation as described in COMAR Title 18.*

[(22)] (23) (text unchanged)

.03 Conditions for Participation.

A. To participate in the Program, the provider shall:

(1)—(2) (text unchanged)

(3) *Obtain and maintain in good standing the appropriate SDAT identification number in accordance with §I of this regulation;*

[(3)] (4)—[(24)] (25) (text unchanged)

B.—D. (text unchanged)

E. *If the Program denies payment [due to late billing,] for covered services for any reason, the provider may not seek payment for the denied service from the participant [may not be sought].*

F.—G. (text unchanged)

H. *For services that are funded under the Substance Abuse and Mental Health Services Administration and related federal funding sources, specifically for providers that bill the public behavioral health system for specialty mental health services described in COMAR 10.09.59 and community-based substance use disorder services described in COMAR 10.09.80 shall provide data elements per Federal requirements set forth in 42 U.S. Code §300x-9 and 42 USC 300x-35, to the State in the frequency required by the Department.*

I. State Department of Assessments and Taxation (SDAT) Identification Number. A provider shall obtain an SDAT identification number that:

(1) Identifies their organizational structure as either:

(a) An individual provider, classified with a prefix of the letter

L; or

(b) A business entity; and

(2) Is maintained in good standing as described in COMAR 18.04.03.01.

J. Each provider practice location shall:

(1) Be individually enrolled with the Program;

(2) Have an individualized provider agreement as described under §A(6) of this regulation;

(3) Maintain a unique NPI number as described under §K of this regulation.

K. National Provider Identification (NPI) Number.

(1) Unless specifically excepted under §K(2) of this regulation, each provider shall maintain a unique NPI number that:

(a) Correctly classifies the provider as either:

(i) An individual provider with a Type 1 NPI number; or

(ii) An organizational provider with a Type 2 NPI number;

and

(b) For Type 2 organizational providers, is individualized to a specific service or practice location.

(2) The following enrollment types are exempt from the individualized Type 2 NPI number requirement in §K(1)(b) of this regulation:

(a) Skilled nursing facility therapy groups with an affiliated nursing facility provider;

(b) Pharmacies with an affiliated durable medical equipment and disposable medical supplies provider; and

(c) Hospitals.

L. Providers may not request or require that a participant waive, revoke, or otherwise forgo Medicaid coverage as a condition for receiving covered services.

.04 Payment Procedures.

A.—G. (text unchanged)

H. Providers may not bill the Department [or], the Program, or participants for:

(1)—(2) (text unchanged)

(3) [Professional] Covered professional services rendered by:

(4) (text unchanged)

I.—K. (text unchanged)

.08 Cause for Suspension or Removal and Imposition of Sanctions.

A.—B. (text unchanged)

C. The Department may report to the federal Secretary of Health and Human services any providers removed from participation with the Program for failure to comply with applicable federal or State laws and regulations in accordance with 42 CFR §455.416.

[C.] D.—[D.] E. (text unchanged)

LAURA HERRERA SCOTT
Secretary of Health

10.09.44 Programs of All-Inclusive Care for the Elderly (PACE)

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

Notice of Proposed Action

[25-025-P]

The Secretary of Health proposes to amend Regulations .01, .03— .09, .11, .12, .15, .16, .18, and .20—.24 under COMAR 10.09.44 Programs of All-Inclusive Care for the Elderly (PACE).

Statement of Purpose

The purpose of this action is to update the annual provider rates to be paid to Program All-Inclusive Care for the Elderly (PACE) providers pursuant to the State Plan Amendment approved by the Centers for Medicare and Medicaid Services (CMS), update the state regulations to comport with federal regulations, and bring them current with other MDH regulations and policy.

Estimate of Economic Impact

I. Summary of Economic Impact. This proposal has an estimated economic impact of \$391,311 based on anticipated additional enrollment in the PACE Organizations in Calendar Year 2024. This impact is subject to a federal match, utilizing 50 percent federal match and 50 percent general funds.

II. Types of Economic Impact.

Impacted Entity	Revenue (R+/R-)	Expenditure (E+/E-)	Magnitude
A. On issuing agency:			
Maryland Department of Health	(E+)		\$391,311
B. On other State agencies:	NONE		
C. On local governments:	NONE		
D. On regulated industries or trade groups:			
PACE Organizations	(+)		\$391,311
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) Estimated magnitude is based upon estimated enrollment in Calendar Year 2024 in three PACE organizations:

(a) The current PACE Organization currently operating in the Baltimore region of Maryland with a total of 166 individuals;

(b) A new PACE Organization opening in the Baltimore region of Maryland October 1, 2024 with a total of 15 individuals, estimated at the highest rate cell; and

(c) A new PACE Organization opening in the Washington Metro region of Maryland November 1, 2024 with a total of 10 individuals, estimated at the highest rate cell.

(2) The difference between the Calendar Year 2023 and Calendar Year 2024 rates for this estimated enrollment is \$391,311.

(3) This amount is subject to a federal match, utilizing 50 percent federal match (\$195,655.50) and 50 percent general funds (\$195,655.50).

D. See A above.

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 rate increase and more robust reporting requirements will result in individuals with disabilities receiving higher quality services through the PACE Program.

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 April 21, 2025. A public hearing has not been scheduled.

.01 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(4) (text unchanged)

(5) “Capitation payment” means the sum of money paid in advance on a monthly per capita basis to a PACE provider by the Department on a PACE participant’s behalf for the PACE provider benefit package specified in the PACE [program agreement] *Program Agreement*.

(6)—(11) (text unchanged)

(12) “Emergency services” means health care services that are:

(a) (text unchanged)

(b) Provided to a PACE participant with an emergency medical condition;

(c) (text unchanged)

(d) Provided in a hospital emergency facility or a free-standing urgent care center as defined in COMAR 10.09.77.01.

(13)—(15) (text unchanged)

(16) “Medicaid Provider Agreement” means the agreement between Medicaid providers, including PACE providers, and the Department that allows providers to provide services to Medicaid participants.

[(16)] (17)—[(21)] (22) (text unchanged)

(23) “PACE Organization Provider Agreement” is the agreement between the PACE Provider and the Department that contains provisions to provide additional protections to PACE participants.

(24) “PACE participant” means an eligible person who voluntarily enrolls and enters into an agreement with a PACE provider or an eligible person who is enrolled by a legal representative.

[(22)] (25) (text unchanged)

[(23)] (26) “PACE [program agreement] Program Agreement” means a written, signed agreement between the Department, CMS, and the PACE provider, which specifies the terms of the relationship between the Department and the PACE provider and authorizes the PACE provider to operate in the State.

[(24)] (27) “Participant” means [an eligible person who voluntarily enrolls and enters into an agreement with a PACE provider or an eligible person who is enrolled by a legal representative] an individual who is certified by the Department as eligible to receive Medical Assistance Program benefits.

[(25)] (28) (text unchanged)

[(26)] (29) “Primary care provider” means a practitioner who provides a PACE participant’s primary care services and is the primary coordinator of all other health care services for the PACE participant, responsible for providing or assuring access to continuous, comprehensive, and coordinated health care services covered in the PACE benefit package.

[(27)] (30)—[(28)] (31) (text unchanged)

[(29)] (32) “Programs of All-Inclusive Care for the Elderly (PACE)” means a jointly administered capitated Medicare/Medicaid program providing medical and long term care services to nursing home eligible, frail, elderly [recipients] participants.

[(30)] “Provider” means a PACE provider.

(31) “Provider agreement” is the agreement between the PACE provider and the Department.]

[(32)] (33) (text unchanged)

[(33)] “Recipient” means an individual who is certified by the Department as eligible to receive Medical Assistance Program benefits, as stated in COMAR 10.09.36.]

(34)—(39) (text unchanged)

.03 PACE Provider.

A. The PACE provider shall comply with:

(1)—(2) (text unchanged)

(3) The Medicaid provider agreement and the PACE Organization Provider Agreement signed with the Department;

(4)—(7) (text unchanged)

B.—D. (text unchanged)

E. Professional and Administrative Standards. The PACE provider shall have the professional and administrative ability and staffing to carry out its [provider agreement] duties and responsibilities according to the PACE Program Agreement and PACE Organization Provider Agreement, which shall include the following:

(1)—(3) (text unchanged)

(4) A management information system, which shall:

(a) (text unchanged)

(b) Maintain medical and financial records for [6] 10 years;

(5) An acceptable PACE participant grievance and appeals procedure and system for reporting the disposition of grievances and appeals to the Department, as specified in Regulation .19 of this chapter;

(6) A procedure established to provide PACE participants an ability to participate in matters of policy and operation; and

(7) (text unchanged)

F. (text unchanged)

G. Provision of Services and Health Care Delivery. A PACE provider shall provide:

(1) (text unchanged)

(2) Written notice to PACE participants if there is a significant change in the nature, location, or provider of services provided.

H.—L. (text unchanged)

M. If the PACE Program Agreement exempts the PACE provider from financial responsibility for any services available under the State Plan, the PACE provider shall be required by the PACE [provider agreement] Organization Provider Agreement to provide for these services.

N. Liability.

(1) (text unchanged)

(2) The [department] Department may not make additional payment for services under this section.

(3) The PACE provider may not collect any payment from a PACE participant except as specified in Regulation .05 of this chapter.

(4) The PACE provider is solely responsible for ensuring that it does not issue payments for services for which it is not liable in its [provider agreement] PACE Organization Provider Agreement, and

the Department may not accept responsibility for refunding to the PACE provider any excess payments made by the PACE provider.

.04 Term of the PACE Organization Provider Agreement.

A. The duration or term of the agreement between the Department and the PACE provider is specified in the [provider agreement] *PACE Organization Provider Agreement*.

B. The [provider agreement] *PACE Organization Provider Agreement* shall provide for automatic amendment, renegotiation, or termination, or all of the above, of the [provider agreement] *PACE Organization Provider Agreement* by either party if any part of the [provider agreement's] *PACE Organization Provider Agreement's* provider benefit package is changed under the State Plan.

C. Termination.

(1) The Department may terminate immediately the [provider agreement] *PACE Organization Provider Agreement* upon notification:

(a)—(b) (text unchanged)

(c) That the owners or managers of the PACE provider, or other persons with substantial [provider agreement] *Medicaid Provider Agreement* relationships with the PACE provider, have been convicted of certain crimes or received certain sanctions as specified in §1128 of the Social Security Act.

(2) The Department may, at its sole discretion, offer to renegotiate any provision of the [provider agreement] *PACE Organization Provider Agreement* if renegotiation would remove any of the causes of termination specified in §C(1) of this regulation. This offer is not a waiver of the Department's right of immediate termination.

(3) The [provider agreement] *PACE Organization Provider Agreement* may be terminated by either the Department or the PACE provider if the other party fails to meet a provision of:

(a) (text unchanged)

(b) The [provider agreement] *PACE Organization Provider Agreement*; or

(c) Applicable laws, rules, regulations, or guidelines effective as of the date of the [provider agreement] *PACE Organization Provider Agreement* or enacted or established during the [provider agreement's] *PACE Organization Provider Agreement's* term.

(4) A [provider agreement's] *PACE Organization Provider Agreement's* termination is effective only after the terminating party has notified the breaching party in writing of the cause or causes of termination and has allowed 60 days for the correction or alleviation of the cause or causes by the breaching party.

(5) Termination of Agreement by PACE. The PACE provider may terminate an agreement after timely notice to CMS, the Department, and *PACE* participants, as follows:

(a) (text unchanged)

(b) To *PACE* participants, 60 days before termination.

D. Default by PACE.

(1) The Department may immediately terminate the [provider agreement] *PACE Organization Provider Agreement* if the PACE provider defaults, as specified in §D(3) of this regulation.

(2) If the PACE provider defaults, the Department may recover any capitation payments issued to the PACE provider for periods after the termination effective date of the [provider agreement] *PACE Organization Provider Agreement*.

(3) (text unchanged)

E. Nonexclusivity of Remedy.

(1) This regulation's provisions supplement, rather than replace, any other sanctions or remedies available to the Department under the provisions of Regulation .24 of this chapter, the [provider agreement] *PACE Organization Provider Agreement*, the *Medicaid Provider Agreement*, or applicable law or regulations.

(2) If the [provider agreement] *PACE Program Provider Agreement* is terminated under this regulation, the PACE provider shall furnish to the Department, within 45 days of the termination's effective date, all information necessary for the reimbursement of any outstanding claims for services rendered to the PACE provider's participants, including claims of its contractors.

.05 PACE Participant Eligibility.

A. An eligible person shall:

(1)—(2) (text unchanged)

(3) Be able to be maintained in a community-based setting with the assistance of PACE at the time of enrollment without jeopardizing the *PACE* participant's health or others' health or safety;

(4) (text unchanged)

(5) Be willing to abide by the provision that requires *PACE* participants to receive all health and long-term care services exclusively from the PACE provider and its contracted or referred providers.

B. Medical Assistance Eligibility Services.

(1)—(2) (text unchanged)

(3) Optionally Categorically Needy.

(a)—(e) (text unchanged)

(f) If the applicant or [recipient] *participant* is not aged, blind, or determined disabled by the Social Security Administration, the Department of Human Services shall determine whether the applicant or [recipient] *participant* is technically eligible for Medical Assistance as a disabled person, in accordance with COMAR [10.09.24.05E] *10.09.24.05-4B*.

(g) All provisions of COMAR 10.09.24 which apply to an aged, blind, or disabled individual who is institutionalized are applicable to applicants and *PACE* participants under this chapter who are considered optionally categorically needy, with the following exceptions in full or in part:

(i) COMAR [10.09.24.04J(1)—(3)] *10.09.24.04-1D and*

E;

(ii) COMAR [10.09.24.04K] *10.09.24.04-1F*;

(iii) (text unchanged)

(iv) COMAR [10.09.24.08G(1)] *10.09.24.08F(1)*;

(v) COMAR [10.09.24.08H] *10.09.24.08G*;

(vi)—(viii) (text unchanged)

(h) Home Exclusion. The home, as defined in COMAR [10.09.24.08B] *10.09.24.08F(1)*, is not a countable resource under §B(3) of this regulation if it is occupied by the applicant or *PACE* participant, the applicant's or *PACE* participant's spouse, or any one of the following relatives who are medically or financially dependent on the applicant or *PACE* participant:

(i)—(iii) (text unchanged)

(i) Medical Assistance eligibility shall be determined by the Department within 45 days after the Department or its representative receives a signed application according to COMAR [10.09.24.04J(3)—(10)] *10.09.24.04-1D*.

(4) Post-Eligibility Determination of Available Income for Optionally Categorically Needy.

(a) (text unchanged)

(b) For individuals eligible under §B(3) of this regulation who reside in a licensed assisted living facility, the Department shall calculate a client contribution towards the cost of services under this chapter, based on the amount remaining after deducting from the individual's countable monthly income the following amounts in the following order:

(i) (text unchanged)

(ii) A spousal or family maintenance allowance in accordance with COMAR [10.09.24.10D(2)(b)] *10.09.24.10D(2)(d)*; and

(iii) Incurred medical expenses as specified in COMAR [10.09.24.10D(2)(d) and (e)] *10.09.24.10D(2)(f) and (g)*.

(c) For individuals who reside in an assisted living facility whose contribution toward the cost of service is calculated under §B(4)(b) of this regulation, the provider shall collect the *PACE* participant's available income. The amount collected under this paragraph may not exceed the monthly capitation amount under this chapter for the *PACE* participant.

(d) For individuals eligible under §B(3) of this regulation who reside in a long-term care facility, the Department shall calculate a client contribution towards the cost of services under this chapter, based on the amount remaining after deducting from the individual's countable monthly income the following amounts in the following order:

(i) A personal needs allowance in accordance with COMAR [10.09.24.10D(2)(a)] *10.09.24.10D(2)(c)*;

(ii) A spousal or family maintenance allowance in accordance with COMAR [10.09.24.10D(2)(b)] *10.09.24.10D(2)(d)*;

(iii) A residential allowance in accordance with COMAR [10.09.24.10D(2)(c)] *10.09.24.10D(2)(e)*; and

(iv) Incurred medical expenses as specified in COMAR [10.09.24.10D(2)(d) and (e)] *10.09.24.10D(2)(f) and (g)*.

