

Maryland Register

Issue Date: September 18, 2015

Volume 42 • Issue 19 • Pages 1219—1254

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General Notices

Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before August 31, 2015, 5 p.m.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 August 31, 2015.

Brian Morris
Administrator, Division of State Documents
Office of the Secretary of State



Information About the Maryland Register and COMAR

MARYLAND REGISTER

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

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

The following information is also published regularly in the Register:

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

CITATION TO THE MARYLAND REGISTER

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

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

CODE OF MARYLAND REGULATIONS (COMAR)

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

CITATION TO COMAR REGULATIONS

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

DOCUMENTS INCORPORATED BY REFERENCE

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

HOW TO RESEARCH REGULATIONS

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

SUBSCRIPTION INFORMATION

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

CITIZEN PARTICIPATION IN THE REGULATION-MAKING PROCESS

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

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

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

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Illustrations by Carolyn Anderson, Dept. of General Services

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

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COMAR Online

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

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

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

Availability of Monthly List of Maryland Documents

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

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

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CLOSING DATES AND ISSUE DATES through JANUARY 22, 2016

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October 30**	October 9	October 21	October 19
November 13	October 26	November 4	November 2
November 30***	November 9	November 18	November 16
December 11**	November 20	December 2	November 30
December 28***	December 7	December 16	December 14
January 8**	December 18	December 30	December 28
January 22	January 4	January 13	January 11

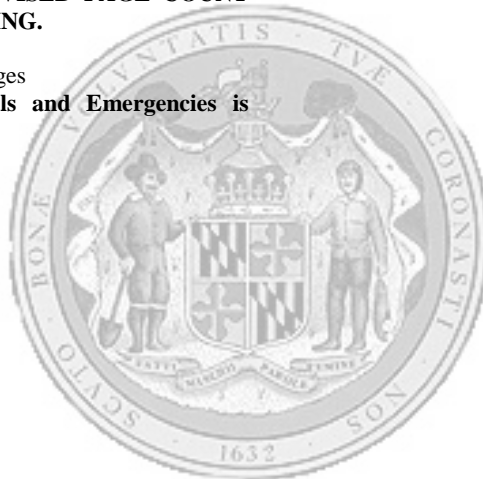
* Due date for documents containing 8 to 18 pages — 48 hours before date shown; due date for documents exceeding 18 pages — 1 week before date shown

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

** Note closing date changes

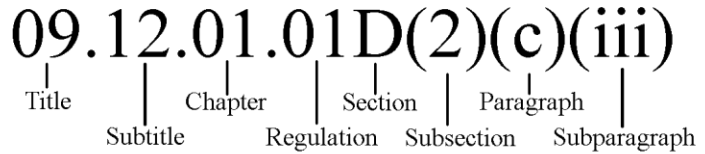
*** Note issue date and closing date changes

The regular closing date for Proposals and Emergencies is Monday.



REGULATIONS CODIFICATION SYSTEM

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



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

Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed

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

Table of Pending Proposals

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

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 26.11.24.01,.01-1,.02,.03,.03-1,.04,
 .07 • 42:18 Md. R. 1198 (9-4-15) (ibr)
 26.11.38.01,.04—.07 • 42:19 Md. R. 1243 (9-18-15)
 26.12.01.01 • 42:15 Md. R. 1029 (7-24-15) (ibr)

Subtitles 13—18 (Part 3)

26.13.01.03,.05 • 42:2 Md. R. 247 (1-23-15)
 26.13.02.03,.04,.04-6,.16,.17,.19-6,.19-7,.19-8,
 .25 • 42:2 Md. R. 247 (1-23-15)
 26.13.10.11 • 42:2 Md. R. 247 (1-23-15)
 26.14.02.02,.02-1,.02-2,.02-3,.02-4,
 .02-5 • 41:22 Md. R. 1337 (10-31-14) (ibr)
 26.16.01.01—.05,.07—.20 • 42:2 Md. R. 254 (1-23-15)

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28 OFFICE OF ADMINISTRATIVE HEARINGS

28.03.01.03 • 42:11 Md. R. 738 (5-29-15)
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29 DEPARTMENT OF STATE POLICE

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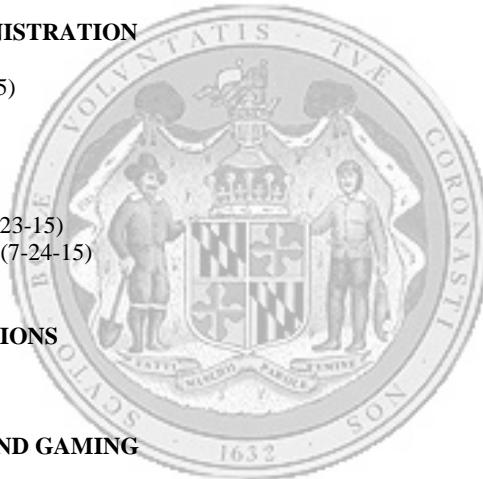
31.01.01.01,.04,.05 • 42:17 Md. R. 1152 (8-21-15)
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36 MARYLAND STATE LOTTERY AND GAMING CONTROL AGENCY

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The Judiciary

COURT OF APPEALS OF MARYLAND

DISCIPLINARY PROCEEDINGS

This is to certify that by an Order of the Court of Appeals dated August 10, 2015, LLOYD FAULKNER SCOTT, 15210 Dino Drive, #23, Burtonsville, Maryland 20866, and 4211 Red Maple Court, Burtonsville, Maryland 20866, has been disbarred by consent, effective immediately, from the further practice of law in the State, and his name as an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 16-772(d)).

* * * * *

This is to certify that by an Order of the Court of Appeals dated August 13, 2015, MARK R. GALBRAITH, 11160C1 South Lakes Drive, Suite 176, Reston, Virginia 20191, has been suspended, effective immediately, from the further practice of law in the State, and his name as an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 16-773(d)).

* * * * *

This is to certify that by an Order of the Court of Appeals dated August 14, 2015, MARIA REBECCA FLYNN, 222 Severn Avenue, Building 7; Suite 8, Annapolis, Maryland 21403, has been indefinitely suspended by consent, effective immediately from the further practice of law in the State, and her name as an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 16-772(d)).

* * * * *

This is to certify that by an Order of the Court of Appeals dated August 20, 2015, KRISTAN L. PETERS-HAMLIN, 1100 Summer Street, 2nd Floor, Stamford, Connecticut 06905, has been indefinitely suspended, effective immediately, from the further practice of law in the State, and her name as an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 16-773(d)).

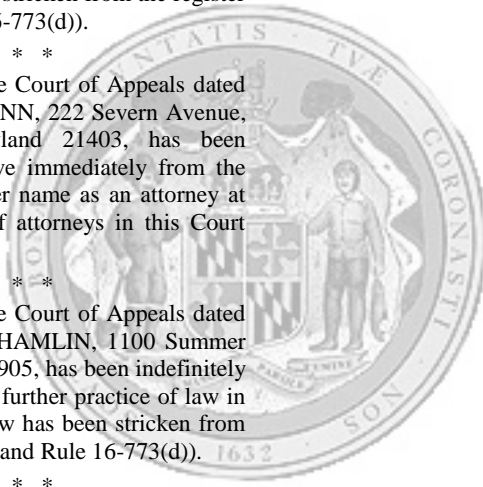
* * * * *

This is to certify that by an Order of the Court of Appeals dated August 21, 2015, KATHRYN ANNE LANGE, 1402 Front Avenue, Lutherville, Maryland 21093, has been disbarred by consent, effective immediately, from the further practice of law in the State, and her name as an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 16-772(d)).

* * * * *

This is to certify that by an Order of the Court of Appeals dated August 31, 2015, TAKISHA VERA BROWN, 4828 Kansas Avenue, NW, Washington, DC 20036, has been indefinitely suspended, effective immediately, from the further practice of law in the State, and her name as an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 16-773(d)).

[15-19-47]



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 08

DEPARTMENT OF NATURAL RESOURCES

Subtitle 02 FISHERIES SERVICE

08.02.03 Crabs

Authority: Natural Resources Article, §§4-215 and 4-803, Annotated Code of Maryland

Notice of Final Action

[15-196-F]

On September 8, 2015, the Secretary of Natural Resources adopted amendments to Regulations **.09** and **.10** under **COMAR 08.02.03 Crabs**. This action, which was proposed for adoption in 42:15 Md. R. 1021—1023 (July 24, 2015), has been adopted as proposed.

Effective Date: September 28, 2015.

MARK J. BELTON
Secretary of Natural Resources

Subtitle 03 WILDLIFE

08.03.10 General Wildlife Hunting Regulations

Authority: Natural Resources Article, §10-412, Annotated Code of Maryland

Notice of Final Action

[15-185-F]

On September 8, 2015, the Secretary of Natural Resources adopted amendments to Regulation **.07** under **COMAR 08.03.10 General Wildlife Hunting Regulations**. This action, which was proposed for adoption in 42:14 Md. R. 886 (July 10, 2015), has been adopted as proposed.

Effective Date: October 1, 2015.

MARK J. BELTON
Secretary of Natural Resources

Title 10

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 42 BOARD OF SOCIAL WORK EXAMINERS

10.42.06 Continuing Education Requirements

Authority: Health Occupations Article, §§19-205 and 19-308, Annotated Code of Maryland

Notice of Final Action

[15-187-F]

On August 27, 2015, the Secretary of Health and Mental Hygiene adopted amendments to Regulations **.02—, .04, .07, .08, .10, and .11** under **COMAR 10.42.06 Continuing Education Requirements**. This action, which was proposed for adoption in 42:14 Md. R. 908—909 (July 10, 2015), has been adopted as proposed.

Effective Date: September 28, 2015.

VAN T. MITCHELL
Secretary of Health and Mental Hygiene

Subtitle 58 BOARD OF

PROFESSIONAL COUNSELORS AND THERAPISTS

10.58.02 Fees

Authority: Health Occupations Article, §§17-205, 17-206, and 17-310, Annotated Code of Maryland

Notice of Final Action

[15-171-F]

On September 2, 2015, the Secretary of Health and Mental Hygiene adopted amendments to Regulation **.02** under **COMAR 10.58.02 Fees**. This action, which was proposed for adoption in 42:14 Md. R. 911 (July 10, 2015), has been adopted as proposed.

Effective Date: September 28, 2015.

VAN T. MITCHELL
Secretary of Health and Mental Hygiene

Title 23 BOARD OF PUBLIC WORKS

Subtitle 03 PUBLIC SCHOOL CONSTRUCTION

Notice of Final Action [15-152-F-I]

On August 26, 2015, the Board of Public Works adopted:

(1) Amendments to Regulations **.05** and **.06** under **COMAR 23.03.02 Administration of the Public School Construction Program**;

(2) Amendments to Regulation **.02** under **COMAR 23.03.05 Alternative Financing**; and

(3) New Regulations **.01—03** under a new chapter, **COMAR 23.03.06 Relocatable Classroom Indoor Environmental Quality Standards**.

This action, which was proposed for adoption in 42:13 Md. R. 846—847 (June 26, 2015), has been adopted as proposed.

Effective Date: September 28, 2015.

SHEILA McDONALD
Executive Secretary

Title 26 DEPARTMENT OF THE ENVIRONMENT

Subtitle 08 WATER POLLUTION

Notice of Final Action [15-194-F]

On September 3, 2015, the Secretary of the Environment adopted amendments to:

(1) Regulation **.01** under **COMAR 26.08.03 Discharge Limitations**; and

(2) Regulation **.01** under **COMAR 26.08.04 Permits**.

This action, which was proposed for adoption in 42:14 Md. R. 920—921 (July 10, 2015), has been adopted as proposed.

Effective Date: September 28, 2015.

BENJAMIN H. GRUMBLES
Secretary of the Environment

Subtitle 11 AIR QUALITY

26.11.19 Volatile Organic Compounds from Specific Processes

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

Notice of Final Action [15-148-F]

On September 3, 2015, the Secretary of the Environment adopted amendments to Regulation **.26** and new Regulation **.26-1** under **COMAR 26.11.19 Volatile Organic Compounds from Specific Processes**. This action, which was proposed for adoption in 42:13

Md. R. 848 — 852 (June 26, 2015), has been adopted as proposed.
Effective Date: September 28, 2015.

BENJAMIN H. GRUMBLES
Secretary of the Environment

Title 33 STATE BOARD OF ELECTIONS

Subtitle 21 SPECIAL ELECTIONS BY MAIL

33.21.01 Definitions; General Provisions

Authority: Election Law Article, §§2-102, 9-501, and 9-506, Annotated Code of Maryland; 42 U.S.C. §1973ff-6

Notice of Final Action [15-177-F]

On August 27, 2015, the State Board of Elections adopted new Regulations **.01—03** under a new chapter, **COMAR 33.21.01 Definitions; General Provisions**, under a new subtitle, **Subtitle 21 Special Elections by Mail**. This action, which was proposed for adoption in 42:14 Md. R. 921—922 (July 10, 2015), has been adopted as proposed.

Effective Date: September 28, 2015.

LINDA H. LAMONE
State Administrator of Elections

Subtitle 21 SPECIAL ELECTIONS BY MAIL

33.21.02 Request for Vote-by-Mail Ballot

Authority: Election Law Article, §§2-102(b)(4), 9-501, 9-502, and 9-506, Annotated Code of Maryland

Notice of Final Action [15-178-F]

On August 27, 2015, the State Board of Elections adopted new Regulations **.01** and **.02** under a new chapter, **COMAR 33.21.02 Request for Vote-by-Mail Ballot**, under a new subtitle, **Subtitle 21 Special Elections by Mail**. This action, which was proposed for adoption in 42:14 Md. R. 922 (July 10, 2015), has been adopted as proposed.

Effective Date: September 28, 2015.

LINDA H. LAMONE
State Administrator of Elections

Subtitle 21 SPECIAL ELECTIONS BY MAIL

33.21.03 Issuance and Return

Authority: Election Law Article, §§2-102, 9-501, 9-502, 9-504, 9-505, and 9-506, Annotated Code of Maryland; 42 U.S.C. §1973ff-1

Notice of Final Action
[15-179-F]

On August 27, 2015, the State Board of Elections adopted new Regulations .01—.07 under a new chapter, **COMAR 33.21.03 Issuance and Return**, under a new subtitle, **Subtitle 21 Special Elections by Mail**. This action, which was proposed for adoption in 42:14 Md. R. 922—924 (July 10, 2015), has been adopted as proposed.

Effective Date: September 28, 2015.

LINDA H. LAMONE
State Administrator of Elections

Subtitle 21 SPECIAL ELECTIONS BY MAIL

33.21.06 Voting Center Procedures

Authority: Election Law Article, §§2-102, 9-503, and 9-506, Annotated Code of Maryland

Notice of Final Action
[15-183-F]

On August 27, 2015, the State Board of Elections adopted new Regulations .01—.03 under a new chapter, **COMAR 33.21.06 Voting Center Procedures**, under a new subtitle, **Subtitle 21 Special Elections by Mail**. This action, which was proposed for adoption in 42:14 Md. R. 926 (July 10, 2015), has been adopted as proposed.

Effective Date: September 28, 2015.

LINDA H. LAMONE
State Administrator of Elections

Subtitle 21 SPECIAL ELECTIONS BY MAIL

33.21.04 Voting Centers

Authority: Election Law Article, §§2-102, 9-501, 9-503, and 9-506, Annotated Code of Maryland

Notice of Final Action
[15-180-F]

On August 27, 2015, the State Board of Elections adopted new Regulations .01—.06 under a new chapter, **COMAR 33.21.04 Voting Centers**, under a new subtitle, **Subtitle 21 Special Elections by Mail**. This action, which was proposed for adoption in 42:14 Md. R. 924—925 (July 10, 2015), has been adopted as proposed.

Effective Date: September 28, 2015.

LINDA H. LAMONE
State Administrator of Elections

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
[15-182-F]

On August 27, 2015, the State Board of Elections adopted new Regulations .01—.03 under a new chapter, **COMAR 33.21.07 Canvassing**, under a new subtitle, **Subtitle 21 Special Elections by Mail**. This action, which was proposed for adoption in 42:4 Md. R. 926—927 (July 10, 2015), has been adopted as proposed.

Effective Date: September 28, 2015.

LINDA H. LAMONE
State Administrator of Elections

Subtitle 21 SPECIAL ELECTIONS BY MAIL

33.21.05 Election Judges

Authority: Election Law Article, §§2-102, 9-501, 9-503, 9-506, 10-201, and 10-206, Annotated Code of Maryland

Notice of Final Action
[15-181-F]

On August 27, 2015, the State Board of Elections adopted new Regulations .01—.03 under a new chapter, **COMAR 33.21.05 Election Judges**, under a new subtitle, **Subtitle 21 Special Elections by Mail**. This action, which was proposed for adoption in 42:14 Md. R. 925—926 (July 10, 2015), has been adopted as proposed.

Effective Date: September 28, 2015.

LINDA H. LAMONE
State Administrator of Elections

Subtitle 21 SPECIAL ELECTIONS BY MAIL

33.21.08 Post-Election Activities

Authority: Election Law Article, §§2-102, 9-403, 9-501, 9-506, 11-201, and 11-302, Annotated Code of Maryland

Notice of Final Action
[15-184-F]

On August 27, 2015, the State Board of Elections adopted new Regulations .01 and .02 under a new chapter, **COMAR 33.21.08 Post-Election Activities**, under a new subtitle, **Subtitle 21 Special Elections by Mail**. This action, which was proposed for adoption in 42:14 Md. R. 927 (July 10, 2015), has been adopted as proposed.

Effective Date: September 28, 2015.

LINDA H. LAMONE
State Administrator of Elections

Proposed Action on Regulations

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

Symbol Key

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

Promulgation of Regulations

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

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

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

Title 05

**DEPARTMENT OF HOUSING
AND COMMUNITY
DEVELOPMENT**

**Subtitle 19 HOMEBUYER EDUCATION
AND COUNSELING**

**05.19.03 Foreclosure Prevention and Housing
Counseling Grant Programs**

Authority: Commercial Law Article, §12-1303; Housing and Community Development Article, §§2-102, 2-111, and 4-507; Real Property Article, §7-105.1; Annotated Code of Maryland

Notice of Proposed Action
[15-253-P]

The Secretary of Housing and Community Development proposes to amend Regulations .01—.03 and .05 under **COMAR 05.19.03 Foreclosure Prevention and Housing Counseling Grant Programs**.

Statement of Purpose

The purpose of this action is to conform and clarify policies and procedures for making operating assistance grants under the Housing Counseling and Foreclosure Mediation Fund (HCFMF).

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed action conforms and clarifies policies and procedures for making operating assistance grants under the Housing Counseling and Foreclosure Mediation Fund (HCFMF). The regulations would expand eligible activities under the operating grants to include homebuyer education and prepurchase counseling and would expand clients served to include

prospective homebuyers. The amendment will allow support for homebuyer education and counseling at all phases of the homebuying process. Local governments may benefit from expanded homebuyer education and prepurchase counseling, resulting in better informed homebuyers and reducing the future risk of homeowner default and foreclosure; however, the magnitude of this impact cannot be determined. The public will benefit from reduced risk of foreclosure and the potential destabilizing impact on families, communities and the local economy; however, the magnitude of this benefit cannot be determined. Nonprofit housing counseling providers will benefit from the ability to support expanded services to clients; however, the magnitude of this benefit cannot be determined.

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

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

C. Local governments may benefit from expanded homebuyer education and prepurchase counseling, resulting in better informed

homebuyers and reducing the future risk of homeowner default and foreclosure; however, the magnitude of this impact cannot be determined.

E. Non-profit housing counseling providers will benefit from the ability to support expanded services to clients; however, the magnitude of this benefit cannot be determined.

F. The public will benefit from reduced risk of foreclosure and the potential destabilizing impact on families, communities and the local economy; however the magnitude of this benefit cannot be determined.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to John Papagni, Program Officer, Division of Neighborhood Revitalization, Department of Housing and Community Development, 7800 Harkins Road, Lanham, MD 20706, or call 410-209-5807, or email to John.Papagni@Maryland.gov, or fax to 410-685-8270. Comments will be accepted through October 19, 2015. A public hearing has not been scheduled.

.01 General.

These regulations describe the policies and procedures for making:

A. (text unchanged)

B. Operating assistance grants under the [Maryland Housing Counseling Fund (MHCF)] *Housing Counseling and Foreclosure Mediation Fund (HCFMF)*; and

C. (text unchanged)

.02 Objective.

The objectives of the Programs are to:

A. (text unchanged)

B. Make [MHCF] *HCFMF* operating assistance grants to eligible entities that provide housing counseling services to *existing and prospective* owner-occupants of single-family properties [facing mortgage default or foreclosure] across the State; and

C. (text unchanged)

.03 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) — (5) (text unchanged)

(6) “Housing counseling services” means professional pro bono housing counseling services, including foreclosure prevention assistance, foreclosure mediation assistance, legal counseling, post-mitigation and foreclosure counseling, *loss mitigation and analysis assistance*, credit repair, financial literacy counseling, [and loss mitigation and analysis assistance] *homebuyer education*, and *prepurchase counseling* provided to mortgagors or grantors by the Eligible Entities.

(7) — (9) (text unchanged)

(10) “Operating assistance grants” means NMFC and [MHCF] *HCFMF* grants, or grants funded with other resources, made to eligible entities pursuant to this chapter.

(11) “Programs” means the National Foreclosure Mitigation Program and the [Maryland] *Housing Counseling and Foreclosure Mediation Fund Grant Programs*, or other housing counseling grant programs implemented by the Department.

(12) — (15) (text unchanged)

.05 Eligible Use of Grant Funds.

A. (text unchanged)

B. [MHCF] *HCFMF* grants may be used for costs associated with providing housing counseling services to *existing or prospective* owner-occupants of single-family properties across the State who are:

(1) Delinquent or are at risk of becoming delinquent on their mortgages; [and]

(2) At risk of default and foreclosure; or

(3) *In need of homebuyer education, housing advice, or financial counseling.*

C. (text unchanged)

D. Ineligible Costs. No funds made available under NFMC or [MHCF] *HCFMF* may be provided directly to lenders, homeowners, or occupants to discharge outstanding mortgage balances or for any other direct debt reduction payments unless it is permitted by the source of the grant funds made available to the Department.

KENNETH C. HOLT

Secretary of Housing and Community Development

Title 08

DEPARTMENT OF NATURAL RESOURCES

Subtitle 07 FORESTS AND PARKS

08.07.06 Use of State Parks

Authority: Natural Resources Article, §5-209, Annotated Code of Maryland

Notice of Proposed Action

[15-251-P]

The Secretary of Natural Resources proposes to amend Regulations .01 and .02 under **COMAR 08.07.06 Use of State Parks**.

Statement of Purpose

The purpose of this action is to amend State park land unit designation terminology to reflect current practices and accurately list all current State park land units. The amendments delete obsolete State park designations (General Recreation Areas, Multiple-Use State Parks, Roadside Picnic Areas, Historic or Scenic Areas, Marinas, Sensitive Management Areas, and Waterfront Parks) and list all current units in the State park system, including those with four currently used sub-designations with specific management objectives (Natural Resources Management Areas, Natural Environment Areas, State Battlefields, and Rail Trails).

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Amanda Mock, Director of Administration, Maryland Park Service, Department of Natural Resources, 580 Taylor Avenue, E-3, Annapolis, MD 21401, or call

410-260-8178, or email to Amanda.mock@maryland.gov, or fax to 410-260-8191. Comments will be accepted through October 19, 2015. A public hearing has not been scheduled.