(e) For individuals who reside in a long-term care facility whose contribution toward the cost of service is calculated under §B(4)(d) of this regulation, the provider shall collect the *PACE* participant's available income.

C.—D. (text unchanged)

.06 *PACE* Participant Enrollment.

A. (text unchanged)

B. The *PACE* provider shall enter into an enrollment agreement with [a qualified recipient] *an eligible participant* on the form approved by the Department.

C. The *PACE* provider shall enroll eligible [recipient] *participants* in the order in which they apply, and may not discriminate on the basis of health status in its enrollment, re-enrollment, or disenrollment procedures.

D. Signature on Enrollment Forms.

(1) Except as indicated under §D(2) of this regulation, a [recipient] *participant* 55 years old or older shall sign and submit the enrollment form;

(2) (text unchanged)

E. Because the *PACE* provider is responsible for ensuring that [recipient] *participants* whose primary language is not English understand the benefits and restrictions associated with enrollment in *PACE*, the *PACE* provider shall give to such a [recipient] *participant* at the time of enrollment a:

(1)—(2) (text unchanged)

F. Subject to verification of eligibility, enrollment [shall be effective at 12:01 a.m., local time, on the 10th day after the participant signs the enrollment agreement] *shall be effective on the first day of the calendar month following the date the PACE organization receives the signed enrollment agreement*.

G. An individual eligible for enrollment under Regulation .05 of this chapter, may enroll at any time during the term of the *PACE Organization Provider Agreement*, unless:

(1) Enrollment under the [provider agreement] *PACE Organization Provider Agreement* has been suspended pursuant to Regulation .23 of this chapter; or

(2) The *PACE* provider exceeds the enrollment limit established [in the provider agreement] *by the Department*.

H. (text unchanged)

I. The *PACE* provider shall provide to each *PACE* participant an identification card, clearly indicating the bearer is enrolled with the *PACE* provider.

J. The *PACE* provider shall provide in writing and explain to a new *PACE* participant, at a minimum, the following:

(1) Notification of the *PACE* participant's right to terminate enrollment, the time frame required, and explanation of the required process; and

(2) (text unchanged)

.07 Termination of *PACE* Participant's Enrollment.

A. Termination of a *PACE* participant's enrollment may be initiated by the:

(1)—(2) (text unchanged)

(3) [Participant] *PACE participant*; or

(4) [Participant's] *PACE participant's* legal guardian or legal representative.

B. (text unchanged)

C. General Requirements for Processing Disenrollments.

(1) The Department shall establish a [monthly cut-off date] *timeline* for the receipt of disenrollment forms as follows:

(a) [Disenrollments received by the monthly cut-off date shall be processed the next payment processing date and disenrollment is effective the first day of the following month and;] *A PACE participant's involuntary disenrollment occurs after the PACE provider meets the requirements set forth in 42 CFR §460.164 and is effective on the first day of the next month that begins 30 days after the day the PACE organization sends notice of the disenrollment to the PACE participant; or*

(b) [Disenrollments received after the monthly cut-off date shall be processed the following month's payment processing date and disenrollment is effective the first day of the following month.] *A PACE participant's voluntary disenrollment is effective on the first day of the month following the date the PACE organization receives the PACE participant's notice of voluntary disenrollment.*

(2) Disenrollment requests shall be submitted to the Department by the *PACE* provider within 3 working days from completion, except if the *PACE* participant requests that the form be mailed to the *PACE* participant's home address for completion.

(3) The *PACE* provider shall send the *PACE* participant a copy of the completed disenrollment forms, regardless of who initiated the disenrollment process.

D. Voluntary Disenrollment by *PACE* Participant.

(1) In general, *PACE* participants may disenroll from the *PACE* provider at their discretion at any time without cause, by completing or having completed by a legal guardian or legal representative a disenrollment form provided by the Department.

(2) The *PACE* provider shall act to facilitate disenrollment, including mailing disenrollment request forms to *PACE* participants desiring to disenroll but having difficulty accessing the *PACE* provider's office.

(3) The *PACE* provider shall date-stamp *PACE* participants' disenrollment requests upon receipt.

(4) A disenrollment request completed by a *PACE* participant before or on the Department's monthly cut-off date shall be submitted by the *PACE* provider to the Department before that month's processing date for capitation payments.

(5) A disenrollment request completed by a *PACE* participant and received by the *PACE* provider by the monthly cut-off date, but which the *PACE* provider submits to the Department after the payment processing date, may not be processed until the following month's payment cycle and shall be retroactive to the first day of that month.

(6) When the *PACE* participant completes the disenrollment form by the monthly cut-off date, but the *PACE* provider does not receive the form until after the cut-off date, the disenrollment may not be processed until the following month, and the *PACE* provider shall promptly notify the *PACE* participant in writing that the disenrollment will not be processed until the end of the next month and that the *PACE*

participant shall continue to receive all services from the PACE provider.

(7) A participant who moves out of the service area shall be processed as a voluntary disenrollment.]

E. Disenrollment Initiated by the PACE Provider.

(1) The PACE provider shall have a written policy regarding termination of a PACE participant's enrollment by the PACE provider which shall address, at a minimum:

(a) Under what conditions a PACE participant is to be disenrolled by the PACE provider; and

(b) (text unchanged)

(2) (text unchanged)

(3) A disenrollment may not occur because of an adverse change in the PACE participant's health status.

(4) The PACE participant's complete medical and utilization history shall be provided by the PACE provider to the Department, upon request, in order to determine an appropriate disenrollment date.

(5) The PACE provider shall notify the PACE participant within 14 days of when the disenrollment is approved, and the PACE participant may appeal the decision under the terms of COMAR 10.01.04.

(6) Disenrollment may be requested by the PACE provider by providing to the Department acceptable documentation that the:

(a) [Participant's] PACE participant's domicile was relocated outside the PACE provider's service area;

(b) [Participant] PACE participant is no longer eligible in accordance with Regulation .05 of this chapter;

(c) [Participant] PACE participant is discovered to be an individual for whom there existed legal documentation at the time of enrollment that the individual was mentally incompetent, but the PACE participant signed the enrollment form;

(d) [Participant] PACE participant commits fraudulent or illegal acts, such as permitting use of the PACE participant's medical identification card by others, altering a prescription, theft or other criminal acts committed in any provider's or PACE provider's premises;

(e) [Participant] PACE participant fails to complete and submit consents, releases, or assignments and other documents reasonably requested by the PACE provider in order to obtain or assure payment by Medicare, Medicaid, or other third party payers; or

(f) [Participant] PACE participant has died.

(7)—(8) (text unchanged)

F. Disenrollment by the Department. The Department shall disenroll a PACE participant if the:

(1) PACE Organization Provider Agreement between the PACE provider and the Department is terminated;

(2) [Participant] PACE participant dies;

(3) [Participant] PACE participant becomes ineligible for enrollment in accordance with Regulation .05 of this chapter; or

(4) [Participant] PACE participant loses eligibility for Medical Assistance Program benefits or changes to a category of assistance not eligible for enrollment in PACE.

G. Effective Date of Termination.

[(1) Except as specified in §H of this regulation or unless the Department specifically authorizes an earlier effective date, a disenrollment initiated by the PACE participant or the PACE provider before the monthly cut-off date established by the Department, if approved, shall be effective on the first day of the month following the respective cut-off date.]

[(2)] (1)—[(4)] (3) (text unchanged)

[(5)] (4) A disenrollment resulting from the PACE participant's loss of Program eligibility shall be effective on the day following the PACE participant's last date of eligibility.

[(6)] (5) The Department may recover any capitation payments made on behalf of the PACE participant for periods following the effective date of the PACE participant's termination of enrollment or loss of eligibility, but not for a retroactive period greater than 3 months except in the case of:

(a) The PACE participant's death; or

(b) The PACE participant's relocation of domicile outside the PACE provider's service area.

[(7)] (6) (text unchanged)

.08 PACE Participant Rights.

(text unchanged)

.09 Covered Services.

A. (text unchanged)

B. The PACE benefit package for all PACE participants, regardless of the source of payment, shall include the following:

(1)—(9) (text unchanged)

(10) Other services determined necessary by the multidisciplinary team to improve and maintain the PACE participant's overall health status.

C. (text unchanged)

.11 Authorization Requirements.

The PACE provider shall obtain approval by the Department before any changes in the following:

A.—D. (text unchanged)

E. PACE [provider agreement] *Organization Provider Agreement*;

or

F. (text unchanged)

.12 Marketing and Information.

A. The PACE [provider agreement] *Organization Provider Agreement* shall specify the methods by which the PACE provider will assure the Department that its marketing plans, procedures, and materials are accurate and do not mislead, confuse, or defraud the Department or potential PACE participants.

B. (text unchanged)

C. The PACE provider may not participate in:

(1) (text unchanged)

(2) Face-to-face or telephone contact with a [recipient] participant, or otherwise soliciting a [recipient] participant who is not a PACE provider's participant [of the PACE provider], unless authorized by the Department or initiated by the [recipient] participant.

D. Subject to prior approval by the Department, a PACE provider may engage in marketing activities designed to make [recipient] participants aware of the PACE provider's availability as well as any special services offered. Addressee-blind informational mailings to an entire zip code may be used.

E. Enrollment Agreement and *PACE Participant Enrollment Materials*.

(1) (text unchanged)

(2) At a minimum the information in the enrollment agreement shall contain the following [elements] *PACE participant enrollment materials which shall remain with the PACE participant*:

(a)—(l) (text unchanged)

(m) How to obtain copies of the PACE participant's records;

(n)—(q) (text unchanged)

(3)—(4) (text unchanged)

.15 Reports and Data Collection.

A. (text unchanged)

B. Encounter data submitted by PACE providers under §A of this regulation shall include, at a minimum:

(1) [Participant] *PACE participant* and provider identifying information;

(2)—(4) (text unchanged)

C. (text unchanged)

D. The PACE provider shall immediately notify the Department if it has knowledge of a *PACE participant's* death.

E. The PACE provider shall have an effective procedure for reporting to the Department the following information:

(1) (text unchanged)

(2) Health status of *PACE participants*; and

(3) Appeals and grievances made by *PACE participants*.

F. Quarterly Reports. A PACE provider shall submit to the Department quarterly, within 30 days of the close of each calendar quarter, and in a format designated by the Department:

(1)—(2) (text unchanged)

(3) Grievance reports, including emergency room based grievances, as specified in Regulation .19 of this chapter that contain at a minimum:

(a) An analysis of *PACE participant* appeal and grievance records;

(b)—(d) (text unchanged)

(4)—(5) (text unchanged)

G.—H. (text unchanged)

.16 Confidentiality.

A. Subject to the requirements of 42 CFR Part 431 Subpart F, the PACE provider and its contractors may not release or disclose any information concerning a *PACE participant* to anyone other than the Department except with the written permission of the:

(1) [Participant] *PACE participant*; or

(2) [Participant's] *PACE participant's* attorney, legal representative, or legal guardian.

B. (text unchanged)

.18 Subcontractual Relationships.

A.—E. (text unchanged)

F. If the Department determines that termination or expiration of a PACE provider's contractual relationship materially affects the PACE provider's ability to carry out its responsibilities under the PACE [provider agreement] *Organization Provider Agreement*, the Department may terminate the PACE [provider agreement] *Organization Provider Agreement*.

G.—H. (text unchanged)

.20 Third-Party Liability.

A. The PACE provider shall identify and collect money [owing] *owed* from responsible third parties liable for the cost of health care services furnished by the PACE provider to its *PACE participants*.

B.—D (text unchanged)

.21 Payment Rates and Procedures.

A. The Department shall:

(1) Pay the PACE provider for each *PACE participant* based on the fixed capitation payment or payments specified in §E of this regulation; and

(2) (text unchanged)

B. Calculation of PACE Capitation Payments.

(1)—(5) (text unchanged)

(6) [No adjustments for administrative costs associated with PACE are included, and certain] *Certain* categories of costs not associated with a PACE-eligible, nursing facility-certified population are excluded from the claims data.

C.—D. (text unchanged)

E. For services provided on or after [January 1, 2023] *January 1, 2024*, the Department shall pay the PACE provider at the following per-member per-month capitation rates:

Category/Region	Baltimore	Washington	Rural
55—64 Medicaid only	[\$8,570] \$8,754	[\$8,445] \$7,883	[\$6,107] \$7,305
55—64 full dual	[\$4,937] \$5,093	[\$4,865] \$4,682	[\$3,518] \$4,339
65+ Medicaid only	[\$6,263] \$6,331	[\$6,172] \$5,821	[\$4,463] \$5,394
65+ full dual	[\$4,492] \$5,805	[\$4,427] \$4,676	[\$3,201] \$4,333

F. The capitation rate paid by the Department to the PACE provider for a participant shall be accepted as payment in full for the PACE provider benefit package provided by the PACE provider according to its [provider agreement] *PACE Organization Provider Agreement*, and additional charge may not be made to the participant, the Department, or any other entity except as provided under Regulation .05 of this chapter.

G.—J. (text unchanged)

K. Program Changes.

(1)—(2) (text unchanged)

(3) Refusal of an adjustment in the PACE provider's capitation payment by the other party shall, at the discretion of the party making the request, be grounds for termination of the [Provider agreement] *PACE Organization Provider Agreement*.

.22 Payment for Emergency Services.

A. The PACE provider shall be responsible for prompt payment for all emergency services received by *PACE participants*.

B. If a claim is submitted to the PACE provider within 9 months of the date of service, the PACE provider shall reimburse a hospital emergency facility and provider *or free-standing urgent care center*, without requiring prior authorization or approval for payment from the PACE provider, for:

(1)—(2) (text unchanged)

(3) Medically necessary and appropriate services if:

(a) The PACE provider authorized, referred, or otherwise allowed the *PACE participant* to use the emergency facility; and

(b) The services are related to the condition for which the *PACE participant* was allowed to use the emergency facility.

.23 Cause for Suspension or Removal and Imposition of Sanctions.

A. (text unchanged)

B. If the Department determines that a provider, any agent or employee of the provider, or any person with an ownership interest in the provider or related party of the provider has failed to comply with applicable federal or State laws or regulations, the Department may:

(1) (text unchanged)

(2) Suspend the PACE provider's ability to enroll new *PACE participants*.

.24 Appeal Procedures.

A.—B. (text unchanged)

C. *PACE participant* appeals are set forth in COMAR [10.09.24.13] 10.01.04.

LAURA HERRERA SCOTT
Secretary of Health

Subtitle 28 BOARD OF EXAMINERS IN OPTOMETRY

10.28.02 Continuing Education Requirements

Authority: Health Occupations Article, [§§11-205] §§1-225, 11-101, 11-205, 11-308(c), and 11-309, Annotated Code of Maryland

Notice of Proposed Action

[25-027-P]

The Secretary of Health proposes to amend Regulations .02, .03, and .05 under COMAR 10.28.02 Continuing Education Requirements. This action was considered by the Board of Examiners in Optometry at a public meeting held on May 29, 2024, notice of which was given by publication on the Board's website at <https://health.maryland.gov/optometry/Pages/index.aspx> pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to

- (1) Amend certain definitions;
- (2) Update and clarify first-time renewal requirements;
- (3) Update continuing education requirements;
- (4) Amend continuing professional education trainings to allow for in-person, virtual synchronous or asynchronous attendance; and
- (5) Make other revisions and technical corrections as needed.

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 April 21, 2025. A public hearing has not been scheduled.

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(3) (text unchanged)

(4) "Diagnostic Pharmaceutical Agents (DPA) certified optometrist" means a licensed optometrist who has fulfilled the requirements of the Board and is certified by the Board to use diagnostic pharmaceutical agents in the practice of optometry and provides diagnostic services to patients in Maryland.