.01 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(2) (text unchanged)

[(3)] “General recreation area” means an area suitable for light to medium recreational development and use. Development may include any of the facilities found in a multi-use State park, but on a lesser scale.

(4) “Multiple-use State park” means an area, generally 1,000 acres or more, with physiographic features suitable for intensive recreation, development, and use. Development may include roads, parking, picnic areas, camping areas, cabins, beaches or pools, bathhouses, sanitary facilities, marinas and vessel launching facilities, hiking, visitor centers, nature study for historic or scenic areas, and facilities for individuals with disabilities.]

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

[(6)] “Roadside picnic area” means a roadside area developed for picnicking, including a parking area, and water and sanitary facilities.

(7) “Sensitive management area” means an area generally less than 100 acres that contains rare, fragile, or exemplary flora, fauna, plant or animal communities, or all of these, or other outstanding examples of natural interest and beauty. Activities compatible with the preservation and interpretation of a sensitive management area include hiking, photography, nature walks, and environmental education or environmental research.]

[(8)] (4) (text unchanged)

[(8-1)] “State battlefield” means an area of special or unique State historic interest associated with the site of a documented battle fought by the armed forces or militia of the United States.]

[(9)] (5) — [(14)] (10) (text unchanged)

[(15)] “Waterfront park” means an area with a waterfront on the ocean, a bay, or a lake as its principal attraction.]

.02 State Park System.

[A. Historic or Scenic Area.

(1) In this regulation, “historic or scenic area” means an area of special or unique State historic interest or scenic interest.

(2) Development depends on the size and the significance of the area and may include any facility found in a multi-use State park.

(3) Development may not intrude on the historical or scenic features of the area.

B. Natural Environment Area.

(1) In this regulation, “natural environment area” means an area generally 1,000 acres or more of significant natural attraction or of unique geological, botanical, or biological significance.

(2) Development is generally confined to trails, interpretative facilities, and picnicking facilities.

(3) Water and sanitary facilities are provided and limited parking is available.

C. Natural Resources Management Area.

(1) In this regulation, “natural resources management area” means an area where multiple-use management practices are employed for the maximum use of the natural resources of the area.

(2) Preparation of plans for the development and management of an area is the joint responsibility of the Service and other Department of Natural Resources agencies.

(3) The Secretary of Natural Resources shall designate the responsibility for coordinating the management of the area after plan approval.

D. State Battlefield.

(1) Development of a State battlefield shall depend on the size and significance of the area and may include any facility found in a multi-use State park.

(2) Development of a State battlefield may not intrude on the historical features of the area.]

A. The State park system is administered under the jurisdiction of the Maryland Park Service to preserve and protect the best of Maryland’s natural and historic places for the enjoyment and appreciation of its citizens. State parks are managed to provide a multitude of public benefits, including:

(1) Natural resource conservation;

(2) Cultural and historic preservation;

(3) Watershed protection;

(4) Education and interpretation; and

(5) Nature-based outdoor recreation, including:

(a) Trails;

(b) Picnicking;

(c) Boating;

(d) Camping;

(e) Cabins;

(f) Hunting;

(g) Fishing; and

(h) Swimming.

B. The State park system includes four sub-designations that have specific management objectives:

(1) Natural Resources Management Areas. Natural resources management areas are generally State parks that feature an undeveloped, agrarian landscape of woodlands, fields and agriculture. Natural resources management areas are managed for the primary benefit of wildlife habitat, sustainable farming and passive, nature-based recreation, such as hunting, fishing, wildlife observation and boat access. Historic site preservation and non-motorized trail use, including hiking, equestrian uses and mountain biking are also common in some natural resources management areas.

(2) Natural Environment Areas. Natural environment areas are generally State parks with significant or unique geological or ecological resources, including rare, threatened and endangered flora and fauna. Natural environment areas are often managed in cooperation with the Wildlife and Heritage Service, to preserve and restore the park’s unique natural resources and biological diversity. Recreation development is secondary to preservation objectives with a primary focus on interpretation and environmental education.

(3) State Battlefields. State battlefields are State parks that feature the preservation of an historic battlefield of State or national significance associated with the site of a documented battle fought by the armed forces or militia of the United States. Development is limited to providing public access and interpretation, while preserving the integrity of the battlefield grounds and historic features.

(4) Rail Trails. Rail trails are State parks that feature the conversion of a former railroad right-of-way to a recreational trail open to hiking, biking and equestrian uses. Rail trails include adjacent lands preserved along the Rail trail as a greenway corridor, which provides natural scenery, wildlife habitat and natural and historical resource conservation. Historic features are preserved and interpreted along Rail Trails, including the history of the former railroad and its remnants.

[E.] C. The Superintendent may regulate activities and uses of each State park in accordance with the designations and sub-designations provided in [Regulation .01 of this chapter in order to promote the designated uses for the benefit of each individual] *this regulation.*

PROPOSED ACTION ON REGULATIONS

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[F.] D. The State park system consists of the following areas in §§G—P] §§E—I of this regulation, as delineated on maps filed in the Office of the Secretary of Natural Resources.

[G.]—[P.] (proposed for repeal)

E. State Parks.

Name of Area	County
(1) Assateague	Worcester
(2) Big Run	Garrett
(3) Bill Burton Fishing Pier	Talbot, Dorchester
(4) Calvert Cliffs	Calvert
(5) Casselman River Bridge	Garrett
(6) Chapel Point	Charles
(7) Chapman	Charles
(8) Cunningham Falls	Frederick
(9) Dans Mountain	Allegany
(10) Deep Creek Lake	Garrett
(11) Elk Neck	Cecil
(12) Fort Frederick	Washington
(13) Fort Tonoloway	Washington
(14) Franklin Point	Anne Arundel
(15) Gambrill	Frederick
(16) Gathland	Frederick, Washington
(17) Greenbrier	Washington
(18) Greenwell	St. Mary's
(19) Gunpowder Falls	Baltimore, Harford
(20) Harriet Tubman Underground Railroad	Dorchester
(21) Hart-Miller Island	Baltimore
(22) Herrington Manor	Garrett
(23) Janes Island	Somerset
(24) Jonas Green	Anne Arundel
(25) Love Point	Queen Anne's
(26) Martinak	Caroline
(27) Matapeake	Queen Anne's
(28) Matthew Henson	Montgomery
(29) New Germany	Garrett
(30) Newtowne Neck	St. Mary's
(31) North Point	Baltimore
(32) Palmer	Harford
(33) Patapsco Valley	Anne Arundel, Baltimore, Carroll, Howard
(34) Patuxent River	Howard, Montgomery
(35) Pocomoke River	Worcester
(a) Milburn Landing Area	Worcester
(b) Shad Landing Area	Worcester
(36) Point Lookout	St. Mary's
(37) Rocks	Harford
(38) Rocky Gap	Allegany
(39) Rosaryville	Prince George's
(40) Sandy Point	Anne Arundel
(41) Seneca Creek	Montgomery
(42) Smallwood	Charles
(43) South Mountain	Frederick, Washington
(44) St. Clements Island	St. Mary's
(45) St. Mary's River	St. Mary's
(46) Susquehanna	Harford, Cecil
(47) Swallow Falls	Garrett
(48) Tuckahoe	Caroline, Queen Anne's
(49) Washington Monument	Washington
(50) Wills Mountain	Allegany
(51) Wye Oak	Talbot

F. Natural Resources Management Areas.

Name of Area	County
(1) Black Walnut Point	Talbot
(2) Bush Declaration	Harford
(3) Cypress Branch	Kent
(4) Deep Creek Lake	Garrett
(5) Fair Hill	Cecil
(6) Merkle	Calvert, Prince George's
(7) Monocacy	Frederick, Montgomery
(8) Patuxent River	Anne Arundel, Calvert, Charles, Prince George's
(a) Billingsley	Prince George's
(b) Croom	Prince George's
(c) Full Mill Branch	Prince George's
(d) Hall Creek	Calvert
(e) House Creek	Anne Arundel
(f) Indian Creek	Charles
(g) Kings Landing	Calvert
(h) Maxwell Hall	Prince George's
(i) Milltown Landing	Prince George's
(j) Spice Creek	Prince George's
(9) Upper Patuxent	Prince George's
(a) Chaney	Prince George's
(b) Honey Branch	Prince George's
(c) Pride Finance	Prince George's
(d) Uhler	Prince George's
(10) Sassafras	Kent
(11) Woodmont	Washington
(12) Wye Island	Queen Anne's

G. Natural Environment Areas.

Name of Area	County
(1) Belt Woods	Prince George's
(2) Mattawoman	Charles, Prince George's
(3) Morgan Run	Carroll
(4) Severn Run	Anne Arundel
(5) Soldiers Delight	Baltimore
(6) Youghiogheny Wild River	Garrett
(7) Zekiah Swamp	Prince George's

H. State Battlefields.

Name of Area	County
(1) North Point	Baltimore
(2) South Mountain	Washington

I. Rail Trails

Name of Area	County
(1) Torrey C. Brown	Baltimore
(2) Western Maryland	Washington
(3) Weverton-Roxbury	Washington

MARK J. BELTON
Secretary of Natural Resources

Title 10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 09 MEDICAL CARE PROGRAMS

Notice of Proposed Action

[15-252-P]

The Secretary of Health and Mental Hygiene proposes to:

- (1) Amend Regulation .06 under COMAR 10.09.63 Maryland Medicaid Managed Care Program: Eligibility and Enrollment;
- (2) Amend Regulation .05 under COMAR 10.09.64 Maryland Medicaid Managed Care Program: MCO Application;
- (3) Amend Regulation .17 under COMAR 10.09.65 Maryland Medicaid Managed Care Program: Managed Care Organizations; and
- (4) Amend Regulation .05 under COMAR 10.09.66 Maryland Medicaid Managed Care Program: Access.

Statement of Purpose

The purpose of this action is to:

- (1) Require MCOs to notify the Department 90 days prior to the effective date of a provider termination;
- (2) At the Department's discretion, require MCOs to reimburse the Department for the costs of notifying enrollees of their right to change MCOs due to a primary care provider contract termination;
- (3) Update an incorrect cross reference;
- (4) Add language that would limit MCO applicants from applying to participate in the Program, if there are no underserved areas in the State;
- (5) Clarify that MCO provider termination surveys are required for all provider types; and
- (6) Include physician assistants as allowable PCPs.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michele Phinney, Director, Office of Regulation and Policy Coordination, Department of Health and Mental Hygiene, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to dhmh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through October 19, 2015. A public hearing has not been scheduled.

10.09.63 Maryland Medicaid Managed Care Program: Eligibility and Enrollment

Authority: Health-General Article, §15-103(b)(3) and (23), Annotated Code of Maryland

.06 Disenrollment.

A.—F. (text unchanged)

G. An MCO shall make a good faith effort to give written notice to the Department when enrollees have the right to change MCOs under §A(1)(e) of this regulation [30] 90 days before the effective date of the termination.

(1) (text unchanged)

(2) If applicable, the termination survey required under COMAR [10.09.17B(4)] 10.09.65.17B(4).

H. (text unchanged)

I. At the Department's discretion, an MCO may be required to reimburse the Department for the costs associated with the mailing of the notifications in §H of this regulation.

10.09.64 Maryland Medicaid Managed Care Program: MCO Application

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

.05 Access and Capacity.

A. An MCO applicant shall include in its application the following information or descriptions:

[A.] (1) (text unchanged)

[B.] The service area shall include at least two underserved counties as defined in §C of this regulation.

C. An underserved county is a county in which less than three current MCOs are participating and accepting new enrollments.

D. The requirement under §B of this regulation does not apply if there are no underserved counties at the time of application.]

[E.] (2)—[H.] (5) (text unchanged)

[I.] (6) The following information, grouped by medical specialty and county, regarding each individual practitioner, including primary care providers and specialists, who will act as a health care provider for the applicant:

[(1)] (a)—[(4)] (d) (text unchanged)

[(5)] (e) A description of the practitioner's employment relationship to the applicant, including but not limited to:

[(a)] (i)—[(d)] (iv) (text unchanged)

[(6)] (f) (text unchanged)

[J.] (7) (text unchanged)

[K.] (8) Documentation that enrollees will have access to primary care services, including pharmacy, obstetrics/gynecology and diagnostic laboratory services, within a reasonable distance of their places of residence, demonstrated by showing the availability of these services in:

[(1)] (a)—[(3)] (c) (text unchanged)

[L.] (9) Documentation of any reasons for which they are unable to meet the access requirements of [§K] §A(8) of this regulation;

[M.] (10) For each primary care practice location, a specification of:

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

[(2)] (b) The staffing at each location, expressed in full-time equivalencies and grouped by medical specialty, including, but not limited to:

[(a)] (i)—[(f)] (vi) (text unchanged)

[N.] (11) (text unchanged)

B. The service area in §A(1) of this regulation shall include at least two underserved counties as defined in §C of this regulation.

C. An underserved county is a county in which less than three current MCOs are participating and accepting new enrollments.

D. If there are no underserved counties, applications will not be accepted.

10.09.65 Maryland Medicaid Managed Care Program: Managed Care Organizations

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

.17 Subcontractual Relationships.

- A. (text unchanged)
- B. Subcontractual Relations Reporting Requirements.
 - (1)—(3) (text unchanged)
 - (4) Termination.

(a) When an MCO and provider terminate their contract the MCO shall provide the Department with a written notice regarding the termination [of care or services if more than 50 enrollees are affected, as specified in §B(4)(b) or (c) of this regulation, within the following time frames:

- (i) Within a minimum of 30 days before the effective date of termination; or
- (ii) If less than 30 days, within 5 days after receipt of notice from the terminating provider or subcontractor].

(b) *If the MCO is terminating the contract, the notice required in §B(4)(a) of this regulation shall be provided 90 days before the effective date of the termination.*

(c) *If the provider is terminating the contract, the notice required in §B(4)(a) of this regulation shall be provided within 10 days after the MCO receives the notice from the terminating provider.*

[(b)] (d)—[(c)] (e) (text unchanged)

(f) *In determining the number of enrollees affected under §B(4)(d) and (e) of this regulation, the MCO shall consider:*

- (i) *For PCPs, the number of enrollees assigned to the PCP; and*
- (ii) *For all other providers, the number of enrollees who are in active treatment or who have had an encounter with the provider in the previous 12 months.*

C.—E. (text unchanged)

10.09.66 Maryland Medicaid Managed Care Program: Access

Authority: Health-General Article, §15-102.1(b)(10) and 15-103(b), Annotated Code of Maryland

.05 Access Standards: PCPs and MCO’s Provider Network.

- A. Primary Care Provider (PCP).
 - (1)—(4) (text unchanged)
 - (5) An MCO may include, as appropriate, any of the following practitioners to serve as the primary care provider for an enrollee:
 - (a)—(e) (text unchanged)
 - (f) *Physician assistant;*
 - [(f)] (g)—[(h)] (i) (text unchanged)
 - (6)—(7) (text unchanged)
- B. (text unchanged)

VAN T. MITCHELL
Secretary of Health and Mental Hygiene

Subtitle 27 BOARD OF NURSING

10.27.07 Practice of the Nurse Practitioner

Authority: Family Law Article, §2-301; Health-General Article, §§4-208(a), 4-212, [5-601(h) and (o)—(q), 5-602(c)—(e),] 5-601(c)—(e), 5-608(c), 10-616, 10-628, 13-701, and 13-704; Health Occupations Article, §§8-205(a)(1), (2), (4), and (5) and 8-302; Transportation Article, §§13-616(a) and (b) and 13-704; Annotated Code of Maryland; [Ch. 78, Acts of 2010] Ch. 468, Acts of 2015

Notice of Proposed Action

[15-258-P]

The Secretary of Health and Mental Hygiene proposes to amend Regulations .01—, .03, and .09, repeal Regulations .04 and .08, amend and recodify existing Regulations .05—, .07 to be Regulations .04—, .06, and recodify existing Regulations .10 and .11 to be Regulations .07 and .08 under **COMAR 10.27.07 Practice of the Nurse Practitioner**. This action was considered and approved by the Board at its regular meeting on July 28, 2015, notice of which was placed on the Board’s website on June 1 and July 1, 2015, pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to:

- (1) Repeal the definition for “Attestation”;
- (2) Define “mentor in accordance with Ch. 468, Acts of 2015;
- (3) Add additional independent functions that nurse practitioners may perform;
- (4) Repeal Regulation .04 and the requirement for an attestation;
- (5) Repeal Regulation .08, which required a list of nurse practitioner competencies;
- (6) Add the identification of a mentor to application requirements;
- (7) Add a requirement for continuous national certification;
- (8) Require current national certification for renewal; and
- (9) Make clarifying, stylistic, and technical changes.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michele Phinney, Director, Office of Regulation and Policy Coordination, Department of Health and Mental Hygiene, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to dhmh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through October 19, 2015. A public hearing has not been scheduled.

.01 Definitions.

- A. (text unchanged)
- B. Terms Defined.
 - [(1)] “Attestation” means a statement of intent.]
 - [(2)] (1)—[(4)] (3) (text unchanged)
 - (4) “Mentor” means a certified nurse practitioner or physician, licensed in Maryland, who:
 - (a) Has 3 or more years of clinical practice experience;

(b) Will be available for advice, consultation, and collaboration, as needed, for 18 months beginning on the date an application is received by the Board from an applicant who has never been certified in this or any other State.

(5) “Nurse practitioner” means a registered nurse who [by reason of certification under these regulations may engage in the activities authorized by these regulations] is certified by the Board to practice as a nurse practitioner in accordance with this chapter.

(6)—(9) (text unchanged)

.02 Nurse Practitioner — Scope and Standards of Practice.

A. A nurse practitioner may [perform] independently perform the following functions:

(1)—(13) (text unchanged)

(14) Refer patients to appropriate licensed physicians or other health care providers as needed; [and]

(15) In accordance with COMAR 20.31.03.01, certify that the utility client has a serious illness or the need for life-support equipment; and

[(15)] (16) (text unchanged)

B. A psychiatric nurse practitioner together with a physician is authorized to sign applications:

(1) In accordance with Health-General Article, §10-615, Annotated Code of Maryland, to admit a minor to a facility for treatment of a mental disorder; and

(2) In accordance with Health-General Article, §10-616, Annotated Code of Maryland, to admit an individual on an involuntary basis to a facility for treatment of a mental disorder.

[B.] C.—[E.] F. (text unchanged)

.03 Certification.

A. (text unchanged)

B. An applicant for certification as a nurse practitioner shall:

(1)—(2) (text unchanged)

(3) As part of the application, submit to the Board:

(a) Documentation that the applicant has graduated from a Board-approved educational program for nurse practitioners; [and]

(b) Documentation of certification as a nurse practitioner by a [nationally recognized] national certifying body recognized by the Board; and

(c) Identification of a designated mentor for 18 months as defined in Regulation .01 of this chapter; and

(4) Pay all fees established by the Board; and

(5) Pass a Board-approved examination].

C. The Board shall:

(1) (text unchanged)

(2) Include on the nurse practitioner’s registered nursing license an indication that the licensee is certified as a nurse practitioner and [a designation of] designate the nurse practitioner’s area of specialization.

D. (text unchanged)

[.05].04 Renewal of Certification.

A.—B. (text unchanged)

C. A nurse practitioner shall maintain an active certification while practicing.

D. Certification shall be deemed to have lapsed if the Board does not have a record of a current active certification at renewal.

[.06].05 Practice Before Maryland Certification.

A. A registered nurse who has completed a Board-approved educational program for nurse practitioners and who has applied to take a Board-approved national certifying examination[,] may practice as a nurse practitioner graduate before certification in this State upon approval of the Board if the nurse has:

(1)—(4) (text unchanged)

(5) Presented evidence of submission of an application to take a Board-approved national certification examination; and

(6) Provided the name of a certified nurse practitioner, who has an active unencumbered Maryland or compact RN State license, who will directly supervise the nurse practitioner graduate.

B. If a certified nurse practitioner is not available in the graduate’s practice setting, as required in §A(6) of this regulation, a physician may provide this direct supervision if the nurse practitioner graduate provides the Board with the name of a certified nurse practitioner, who has an active unencumbered Maryland or compact RN State license, with whom the nurse practitioner graduate has regular consultation.

C.—D. (text unchanged)

[.07].06 Education.

A. (text unchanged)

B. An applicant for certification shall be a graduate from a Board-approved nationally accredited education program for nurse practitioners in a school of nursing that:

[(1) Has been approved by the Board;]

[(2)] (1) (text unchanged)

[(3)] (2) Is accredited by a nursing accrediting body recognized by the United States Department of Education, [or] the Council for Higher Education Accreditation or any other national accrediting body recognized by the Board;

[(4)] (3)—[(5)] (4) (text unchanged)

[(6)] (5) Has a didactic and clinical curriculum that, at a minimum, includes advanced courses in:

(a) (text unchanged)

(b) Physical and health assessment; [and]

(c)—(d) (text unchanged)

[(7)] (6)—[(8)] (7) (text unchanged)

C. [Continuing Competence.] To be a Board-approved education program the program shall:

(1)—(2) (text unchanged)

.09 Unlawful Practices.

Unless authorized to practice as a nurse practitioner under Health Occupations Article, Title 8, Annotated Code of Maryland, an individual may not:

A.—B. (text unchanged)

C. Use the abbreviation [“N.P.”, “C.R.N. P.”] “NP”, “CRNP”, “CNP”, or any other words, letters, or symbols with the intent to represent that the individual practices as a nurse practitioner.

VAN T. MITCHELL
Secretary of Health and Mental Hygiene

Subtitle 44 BOARD OF DENTAL EXAMINERS

10.44.19 Dental Radiation Technologist

Authority: Health Occupations Article, §4-505, Annotated Code of Maryland

Notice of Proposed Action
[15-257-P]

The Secretary of Health and Mental Hygiene proposes to amend Regulation .05, adopt new Regulation .06, and recodify existing Regulations .06—11 to be Regulations .07—12 under COMAR 10.44.19 Dental Radiation Technologist. This action was considered by the Board of Dental Examiners at a public meeting held on July 1, 2015, notice of which was given under the Notice of Public Meetings link on the Board’s website pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to create a staggered renewal schedule for dental radiation technologists, all of whom presently renew their 2-year certificates every odd-numbered year. The proposal will create a 1-year certificate in 2017 for dental radiation technologists whose certificates end in an even number. The result will be that approximately 1/2 of the dental radiation technologists will renew their certificates in even-numbered years while the remainder will renew their certificates in odd-numbered years.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michele Phinney, Director, Office of Regulation and Policy Coordination, Department of Health and Mental Hygiene, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to dhmh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through October 19, 2015. A public hearing has not been scheduled.

.05 Term and Renewal of Certification.

A. [A] *Except as provided in Regulation .06 of this chapter, a certification as a dental radiation technologist expires on the second anniversary of the issuance of the certification unless it is renewed for an additional 2-year term as provided in this regulation.*

B.—F. (text unchanged)

G. Notwithstanding the provisions of §E of this regulation, the Board may charge the dental radiation technologist with unprofessional conduct as provided in Regulation [1.11] .12 of this chapter.

.06 One-Time Transitional Renewal for Even-Numbered Certificate Holders.