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

(6) "Therapeutic Pharmaceutical Agents (TPA) certified optometrist" means a licensed optometrist who has fulfilled the requirements of the Board and is certified by the Board to use therapeutic pharmaceutical agents in the practice of optometry and provides therapeutic services to patients in Maryland.

.03 Registration Renewal.

A. (text unchanged)

B. First-Time Renewal Requirements. Licensees eligible for renewal:

(1) From another state licensed for less than 2 years, may earn credit hours which may be prorated for first-time renewal based on the license issuance date;

(2) That did not apply within a year of graduation and has been licensed for less than 2 years, may earn credit hours which may be prorated for first-time renewal based on the license issuance date;

(3) That have applied for renewal within 1 year of graduation from an accredited school or college of optometry may have continuing education requirements waived by the Board; and

(4) Are required to complete Implicit Bias Training and CPR certification.

[B.] C.—[D.] E. (text unchanged)

.05 Required Credit and Other Course Credit.

A. (text unchanged)

B. General Requirements.

(1) TPA certified optometrists shall:

(a) Document 50 hours of continuing professional education every 2 years, with 30 of the 50 hours focused on therapeutic topics; and

(b) Provide proof of CPR certification every renewal which may count as 3 credit hours.

(2) DPA certified optometrists shall:

(a) Document 36 hours of continuing professional education, every 2 years, with 6 of the 36 hours focused on diagnostic pharmaceuticals; and

(b) Provide proof of CPR certification every renewal which may count as 3 credit hours.

(3) Non-Certified licensed optometrists shall:

(a) Document 36 hours of continuing professional education every 2 years; and

(b) Provide proof of CPR certification every renewal which may count as 3 credit hours.

(4) The Board accepts:

(a) Only accredited or Board-approved continuing education programs; and

(b) Therapeutic courses that fall within the Ocular Disease and related Systemic Disease categories.

[B.] C. [In-Person] Trainings.

(1) Except for those identified in [§H] §I of this regulation, an optometrist who is issued a license by the Board [shall] may complete [a minimum of 10 hours of] continuing professional education [per renewal cycle] by attending in-person, virtual synchronous, or asynchronous trainings with post-test assessments conducted [in Maryland] by an accredited administrator. The [in-person] trainings may include:

(a)—(b) (text unchanged)

(c) Other continuing professional education activities given

by:

(i)—(ii) (text unchanged)

(iii) [A nonprofit organization approved by the Board] Any organization approved by the Board, solely on whether or not it constitutes improvement, advancement, and extension of one's professional skill and knowledge relating to the practice of optometry.

(2)—(3) (text unchanged)

[C.] D. Other than those required in [§B] §C of this regulation, credit hours may be approved for the following:

(1)—(4) (text unchanged)

(5) Courses, seminars, and lectures prepared and given by Maryland licensed optometrists for which credit will be awarded at the rate of 2 hours for preparation and 1 hour for lecture, up to a maximum of [16] 24 hours per renewal cycle;

(6) (text unchanged)

[(7)] Courses given in optometric or other professional journals with a post test, or online courses with a post test, up to a maximum of 30 hours per renewal cycle; however, these courses are subject to approval by the Board;]

[(8)] (7)—[(9)] (8) (text unchanged)

[(10)] (9) Pro bono work providing patient eye care as outlined in [§I] §J of this regulation;

[(11)] (10) Public board meeting attendance as outlined in [§J] §K of this regulation;

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

[D.] E. (text unchanged)

[E.] F. [Credit] *Unless Board or COPE approved, credit may not be allowed when a specific product, technique, procedure, or company is promoted or promulgated for the economic benefit of a particular person, company, group, etc.*

[F.] G.—[H.] I. (text unchanged)

[I.] J. Pro Bono Work.

(1) Pro bono work shall earn [1] 2 credit [hour] hours for each 3 hours of approved continuing education activity, up to a maximum of [6] 12 credit hours per renewal cycle.

(2)—(4) (text unchanged)

[J.] K. (text unchanged)

Laura Herrera Scott
Secretary of Health

Title 11

DEPARTMENT OF TRANSPORTATION

Subtitle 15 MOTOR VEHICLE ADMINISTRATION—VEHICLE REGISTRATION

11.15.40 Electric Vehicle and Low Emission Vehicle Excise Tax Credit

Authority: Transportation Article §§12-104(b), 11-103.4, [and] 13-815, and 13-956, Annotated Code of Maryland

Notice of Proposed Action

[24-232-P]

The Motor Vehicle Administration proposes to amend Regulations .01, .03, and .04 and adopt new Regulation .05 under COMAR 11.15.40 Electric Vehicle and Low Emission Vehicle Excise Tax Credit.

Statement of Purpose

The purpose of this action is to update regulations to require the owners of eligible plug-in electric drive vehicles to pay an annual surcharge in addition to the annual registration fee pursuant to Ch. 717 (S.B. 362), Acts of 2024.

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 Tracey C. Sheffield, Regulations Coordinator, MVA, 6601 Ritchie Highway N.E., Room 200, Glen Burnie, MD 21062, or call 410-768-7545, or email to tsheffield@mdot.maryland.gov. Comments will be accepted through April 21, 2024. A public hearing has not been scheduled.

.01 Purpose.

This chapter applies to [applications for excise tax credits issued for eligible] *plug-in electric drive vehicles and zero-emission plug in electric drive vehicles:*

- A. *Applications for excise tax credits; and*
- B. *Annual surcharge fees.*

.03 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(6) (text unchanged)

(7) *Plug-in Electric Drive Vehicle.*

(a) *“Plug-in electric drive vehicle” has the meaning stated in Transportation Article, §21-1003.2, Annotated Code of Maryland; and*

(b) *“Plug-in electric drive vehicle” is not a zero-emission plug in electric drive vehicle e.*

[(7)] (8) *Zero-Emission Plug-in Electric Drive Vehicle.*

(a) *“Zero-emission plug-in electric drive vehicle” has the meaning stated in Transportation Article, §13-815, Annotated Code of Maryland[.]; and*

(b) *“Zero-emission plug-in electric drive vehicle” is not capable of producing tailpipe emissions.*

.04 Electric Vehicle Excise Tax Credit Eligibility.

A. For determining eligibility of a zero-emission plug-in electric drive vehicle, fuel cell electric vehicle, zero-emission electric motorcycle, or zero-emission auticycle for a vehicle tax credit, the Administration shall use the base purchase price of the vehicle.

B.—C. (text unchanged)

.05 Annual Surcharge Fee.

A. *In addition to the registration fee, a surcharge fee shall be assessed for plug-in electric drive vehicles and zero-emission plug-in electric drive vehicles pursuant to Transportation Article, §13-956, Annotated Code of Maryland.*

B. *Beginning August 1, 2026, this surcharge shall be adjusted annually for inflation. The inflation adjustment shall correspond to the growth in the Consumer Price Index, rounded to the nearest whole dollar, for all urban consumers as determined by the Comptroller in accordance with Tax General Article, Section §9-305, Annotated Code of Maryland.*

Christine Nizer
Administrator

Title 14 INDEPENDENT AGENCIES

Subtitle 22 COMMISSION ON CRIMINAL SENTENCING POLICY

Notice of Proposed Action

[25-021-P]

The Maryland State Commission on Criminal Sentencing Policy proposes to:

(1) Amend Regulation .05 under **COMAR 14.22.01 General Regulations** and;

(2) Amend Regulation .02 under **COMAR 14.22.02 Criminal Offenses and Seriousness Categories**.

Statement of Purpose

The purpose of this action is to update the list of common departure reasons to more accurately reflect the reasons for departing from the sentencing guidelines that are most frequently cited by circuit court judges. Additionally, the purpose of this action is to modify the table of seriousness categories to include:

(1) One previously unclassified offense (EL, §16-205);

(2) One reclassified offense (CR, §3-708); and

(3) Minor, non-substantive edits to two offenses.

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 David Soule, Executive Director, Maryland State Commission on Criminal Sentencing Policy, 4511 Knox Rd, Suite 309, College Park, MD 20740, or call 301-403-4165, or email to dsoule@umd.edu. Comments will be accepted through April 21, 2025. A public hearing has not been scheduled.

14.22.01 General Regulations

Authority: Criminal Procedure Article, § 6-211, Annotated Code of Maryland

.05 Sentences Outside the Guidelines.

A. (text unchanged)

B. Common reasons for departure under the guidelines range include, but are not limited to, the following:

(1)—(2) (text unchanged)

(3) [The offender was influenced by coercion or duress] *The offender is or was suffering from a mental or physical condition that reduces culpability for the offense;*

(4) [The offender had diminished capability for judgment] *The offender's age/health;*

(5) *The offender is amenable to probation or other community supervision;*

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

[(6) The victim's participation in the offense lessens the offender's culpability;]

(7) *The offender's criminal history is less severe than represented by offender score;*

[(7)](8)—[(8)](9) (text unchanged)

C. Common reasons for departure over the guidelines range include, but are not limited to, the following:

(1)—(4) (text unchanged)

(5) [The offender committed a "white collar" offense] *The offender's criminal history is more serious than represented by offender score;*

(6) [The offender had significant participation in a major controlled substance offense] *The parties reached a plea agreement that called for an increased sentence;*

(7)—(8) (text unchanged)

14.22.02 Criminal Offenses and Seriousness Categories

Authority: Criminal Procedure Article, §6-211, Annotated Code of Maryland

.02 Seriousness Categories.

	Offense Literal	CJIS Code	Source	Felony or Misd.	Max Term	Min Term	Offense Type	Ser. Category	Fine
1—128 (text unchanged)									
129	Disturbing the Peace, Disorderly Conduct, and Related Crimes [Flag—official defacing/desecrate in a manner intended to incite or produce an imminent breach of peace or under circumstances likely to incite or produce an imminent breach of peace] <i>Desecrate flag to incite or produce an imminent breach of the peace</i>	1-0671	[CR, 10-704(a)] <i>CR, §10-704</i>	Misd.	1Y		Property	VII	\$1,000
129-1—136-8 (text unchanged)									
136-9	Election Offenses <i>Interference with performance of official duties by election official, an individual present at polling place, or canvass of votes</i>	1-1484	<i>EL, §16-205</i>	Misd.	1Y	3M	Person	V	\$50- \$1,000
136-10	Election Offenses <i>Interference with performance of official duties by election official, an individual present at polling place, or canvass of votes</i>	1-1484	<i>EL, §16-205</i>	Misd.	1Y	3M	Property	VI	\$50- \$1,000
137—141 (text unchanged)									
142	Extortion and Other Threats Threaten to take the life, kidnap, or cause physical injury to State or local official, deputy or assistant State's Attorney, or assistant Public Defender	1-0477 1-0478	CR, §3-708	Misd.	3Y		Person	[VI] V	\$2,500
143—210 (text unchanged)									
211	Influencing or Intimidating Judicial Process [Intimidating or corrupting jurors, etc.; obstructing justice] <i>Influence, intimidate, or impede a juror, witness, or court officer</i>	1-1571 1-1572	CR, §9-305(c)(1)	Misd.	10Y		Person	IV	\$5,000
212—421 (text unchanged)									

DAVID SOULE
Executive Director

Title 20 PUBLIC SERVICE COMMISSION

Subtitle 31 TERMINATIONS OF SERVICE

Notice of Proposed Action

[25-024-P]

The Public Service Commission proposes to:

- (1) Amend Regulation .02 under **COMAR 20.31.01 General Regulations**; and
- (2) Amend Regulation .04 under **COMAR 20.31.03 Restrictions on Terminations**.

This action was considered by the Public Service Commission at a scheduled rulemaking (RM 86) meeting held on January 22, 2025, notice of which was given under State Government Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to increase the time period when residential electric or gas utility customers are restricted from termination practices by the utility during summer extreme weather periods. The previous COMAR language defining a “summer extreme weather period” restricted termination practices if the air temperature during a 3-day forecast period is expected to be 95 degrees Fahrenheit or above. The changes to this COMAR language include the consideration of “heat index” temperatures and direct that during a “summer extreme weather period” restricted termination practices will occur if the air temperature or heat index temperature during a 3-day forecast period are expected to be 95 degrees Fahrenheit or above.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed action will limit the number of days during the summer that an electric or gas utility can terminate residential customers’ service which could lead to increased levels of arrearages for residential customers (i.e. the amount of money the customer owes to the utility.) This increased level of arrearages can lead to eventual termination of a customer’s utility service due to non-payment in which case the arrearage amount accrued gets shifted into an uncollectible expense for the utility. This uncollectible expense is eventually recovered in a distribution utility rate case and thus paid for by all utility customers and could lead to increased utility distribution rates. The amount of this increase in utility distribution rates is currently unknown and difficult to determine because it depends on numerous factors such as weather, customer activity, etc.

II. Types of Economic Impact.

Impacted Entity	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:		
Electric and Gas distribution utilities	(-)	Unknown

E. On other industries or trade groups: NONE

F. Direct and indirect effects on public: NONE

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

D. This action could lead to an increase in utility uncollectible expenses. Utility uncollectible expenses are eventually recovered in a distribution utility rate case and thus paid for by all utility customers and could lead to increased utility distribution rates. The amount of this increase in utility distribution rates is currently unknown and difficult to determine because it depends on numerous factors such as weather, customer activity, etc.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

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

This action will reduce the number of days that a customer can be terminated by a utility during the summer and specifically restrict a utility from conducting terminations during extremely hot temperatures. By restricting terminations during extremely hot temperatures, residential customers and specifically individuals with disabilities will be less likely to experience heat-related illnesses or other adverse health affects because they will be afforded vital electric service (such as air conditioning) that would have otherwise been disconnected. This action should protect individuals with disabilities from experiencing adverse health impacts associated with high-temperatures and the disconnection of electricity.

Opportunity for Public Comment

Comments may be sent to Andrew S. Johnston, Executive Secretary, Public Service Commission, 6 St. Paul Street, 16th Floor, Baltimore, MD 21202, or call 410-767-8067, or email to psc.rmcomments@maryland.gov. Comments will be accepted through April 21, 2025. A public hearing has not been scheduled.

20.31.01 General Regulations

Authority: Public Utilities Article, §§2-113, 2-121, 5-101, and 7-307,
Annotated Code of Maryland

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(8) (text unchanged)

(9) “Extreme weather period” means a period of 72 hours beginning at 6 a.m. on any given day comprised of three consecutive 24-hour segments during any one of which the temperature, as forecast, is not expected to exceed 32 degrees Fahrenheit or is expected to be 95 degrees Fahrenheit or above during the segments. Determination of the possible existence of an extreme weather period must be repeated every 24 hours at 6 a.m.]

(9) “Extreme weather period” has the following two meanings:

(a) “Winter extreme weather period” means a period of 72 hours beginning at 6 a.m. on any given day comprised of three consecutive 24-hour segments during any one of which the temperature, as forecast, is not expected to exceed 32 degrees Fahrenheit during the segments. Determination of the possible existence of a winter extreme weather period must be repeated every 24 hours at 6 a.m.

(b) “Summer extreme weather period” means a period of 72 hours beginning at 6 a.m. on any given day comprised of three

consecutive 24-hour segments during any one of which the heat index, as forecast, is expected to be 95 degrees Fahrenheit or above, or the air temperature, as forecast, is expected to be 95 degrees Fahrenheit or above during the segments. Determination of the possible existence of a summer extreme weather period must be repeated every 24 hours at 6 a.m.

(10) (text unchanged)

(11) “Heat index” means the temperature when relative humidity is combined with the air temperature as calculated by the U.S. National Weather Service. Forecasts, calculation tables, and other material related to the calculation of Heat Index values are available on the National Weather Service website.

[(11)] (12)—[(23)] (24) (text unchanged)

20.31.03 Restrictions on Terminations

Authority: Public Utilities Article, §§2-113, 2-121, 5-101, and 7-307, Annotated Code of Maryland

.04 Temporary Residential [Summer] Weather Restriction.

A. A utility may not terminate service because of nonpayment to any customer if the utility's designated weather station area for that customer is in a winter extreme weather period.