A. *A dental radiation technologist scheduled to renew a dental radiation technologist certificate on or before March 1, 2017, whose dental radiation technologist certificate number ends with an even number (0, 2, 4, 6, or 8) shall submit 1/2 of the renewal fee as specified in COMAR 10.44.20 for a 1-year certificate which shall expire on March 1, 2018, and thereafter, if renewed, shall expire biennially.*

B. *The 1-year certificate referred to in §A of this regulation shall be issued one time so that the Board may transition to a staggered certification renewal program for dental radiation technologists.*

C. *A dental radiation technologist with an even-numbered certificate who has completed the required 2-hour Board-approved course on infection control as a condition of 2017 certificate renewal is not required to complete the course for the 2018 certificate renewal, but will thereafter be required to complete the course.*

D. *A dental radiation technologist whose dental radiation technologist certificate number ends with an even number (0, 2, 4, 6, or 8) may not be required to demonstrate proof of active practice or continuing education as required under Regulation .05C(3) of this chapter as a condition of 2017 certificate renewal, but will thereafter be subject to that requirement.*

VAN T. MITCHELL
Secretary of Health and Mental Hygiene

Title 13A STATE BOARD OF EDUCATION

Subtitle 04 SPECIFIC SUBJECTS

13A.04.02 Secondary School Career and Technology Education

Authority: Education Article, §§2-205(h)[, 5-202(f).] and 21-201[, and 21-202]—21-203, Annotated Code of Maryland

Notice of Proposed Action

[15-255-P]

The Maryland State Board of Education proposes to amend Regulation .01, repeal existing Regulation .02, amend and recodify Regulation .03 to be Regulation .06, and adopt new Regulations .02 — .05 under COMAR 13A.04.02 Secondary School Career and Technology Education. This action was considered at the July 28, 2015, meeting of the Maryland State Board of Education.

Statement of Purpose

The purpose of this action is to reflect the current development and implementation of career and technology education programs at the secondary school level.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Jeanne-Marie S. Holly, Program Manager, Career and Technology Education Systems Branch, Division of Career and College Readiness, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, Maryland 21201, or call 410-767-0182 (TTY 410-333-6442), or email to jeanne-marie.holly@maryland.gov, or fax to 410-333-2084. Comments will be accepted through October 19, 2015. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Maryland State Board of Education during a public meeting to be held on December 8, 2015, 9 a.m., at 200 West Baltimore Street, Baltimore, Maryland 21201.

.01 [Enrollment Criteria] Scope.

A. [Policy.] Each local school system shall assure that students have equal access to career and technology education programs without regard to sex, race, national origin, physical or mental disability, socioeconomic status, academic disadvantages, economic disadvantages, or limited English-speaking ability. Each local school system shall further assure that career and technology education programs are readily available to students from all geographic sections of the local school system.

B. [Selection Criteria. Local school systems shall establish criteria for the selection of applicants for enrollment in public secondary

school career and technology education programs in accordance with §A of this regulation. Priority shall be given to enrolling students who intend to seek employment in a related occupation upon completion of the programs. Students who are concurrently preparing for employment in a related occupation and further education may not be excluded] *Each local school system shall make career awareness, exploratory activities, and unbiased program information equally available to students in accordance with §A of this regulation.*

C. [Program Information.] Each local school system [shall make career awareness, exploratory activities, and unbiased program information equally available to students in accordance with §A of this regulation] *that develops career and technology education programs shall do so in accordance with the Career and Technology Education Development Standards in Regulation .03A of this chapter.*

.02 Definitions.

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

B. *Terms Defined.*

(1) *“Articulation agreement” means a written commitment as described in the Carl D. Perkins Career and Technical Education Act, Public Law 109-270 (2006).*

(2) *“Career and Technology Education (CTE) enrollee” means a student who is enrolled in at least one course which is part of an identified CTE completer program.*

(3) *“CTE Concentrator” means a student who is sequentially enrolled in an upper level CTE course which is considered to be in the second half of the program course sequence.*

(4) *“CTE Completer” means a student who meets all requirements outlined in the State-approved proposal for a CTE Completer program.*

(5) *“Eligible recipient” means an entity that meets the requirements of the Carl D. Perkins Career and Technical Education Act, Public Law 109-270 (2006), and Education Article, §§2-205(h) and 21-203, Annotated Code of Maryland, which are incorporated by reference.*

(6) *“Liquidation” means the elimination of financial obligations.*

(7) *“Value-added opportunities” means advanced standing at the postsecondary level, industry certification, or guaranteed apprenticeship or employment placement.*

.03 Career and Technology Education Development Standards.

CTE Programs shall be:

A. *Developed by the Maryland State Department of Education (MSDE) and/or local school system and implemented to increase the academic, career, and technical skills of students in order to prepare them for careers and further education;*

B. *Developed in conjunction with all relevant stakeholder groups, including industry and postsecondary partners;*

C. *Organized under broad career clusters, based on all aspects of an industry and designed to help students make informed decisions regarding career pathways;*

D. *Developed to include value-added opportunities based on current and projected economic market demands;*

E. *Developed to prepare students for both college and careers through the completion of a planned sequential program of study that blends academic, technical, and workplace skills;*

F. *Developed to include a coherent set of academic, employability, and technical skills, based on national and State standards that provide students moving directly to employment with a value-added competitive advantage;*

G. *Developed to provide multiple options for students as they prepare for entry into careers and further education through*

articulation agreements, supervised work-based learning opportunities, and industry-mentored or capstone projects; and

H. *Based upon the reporting and use of outcome data, such as academic and technical skill attainment, placement and retention in employment, the military or postsecondary programs, for a means of upgrading programs and increasing student performance.*

.04 Enrollment Criteria.

A. *Each local school system and each community college shall describe in the annual local application how it assures that students have equal access to career and technology education programs without regard to sex, race, national origin, physical or mental disability, socioeconomic status, academic disadvantages, economic disadvantages, or limited English-speaking ability.*

B. *Each local school system and community college shall further assure that career and technology education programs are readily available to students from all geographic sections of the local school system and community college area.*

.05 Selection Criteria.

Each local school system:

A. *Shall establish criteria for the selection of applicants for enrollment in career and technology education programs in accordance with Regulation .01A of this chapter;*

B. *Shall give priority to enrolling students who intend to seek employment in a related career upon completion of the programs;*

C. *May not exclude students who are concurrently preparing for employment in a related career and further education; and*

D. *Shall make career awareness, exploratory activities, and program information equally available to students in accordance with Regulation .01B of this chapter.*

[.03] .06 Federal Funds.

A. *Requirements. The State Board of Education shall implement the requirements of the Carl D. Perkins [Vocational–and Applied Technology] Career and Technical Education Act, Public Law 109-270 (2006) [and amendments to it, 34 CFR 400–401, and Education Article, §§2-205(h), and 5-202(f), Annotated Code of Maryland, which are incorporated by reference]. Each eligible recipient, as defined by the Carl D. Perkins [Vocational and Applied Technology] Career and Technical Education Act, shall comply with these requirements in order to receive and expend federal funds.*

B. *Application for Funds.*

(1) *An eligible recipient requesting federal funds for career and technology education programs shall submit an application annually to the State Department of Education on a form prescribed by the State Superintendent of Schools [and shall ensure that the State requirements in §B(2)—(6) of this regulation are met]. The application shall:*

(a) *Contain assurances that both the requirements of Education Article, §2-205(h), Annotated Code of Maryland, and this regulation are met;*

(b) *Identify the programs to receive federal funds for Career and Technology Education, which shall be restricted to career and technical programs that are:*

(i) *Approved by the State Department of Education;*

(ii) *Focused on program upgrades and improvement; and*

(iii) *Related to labor market, workforce, and economic development needs, particularly in high wage, high skill, and high demand careers;*

(c) *Set forth a plan that targets funds to address eligible recipients priority needs identified through data and analysis;*

(d) *Identify the proposed expenditures for each program;*

and

(e) Include the expected and measurable outcomes resulting from proposed expenditures.

(2) Collaborative Planning. An eligible recipient shall use a collaborative planning process to ensure the participation of all groups involved in local planning and assessment for career and technology education. These groups include, but are not limited to, the local advisory council, program[craft] advisory committees, [private industry councils] local workforce investment boards, and local economic development personnel, as well as representatives from secondary and postsecondary instructional areas, guidance and counseling, special education, student support services, [Job Training Partnership] and Workforce Innovation and Opportunity Act programs [and Welfare-to-Work].

(3) Maintenance of Fiscal Effort.

(a) (text unchanged)

(b) If fiscal effort cannot be maintained, the eligible recipient may request a waiver in writing. The request for waiver shall be submitted to the Assistant State Superintendent, Division of Career [Technology and Adult Learning] and College Readiness, Maryland State Department of Education, not later than June 30 of the fiscal year in which effort cannot be maintained. The Assistant State Superintendent may grant a request for waiver of maintenance of effort for good cause.

(4) Financial Reporting Requirements.

(a) (text unchanged)

(b) An eligible recipient shall submit an Annual Financial Report of Expenditures to the State Department of Education not later than September 30 of each year. The report shall include expenditures [by parts of the Act], source year of funds, and State, local, and federal expenditures during the fiscal year. *The Maintenance of Fiscal Effort figure is also reported and it represents the official Maintenance of Effort figure for the eligible recipient.* The State Department of Education may withhold CTE payments from an eligible recipient that does not submit this report by the specified date.

(5) Liquidation of Financial Obligations.

[(a) For the purposes of this subsection, the term “liquidation” means the elimination of financial obligations.]

[(b) (a) The liquidation of financial obligations incurred in a given fiscal year shall be completed within 90 calendar days after the end of the grant period.

(b) The unused balance of funds granted to the eligible recipient which is remaining after the 90 calendar day liquidation period shall be refunded immediately to the State Department of Education.

(c) If obligations cannot be eliminated within the 90 calendar day liquidation period, the eligible recipient may request, in writing, an extension of the liquidation period as follows:

(i) The request for extension shall be submitted to the Assistant State Superintendent, Division of Career [Technology and Adult Learning] and College Readiness, Maryland State Department of Education, at least 15 calendar days before the end of the liquidation period[.]; and

(ii) The Assistant State Superintendent may approve a request for extension for good cause.

(6) Equipment Management and Inventory. The Division of Career [Technology and Adult Learning] and College Readiness and each eligible recipient shall establish and maintain equipment inventories and appropriate record-keeping systems for equipment with an initial cost of [\$1,000] \$5,000 or more that was purchased with federal funds.

(7) Program Reports.

(a) Program reports shall be submitted by the eligible recipient according to a form prescribed by the Maryland State

Department of Education and as identified on the Notice of Grant Award.

(b) Interim program reports are due no later than January 15 of each year.

(c) Final program reports are due July 31 of each year.

(d) Other required reports such as outcome data, enrollment files, work-based learning questionnaires, pregraduate surveys, verification of eligible programs, Pell grant recipients, including justification of greater or less than 5 percent variance if needed, local agreed-upon performance levels, and others as may be required are due by the date identified and provided to eligible recipients by the Maryland State Department of Education.

(e) The State Department of Education may withhold CTE payments from an eligible recipient that does not submit this report by the specified date.

(f) For grants, applications, and other related items, spending authority becomes effective the first day of the month in which all required items have been submitted in approvable form.

C. Equity. An eligible recipient receiving federal funds shall comply with the provisions of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973, and shall provide information to the Division of Career [Technology and Adult Learning] and College Readiness, as requested, to demonstrate compliance.

LILLIAN M. LOWERY, Ed.D.
State Superintendent of Schools

Subtitle 06 SUPPORTING PROGRAMS

13A.06.03 Interscholastic Athletics in the State

Authority: Education Article, §§2-205 and 2-303(k), Annotated Code of Maryland

Notice of Proposed Action

[15-256-P]

The Maryland State Board of Education proposes to amend Regulation .03 under **COMAR 13A.06.03 Interscholastic Athletics in the State**. This action was considered at the Maryland State Board of Education meeting on July 28, 2015.

Statement of Purpose

The purpose of this action is to provide local education agencies with the flexibility to reschedule postponed swimming events and complete a full season of competition.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to R. Andrew Warner, Executive Director, MD Public Secondary Schools Athletic Association, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, Maryland 21201, or call 410-767-0376 (TTY 410-333-6442), or email to robert.warner1@maryland.gov, or fax to 410-333-3111. Comments will be accepted through October 19, 2015. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Maryland State Board of Education during a public meeting to be held on December 8, 2015, 9 a.m., at 200 West Baltimore Street, Baltimore, Maryland 21201.

.03 Sports Season.

Member MPSSAA schools shall conduct all interscholastic athletic contests and practice sessions in accordance with the following:

- A. (text unchanged)
- B. Maximum Number of Contests Permitted During a Sports Season.

(1) All school athletic schedules shall be established before the first MPSSAA allowable play date of each sport's season according to the following instructions:

- (a)—(m) (text unchanged)
- (n) Swimming:
 - (i) (text unchanged)
 - (ii) (text unchanged)
 - (iii) [Meets may not be held on consecutive days] *Three meets in 1 week may be scheduled once during the season.*
- (o)—(q) (text unchanged)
- (2)—(3) (text unchanged)

LILLIAN M. LOWERY, Ed.D.
State Superintendent of Schools

**Title 15
DEPARTMENT OF
AGRICULTURE**

**Subtitle 20 SOIL AND WATER
CONSERVATION**

15.20.05 Manure Transport Project

Authority: Agriculture Article, §8-704.2, Annotated Code of Maryland

Notice of Proposed Action
[15-560-P]

The Secretary of Agriculture proposes to amend Regulations .02— .04 and .06, adopt new Regulation .07, and recodify existing Regulations .07— .09 to be Regulations .08— .10 under **COMAR 15.20.05 Manure Transport Project.**

Statement of Purpose

The purpose of this action is to implement Ch. 36, Acts of 2014, which eliminates the 50 percent match requirement poultry companies provided as an eligibility requirement for State cost-share to transport poultry litter and allows MDA to establish the match percent. The 87.5 percent cost share for nonpoultry growers is unchanged. Additional modifications are to clarify current administration of the program.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. This action will allow more farmers with excess manure to utilize the Manure Transport Program and reduce economic impacts of nutrient management requirements. Farmers receiving excess manure can improve soil health and

potentially save on nutrient input costs for their crops. Truckers may also benefit from increased business.

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

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

- A. Economic impacts to agency are nominal. The agency will use existing administrative staff to implement regulatory changes.
- C. Soil conservation districts assist farmers in applying for Manure Transport grants. Regulatory changes could result in increased participation and related workload costs.
- D. Participants voluntarily use the Manure Transport Program to reduce costs in addressing excess manure or issues in complying with nutrient management requirements; program reduces costs.
- E. Manure brokers and truckers could benefit from additional business.
- F. The public will benefit from accelerating water quality improvements.

Economic Impact on Small Businesses

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

Minimal impact to small business. Program is voluntary. MDA will have the flexibility to provide cost share to additional applicants because they have the flexibility to adjust integrator match. Animal producers benefit by receiving financial assistance to address excess manure or problems complying with nutrient management requirements. Manure brokers and truckers benefit if business increases.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Louise Lawrence, Chief, Maryland Department of Agriculture, 50 Harry Truman Parkway, Annapolis, Maryland 21401, or call 410-841-5734, or email to louise.lawrence@maryland.gov, or fax to 410-841-5873. Comments will be accepted through October 19, 2015. A public hearing has not been scheduled.

.02 Definitions.

- A. (text unchanged)

B. Terms Defined.

(1) "Alternative uses" means [using] *when a person uses litter or other animal manure* in environmentally acceptable ways, as determined by the Department, other than by direct land application in an unprocessed form.

(2)—(7) (text unchanged)

(8) "Manure broker" or "broker" means a person approved by the Department who moves, arranges, or otherwise acts as the intermediary in the movement of manure from an eligible producer to a person meeting the eligibility requirements *to receive manure* provided in this chapter.

(9) "Nutrient management plan" means a plan prepared by a certified nutrient management consultant or certified farm operator to manage the amount, placement, timing, and application of animal manure, fertilizer, biosolids, or other plant nutrients in order to:

(a) Minimize nutrient loss or runoff; and

(b) Maintain the productivity of soil when growing agricultural products.

[(9)] (10) "Phosphorus overenriched soil" means soil that tests [in the excessive range for phosphorus] with a FIV value of 150 or greater and posing a water quality risk as determined by the Department.

[(10)] (11)—[(14)] (15) (text unchanged)

[(15)] (16) "Stackable manure" or "stacked manure" means manure having less than an average of 60 percent moisture *or less* and [is] *having physical properties to be* unloaded and arranged into a stable pile.

.03 Cost-Share Program—Eligibility.

A.—B. (text unchanged)

C. A person is eligible to participate in the project if that person has the ability to [process or] use manure for alternative uses, or to use manure as a source of plant nutrients, if the manure is applied according to [State certified] a nutrient management plan *meeting State regulatory requirements* under the following conditions:

(1) — (2) (text unchanged)

D. (text unchanged)

E. A person other than a poultry litter producer may participate in the project if that person:

(1) (text unchanged)

(2) Manages land within 1 mile of the production or storage site that is overenriched with phosphorus, as determined through the use of a nutrient management plan; [and]

(3) Applies manure in compliance with this chapter; *and*

(4) *Transports manure either:*

(a) *To land owned or managed by the person if that land is more than 1 mile from their production or storage site; or*

(b) *To a farm not owned or managed by the producer.*

F.—H. (text unchanged)

I. A person who uses or processes manure for [as] an alternative use[; other than directed land application,] to create *value or products* produced from manure shall provide the Department with the following information:

(1)—(4) (text unchanged)

(5) The location *and manner* of the storage or stockpile of manure stored [in a manner that] protects it from rainfall, runoff, or leaching; and

(6) (text unchanged)

J. Only one of the following is eligible to apply for and receive State cost-share assistance: a producer, manure broker, *an approved alternative user*, or manure receiver. However, [if] a producer or a broker [applies] *shall apply* for assistance [they shall do so] only under a pooling agreement with the receiver.

K. An applicant, producer, manure broker, *alternative user*, or transporter who participates in the project shall comply with all

departmental biosecurity and public safety requirements, including the following:

(1)—(6) (text unchanged)

.04 Cost-Share Rate.

A. Expenses eligible for State cost-share for an applicant shall be established by the Department based on the following:

(1)—(6) (text unchanged)

(7) Amount of matching cost-share funds to transport poultry litter provided by a commercial poultry producer for eligible costs, [with] *and the State's share as determined by the Department. The Department will consider factors including but not limited to the following when establishing the match* [not to exceed \$10 per ton]:

(a) *The amount of funds a commercial poultry producer has committed to provide during the fiscal year;*

(b) *The amount of current fiscal year funds from the commercial poultry producer as yet to be committed or available for use by a poultry litter producer;*

(c) *The amount of State funds available for the project; and*

(d) *Poultry litter producer demand for project funds.*

B. (text unchanged)

C. The maximum amount of eligible cost-share *for transportation of poultry litter* under this chapter is the total of eligible expenses [equal to any match provided to transport poultry litter by a commercial poultry producer for eligible costs, with the State's share not to exceed \$10 per ton].

D. The maximum amount of cost-share under this chapter for the transport of animal manure other than poultry litter is up to 87.5 percent of eligible expenses[, not to exceed \$20 per ton].

E.—F. (text unchanged)

.06 Cost-Share Program—Manure Broker Participation.

A. (text unchanged)

B. A manure broker has the option of stockpiling or storing manure if the broker:

(1)—(5) (text unchanged)

(6) When combining, mixing, or blending manure from more than one producer:

(a) (text unchanged)

(b) Obtains a new nutrient analysis for this manure *as directed by the Department*, before and as close as possible to the date the manure is transported to a receiver;

(7) (text unchanged)

(8) Obtains a performance bond or other security, as provided under Regulation [.07] .08 of this chapter.

.07 Cost Share Program—Alternative Use.

A. A person using an alternative use in a project shall:

(1) *Use Departmental forms to apply and enter into an agreement with the Department;*

(2) *Obtain manure only from an eligible producer;*

(3) *Use poultry litter or manure in an environmentally acceptable way, as determined by the Department, other than by direct land application in an unprocessed form;*

(4) *Provide proof to the Department of compliance and evidence that all applicable permits or approvals to operate a facility and to store or stockpile manure have been obtained;*

(5) *Provide a delivery site for the off-loading of poultry litter or manure that:*

(a) *Allows for the safe handling of poultry litter or manure;* and

(b) *Does not pose any undue environmental risk to water quality, as determined by the Department;*

(6) *Stockpile or store manure in a manner, approved by the Department, that protects the manure from rainfall, runoff, or leaching;*

(7) Allow a Department representative, during normal business hours, to inspect and to have access to the stockpile, storage area, and place of business where records are kept, to determine compliance;

(8) Obtain a performance bond or other security, as provided under Regulation .08 of this chapter; and,

(9) Maintain inventory records for at least 3 years, showing:

(a) The name of the producer who provided the poultry litter or manure, including address, telephone number, and property account identification number used by the Maryland Department of Assessments and Taxation to indicate the location of the producer;

(b) The amount of poultry litter or manure obtained from that producer;

(c) The amount of poultry litter or manure stored daily and amount of each type of product or byproduct processed or produced daily;

(d) The amount of commodities or additives blended or processed;

(e) The name of the receiver or receivers of the product or byproduct produced, including address, telephone number, and location; and

(f) The amount of product or byproduct shipped to each receiver.

B. Cost-share rates are established in Regulation .04 and the payment to an alternative user shall be based on:

(1) Transporting poultry litter or manure either:

(a) From an eligible operation to an alternative use facility;

or

(b) From the alternative user's facilities to the receiving operation; and

(2) The lesser of the litter or manure tonnage from the producer to the alternative user's facility, or the tonnage from the alternative user's facility to the receiver.

JOSEPH BARTENFELDER
Secretary of Agriculture

Title 26

DEPARTMENT OF THE ENVIRONMENT

Subtitle 11 AIR QUALITY

26.11.38 Control of NO_x Emissions from Coal-Fired Electric Generating Units

Authority: §§1-404, 2-103 and 2-301—2-303, Annotated Code of Maryland

Notice of Proposed Action

[15-254-P]

The Secretary of the Environment proposes to amend Regulation .01, amend and recodify existing Regulations .04 and .05 to be Regulations .05 and .06, and adopt new Regulations .04 and .07 under COMAR 26.11.38 Control of NO_x Emissions from Coal-Fired Electric Generating Units.

Statement of Purpose

The purpose of this action is to establish new nitrogen oxides (NO_x) emission standards for coal-fired electric generating units (EGUs) in Maryland. The new standards for coal-fired EGUs in

Maryland and resulting reductions in NO_x emissions are needed to attain and maintain the National Ambient Air Quality Standard (NAAQS) for ozone and satisfy the requirements of the federal Clean Air Act (CAA).

Background

In 2012, portions of Maryland were designated as nonattainment for the 2008 8-hour, 75 parts per billion (ppb), ozone NAAQS. Ozone is produced when volatile organic compounds (VOCs) and NO_x react in the presence of heat and sunlight. The Maryland Department of the Environment (MDE) has found through a research partnership with the University of Maryland that NO_x reductions are more effective at reducing ozone levels than VOC reductions. Under the federal Clean Air Act, sources in ozone nonattainment areas are subject to enforceable emission limitations and control measures appropriate to attain and maintain the applicable NAAQS.

Maryland has been implementing measures to reduce NO_x emissions for over 20 years. Modeling shows how the existing measures and future measures will help the state meet the current ozone standard.

Ozone levels in Maryland have dropped dramatically over the past 10 years. On June 1, 2015, EPA determined that the Baltimore area, the only moderate nonattainment area in the State, has attained the 2008 8-hour ozone NAAQS. See 80 Fed. Reg. 30,941 (June 1, 2015). The other two nonattainment areas have not yet attained the standard, but there is only a single monitor in each area that records ozone levels slightly above the standard.

This action is expected to reduce NO_x emissions and is part of a series of initiatives that will allow Maryland to attain and maintain compliance with the current ozone standard.