B. A utility may not terminate, either gas service that is used for cooling if the customer has notified the gas utility of that usage, or electric service, because of nonpayment, for any customer occupying a residential building, [for which the temperature forecast made for] if the utility's weather station area for that customer [at 6 a.m. is 95 degrees Fahrenheit or above in that weather station area during an extreme weather period.] is in a summer extreme weather period.

ANDREW S. JOHNSTON
Executive Secretary

**Title 30
MARYLAND INSTITUTE
FOR
EMERGENCY MEDICAL
SERVICES**

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

Notice of Proposed Action

[25-007-P]

The Maryland State Emergency Medical Services Board proposes to amend:

- (1) Regulation .02 under **COMAR 30.01.01 Definitions**;
- (2) Regulation .01 under **COMAR 30.02.01 Definitions**; and
- (3) Regulations .02—**.09** under **COMAR 30.02.02 Licensure and Certification**.

This action was considered by the State EMS Board at its regular meeting held on December 10, 2024.

Statement of Purpose

The purpose of this action is to update Maryland's EMS clinician licensure and certification process to reflect best practices and to make the initial and renewal application processes clearer and more concise for the clinicians and provide MIEMESS with a better ability to regulate.

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 Aaron Edwards, Director, Office of Clinician Services, MIEMSS, 653 West Pratt Street, Baltimore, MD 21201, or call 410-706-3993, or email to aedwards@miemss.org. Comments will be accepted through April 21, 2025. A public hearing has not been scheduled.

Subtitle 01 GENERAL

30.01.01 Definitions

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

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(13) (text unchanged)

(13-1) “EMS clinician” means an individual licensed or certified by the EMS Board to provide emergency medical services.

(14)—(21) (text unchanged)

Subtitle 02 EMERGENCY MEDICAL SERVICES PROVIDERS

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

30.02.01 Definitions

.01 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) “Basic telecommunicator course” means a course specified by the [Emergency Number Systems] *Maryland 9-1-1* Board dealing with the basic skills required to function as a call taker or call allocator in a communications center.

(2) “Certified physician assistant” means an individual certified by the State Board of Physicians or its predecessor to perform delegated medical acts under the supervision of a physician in Maryland.]

[(3)] (2)—[(6)] (5) (text unchanged)

(7) “Emergency Numbers Systems Board (ENSB)” means the Board established by Public Safety Article, §1-305, Annotated Code of Maryland.]

[(8)] (6) (text unchanged)

(9) (7) “Licensed physician” means an individual holding a current and valid license issued by the State Board of Physicians [or its predecessor] to practice medicine in Maryland.

(8) “*Maryland 9-1-1 Board*” means the Board established by the *Public Safety Article, §1-305, Annotated Code of Maryland*.

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

(10) “Physician assistant” means an individual licensed by the State Board of Physicians to practice medicine with physician supervision.

(11)—(13) (text unchanged)

30.02.02 Licensure and Certification

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

.02 Fees.

A. The fee for licensure or certification, renewal of licensure or certification, examination, and reexamination is waived for an applicant who, on the date of application, is a member or employee of a fire, rescue, public safety, or EMS agency of a unit of State or federal government or political subdivision of the State, or a volunteer fire, rescue, or ambulance company, association, or agency[.], or an employee of a commercial ambulance service licensed under Education Article, §13-515, Annotated Code of Maryland.

[B. The fee for the emergency medical responder written examination and each reexamination is \$25.]

[C.] B. The fee for the *emergency medical responder*, emergency medical technician, and *paramedic* written [examination] examinations and each reexamination [is \$25] are established by the National Registry of Emergency Medical Technicians.

[D.] C. The fee for the practical examination for emergency medical technician is [\$60] \$65.

[E. The fee for the CRT and paramedic written examinations and each written reexamination is \$25 per examination.

F. The fee for the health care provider to emergency medical technician program examination and each reexamination is \$25.]

[G.] D. (text unchanged)

.03 Requirements.

A.—B. (text unchanged)

C. In addition to the requirements of §B of this regulation, an applicant for emergency medical responder certification shall:

(1) (text unchanged)

(2) [Have successfully completed the practical certification examination administered in conjunction with the emergency medical responder course; and] *Submit to MIEMSS evidence of current active status registration as an emergency medical responder with the National Registry of Emergency Medical Technicians, including:*

(a) *Successfully completing the practical certification examination administered in conjunction with the emergency medical responder course; and*

(b) *Passing an emergency medical responder cognitive certification examination administered by the National Registry of Emergency Medical Technicians.*

[(3) Have passed an emergency medical responder written certification examination administered by an EMS educational program approved by the EMS Board.]

D. In addition to the requirements of §B of this regulation, an applicant for emergency medical technician certification shall:

(1)—(2) (text unchanged)

(3) [Have passed an emergency medical technician written certification examination approved by MIEMSS;] *Submit to MIEMSS evidence of current active status registration as an emergency medical technician with the National Registry of Emergency Medical Technicians, including:*

(a) *Successfully completing the emergency medical technician practical certification examination administered by MIEMSS; and*

(b) *Passing an emergency medical technician cognitive certification examination administered by the National Registry of Emergency Medical Technicians; and*

[(4) Have successfully completed the emergency medical technician practical certification examination administered by MIEMSS; and]

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

[E. In addition to the requirements of §B of this regulation, an applicant for initial CRT licensure shall:

(1) Have successfully completed:

(a) A CRT course approved by the EMS Board;

(b) If the applicant is a licensed nurse, licensed physician, or certified physician assistant, the health care provider to CRT program;

(2) Have successfully completed immediately before application for licensure:

(a) At least 12 full months of experience in providing patient care as an emergency medical technician with an EMS operational program; or

(b) At least 150 documented ambulance responses providing patient care, including patient assessment, with an EMS operational program;

(3) Submit evidence of Current active status registration as an EMT-1/99 with the National Registry of Emergency Medical Technicians;

(4) Successfully complete a Maryland protocol review session approved by MIEMSS;

(5) Be currently affiliated with an ALS EMS operational program; and

(6) Have passed a written CRT licensure examination approved by MIEMSS.]

[F.] E. In addition to the requirements of §B of this regulation, an applicant for initial paramedic licensure shall:

(1)—(3) (text unchanged)

(4) Successfully complete a [Maryland protocol review session approved by MIEMSS;] *MIEMSS-approved protocol orientation; and*

(5) Be currently affiliated with an ALS EMS operational program[; and].

[(6) Have passed a written paramedic licensure examination approved by MIEMSS.]

[G.] F. In addition to the requirements of §B of this regulation, an applicant for EMD licensure shall:

(1) Have successfully completed:

(a) The basic telecommunicator course or an equivalent course approved by the [Emergency Number Systems] *Maryland 9-1-1* Board; or

(b) (text unchanged);

(2) Have successfully completed an EMD training program approved by the EMS Board; and

(3) Be affiliated with an EMD operational program which has been approved by the EMS Board[;].

[(4) Have:

(a) Successfully completed the EMD written examination of an approved EMD training program; or

(b) Passed an EMD written licensure examination approved MIEMSS; and

(5) Submit with the application evidence of:

(a) Successful completion within the previous 18 months of a health care provider level cardiopulmonary resuscitation (CPR) curriculum or equivalent approved by the EMS Board; or

(b) For applicants for EMD licensure with a disability which prevents the performance of the practical portion of a CPR training course, successful completion of the didactic portion of the CPR training course and the CPR course written exam within the previous 18 months.]

[H.] G.—[I.] H. (text unchanged)

.04 Reciprocity.

A.—B. (text unchanged)

C. In addition to the requirements of §A of this regulation, an applicant for emergency medical technician reciprocal certification shall:

(1) Submit evidence of current:

(a) Certification as an emergency medical technician, *advanced emergency medical technician, or paramedic* in another state if that state follows the national *educational* standards; *or*

(b) Registration with the National Registry of Emergency Medical Technicians as an emergency medical technician, *advanced emergency medical technician, or paramedic; and*

[(c) Registration with the National Registry of Emergency Medical Technicians as an Emergency Medical Technician-Intermediate; *or*

(d) Registration with the National Registry of Emergency Medical Technicians as a paramedic; *and*]

(2) Successfully complete a:

(a) [12-hour skills refresher course approved by MIEMSS] *MIEMSS-approved protocol orientation; [or] and*

(b) [Protocol review and system orientation, including skills check-off, as approved by MIEMSS.] *MIEMSS-approved technical proficiency verification.*

[D. In addition to the requirements of §A of this regulation, an applicant for reciprocal CRT licensure shall:

(1) Submit evidence of either:

(a) Current active status registration in an EMT-I/99 with the National Registry of Emergency Medical Technicians;

(b) Both:

(i) Current registration or licensure as an EMT-I/99 in a state that follows the national standards; *and*

(ii) Previous registration as an EMT-I/99 with the National Registry of Emergency Medical Technicians; *or*

(c) Registration with the National Registry of Emergency Medical Technicians as paramedic;

(2) Successfully complete a Maryland protocol review session approved by MIEMSS; *and*

(3) Pass a written CRT protocol examination approved by MIEMSS.]

[E.] D. In addition to the requirements of §A of this regulation, an applicant for reciprocal paramedic licensure shall:

(1) Submit evidence of [current] active status registration as a paramedic with the National Registry of Emergency Medical Technicians; *and*

(2) Successfully complete a [Maryland protocol review session; *and*] *MIEMSS-approved protocol orientation.*

[(3) Pass a paramedic protocol examination approved by MIEMSS.]

F. In addition to the requirements of §A of this regulation, an applicant for EMD reciprocal licensure shall submit evidence of certification or licensure as an EMD by an EMD training program approved by the EMS Board.]

E. *Expiration Date.*

(1) *For an EMR or EMT who is issued a certificate by reciprocity:*

(a) *Between February 1 and July 31, the expiration date shall be July 31 plus 1 year; or*

(b) *Between August 1 and January 31, the expiration date shall be January 31 plus 1 year.*

(2) *For a paramedic who is issued a license by reciprocity, the expiration shall be 30 days after the individual's current National Registry of Emergency Medical Technicians certification expires.*

.05 Examination and Reexamination.

A. (text unchanged)

B. [If an applicant for paramedic or CRT fails the written Maryland Protocol Review licensure examination, the applicant may retest once within 90 days of the initial written examination.] *An applicant for emergency medical technician certification or paramedic licensure is*

subject to the examination and reexamination policies and procedures of the National Registry of Emergency Medical Technicians.

[C. If an applicant for paramedic or CRT fails a second written certification or licensure examination, the applicant may retake the written examination one additional time within 12 months of the second written examination, with documentation of a protocol review under the most recent protocols.

D. If an applicant for paramedic or CRT fails a fourth written licensure examination, the applicant shall successfully complete a Maryland protocol review session approved by MIEMSS.

E. If an applicant for emergency medical technician has passed the practical examination but fails the third written examination, the applicant may take the emergency medical responder examination within 1 year of successful completion of the emergency medical technician practical certification examination.]

[F.] C. (text unchanged)

[G.] D. If an applicant for emergency medical technician certification fails the third practical certification examination, the applicant shall successfully complete [another approved emergency medical technician training course in its entirety and pass an emergency medical technician written certification examination approved by MIEMSS before taking another emergency medical technician practical certification examination.] *a minimum of 9 hours of remedial education, which shall include technical skills, and pass the National Registry of Emergency Medical Technicians certification examination, after which the applicant may attempt the practical certification examination three more times, consistent with the procedure in §C of this regulation.*

E. *If an applicant for emergency medical technician certification fails the fourth, fifth, and sixth practical certification examination authorized under §D of this regulation, then the applicant shall successfully complete an approved emergency medical technician course in its entirety and pass the National Registry of Emergency Medical Technicians certification examination before taking another emergency medical technician practical certification examination.*

.06 Issuance of License or Certificate.

A. (text unchanged)

B. The license or certificate shall bear the emergency medical service [provider's] *clinician's* name, identification number, the effective date of the license or certificate, and the [date of] expiration *date* of the license or certificate.

C. An applicant may not provide patient care as an EMS [provider] *clinician* until the applicant has received a current license or certificate from the EMS Board, except under supervision and in the course of participating in an [approved EMS training program or approved EMS course.] *education program that has been approved by the EMS Board.*

D. An EMS [provider] *clinician* shall, whenever possible, carry the identification card issued by MIEMSS showing the [provider] *clinician* is licensed or certified by the EMS Board while performing the EMS [provider's] *clinician's* duties.

E. MIEMSS shall maintain a registry of licensed or certified EMS [providers] *clinicians.*

F. An EMS [provider] *clinician* shall notify the MIEMSS Office of [Education, Licensure and Certification] *EMS Clinician Services* in writing within 30 days of any change in:

(1) Name;

(2) Address; [or]

(3) *Email;*

(4) *Phone number; or*

[(3)] (5) Affiliation with an EMS operational program.

G. (text unchanged)

H. Unless the certificate is the initial certificate issued under COMAR 30.02.02.04 or is extended, revoked, or suspended, the

certificate of an emergency medical responder or emergency medical technician is valid:

(1) In the initial certification period for at least 36 months, but not more than 42 months, as follows:

(a) Applicants for emergency medical responder and emergency medical technician certification who successfully complete the certification [examinations] *requirements* between [January 1] *February 1* and [June 30] *July 31* are issued a certificate which is effective from the date of successful completion of all [required] certification [examinations] *requirements* and expires on [June 30] *July 31*, 3 years from the year of issuance; or

(b) Applicants for emergency medical responder and emergency medical technician certification who successfully complete the emergency medical technician [examination] *requirements* between [July 1] *August 1* and [December 31] *January 31* are issued a certificate which is effective from the date of successful completion of all [required] certification [examinations] *requirements* and expires on [December 31] *January 31*, 3 years from the year of issuance; and

(2) In each subsequent certification period, for a period of 3 years from the previous expiration date.

I. Unless the license is extended, revoked, or suspended, the license of a CRT is valid[:

(1) In the initial licensure period, from the date of successful completion of all required licensure examinations until April 30 of the year the individual's registration with the National Registry of Emergency Medical Technicians expires;

(2) In each subsequent licensure period, for 2 years from the previous expiration date;

(3) If issued under a CRT update program, through which the candidate becomes an EMT-I/99 with the National Registry of Emergency Medical Technicians:

(a) Until April 30 of the second year after issue;

(b) In each subsequent licensure period,] for 2 years from the previous expiration date.

J. Unless the license is extended, revoked, or suspended, the license of a paramedic is valid:

(1) In the initial licensure period, from the date of successful completion of all [required] licensure [examinations] *requirements* until [April] *30 days after the expiration* of [the year] the individual's registration with the National Registry of Emergency Medical Technicians [expires]; and

(2) In each subsequent licensure period, [for 2 years from the previous expiration date.] *until 30 days after the expiration of the individual's registration with the National Registry of Emergency Medical Technicians.*

K. Unless the license is extended, revoked, or suspended, the license of an EMD is valid:

(1) In the initial licensure period, [from the date of registration to the date of expiration of the individual's registration with a proprietary EMD program; and] *for at least 24 months, but not more than 32 months, as follows:*

(a) Applicants for EMD licensure who register with a national organization approved by the EMS Board between January 1 and June 30 are issued a license that is effective from the date of successful completion of all required certification examinations and expires on June 30, 2 years from the year of issuance; or

(b) Applicants for EMD licensure who register with a national organization approved by the EMS Board between July 1 and December 31 are issued a certificate that is effective from the date of successful completion of all required certification examinations and expires on December 31, 2 years from the year of issuance; and

(2) (text unchanged)

.07 Renewal.

A. [At least 8 weeks before] *Prior to* the expiration date of each license or certificate, MIEMSS shall [mail] *send* renewal notices to each EMS [provider] *clinician* whose license or certificate is expiring[. The renewal notice shall be sent to the EMS provider's most recent address on file with the MIEMSS Office of Education, Licensure, and Certification, based on the initial application or information as updated by the EMS provider] *using the clinician's contact information required under Regulation .06F of this chapter.*

B. The renewal notice shall state the date the current [licensure] *license* or [certification] *certificate* expires.

C. An EMS [provider] *clinician* who wishes to renew a license or certificate [before the expiration date] shall submit [a completed] *an* application *and any required supporting materials as specified in each applicable part of this chapter* to MIEMSS on a form approved by MIEMSS at least 2 weeks before the expiration date [together with verification of any required affiliation including verification of protocol currency].