Sources Affected

This proposed action applies to all coal-fired EGUs owned by Raven Power Finance LLC (Raven Power) and NRG Energy, Inc. (NRG) in Maryland. Plants that are part of the Raven system include Brandon Shores Units 1 and 2, H. A. Wagner Units 2 and 3, and C. P. Crane Units 1 and 2. Plants that are part of the NRG system include: Morgantown Units 1 and 2, Chalk Point Units 1 and 2, and Dickerson Units 1, 2 and 3.

Requirements

This proposed action is part of a broader strategy to reduce NO_x emissions from coal-fired EGUs in the State. On May 1, 2015, the first phase of this strategy became effective. This action requires all of the affected units to minimize NO_x emissions every day of the summer by optimizing the pollution controls that are already in place. This first step will reduce NO_x emissions by about 9 tons each day and will lower ozone levels by about 0.5 ppb. This proposed action builds from this recent action that became effective on May 1 2015.

This proposed action implements phase 2 of this strategy and is designed to achieve further reductions by 2020. Regulation .04 contains the new substantive language to achieve the 2020 reductions. Regulation .04 requires the owner or operator of units that have not installed selective catalytic reduction (SCR) technology (H. A. Wagner Unit 2, C. P. Crane Units 1 and 2, Chalk Point Unit 2, and Dickerson Units 1, 2 and 3) to choose from the following:

Option 1—By June 1, 2020, install and operate an SCR control system that can meet a NO_x emission rate of 0.09 lbs/MMBtu during the ozone season based on a 30-day rolling average;

Option 2—By June 1, 2020, permanently retire the unit;

Option 3—By June 1, 2020, switch fuel permanently from coal to natural gas and operate the unit on natural gas; or

Option 4—By June 1, 2020, meet a systemwide, daily NO_x tonnage cap of 21 tons per day for every day of the ozone season or meet a systemwide NO_x emission rate of 0.13 lbs/MMBtu as a 24-

hour block average. The rate and the cap in option 4 are consistent with levels assuming SCR controls on all units. If option 4 is selected, deeper reductions starting in May 2016, 2018 and 2020 must also be achieved.

2016—Meet a 30-day systemwide rolling average NO_x emission rate of 0.13 lbs/MMBtu during the ozone season.

2018—Meet a 30-day systemwide rolling average NO_x emission rate of 0.11 lbs/MMBtu during the ozone season.

2020—Meet a 30-day systemwide rolling average NO_x emission rate of 0.09 lbs/MMBtu during the ozone season.

Without option 4, the allowable 30-day systemwide rolling average NO_x emission rate is 0.15 lbs/MMBtu during the ozone season.

Option 4 also includes provisions to ensure that the reliability of the electrical system is maintained.

Expected Emissions Reductions and Ozone Benefits

MDE projects the implementation of new Regulation .04 requirements will (in combination with the phase 1 requirements) result in an ozone season NO_x reduction between 2,507 and 2,627 tons depending on the option chosen. Option 4 achieves the higher 2,627 tons per ozone season level of reductions. If option 4 is chosen, ozone season average NO_x emissions will be reduced by approximately 13 percent in 2016, 27 percent in 2018 and 40 percent in 2020. The early reductions will not be achieved if option 1, 2 or 3 are chosen.

MDE ozone modeling conducted for the options in Regulation .04 results in an approximate 0.1 ppb ozone reduction in 2020. This is in addition to the phase 1 reductions which lower ozone by about 0.5 ppb starting in May 2015.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact.

As described above, the new regulation provides four options from which affected sources may choose to achieve compliance with the 2020 requirements. The flexible regulatory approach makes it difficult at this time to quantify future costs.

Implementation of these regulations will result in reduced ozone levels thereby reducing the adverse health impacts experienced by many Marylanders caused by exposure to high levels of ozone. These benefits include a lower incidence of hospitalizations, respiratory illnesses, and restricted activity days. Health benefits are influenced by many factors and monetizing benefits is difficult. Ozone season economic benefits from reduced incidents range from \$60,000—\$300,000,000 (in 2010 dollars).

Under the first option for 2020 compliance, units currently equipped with SNCR or SACR control technologies could remove and replace those technologies with the more advanced SCR technology. Installation of state-of-the-art SCR controls on a unit can cost up to \$200 million. The performance and removal efficiency of the controls at a specific unit can depend in part on how much the unit operates.

The second compliance option is retirement of the unit(s). Many of the units subject to this regulation were built in the 1950's and are much less efficient than modern units. Some of these units may simply be reaching the end of their ability to efficiently produce energy and the costs associated with fuel switching or installation and operation of advanced NO_x controls would not be cost-effective.

Under the third compliance option, affected units could convert to cleaner burning natural gas. The installed cost of a new natural gas combined cycle unit is approximately \$1,000,000 per megawatt of capacity. Retrofitting a coal boiler to burn natural gas has variable costs. The availability of natural gas, site specific constraints and

market fuel prices will factor into decisions about selection of this option.

Under the fourth compliance option, affected generating units must meet more stringent NO_x 30-day systemwide rolling average rates in 2016, 2018 and 2020 than those currently required by Regulation .03B(1) of this chapter. Affected units must also choose between meeting a 24-hour systemwide NO_x emission rate or a systemwide daily NO_x tonnage cap. This will be done through averaging and operation curtailment resulting in lost revenue. The Department is unable to estimate the lost revenue.

There will be no expected impact on the Department, other State agencies, or local governments as a result of this action.

II. Types of Economic Impact.	Revenue (R+/R-)	
	Expenditure (E+/E-)	Magnitude
A. On issuing agency:	(E+)	Minimal
B. On other State agencies:	NONE	Minimal
C. On local governments:	NONE	Minimal
	Benefit (+)	
	Cost (-)	Magnitude
D. On regulated industries or trade groups:		\$430,000 — \$300,000,000
Compliance costs	(-)	
E. On other industries or trade groups:	(+)	Indeterminable
F. Direct and indirect effects on public:		
(1) Electricity rates	(-)	Indeterminable \$60,000 — \$300,000,000
(2) Health benefits	(+)	

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

A. MDE maintains both a compliance and permitting program for major sources as required by the Clean Air Act. These programs will implement these regulations.

B. There are no anticipated tasks or compliance activities required of other state agencies due to these regulations.

C. There are no anticipated tasks or compliance activities required of other local government due to these regulations.

D. It is difficult to determine the precise costs to regulated entities associated with implementation of this action because there can be of a number of site-specific requirements and variables associated with the cost of installation and operation of pollution control equipment or installation of new equipment at specific plants. Companies can choose from various options to meet 2020 requirements. Raven Power and NRG submitted cost analyses in 2014 for the replacement of existing SNCR/SACR control technology with SCR control technology for certain units. Capital cost estimates for this change in technology on an individual unit range from \$40,000,000 to \$200,000,000. Operating and maintenance costs range from \$430,000 to \$4,300,000 (in 2014 dollars). Additionally, the regulations allow fuel switching to natural gas. Current publications and review of recently built facilities that have installed natural gas boilers indicates the cost of installation to be approximately \$1,000,000 per megawatt

of capacity. Therefore an anticipated range of cost for installing a natural gas boiler is \$25,000,000 to \$300,000,000 (in 2014 dollars). In the case of a unit retirement, the company will lose revenue and may face decommissioning costs. Therefore MDE anticipates costs will range from \$430,000 to \$300,000,000 for any of the options.

E. Installation of SCR technology or natural gas-fired boilers is usually performed by specially trained tradesmen. Maryland contractors and equipment manufacturers may see an increase in demand for services; however, the magnitude of the increase that may result is indeterminate.

F(1). Commercial and consumer electricity rates are influenced by many factors. The costs associated with implementation of this action may be one factor that influences these rates, but the magnitude of that influence is difficult to quantify when considered along with other factors that significantly affect electric rates.

F(2). Health benefits are influenced by many factors and monetizing benefits is difficult. Implementation of these regulations will result in a reduction of incidents in which Marylanders experience adverse health effects, including hospitalizations, illnesses, restricted activity days and other effects caused by air pollution and exposure to ground level ozone. Ozone season economic benefits from reduced incidents ranges from \$60,000—\$300,000,000 (in 2010 dollars).

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

The Department of the Environment will hold a public hearing on the proposed action on October 23, 2015 at 10a.m. at the Department of the Environment, 1800 Washington Boulevard, 1st Floor Conference Rooms, Baltimore, Maryland 21230-1720. Interested persons are invited to attend and express their views. Comments may be sent to Mr. Randy Mosier, Chief of the Regulation Division, Air and Radiation Management Administration, Department of the Environment, 1800 Washington Boulevard, Suite 730, Baltimore, Maryland 21230-1720, or email to randy.mosier@maryland.gov. Comments must be received no later than October 23, 2015, or be submitted at the hearing. For more information, call Randy Mosier at (410) 537-4488.

Copies of the proposed action and supporting documents are available for review at the following locations:

- The Department of the Environment’s website at: http://www.mde.state.md.us/programs/regulations/air/Pages/req_comments.aspx
- The Air and Radiation Management Administration; and
- Regional offices of the Department in Cumberland and Salisbury.

Anyone needing special accommodations at the public hearing should contact the Department’s Fair Practices Office at (410) 537-3964.

TTY users may contact the Department through the Maryland Relay Service at 1-800-735-2258.

.01 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) (text unchanged)

(2) “Emergency operations” means an event called when PJM Interconnection, LLC or a successor independent system operator, acts to invoke one or more of the Warning or Action procedures in

accordance with PJM Manual 13, Revision 57, as amended, to avoid potential interruption in electric service and maintain electric system reliability.

[(2)] (3)—[(5)] (6) (text unchanged)

(7) “30-day rolling average emission rate” means a value in lbs/MMBtu calculated by:

(a) Summing the total pounds of pollutant emitted from the unit during the current operating day and the previous 29 operating days;

(b) Summing the total heat input to the unit in MMBtu during the current operating day and the previous 29 operating days; and

(c) Dividing the total number of pounds of pollutant emitted during the 30 operating days by the total heat input during the 30 operating days.

[(6)] (8)—[(7)] (9) (text unchanged)

(10) “24-hour systemwide block average emission rate” means a value in lbs/MMBtu calculated by:

(a) Summing the total pounds of pollutant emitted from the system during 24 hours between midnight of one day and ending the following midnight;

(b) Summing the total heat input to the system in MMBtu during 24 hours between midnight of one day and ending the following midnight; and

(c) Dividing the total number of pounds of pollutant emitted during 24 system hours between midnight of one day and ending the following midnight by the total heat input during 24 system hours between midnight of one day and ending the following midnight.

.04 Additional NO_x Emission Control Requirements.

A. This regulation applies to C.P. Crane units 1 and 2, Chalk Point unit 2, Dickerson units 1, 2, and 3, and H.A. Wagner unit 2.

B. General Requirements. The owner or operator of the affected electric generating units subject to this regulation shall choose from the following:

(1) Not later than June 1, 2020:

(a) Install and operate a selective catalytic reduction (SCR) control system; and

(b) Meet a NO_x emission rate of 0.09 lbs/MMBtu, as determined on a 30-day rolling average during the ozone season;

(2) Not later than June 1, 2020, permanently retire the unit;

(3) Not later than June 1, 2020, permanently switch fuel from coal to natural gas for the unit;

(4) Not later than June 1, 2020, meet either a NO_x emission rate of 0.13 lbs/MMBtu as determined on a 24-hour systemwide block average or a systemwide NO_x tonnage cap of 21 tons per day during the ozone season.

C. When option B(4) of this regulation is selected:

(1) Not later than May 1, 2016, the owner or operator of an affected electric generating unit shall not exceed a NO_x 30-day systemwide rolling average emission rate of 0.13 lbs/MMBtu during the ozone season.

(2) Not later than May 1, 2018, the owner or operator of an affected electric generating unit shall not exceed a NO_x 30-day systemwide rolling average emission rate of 0.11 lbs/MMBtu during the ozone season.