D. [If] *For an emergency medical responder whose certificate, including any extension, expires after July 31, 2025, and is applying for renewal as an emergency medical responder, the individual shall submit to MIEMSS evidence of:*

(1) Current active status registration as an emergency medical responder or higher with the National Registry of Emergency Medical Technicians; or

[(2) Successful completion a 12-hour refresher course; or]

[(3)] (2) [Successful] *Documentation of the successful completion of:*

(a) [A 6-hour or greater skills proficiency course; and] *8 hours of continuing education in categories designated by the State EMS Medical Director during the clinician's current certification cycle;*

(b) [Two hours of:] *Three of the most recent years of Annual EMS Protocol Updates; and*

[(i) Medical knowledge training;

(ii) Trauma knowledge training; and

(iii) Affiliation optional training;]

(c) *A MIEMSS-approved technical proficiency verification.*

E. [If] *For an emergency medical technician whose certificate, including any extension, expires after July 31, 2025, and is applying for renewal as an emergency medical technician, the individual shall submit to MIEMSS evidence of:*

(1) [Current active status registration as an emergency medical technician or higher with the National Registry of Emergency Medical Technicians] *Affiliation with an EMS operational program;*

(2) [Successful completion of a 24-hour refresher course] *Completion of the 3 most recent years of Annual EMS Protocol Updates; and*

(3) [Successful completion of] *Either:*

(a) [An approved skills competency evaluation and] *Current active status registration as an emergency medical technician or higher with the National Registry of Emergency Medical Technicians; or*

(b) [12 hours of approved continuing education content, including online competency-based courses, or traditional classroom content; or] *Successful completion of 24 hours of continuing education in categories designated by the State EMS Medical Director during the clinician's current certification cycle, of which a minimum of 1 hour up to a maximum of 9 hours may be devoted to technical skills, including MIEMSS-approved technical proficiency verification.*

[(4) Successful completion of:

(a) A 12-hour or greater skills proficiency course; and

(b) Four hours of:

- (i) Medical knowledge training;
- (ii) Trauma knowledge training; and
- (iii) Affiliation optional training.]

F. [If] For a CRT whose license, including any extension, expires after July 31, 2025, and is applying for renewal as a CRT the individual shall submit to MIEMSS evidence of:

(1) [Current active status registration as an EMT-Intermediate 99 or higher with the National Registry of Emergency Medical Technicians; or] *Affiliation with an EMS operational program;*

(2) [If applying for renewal as a CRT who has completed the CRT update program but does not have current active NREMT-199 status, documentation of completion of all continuing education and skills proficiency verification requirements equivalent to the standards required for renewal as a Paramedic with the National Registry of Emergency Medical Technicians.] *Completion of the two most recent years of Annual EMS Protocol Updates; and*

(3) *Either:*

(a) *Current active status registration as a paramedic with the National Registry of Emergency Medical Technicians and completion of any MIEMSS-assigned ALS education; or*

(b) *Documentation of successful completion of:*

(i) *60 hours of continuing education equivalent to the requirements of a paramedic renewing with the National Registry of Emergency Medical Technicians including any MIEMSS-assigned ALS education during the clinician's renewal cycle; and*

(ii) *A MIEMSS-approved technical proficiency verification.*

G. [If] For a paramedic whose license, including any extension, expires after July 31, 2025, and is applying for renewal as a paramedic, the individual shall submit to MIEMSS evidence of: [current active status registration as a paramedic with the National Registry of Emergency Medical Technicians.]

(1) *Affiliation with an EMS operational program;*

(2) *Completion of the two most recent years of Annual EMS Protocol Updates;*

(3) *Completion of any MIEMSS-assigned ALS education during the clinician's current renewal cycle; and*

(4) *Current active status registration as a paramedic with the National Registry of Emergency Medical Technicians.*

H. If applying for renewal as an EMD the individual shall submit evidence of:

(1) [Continued, active status registration with an approved national EMD program; or] *Affiliation with an EMS operational program; and*

(2) [Successful completion of 24 hours of approved EMD-related continuing education offered by an approved EMD educational program.] *Either:*

(a) *Continued, active status certification as an EMD by a national organization approved by the EMS Board; or*

(b) *Successful completion of 24 hours of approved EMD-related continuing education offered by an approved EMD educational program.*

[I. Approved online or distributive learning may be utilized to achieve the continuing education requirements.]

[J.] I.—[K.] J. (text unchanged)

.08 Inactive Status.

A. The EMS Board may place an EMS [provider] *clinician* on inactive status if the EMS [provider] *clinician*:

(1) (text unchanged)

(2) [Requests to be placed on] *Applies for inactive status by submitting an application on a form the EMS Board requires; [or]*

(3) In the case of a paramedic [or a CRT initially licensed after June 30, 2001], fails to maintain continuous, active status registration with the National Registry of Emergency Medical Technicians [as a

provider], unless the [provider] *paramedic* has requested and received an extension of the individual's license from MIEMSS[.]; *or*

(4) *Fails to complete a MIEMSS-approved technical proficiency verification for renewal.*

B. An EMS [provider] *clinician* on inactive status may not provide emergency medical services in this State except in rare instances at the scene of a medical emergency.

C. An EMS [provider] *clinician* on inactive status may apply for active status if the individual:

(1)—(3) (text unchanged)

(4) If the individual has been on inactive status for a period greater than 1 year, [attends a skills review session approved by MIEMSS, or conducted by an approved ALS training program.] *completes the most recent protocol update course and a MIEMSS-approved technical proficiency verification.*

D. *A clinician whose license is on inactive status, as specified in §A, may apply for renewal if all other requirements for renewal are met.*

[D.] E. Except in the instance of an EMS [provider] *clinician* on active military duty, inactive status does not affect the term of an EMS [provider's] *clinician's* license or certificate.

[E.] F. An EMS [provider] *clinician* on active military duty may be granted an extended inactive status[.] *that shall end 1 year after the date of deactivation from active military duties that otherwise prevent the clinician from completing the requirements to maintain certification or licensure.*

[F.] G. (text unchanged)

.09 Reinstatement.

A. An individual whose license or certificate has expired and who has failed to renew the license or certificate may be reinstated as an EMS [provider] *clinician* if all requirements for reinstatement are met.

B. An applicant for reinstatement as an EMS [provider] *clinician* shall apply for reinstatement:

(1) As an emergency medical responder [or emergency medical technician], not later than 3 years after the expiration of the applicant's emergency medical responder [or emergency medical technician] certification[.]; *or at any time if the applicant has current active status registration as an emergency medical responder with the National Registry of Emergency Medical Technicians;*

(2) *As an emergency medical technician, not later than 3 years after the expiration of the applicant's emergency medical technician certification, or at any time if the applicant has active status registration as an emergency medical technician with the National Registry of Emergency Medical Technicians;*

[(2)] (3) As an EMD, not later than 2 years after the expiration of the applicant's EMD licensure[.]; *or at any time if the applicant has current active status registration with a nationally-recognized EMD program;*

[(3)] (4) As a CRT, not later than 2 years after the expiration of the applicant's CRT licensure[.]; *or, or at any time if the applicant has current active registration as a paramedic with the National Registry of Emergency Medical Technicians; or*

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

C. An applicant for reinstatement as an EMS [provider] *clinician* shall:

(1) Successfully complete all requirements for renewal; [and]

(2) If applying for reinstatement as an EMD, emergency medical technician, CRT, or paramedic, be affiliated with an EMS operational program[.]; *and*

(3) *If applying for reinstatement as an emergency medical technician, CRT, or paramedic, successfully complete a MIEMSS-approved EMS protocol orientation.*

[D. If applying for reinstatement more than 1 year after the expiration of the individual's licensure or certification, in addition to the requirements of §C of this regulation, within 6 months of

completion of the required continuing education, an applicant for reinstatement shall, if applying for reinstatement as:

(1) An emergency medical responder, pass the emergency medical responder:

(a) Practical certification examination administered by the approved training program, and

(b) Written certification examination approved and administered by MIEMSS;

(2) An emergency medical technician, pass the emergency medical technician written and practical certification examinations approved by MIEMSS;

(3) A CRT:

(a) Successfully complete a Maryland protocol review session approved by MIEMSS; and

(b) Pass a CRT licensure examination approved by MIEMSS;

(4) A paramedic:

(a) Successfully complete a Maryland Protocol Review class, and

(b) Pass a paramedic licensure examination approved by MIEMSS; or

(5) An EMD, pass an EMD written licensure examination approved and administered by MIEMSS.

E. Upon completion of the requirements for reinstatement, if the application for reinstatement was:

(1) More than 1 year from the date of expiration, the individual shall receive a license or certificate which is valid for the appropriate license or certificate period; or

(2) 1 year or less from the date of expiration, the individual shall receive a license or certificate which is valid for the appropriate license or certificate period minus the period of expiration.]

D. Upon fulfilling the requirements for reinstatement of a certificate or license, the date of expiration of the new certificate or license shall be:

(1) The date of expiration of the certificate or license had not lapsed; or

(2) The date of an initial certificate or license under Regulation .06 of this chapter if the expiration date of the lapsed certificate or license has passed.

THEODORE R. DELBRIDGE, M.D., MPH
Executive Director

Errata

COMAR 20.62

At 52:4 Md. R. 221 (February 21, 2025), column 1, line 14 from the top:

For: (2) Regulations **.01—.04, .06, .07, and .09—.11** under **COMAR 20.62.02 Pilot Program**;

Read: (2) Regulations **.01—.04, .06, .07, and .09—.11** under **COMAR 20.62.02 Program**;

At 52:4 Md. R. 221 (February 21, 2025), column 1, lines 15 and 16 from the top:

For: (3) Regulations **.02—.09** under **COMAR 20.62.03 Pilot Program Administration**;

Read: (3) Regulations **.02—.09** under **COMAR 20.62.03 Program Administration**;

At 52:4 Md. R. 221 (February 21, 2025), column 1, lines 17 and 18 from the top:

For: (4) Regulations **.01—.03** under **COMAR 20.62.04 Pilot Program Study**; and

Read: (4) Regulations **.01—.03** under **COMAR 20.62.04 Program Data**; and

COMAR 21.10.07.09

At 51:26 Md. R. 1214 (December 27, 2024), column 1, lines 18—34 from the top:

For: 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.

Read: *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 la

w 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.

Special Documents

DEPARTMENT OF THE ENVIRONMENT SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists Approvals by Rule for projects by the Susquehanna River Basin Commission during the period set forth in DATES.

DATES: January 1 – 31, 2025.

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 (e) and (f) for the time period specified above.

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

1. Harrisburg Cooling LLC; ABR-202501001; City of Harrisburg, Dauphin County, Pa.; Consumptive Use of Up to 0.1250 mgd; Approval Date: January 22, 2025.

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

1. RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: S.A. Wilson Drilling Pad; ABR-201411001.R2; Overtown Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: January 22, 2025.
2. RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: Teel Unit #1H; ABR-20091115.R3; Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: January 22, 2025.
3. RENEWAL - Coterra Energy Inc.; Pad ID: BrooksW P1; ABR-20090701.R3; Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: January 22, 2025.
4. RENEWAL - Coterra Energy Inc.; Pad ID: Gesford P2; ABR-20090705.R3; Dimock Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: January 22, 2025.
5. RENEWAL - Coterra Energy Inc.; Pad ID: HullR P1; ABR-20090702.R3; Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: January 22, 2025.
6. RENEWAL - Coterra Energy Inc.; Pad ID: LaRueC P1; ABR-20090706.R3; Dimock Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: January 22, 2025.
7. RENEWAL - Coterra Energy Inc.; Pad ID: SmithR P2; ABR-20090707.R3; Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: January 22, 2025.
8. RENEWAL - Coterra Energy Inc.; Pad ID: Teel P7; ABR-20090704.R3; Springville Township, Susquehanna County,

Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: January 22, 2025.

9. RENEWAL - Coterra Energy Inc.; Pad ID: WeissM P1; ABR-201407003.R2; Gibson Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: January 22, 2025.
10. RENEWAL - Pin Oak Energy Partners LLC; Pad ID: Gulf USA 67H - 68H; ABR-201406006.R2; Snow Shoe Township, Centre County, Pa.; Consumptive Use of Up to 3.0000 mgd; Approval Date: January 22, 2025.
11. RENEWAL - Repsol Oil & Gas USA, LLC; Pad ID: DCNR 587 (02 002); ABR-20090811.R3; Ward Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: January 22, 2025.
12. RENEWAL - Repsol Oil & Gas USA, LLC; Pad ID: DCNR 587 (02 004); ABR-20090812.R3; Ward Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: January 22, 2025.
13. RENEWAL - Repsol Oil & Gas USA, LLC; Pad ID: DCNR 587 (02 017); ABR-20090932.R3; Ward Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: January 22, 2025.
14. RENEWAL - SWN Production Company, LLC; Pad ID: Carrar Pad Site; ABR-20090725.R3; Liberty Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: January 22, 2025.
15. RENEWAL - Coterra Energy Inc.; Pad ID: ColwellA P1; ABR-201408004.R2; Jackson Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: January 24, 2025.
16. RENEWAL - Coterra Energy Inc.; Pad ID: GrimsleyJ P1; ABR-20090805.R3; Dimock Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: January 24, 2025.
17. RENEWAL - BKV Operating, LLC; Pad ID: Procter & Gamble Mehoopany Plant 2 1H; ABR-20091104.R3; Washington Township, Wyoming County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: January 25, 2025.
18. RENEWAL - BKV Operating, LLC; Pad ID: Procter and Gamble Mehoopany Plant 1V; ABR-20091014.R3; Washington Township, Wyoming County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: January 25, 2025.
19. RENEWAL - Repsol Oil & Gas USA, LLC; Pad ID: Bear Claw; ABR-202001002.R1; McIntyre Township, Lycoming County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: January 25, 2025.
20. RENEWAL - Repsol Oil & Gas USA, LLC; Pad ID: Kipferl 261-1H; ABR-20090732.R3; Jackson Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: January 25, 2025.
21. RENEWAL - Repsol Oil & Gas USA, LLC; Pad ID: Palmer 112; ABR-20091006.R3; Canton Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: January 25, 2025.
22. RENEWAL - Seneca Resources Company, LLC; Pad ID: 212 1H; ABR-20090727.R3; Charleston Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: January 25, 2025.
23. RENEWAL - Seneca Resources Company, LLC; Pad ID: 235A 1H; ABR-20090728.R3; Sullivan Township, Tioga

- County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: January 25, 2025.
24. RENEWAL - Seneca Resources Company, LLC; Pad ID: Courtney 129 1H-2H; ABR-20090729.R3; Richmond Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: January 25, 2025.
25. RENEWAL - Seneca Resources Company, LLC; Pad ID: Courtney H 255-1H; ABR-20090730.R3; Richmond Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: January 25, 2025.
26. RENEWAL - Beech Resources, LLC; Pad ID: Douglas C. Kinley Pad A; ABR-201903001.R1; Lycoming Township, Lycoming County, Pa.; Consumptive Use of Up to 3.0000 mgd; Approval Date: January 29, 2025.
27. RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: Kuziak B Drilling Pad; ABR-201409004.R2; Elkland Township, Sullivan County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: January 29, 2025.
28. RENEWAL - EQT ARO LLC; Pad ID: COP Tr 678 #1001H & #1002H; ABR-20090821.R3; Noyes Township, Clinton County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: January 29, 2025.
29. RENEWAL - EQT ARO LLC; Pad ID: Tx Gulf B #1H; ABR-20090822.R3; Beech Creek Township, Clinton County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: January 29, 2025.
30. RENEWAL - Seneca Resources Company, LLC; Pad ID: D09-M; ABR-202001003.R1; Jones Township, Elk County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: January 29, 2025.
31. RENEWAL - Coterra Energy Inc.; Pad ID: DysonW P1; ABR-201408010.R2; Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: January 30, 2025.
32. RENEWAL - Coterra Energy Inc.; Pad ID: FontanaC P1; ABR-201408009.R2; Bridgewater Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: January 30, 2025.
33. RENEWAL - Coterra Energy Inc.; Pad ID: Heitsman P1A; ABR-20090703.R3; Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: January 30, 2025.
34. RENEWAL - Seneca Resources Company, LLC; Pad ID: Smith 253 1H; ABR-20090825.R3; Sullivan Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: January 30, 2025.
Approvals By Rule - Issued Under 18 CFR 806.22(f) For December 2024—Corrections:
5. Repsol Oil & Gas USA, LLC; Pad ID: Lovell (08-707); ABR-202412003; Liberty Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: December 4, 2024.
6. Seneca Resources Company, LLC; Pad ID: Gamble Pad Y; ABR-202412002; Gamble Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: December 4, 2024.
8. RENEWAL - Range Resources - Appalachia, LLC; Pad ID: Ogontz 3H, 7H, & 9H; ABR-20090606.R3; Mifflin Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: December 13, 2024.

Authority: Public Law 91-575, 84 Stat. 1509 *et seq.*, 18 CFR parts 806 and 808.

Jason E. Oyler,
General Counsel and Secretary to the Commission.
Dated: March 7, 2025

[25-06-26]

SUSQUEHANNA RIVER BASIN COMMISSION

General Permit Notice

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists General Permits approved by the Susquehanna River Basin Commission during the period set forth in DATES.

DATES: January 1-31, 2025

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 General Permits for projects, described below, pursuant to 18 CFR § 806.17(c)(4), for the time period specified above.

1. Selingsgrove Municipal Authority – Well 5, General Permit Approval of Coverage No. GP-02-20250109, Borough of Selingsgrove, Snyder County, Pa.; emergency/maintenance or fire suppression activities approved up to 0.860 mgd (30-day average); Approval Date: January 6, 2025.

Authority: Public Law 91-575, 84 Stat. 1509 *et seq.*, [18 CFR parts 806](#) and 808.

Dated: March 7, 2025.

Jason E. Oyler,

General Counsel and Secretary to the Commission.

[25-06-27]

SUSQUEHANNA RIVER BASIN COMMISSION

Grandfathering Registration Notice

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists Grandfathering Registration for projects by the Susquehanna River Basin Commission during the period set forth in DATES.

DATES: January 1-February 28, 2025.

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 GF Registration for projects, described below, pursuant to 18 CFR Part 806, Subpart E, for the time period specified above:

1. Heidelberg Materials Northeast LLC – Milton Quarry, GF Certificate No. GF-202501287, Liberty and Limestone Townships, Montour County, Pa.; consumptive use; Issue Date: January 30, 2025.
2. Commonwealth University of Pennsylvania – Mansfield University, GF Certificate No. GF-202502288, Borough of Mansfield, Tioga County, Pa.; Corey Creek Reservoir and consumptive use; Issue Date: February 14, 2025.
3. Hershey Entertainment & Resorts Company – Hershey Country Club, GF Certificate No. GF-202502289, Derry Township, Dauphin County, Pa.; King Gap Well, Spring Creek, and consumptive use; Issue Date: February 18, 2025.

Authority: Public Law 91-575, 84 Stat. 1509 *et seq.*, 18 CFR parts 806 and 808.

Dated: March 7, 2025.

Jason E. Oyler,
General Counsel and Secretary to the Commission.
[25-06-28]

WATER AND SCIENCE ADMINISTRATION

Water Quality Certification 24-WQC-0034

*DNR - Elk Neck State Park-NorthBay Shoreline Restoration
Elk Neck State Park
4395 Turkey Pt Rd
North East, MD 21901*

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-0034.

Location: NorthBay within Elk Neck State Park; 11 Horseshoe Point Lane North East, MD 21901

The purpose of the project is to restore the natural accretion and erosion of sediments along the shoreline:

- 1) Remove 12,640 square feet of stone breakwaters.
- 2) Emplace 3,639 square feet of stone creating a single breakwater.
- 3) Construct a 241-foot long by 33-foot-wide groin.
- 4) Construct a 180-foot long by 12-foot-wide stone revetment.
- 5) Hydraulically dredge 30,390 square feet to a depth of 3.5 at mean low water.
- 6) Hydraulically dredge 31,985 square feet to a depth of 0.0 at mean low water.
- 7) Restore 110,797 square feet of historic beach using dredge material.
- 8) Restore 132,762 square feet of SAV's; all actives within a maximum of 552 feet channelward of the mean high water line.

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: Matt Godbey at matt.godbey@maryland.gov or 410-901-4033.

[25-06-21]

WATER AND SCIENCE ADMINISTRATION

Water Quality Certification 24-WQC-0047

*NVEST Holdings LLC
300 Mylander Lane,
Stevensville, MD 21666*

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-0047.

Location: Along the shoreline of 300 Mylander Lane, Stevensville, MD 21666

The purpose of the project is to restore the natural accretion and erosion of sediments along the shoreline:

1. Construct a 150-foot long by 6-foot wide timber with a 10-foot long by 20-foot wide "T" shaped platform, one boat lift with associated piles, two PWC lifts with associated piles, and one mooring pile extending a maximum of 130 feet channelward of the mean high water line;
2. Construct seven segmented stone breakwater structures; four 100 feet in length, one 105 feet in length, one 130 feet in length, and one 153 feet in length, all 18.5 feet wide;
3. Fill and grade with 1,850 cubic yards of sand along approximately 790 linear feet of shoreline, and plant with 8,131 square feet of spartina alterniflora, 21,975 square feet of spartina patens, and 7,075 square feet of American beach grass, all within a maximum of 78 feet channelward of the mean highwater line.

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: Matt Godbey at matt.godbey@maryland.gov or 410-901-4033.

[25-06-20]

DEPARTMENT OF STATE POLICE

HANDGUN ROSTER BOARD

Proposed Additions to Handgun Roster and Notice of Right to Object or Petition

The following is a list of handguns that the Handgun Roster Board proposes to add to the official handgun roster. These handguns will be officially placed on the Handgun Roster if no timely objection is received or if all timely objections are dismissed.

Under the Public Safety Article, §5-405, Annotated Code of Maryland and COMAR 29.03.03.13 and .14, any person may object to the placement of any of those handguns on the Handgun Roster. Objections must be filed within 30 days after **March 21, 2025**. 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>
ERMA-WERKE	ESP-85A	32 S&W Long Wadcutter	Caliber addition
PALMETTO STATE ARMORY	Palmetto Dagger Micro C-1	9 mm	Model addition
SIG SAUER/SIGARMS INC.	MCX Rattler Pistol	300 BLK	Model addition
KIMBER	2K11 Target	9 mm	Model addition
WALTHER	CSP Dynamic Classic Sports Pistol	22 LR	Model addition
F. LLI PIETTA (E.M.F.)	1873 GREAT WESTERN II	357 Mag	Model addition
WILSON COMBAT	Division 77 Project 1	9 mm	Model addition
Balistik Defence (GFORCE ARMS)	1911 Adam 45S	45 ACP	Model addition
GIRSAN (EAA)	Witness2311SC Brat	9 mm	Model addition
CHARTER ARMS	Coyote	380 ACP	Model addition
ED BROWN PRODUCTS	FX2	45 ACP, 9 mm	Model addition
OLD WEST FIREARMS	SBG	380 ACP	Caliber addition
ALDO UBERTI & CO. (DIXIE GUN WORKS)	1858 New Army Conversion	45 LC	Model addition
STURM RUGER	RXM	9 mm	Model addition
BERETTA USA	20X Bobcat	22 LR	
TISAS (SDS IMPORTS)	1911 Night Stalker SF	9 mm	Model addition
GREAT LAKES FIREARMS AND AMMUNITION, LLC	GL-1911	9 mm, 45 ACP	
GUNCRAFTER INDUSTRIES	Talisman	45 ACP, 9 mm, 38 Super	Model addition
TAURUS ARMAS (TAURUS INTERNATIONAL MFG.)	58	380 ACP	Model addition
BUL ARMORY	1911 EDC 5"	9 mm	Model addition
BOND ARMS	DT47	45 COLT/410 BORE	Model addition
KIMBER	Ultra Shadow LE II	45 ACP	Model addition
GLOCK	19 "1989 Inaugural Model"	9 mm	Model addition
LAUGO ARMS (LAUGO ARMS USA LLC)	Alien Remus	9 mm	Model addition
MATEBA	MTR-8	357 Mag, 38 Spl	Model addition
BERETTA (BERETTA USA)	96 D	40 S&W	Model addition
GIRSAN (EAA)	MC 1911 S Gold Lux	45 ACP	Model addition
SPRINGFIELD ARMORY/INC. (HS PRODUKT)	ECHELON COMP	9 mm	Model addition
HECKLER & KOCH	VP9K A1	9 mm	Model addition
HECKLER & KOCH	VP9F A1	9 mm	Model addition
SMITH & WESSON	PERFORMANCE CENTER PRO SERIES MODEL 627	357 Mag	Model addition
TAURUS ARMAS (TAURUS INTERNATIONAL MFG.)	GX2	9 mm	Model addition
BUL ARMORY	SAS II Ultralight G2	9 mm	Model addition
CANIK (CENTURY ARMS)	TP9 ELITE COMBAT	9 mm	Model addition
KIMBER	2K11 Target	45 ACP	Caliber addition
SMITH & WESSON	PERFORMANCE CENTER PRO SERIES MODEL 686 SSR	357 Mag, 38 Spl	Model addition

SPECIAL DOCUMENTS

Make	Model	Caliber	Additional Comments
GIRSAN (EAA)	Influencer X	10 mm, 38 Super, 45 ACP, 9 mm	Model addition
GIRSAN (EAA)	MC 14T X	380 ACP	Model addition
GIRSAN (EAA)	MC9 Disruptor X	9 mm	Model addition
GIRSAN (EAA)	Regard MC X	9 mm	Model addition
GIRSAN (EAA)	Witness2311S Match X	9 mm	Model addition
GIRSAN (EAA)	Witness2311S Match	9 mm	Model addition
GIRSAN (EAA)	Witness2311SC Brat	45 ACP	Caliber addition
KIMBER	2K11	45 ACP, 9 mm	Model addition
F. TANFOGLIO (ITALIAN FIREARMS GROUP)	DEFIANT STOCK MASTER	45 ACP	Caliber addition
ALPHA FOXTROT	AF1911 Romulus	9 mm	Model addition
SPRINGFIELD ARMORY/INC.	XD-9 Sub-Compact	9 mm	Model addition
PALMETTO STATE ARMORY	5.7 Rock Compact	5.7X28 mm	Model addition
FAXON FIREARMS, LLC	FX-19 Patriot LT Compact Pistol	9 mm	Model addition
CARL WALTHER (WALTHER ARMS)	PDP Pro-E Full Size	9 mm	Model addition
CARL WALTHER (WALTHER ARMS)	PDP Pro-E Compact	9 mm	Model addition
Radikal (GFORCE ARMS)	RPX9 Exodus	9 mm	Model addition
GREAT LAKES FIREARMS AND AMMUNITION, LLC	GL-1911DS Synergy	9 mm	Model addition
BUL ARMORY	AXE FS CLEAVER	9 mm	Model addition
BUL ARMORY	AXE C CLEAVER	9 mm	Model addition
LIVE FREE ARMORY	Apollo 11 Sub-Compact	9 mm	Model addition
AGAOGU INC. CO. (AMERICAN TACTICAL)	FXS-9	9 mm	Model addition
CANIK USA	Mete MC9 Prime	9 mm	Model addition
GREAT LAKES FIREARMS AND AMMUNITION, LLC	GL19 STRIKER	9 mm	Model addition
Kral Arms (TRISTAR)	APOC	9 mm	Model addition
Kral Arms (TRISTAR)	Protege X Sub Compact	9 mm	Model addition
SIG SAUER/SIGARMS INC.	P320 NRA	9 mm	Model addition
GLOCK [APOLLO CUSTOM INC.]	43 NRA	9 mm	Model addition
DIAMONDBACK FIREARMS	SDR	9 mm	Caliber addition
BUL TRANSMARK, LTD. (BUL ARMORY USA, LLC)	SAS II TAC COMP	9 mm	Model addition
DIKAR (CVA)	SCOUT V2	6mm ARC, 30-30 Win, 22-250 Rem	Caliber addition
TISAS	ZIG M9 / 1911 Aviator	9 mm	Model addition
STACCATO	Staccato HD P4	9 mm	Model addition
KEL-TEC	PR57	5.7X28 mm	Model addition
ARSENAL FIREARMS (ITALY) (AMERICAN PRECISION FIREARMS)	AF2011-A1 "Second Century"	45 ACP	Model addition
KIMBER	R7 Mako Carbon Compact	9 mm	Model addition
TISAS (MILITARY ARMAMENT CORPORATION)	MAC Duty 9 Double Stack	9 mm	Model addition
TISAS (MILITARY ARMAMENT CORPORATION)	MAC 9 Double Stack Comp	9 mm	Model addition
TISAS (SDS IMPORTS)	1911 A1 Service	45 ACP	Model addition
STACCATO	Staccato HD P4.5	9 mm	Model addition
SARSILMAZ (SAR USA)	SAR9X	9 mm	Model addition
MASTERPIECE ARMS	Grim Reaper	9 mm	Model addition
TARAN TACTICAL INNOVATIONS [GLOCK]	G41 COMBAT MASTER	45 ACP	Model addition
FN AMERICA LLC	Reflex XL MRD	9 mm	Model addition
JACOB GREY	TWC Hex	9 mm	Model addition
Retay Arms (Banshee Brands/Retay USA)	RXP-22	22 LR	
SPRINGFIELD ARMORY/INC. (HS PRODUKT)	ECHELON COMPACT	9 mm	Model addition

<u>Make</u>	<u>Model</u>	<u>Caliber</u>	<u>Additional Comments</u>
SPRINGFIELD ARMORY/INC.	1911 DS PRODIGY COMPACT	9 mm	Model addition
SMITH & WESSON	Performance Center M&P 9 M2.0 METAL HD Spec Series V	9 mm	Model addition
UMAREX (Hammerli Arms)	Forge H1 22 NRA	22 LR	Model addition
ALCHEMY CUSTOM WEAPONRY	Prime Elite Carry	45 ACP, 9 mm	Model addition
STOEGER (STOEGER INDUSTRIES INC.)	STR-9 Combat SX	9 mm	Model addition
STOEGER (STOEGER INDUSTRIES INC.)	STR-9 Thinline	9 mm	Model addition
Balistik Defence/Balistik Savunma (Dickinson Arms)	Adam 1911	45 ACP, 9 mm	Model addition
DIKAR (CVA)	SCOUT	350 LEGEND	Model addition
KRISS, USA, INC	VECTOR-SDP	10 mm	Caliber addition
TAURUS ARMAS (HERITAGE MFG.)	Roscoe	38 Spl	
Oriskany Arms Inc.	350FP	45 ACP, 9 mm, 10 mm	
Oriskany Arms Inc.	425FP	45 ACP, 9 mm, 10 mm	
Oriskany Arms Inc.	500FP	45 ACP, 9 mm, 10 mm	
BUL ARMORY	SAS II Ultralight	9 mm	Model addition
BUL ARMORY	SAS II Ultralight Pro	9 mm	Model addition
SMITH & WESSON	CSX E-SERIES	9 mm	Model addition
GIRSAN (EAA)	MC P35 PI Match	9 mm	Model addition
SMITH & WESSON	M&P 9 M2.0 METAL COMPACT	9 mm	Model addition
ALDO UBERTI & CO. (CIMARRON ARMS)	Bad Boy	10 mm	
KIMBER	K1911	38 Super, 45 ACP	Model addition
BERETTA USA	92XI SAO Gara	9 mm	Model addition
ATLAS GUNWORKS, INC.	Ares	9 mm	Model addition
CZC	A01-LD	357 Sig	Caliber addition
CARL WALTHER (WALTHER ARMS)	PPK SD	32 ACP	Model addition
CARL WALTHER (WALTHER ARMS)	PPK/S SD	32 ACP	Model addition

[25-06-17]

DEPARTMENT OF JUVENILE SERVICES

Statement Of Need

The Department of Juvenile Services (DJS) is dedicated to creating safer communities, providing prevention and rehabilitation services to vulnerable youth and safe, healthy, appropriate environments for youth unable to remain in their family home. DJS is issuing this Statement of Need (SON) for the establishment of a Residential Child Care (RCC) program to respond to the increased need for staff secure placement, resources and support for female, transgender, intersex and gender non-confirming youth involved in the juvenile services system. This SON is issued pursuant to COMAR 14.31.09.04 to solicit prospective licensees to alter DJS that they plan to apply to the Request for Proposals (RFP) for the RCC program described herein and in accordance with COMAR 14.31.02 and the RFP once it becomes available.

Offeror(s) are invited to apply to host additional classifications of residential programs as part of a continuum of services for youth stepping down from staff secure congregate care programs or in lieu of staff secure congregate care, i.e., therapeutic foster care, kinship care, semi-independent and independent living. Offeror(s) are not required to propose any of these additional services but need to propose appropriate after-care planning for youth leaving staff secure congregate care. These services can be proposed by one or more vendors.

I. Background and Purpose

In general, most youth who interact with DJS remain in the community for the duration of their involvement with the juvenile services system. In some situations, however, juvenile courts may order that a youth receive out-of-home placement upon adjudication and disposition of their case. Currently, girls and gender-expansive young people make up a very small proportion of this population. The average daily population for girls in committed programs had been about 10 for the past three fiscal years.

Girls and gender expansive youth may enter out-of-home care for a variety of complex reasons, many of which are related to the vulnerabilities, challenges and possible past trauma they have faced in their communities. The national trend of detaining and committing girls and gender expansive youth for minor offenses that pose little public safety risk is consistent with Maryland's current landscape. In FY 2023 33.3% of girls placed into a committed treatment placement were placed for misdemeanors, compared to 26.6% of boys. Girls and gender expansive youth often become involved with DJS not because they pose a threat to public safety, but because of scarce community resources, family dynamics, parental abuse or unavailability of a home the courts feel comfortable returning the girl to, trauma and emotional challenges, educational needs, and/or the need for protection and prevention of physical, sexual and emotional abuse.

Based on consultation with national experts, the Justice + Joy National Collaborative and review of contemporary research, an effective program should be rooted in the following principles:

- Gender-responsive, trauma-informed, healing-centered approaches: recognizing that girls and gender expansive youth have specific needs and experiences that should be met with specialized approaches, providers are expected to approach all aspects of the model through these principles.
- Positive Youth Development: although youth in the juvenile services system face many challenges, each

youth's skills, strengths, and positive qualities need to be acknowledged and supported in the program.

- Public Safety: consistent with the juvenile court's determination that returning home following disposition is contrary to the welfare of the youth and that an RCC program is the safest, most appropriate, least restrictive placement level, intensive, caring supervision and monitoring shall be provided by certified, attentive, well-trained staff without hardware secure locks, bars or correctional-style fences.
- Educational achievement: all youth shall be afforded supportive educational services, consistent with their individual needs.
- Community and family engagement: supporting youths' positive ties in their homes and neighborhoods is crucial to ensuring they thrive and do not reengage with the juvenile services system. As such, providers will bolster these relationships by offering family and group therapy; encouraging visits (both to the facility by family members and home visits by girls); providing robust aftercare services for the girls upon their return home; and arranging transportation. Providers should have a vehicle(s) that complies with COMAR 14.31.06.08D for this purpose.

Currently, Maryland has one State owned and operated facility-based program for girls and gender expansive youth that provides a total of 6 beds for girls committed to DJS for out-of-home placement. The State seeks to close the current State owned and operated program in favor of a more home-like environment.

DJS is interested in providing services for girls and gender expansive youth coming from all geographical regions in the State of Maryland.

II. Provider Program Requirements:

DJS is seeking an eight (8) bed program, that would eventually need to be certified as a Qualified Residential Treatment Program (QRTP). Although a new provider will not be able to be certified as a QRTP immediately, we expect the following criteria to be accommodated so that the provider can apply for and become a QRTP. A QRTP must meet the following criteria:

- Provides a trauma-informed model of care designed to address the needs, including clinical needs, of youth with serious emotional or behavioral disorders or disturbances or disturbances as identified in the required 30-day assessment facilitated by the DJS Qualified Health Care Provider.
- Has registered or licensed nursing staff and other licensed clinical staff who provide care within the scope of their practice as defined by state law, who are on-site consistent with the treatment model, and who are available 24 hours/7 days a week (need not solely be direct employees of the QRTP).
- Facilitates family participation in a youth's treatment program (to the extent appropriate, and in accordance with the youth's best interest).
- Facilitates and documents family outreach and maintains contact information for any known biological family and fictive kin of the youth.
- Documents how the youth's family is integrated into the youth's treatment, including post discharge, and how sibling connections are maintained.
- Provides discharge planning and family-based aftercare supports for at least 6 months post discharge; and

- Is licensed in accordance with Title IV-E of the Social Security Act requirements and nationally accredited by the Commission on Accreditation of Rehabilitation Facilities (CARF), the Joint Commission on Accreditation of Healthcare Organizations (the Joint Commission), the Council on Accreditation (COA), or another independent, not-for-profit accrediting organization approved by the Secretary of the U.S. Department of Health and Human Services. NOTE: Two additional accrediting organizations have been approved by the Secretary of DHHS: Educational Assessment Guidelines Leading toward Excellence (EAGLE) and Teaching-Family Association.

If the provider is not already certified as a QRTP a detailed time-line for qualifying as a QRTP shall be provided.

The projected need for placements has been determined based on the number of girls and gender expansive youth who have been placed previously and the most recent data concerning requested placements. Should the provider offer family foster care, kinship care, semi-independent or independent living those placement beds would be in addition to the eight (8) bed congregate care home and will also require separate proof of insurance.

Education shall be provided in an on-grounds school, or the provider shall provide detailed transportation plans for transporting youth to an on-grounds school located on another licensed RCC operated by the provider, or in partnership with another licensed RCC provider.

III. Target Population

Providers should demonstrate the ability to provide placements, education and resources for females and gender-expansive youth from ages 13 to 20. In addition, the target population includes youth who may have co-occurring treatment needs and/or history of neglect, sexual and physical abuse and may be co-committed to the Maryland Department of Human Services/Local Department of Social Services or the Maryland Health Department.

Providers shall maintain a no eject, no reject policy for all youth placed by DJS. Ejections will be permitted only in exceptional circumstances after all reasonable efforts to accommodate the youth have been exhausted, and in coordination with DJS policies.¹ This will be the highest level of care for girls and gender expansive youth in Maryland – as such, the provider is expected to be prepared to work through challenging behaviors with youth in accordance with COMAR 14.31.06.15.

IV. Provider Capacity to Serve

Providers are required to categorize residents based on congruent gender identification, age and phase of rehabilitation or recovery. Furthermore, they must possess the capability to accommodate eight (8) beds in a small, home-like environment and stand to derive greater advantages from a more compact, family-like environment. Beds and other living arrangements need to meet the requirements of COMAR 14.31.06 regulation standards.

V. Facility Security

Providers must maintain 100% compliance for Child Protective Services (CPS) clearances and Criminal Background checks for all employees, volunteers, sub-contractors and prospective employees. Each employee shall meet COMAR 14.31.06.05 standards for indicated child abuse and criminal convictions.

To ensure the safety of both the youth and staff, the program should utilize security cameras (not inside youth's rooms or bathrooms/shower/changing areas), alarm systems, 24-hour staffing and on-site security.

VI. Services

DJS is seeking providers with the ability to provide ongoing intensive services to up to eight (8) female and gender expansive youth. Providers must collaborate with DJS to provide all the service needs in one setting. Those services must include the following:

- Basic needs (i.e., food, shelter, clothing, toiletries, appropriate to sleep)
- Intensive case management
- Individual trauma therapy; group therapy; victim advocacy; mental health counseling and treatment (e.g., cognitive behavior therapy (CBT); dialectical behavior therapy (DBT); family therapy; substance abuse treatment and therapy)
- Medical screening and routine medical care
- Development programming such as:
 - Youth Sports Programs
 - Arts and Creative Programs
 - Community Service and Volunteer Programs
 - Cultural and Diversity Programs
 - Career Development and Job Training Programs
 - Health and Wellness Programs
 - Academic Enrichment Programs
- Family involvement and reunification services
- Educational Services on grounds certified by the Maryland State Department of Education
- Services and support that address runaways, trafficking, and substance abuse
- Services to a population of girls and gender expansive youth ages 13 – 20 with the following treatment needs that may be co-occurring:
 - Inappropriate sexual behavior (to include victims and/or offenders)
 - Violence and aggression
 - Autism Spectrum Disorder
 - High elopement risk
 - Developmental Disabilities
 - Learning Disabilities
 - Self-injurious behaviors
 - Physical disabilities
- Ensure that the program's Certified Program Administrator, as outlined in COMAR 14.31.06.06, shall have experience providing individualized services that may include individual, group, milieu, family, educational, and behavioral treatment approaches as applicable.

VII. Program Staffing

It is crucial for staff working with juvenile services-involved girls and gender-expansive youth to be well-prepared and trained in key areas. This is a breakdown of the essential components of such training:

- A. Trauma-Informed Care
 1. Staff should be trained in recognizing and addressing the physical and psychological impact of trauma on youth.
 2. Understanding trauma-responsive care principles, such as creating safe and empowering environments and avoiding re-traumatization, is vital.

¹ The DJS placement policy is available here: <https://djs.maryland.gov/Documents/policies/community/Plac>

ement-of-DJS-Youth-in-Residential-and-Non-residential-Programs_CS-126-16.pdf

- B. Boundaries and Healthy Relationships
1. Maintaining appropriate boundaries is crucial to ensure the safety and well-being of both staff and youth.
 2. Staff should receive training on ethical conduct and professional boundaries, while still maintaining empathy.
 3. Staff should be familiar with the legal and ethical considerations related to working with juvenile services-involved youth, including issues related to confidentiality, informed consent, and child abuse reporting requirements.
 4. Cultural competence is crucial, as youth come from diverse backgrounds. Staff should be trained to be culturally sensitive and responsive to the unique needs and experiences of survivors from different cultural backgrounds. Staff must be available to accept referrals 24 hours a day, 7 days a week and every day of the year.
- C. Transition Planning: Reintegrating into their families or communities after being in out-of-home placement can be challenging. Partnership with DJS case management is crucial to development of a transition plan that prepares the youth for return to the community.
- D. Positive Youth Development: Staff should be prepared to build on youth's strengths as opposed to focusing exclusively on their deficits.
- E. Crisis Intervention
1. Staff must be trained and available for immediate crisis intervention and post incident processing.
 2. Both clinical and program management remain on call 24 hours a day for emergencies and crisis management.
 3. Staff and administration must be trained in DJS Incident Reporting Policy to ensure the safety and well-being of youth.

VIII. Program Location

The provider is expected to accommodate youth from all Maryland jurisdictions, including transportation of youth to court appearances, off grounds activities, family visits, educational services and other prosocial activities.

IX. Rate Setting

The provider will create a budget for the first two years of the program operations. After that point, the vendor would be expected to apply for a rate through the Interagency Rate Committee which would fund the program after that point.

X. Priority Selection Criteria

- The provision of high-intensity services for girls and gender expansive youth.
- The availability of the required beds in a facility that meets all core regulation requirements and is ready to receive youth as expeditiously as possible following the execution of a contract.
- A facility for girls and gender expansive youth.
- Previous experience operating a high intensity, small, home-like program serving this population.

XI. Expressing Interest

Interested vendors should email Juanita.Heaggans@Maryland.gov notifying her of their intent to apply to the RFP when it becomes available. Interested vendors need to notify Ms. Heaggans by April 7, 2025.

XII. Licensure does not ensure a Contractor will be awarded a contract by the State.

[25-06-19]

PUBLIC NOTICE

DEPARTMENT OF NATURAL RESOURCES

Fishing and Boating Services

Closure of Portion of Wicomico River (Charles County) — Effective 2/3/2025

WHAT THIS NOTICE DOES

The Secretary of the Maryland Department of Natural Resources announces that a portion of the Charles County side of the Wicomico River is closed to all oyster harvest until further notice. This notice supersedes all notices effective prior to February 3, 2025.

AREA CLOSED

Except as described below, all of the waters of Wicomico River (Charles County) enclosed by a line beginning at a point on shore defined by Lat. 38°16.702' N, Long 76°50.287' W; then running 69° True to a point defined by Lat. 38°16.927' N, Long. 76°49.547' W; then running 330° True to the green "7W" defined by Lat. 38°17.855' N, Long. 76°50.217' W; then running 340° True to the green "9W" defined by Lat. 38°19.023' N, Long. 76°50.747' W; then running 344° True to the green "11W" defined by Lat. 38°19.406' N, Long. 76°50.885' W; then running 321° True to the green "13W" defined by Lat. 38°19.833' N, Long. 76°51.328' W; then running 323° True to the red "14W" defined by Lat. 38°19.975' N, Long. 76°51.466' W; then running 20° True to the red "16W" defined by Lat. 38°20.810' N, Long. 76°51.082' W; then running 22° True to the green "17W" defined by Lat. 38°21.605' N, Long. 76°50.684' W; then running 299° True to the green "19W" defined by Lat. 38°21.907' N, Long. 76°51.380' W; then running 280° True to a point on shore defined by Lat. 38°21.942' N, Long. 76°51.642' W; then following the shoreline, including all creeks and coves, back to the point of the beginning.

EXCEPTIONS TO THE CLOSED AREA

The areas described in the notice listed below are the exceptions to the closed area. Details of the opening are in the notice.

- Opening of Joes Lumps and Wicomico Lumps Oyster Bars (Charles County) — Effective 2/3/2025

PURPOSE OF THIS CLOSURE

This closure is necessary due to concerns about spat-on-shell plantings, small-sized oysters and slow growth of the oysters in the specified area. By delaying the opening of this area, smaller oysters will be given additional time to reach market size. This

closure was requested by the Charles County Oyster Committee.

WHO THIS NOTICE AFFECTS

This closure applies to all individuals who catch oysters recreationally or commercially.

EFFECTIVE DATE

This notice is effective at 12:01 a.m. February 3, 2025. The area is closed until further notice. A new notice will be issued if the area or portion of the area is opened to harvest.

AUTHORITY

Code of Maryland Regulations 08.02.04.11G

FOR FURTHER INFORMATION CONTACT:

Fishing and Boating Services at 410-260-8302

Josh Kurtz

Secretary of Natural Resources
[25-06-02]

PUBLIC NOTICE

The Maryland Department of Natural Resources

Fishing and Boating Services

*Opening of Joes Lumps and Wicomico Lumps Oyster Bars
(Charles County) — Effective 2/3/2025*

WHAT THIS NOTICE DOES

The Secretary of the Maryland Department of Natural Resources announces that effective at 12:01 a.m., February 3, 2025, portions of Joes Lumps and Wicomico Lumps oyster bars in Charles County are open to all shellfish harvest. This notice supersedes all previous public notices opening or closing the described areas.

AREAS OPENED

Joes Lumps

All the waters of Wicomico River enclosed by a line beginning at a point defined by Lat. 38°19.406' N, Long. 76°51.010' W; then running 0° True to a point defined by Lat. 38°19.505' N, Long. 76°51.010' W; then running 135° True to a point defined by Lat. 38°19.406' N, Long. 76°50.885' W; then running 270° True to the point of beginning.

Wicomico Lumps

All the waters of Wicomico River enclosed by a line beginning at a point defined by Lat. 38°20.443' N, Long. 76°51.716' W; then running 0° True to a point defined by Lat. 38°20.546' N, Long. 76°51.716' W; then running 90° True to a point defined by Lat. 38°20.546' N, Long. 76°51.586' W; then running 180° True to a point defined by Lat. 38°20.443' N, Long. 76°51.586' W; then running 270° True to the point of beginning.

SPECIAL HARVEST CONDITIONS

The following rules supersede the recreational and commercial harvest days and the commercial catch limits established by the public notices effective July 3, 2024, titled "2024-2025 Commercial Oyster Rules — Effective 7/3/2024" and "2024-2025 Recreational Oyster Rules — Effective 7/3/2024".

- Recreational harvesters may only harvest from these areas on Monday, Wednesday, or Friday.
- Commercial
 - Catch Limit: A licensee who harvests from either of these areas may harvest up to 8 bushels per licensee per day, not to exceed 16 bushels per boat per day.
 - Open Days: An individual may catch oysters for commercial purposes from these areas only on Monday, Wednesday, or Friday.

PURPOSE OF THIS NOTICE

This area is being opened to allow the harvest of market-sized oysters. This opening was requested by the Charles County Oyster Committee. Based on Department survey work, there are enough market-sized oysters to support this opening.

WHO THIS NOTICE AFFECTS

This opening applies to all individuals who catch oysters or clams recreationally or commercially.

AUTHORITY

Code of Maryland Regulations 08.02.04.11G

FOR FURTHER INFORMATION CONTACT:

Fishing and Boating Services at 410-260-8302

Josh Kurtz

Secretary of Natural Resources
[25-06-01]

PUBLIC NOTICE

The Maryland Department of Natural Resources

Fishing and Boating Services

2025 Atlantic Ocean Commercial Striped Bass Transfer Rules — Effective 1/17/2025

WHAT THIS NOTICE DOES

The Secretary of the Maryland Department of Natural Resources announces the following rules for the Atlantic Ocean commercial striped bass temporary and permanent transfer processes for the 2025 quota year:

- A Striped Bass Atlantic Ocean Fishery permit or allocation may be temporarily transferred during the quota year from January 17, 2025, through December 15, 2025.
 - The minimum allocation increment for an allocation transfer is 460 pounds, or the entire remaining allocation if the transferor has less than 460 pounds.
 - For each increment of 460 pounds transferred, the transferor must return 50 tags to the Department. If the transfer is less than 460 pounds, all remaining tags assigned to the transferor must be transferred to the transferee.

- For each increment of 460 pounds received, the transferee will be issued 50 new tags by the Department.
- A Striped Bass Atlantic Ocean Fishery permit or share may be permanently transferred during the quota year from January 17, 2025, through October 15, 2025.
 - The minimum share increment for a share transfer is 460 pounds, or the entire remaining share if the transferor has less than 460 pounds.
 - For each increment of 460 pounds transferred, the transferor must return 50 tags to the Department. If the transfer is less than 460 pounds, all remaining tags assigned to the transferor must be transferred to the transferee.
 - For each increment of 460 pounds received, the transferee will be issued 50 new tags by the Department.

- A share of the Chesapeake Bay commercial striped bass fishery may be permanently transferred during the quota year from January 17, 2025, through October 15, 2025.
 - The minimum share transfer for a permanent transfer is the equivalent of 350 pounds, or the entirety of the transferor’s share if the transferor has less than the equivalent of 350 pounds.

WHY THIS IS NECESSARY

This action is necessary to ensure Maryland’s compliance with the Atlantic State Marine Fisheries Commission Interstate Fishery Management Plan for Atlantic Striped Bass.

WHO THIS NOTICE AFFECTS

This applies to all individuals who are permitted to participate in the commercial striped bass fishery in the Atlantic Ocean.

EFFECTIVE DATE AND TIME

This notice is effective at 12:01 a.m. January 17, 2025.

AUTHORITY

Code of Maryland Regulations 08.02.15.04H

FOR FURTHER INFORMATION CONTACT:

Fishing and Boating Services at 410-260-8293

WHY THIS IS NECESSARY

This action is necessary to ensure Maryland’s compliance with the Atlantic State Marine Fisheries Commission Interstate Fishery Management Plan for Atlantic Striped Bass.

WHO THIS NOTICE AFFECTS

This applies to all individuals who are permitted to participate in the commercial striped bass fishery in the Chesapeake Bay.

EFFECTIVE DATE AND TIME

This notice is effective at 12:01 a.m. January 17, 2025.

AUTHORITY

Code of Maryland Regulations 08.02.15.04H

FOR FURTHER INFORMATION CONTACT:

Fishing and Boating Services at 410-260-8293

Josh Kurtz
Secretary of Natural Resources

[25-06-05]

Josh Kurtz
Secretary of Natural Resources
[25-06-06]

PUBLIC NOTICE

The Maryland Department of Natural Resources

Fishing and Boating Services

2025 Chesapeake Bay Commercial Striped Bass Permanent Permit Transfers and Transfers of Shares — Effective 1/17/2025

WHAT THIS NOTICE DOES

The Secretary of the Maryland Department of Natural Resources announces the rules for the permanent transfer of permits or shares associated with permits registered in the Chesapeake Bay commercial striped bass fishery for the 2025 quota year:

- A permit registered in the Chesapeake Bay commercial striped bass fishery may be permanently transferred during the quota year from January 17, 2025, through October 15, 2025.

PUBLIC NOTICE
**The Maryland Department of Natural
Resources**

Fishing and Boating Services

*2025 Atlantic Coast Recreational and Charter Boat Striped
Bass Fishery — Effective 1/17/2025*

WHAT THIS NOTICE DOES

The Secretary of the Maryland Department of Natural Resources announces changes to the recreational striped bass size and catch limits for the Atlantic Ocean, its coastal bays and their tributaries. Effective 12:01 a.m. January 17, 2025:

- Anglers may keep one striped bass per person per day from the Atlantic Ocean, its coastal bays, and their tributaries.
- The minimum size for striped bass is 28 inches.
- The maximum size is 31 inches.

WHY THIS IS NECESSARY

This action is necessary to implement the Atlantic States Marine Fisheries Commission's Interstate Fishery Management Plan for Atlantic Striped Bass.

WHO THIS NOTICE AFFECTS

This applies to all individuals who catch striped bass recreationally in the Atlantic Ocean, its coastal bays and the coastal bay tributaries. It does not apply to individuals fishing in the Chesapeake Bay or the Chesapeake Bay tidal tributaries.

AUTHORITY

Code of Maryland Regulations 08.02.15.12

Josh Kurtz
Secretary of Natural Resources
[25-06-04]

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: April 22, 2025, 10 a.m.—2 p.m.
Place: Morgan State University, Baltimore, MD.
Contact: Christopher Dorsey 410-230-6318
 [25-06-22]

STATE COLLECTION AGENCY LICENSING BOARD

Subject: Public Meeting
Date and Time: April 8, 2025, 2—3 p.m.
 Thereafter, the public meetings will take place on the second Tuesday of every month, accessed via the Google Meet information below.
Place: Google Meet joining info: Video call link:
<https://meet.google.com/ahz-mgnk-jsu>
 Or dial: ‪(US) +1 530-738-1353‬ PIN: ‪815 799 863‬#
 More phone numbers: <https://tel.meet/ahz-mgnk-jsu?pin=1097700804795>
Add'l. Info: If necessary, the Board will convene in a closed session to seek the advice of counsel or review confidential materials, pursuant to General Provisions Article, Maryland Annotated Code §3-305.
Contact: Ayanna Daugherty 410-230-6019
 [25-06-16]

FIRE PREVENTION COMMISSION

Subject: Public Hearing on Regulations
Date and Time: March 31, 2025, 10 a.m.
Place: Laurel Municipal Center, Council Chambers, 8103 Sandy Spring Road, Laurel, MD.
Add'l. Info: Public hearing on proposed amendments to COMAR 29.06.01 State Fire Prevention Code. Check Commission website for changes and information. <https://mdsp.maryland.gov/organization/pages/statefirepreventioncommission.aspx>
Contact: Heidi Ritchie 877-890-0199
 [25-06-07]

FIRE PREVENTION COMMISSION

Subject: Public Meeting
Date and Time: April 17, 2025, 10 a.m. —

Place: Laurel Municipal Building, Council Chambers, 8103 Sandy Spring Road, Laurel, MD.
Add'l. Info: Portions of the meeting may be held in closed session. Check the Commission's website for any changes: <https://mdsp.maryland.gov/organization/pages/statefirepreventioncommission.aspx>
Contact: Heidi Ritchie 877-890-0199
 [25-06-08]

MARYLAND DEPARTMENT OF HEALTH

Subject: Public Meeting
Date and Time: May 1, 2025, 9 a.m.—1 p.m.
Add'l. Info: Please be advised that on May 1, 2025, the Pharmacy and Therapeutics (P&T) Committee public meeting will be conducted virtually via a Webinar. As soon as available, classes of drugs to be reviewed, speaker registration guidelines, and procedure to register to attend the virtual meeting will be posted on the Maryland Pharmacy Program website at: <https://health.maryland.gov/mmcp/pap/Pages/Public-Meeting-Announcement-and-Procedures-for-Public-Testimony.aspx>
Contact: Sierra Roberson 410-767-1455
 [25-06-15]

MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS

Subject: Requested Redesignation of a Primary Stroke Center
Date and Time: None
Add'l. Info: Pursuant to COMAR 30.08.02 (C), the Maryland Institute for Emergency Medical Services Systems gives notice that the following hospital has requested Redesignation of a Primary Stroke Center:

1. Adventist White Oak Hospital
2. Doctors Community Hospital
3. UM Capital Region medical Center

Any person with knowledge of any reason why any of the above listed hospital should not be re-verified and re-designated is requested to submit a written statement of the reason to MIEMSS by April 21, 2025. In addition, pursuant to COMAR 30.08.02.03 (C), hospitals not designated who wishes to be considered for designation

as a Primary Stroke Center should submit a written letter of intent to the office listed above. Letters of intent are due to MIEMSS by April 21, 2025. For more information contact Kenny Barajas, Chief, Office of Care Integration at (410) 336-1629 or email kbarajas@miemss.org.

Contact: Kenny Barajas DNP, RN, CEN (410) 336-1629

[25-06-09]

MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS

Subject: Requested Redesignation of a Thrombectomy Capable - Primary Stroke Center

Date and Time: None

Add'l. Info: Pursuant to COMAR 30.08.02 (C), the Maryland Institute for Emergency Medical Services Systems gives notice that the following hospital has requested re-designation of a Thrombectomy Capable - Primary Stroke Center:

1. Johns Hopkins - Bayview

Any person with knowledge of any reason why any of the above listed hospital should not be re-verified and re-designated is requested to submit a written statement of the reason to MIEMSS by April 21, 2025. In addition, pursuant to COMAR 30.08.02.03 (C), hospitals not designated who wishes to be considered for designation as a Thrombectomy Capable - Primary Stroke Center should submit a written letter of intent to the office listed above. Letters of intent are due to MIEMSS by April 21, 2025. For more information contact Kenny Barajas, Chief, Office of Care Integration at (410) 336-1629 or email kbarajas@miemss.org.

Contact: Kenny Barajas DNP, RN, CEN (410) 336-1629

[25-06-10]

**MARYLAND INSTITUTE FOR
EMERGENCY MEDICAL SERVICES
SYSTEMS**

Subject: Requested Redesignation of an Eye Trauma Center

Date and Time: None

Add'l. Info: Pursuant to COMAR 30.08.02 (C), the Maryland Institute for Emergency Medical Services Systems gives notice that the following hospital has requested Re-designation of an Eye Trauma Center:

1. The Johns Hopkins Wilmer Eye Trauma Center

Any person with knowledge of any reason why any of the above listed hospital should not be re-verified and re-designated is requested to submit a written statement of the reason to MIEMSS by April 21, 2025. In addition, pursuant to COMAR 30.08.02.03 (C), hospitals not designated who wishes to be considered for designation as an Eye Trauma Center should submit a written letter of intent to the office listed above. Letters of intent are due to MIEMSS by April 21, 2025. For more information contact Elizabeth Wooster, Director, Trauma and Injury Specialty Care Program, at (443) 467-7361 or email ewooster@miemss.org.

Contact: Elizabeth Wooster PhD, MSN, CEN (443) 467-7361

[25-06-11]

**MARYLAND INSTITUTE FOR
EMERGENCY MEDICAL SERVICES
SYSTEMS**

Subject: Requested Redesignation of Freestanding Emergency Medical Facility

Date and Time:

Add'l. Info: Pursuant to COMAR 30.08.02 (C), the Maryland Institute for Emergency Medical Services Systems gives notice that the following hospital has requested Re-designation of Freestanding Emergency Medical Facility

1. Adventist HealthCare Germantown Emergency Center

Any person with knowledge of any reason why any of the above listed hospital should not be re-verified and re-designated is requested to submit a written statement of the reason to MIEMSS by April 21, 2025. In addition, pursuant to COMAR 30.08.02.03 (C), hospitals not designated who wishes to be considered for designation as an Freestanding Emergency Medical Facility should submit a written letter of intent to the office listed above. Letters of intent are due to MIEMSS by

April 21, 2025. For more information contact Elizabeth Wooster, Director, Trauma and Injury Specialty Care Program, at (443) 467-7361 or email ewooster@miemss.org.

Contact: Elizabeth Wooster PhD, MSN, CEN (443) 467-7361

[25-06-12]

**MARYLAND INSTITUTE FOR
EMERGENCY MEDICAL SERVICES
SYSTEMS**

Subject: Requested Redesignation of a Perinatal and Neonatal Referral Center

Date and Time: None

Add'l. Info: Pursuant to COMAR 30.08.02 (C), the Maryland Institute for Emergency Medical Services Systems gives notice that the following hospital has requested Re-designation of a Perinatal and Neonatal Referral Center:

1. Luminis Health Anne Arundel Medical Center
2. MedStar Franklin Square Medical Center
3. Mercy Medical Center

Any person with knowledge of any reason why any of the above listed hospital should not be re-verified and re-designated is requested to submit a written statement of the reason to MIEMSS by April 21, 2025.

In addition, pursuant to COMAR 30.08.02.03 (C), hospitals not designated who wishes to be considered for designation as a Primary Stroke Center should submit a written letter of intent to the office listed above. Letters of intent are due to MIEMSS by April 21, 2025. For more information contact Abby Butler, Director Perinatal and Neonatal Referral Centers, Office of Care Integration at (443)531-3311 or email abutler@miemss.org.

Contact: Abby Butler MSN, RNC-OB (443)531-3311

[25-06-13]

ORDER INFORMATION SHEET

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 State House ~ Annapolis, MD 21401 ~ Tel: 410-260-3876 ~ 800-633-9657

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**SPECIAL PUBLICATIONS**

| Publications / Handbooks, In Print                                 | Price | Quantity | Total |
|--------------------------------------------------------------------|-------|----------|-------|
| Control of Ionizing Radiation (through supplement 34)              | \$200 | _____    | _____ |
| <b>Control of Ionizing Radiation Supplement 34 ONLY</b>            | \$15  | _____    | _____ |
| Forest Conservation Law (2019)                                     | \$25  | _____    | _____ |
| Forest Conservation Technical Manual 3 <sup>rd</sup> Edition, 1997 | \$30  | _____    | _____ |
| Preventive Maintenance Handbook (PM Handbk) (green cover 4/18)     | \$30  | _____    | _____ |
| Vehicle Inspection Handbook (Feb 2012) (incl. binder)              | \$65  | _____    | _____ |
| Child Care Regulations (13A.14 – 13A.18) opt. binder addl. \$20    | \$60  | _____    | _____ |
| MD Cannabis Administration (July 2024) 8.5 x 11 loose leaf         | \$50  | _____    | _____ |
| MD Cannabis Administration (July 2024) 6x9 bound book              | \$35  | _____    | _____ |
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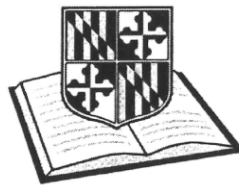
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