(3) Not later than May 1, 2020, the owner or operator of an affected electric generating unit shall not exceed a NO_x 30-day systemwide rolling average emission rate of 0.09 lbs/MMBtu during the ozone season.

D. In order to calculate the 24-hour systemwide block average emission rate and systemwide NO_x tonnage cap under §B(4) of this regulation and the systemwide rolling average emission rates under §C of this regulation:

(1) The owner or operator shall use all affected electric generating units within their system as those terms are defined in Regulation .01B of this chapter; and

(2) The unit or units NO_x emissions from all operations during the entire operating day shall be used where the unit or units burn coal at any time during that operating day.

E. Beginning June 1, 2020, if the unit or units included in a system, as that system existed on May 1, 2015, is no longer directly or indirectly owned, operated, or controlled by the owner, operator, or controller of the system:

(1) The remaining units within the system shall meet either:

(a) The requirements of §B(1)—(3) of this regulation; or

(b) A NO_x emission rate of 0.13 lbs/MMBtu as determined on a 24-hour systemwide block average and the requirements of §C(3) of this regulation.

(2) The unit or units no longer included in the system shall meet the requirements of §B(1)—(3) of this regulation.

F. For the purposes of this regulation, the owner includes parent companies, affiliates, and subsidiaries of the owner.

[.04].05 Compliance Demonstration Requirements.

A. (text unchanged)

B. Procedures for Demonstrating Compliance with NO_x Emission Rates under this Chapter.

(1) Compliance with the NO_x emission rate limitations in Regulations .03B(1) and D(2), .04B(1)(b), B(4), C(1), C(2), C(3), and E(1)(b), and [.04].05A(2) of this chapter shall be demonstrated with a continuous emission monitoring system that is installed, operated, and certified in accordance with 40 CFR Part 75.

(2) For Regulation .03B(1), .04C(1), C(2) and C(3) of this chapter, in order to calculate the 30-day systemwide rolling average emission rates, if 29 system operating days are not available from the current ozone season, system operating days from the previous ozone season shall be used.

(3) For Regulation .04B(1)(b) of this chapter, in order to calculate the 30-day rolling average emission rates, if 29 operating days are not available from the current ozone season, operating days from the previous ozone season shall be used.

[.05].06 Reporting Requirements.

A. (text unchanged)

B. Monthly Reports During Ozone Season. Monthly reports during the ozone season shall include:

(1) Daily pass or fail of the NO_x emission rates under Regulation [.04].05A(2) of this chapter;

(2) The reporting information as required under Regulation [.04].05A(3) of this chapter; [and]

(3) The 30-day systemwide rolling average emission rate for each affected electric generating unit to demonstrate compliance with Regulation .03B(1), .04C(1), C(2) and C(3) of this chapter, as applicable[.];

(4) For an affected electric generating unit which has selected the compliance option of Regulation .04B(1) of this chapter, beginning June 1, 2020, the 30-day rolling average emission rate calculated in lbs/MMBtu;

(5) For an affected electric generating unit which has selected the compliance option of Regulation .04B(4) of this chapter, beginning June 1, 2016, the 30-day rolling average emission rate and 30-day systemwide rolling average emission rate calculated in lbs/MMBtu;

(6) For an affected electric generating unit which has selected the compliance option of Regulation .04B(4) of this chapter, beginning June 1, 2020, data, information, and calculations which demonstrate the systemwide NO_x emission rate as determined on a 24-hour block average or the actual systemwide daily NO_x emissions in tons for each day during the month; and

(7) For an affected electric generating unit which has selected the compliance option of Regulation .04E(1)(b) of this chapter, beginning June 1, 2020, data, information, and calculations which

demonstrate the systemwide NO_x emission rate as determined on a 24-hour block average for each day during the month.

.07 Electric System Reliability During Ozone Seasons.

A. In the event of emergency operations, a maximum of 12 hours of operations per system per ozone season may be removed from the calculation of the NO_x limitations in Regulation .04B(4) of this chapter from the unit or units responding to the emergency operations provided that:

(1) Within one business day following the emergency operation, the owner or operator of the affected electric generating unit or units notifies the Manager of the Air Quality Compliance Program of the emergency operations taken by PJM Interconnection; and

(2) Within five business days following the emergency operation, the owner or operator of the affected electric generating unit or units provides the Department with the following information:

(a) PJM documentation of the emergency event called and the unit or units requested to operate;

(b) Unit or units dispatched for the emergency operation;

(c) Number of hours that the unit or units responded to the emergency operation and the consecutive hours that will be used towards the calculation of the NO_x limitations in §.04B(4) of this chapter; and

(d) Other information regarding efforts the owner or operator took to minimize NO_x emissions in accordance with Regulation .03A(1) of this chapter on the day that the emergency operation was called.

B. Any partial hour in which a unit operated in response to emergency operations under §A of this regulation shall constitute a full hour of operations.

BENJAMIN H. GRUMBLES
Secretary of the Environment

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

**Subtitle 08 DESIGNATION OF
TRAUMA AND SPECIALTY
REFERRAL CENTERS**

**30.08.12 Perinatal and Neonatal Referral Center
Standards**

Authority: Education Article, §13-509, Annotated Code of Maryland

Notice of Proposed Action

[15-259-P]

The State Emergency Medical Services Board proposes to amend Regulation .11 under **COMAR 30.08.12 Perinatal and Neonatal Referral Center Standards**. This action was considered and approved by the State Emergency Medical Services Board at its regular meeting on June 9, 2015.

Statement of Purpose

The purpose of this action is to correct a typographical error in the standards for designation of perinatal and neonatal referral centers

and to make them consistent with the standards developed by the Perinatal Clinical Advisory Committee to the Secretary of Health and Mental Hygiene in its most recent document, Maryland Perinatal System Standards, Revised 2014.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Carla Bailey, Director, Perinatal Programs, Maryland Institute for Emergency Medical Services System, 653 West Pratt Street, Baltimore, MD 21201, or call 410-706-3931, or email to cbailey@miemss.org, or fax to 410-706-0853. Comments will be accepted through October 19, 2015. A public hearing has not been scheduled.

.11 Equipment.

	III	IV
A. hospital shall have:		
A.—H. (text unchanged)		
I. The capability of providing continuing therapeutic hypothermia.	[E] O	E

KEVIN G. SEAMEN, M.D.
Executive Director

**Title 31
MARYLAND INSURANCE
ADMINISTRATION**

**Subtitle 10 HEALTH INSURANCE —
GENERAL**

31.10.43 Medical Stop-Loss Insurance Disclosure

Authority: Insurance Article, §§2-109(a)(1) and 15-129(f)(3), Annotated Code of Maryland

Notice of Proposed Action

[15-250-P]

The Insurance Commissioner proposes to adopt new Regulations .01—.04 under a new chapter, **COMAR 31.10.43 Medical Stop-Loss Insurance Disclosure**.

Statement of Purpose

The purpose of this action is to provide a standard disclosure, as required by Insurance Article, §15-129(f)(3), Annotated Code of Maryland, that insurers and nonprofit health service plans will provide to small employers before entering into a contract of medical stop-loss insurance.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Catherine Grason, Director of Regulatory Affairs, Maryland Insurance Administration, 200 St. Paul Place, Ste. 2700, Baltimore, MD 21202, or call 410-468-2201, or email to insuranceregreview.mia@maryland.gov, or fax to 410-468-2020. Comments will be accepted through October 19, 2015. A public hearing has not been scheduled.

.01 Scope.

This chapter applies to carriers that sell medical stop-loss insurance to small employers in Maryland.

.02 Definitions.

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

B. *Terms Defined.*

(1) *“Carrier” means an insurer or nonprofit health service plan that sells medical stop loss insurance in Maryland.*

(2) *“Medical stop-loss insurance” has the meaning stated in Insurance Article, §15-129, Annotated Code of Maryland.*

(3) *“Medical stop-loss insurance disclosure form” means the form shown in Regulation .04 of this chapter.*

(4) *“Small employer” has the meaning stated in Insurance Article, §31-101, Annotated Code of Maryland.*

.03 Rules for Providing the Medical Stop-Loss Insurance Disclosure Form.

A. *Before entering into a policy or contract of medical stop-loss insurance with a small employer, a carrier shall provide the small employer a completed medical stop-loss insurance disclosure form.*

B. *When determining whether an employer satisfies the definition of a small employer, the carrier shall base the determination on the definition that applies on the proposed effective date of the medical stop-loss insurance policy or contract.*

C. *The medical stop-loss insurance disclosure form shall be printed in at least 12-point type.*

D. *The portion of the medical stop-loss insurance disclosure form that requires a listing of any limitations in the medical stop-loss insurance policy or contract is required to include any:*

(1) *Dollar limitations in the medical stop-loss insurance policy or contract, such as annual limitations;*

(2) *Day or visit limits on the services covered under the medical stop-loss insurance policy or contract;*

(3) *Limitations or exclusions that apply to benefits covered under the medical stop-loss insurance policy or contract, such as:*

(a) *Pre-existing condition exclusions;*

(b) *Exclusions or limitations for particular services, such as an exclusion or limitation for prescription drugs or mental health services;*

(c) *Exclusions or limitations for particular medical conditions, such as AIDS;*

(d) *Limitations or exclusions for non-medically necessary services; and*

(e) *Limitations or exclusions for experimental or investigational services; and*

(4) *Different attachment points for any particular service, such as organ transplants.*

PROPOSED ACTION ON REGULATIONS

1248

.04 Medical Stop-Loss Insurance Disclosure Form.

The medical stop-loss insurance disclosure form shall read as follows:

NOTE: The form referenced in this regulation appears on the following two pages.

ALFRED W. REDMER, JR.
Insurance Commissioner



Medical Stop Loss Disclosure for Small Employers

Insurer Name

[Insert insurer's legal name]

Features of Stop Loss Contract

Contract Effective Date _____ Contract Termination Date _____

Specific Attachment Point Per Individual _____

Aggregate Attachment Point _____ % of expected claims

Renewability of Contract at Termination Date (check one)

Contract is not Renewable

Contract is Renewable at the Option of the Insurer (insurer will not non-renew contract based on change in employees' health or amount of claims)

Contract is Renewable at the Option of the Insurer (insurer may non-renew contract based on change in employees' health or amount of claims or due to material changes in participation percentage and/or in number of covered employees/lives)

Contract is Guaranteed Renewable

Costs of the Medical Stop Loss Contract

Based on _____ # of employees and/or _____ # of covered lives expected to be covered under the employer's self-funded plan on the effective date. Material changes to employees or lives, as determined during medical plan enrollment, will affect the premium amounts below.

Monthly Specific Premium \$ _____

Monthly Aggregate Premium \$ _____

Other Monthly Fees \$ _____

Total Monthly Costs \$ _____

Limitations of Coverage

[Insert all applicable limitations and exclusions found in medical stop loss contract. Add additional pages, if necessary.]



Special Documents

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 **September 18, 2015**. 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 Marlene Jenkins, Administrator, Handgun Roster Board, 1201 Reisterstown Road, Pikesville, Maryland 21208.

With regard to short-barrel rifles included on the Handgun Roster, please note that a semi-automatic rifle with an overall length of less than 29" is a "copycat weapon" and is not eligible for sale to the general public (unless the purchaser had a purchase order for, or a completed application to purchase, the firearm prior to October 1, 2013). See, Criminal Law Article, §§4-301 — 4-303, Annotated Code of Maryland.

Overall length is measured between the extreme ends of the rifle along a line parallel to the center line of the bore. An attachment to the barrel, such as a muzzle brake or flash suppressor, should not be included in the measurement unless it is permanently affixed.

Manufacturer	Model Name	Model Number	Caliber	Additional Explanation
Alfa-Proj (CzechPoint)	CzechPoint 3541		.357 Magnum	
Auto Ordnance	1911 American Legion Centennial		.45 ACP	Model Addition
Beretta, USA	92 Centennial		9mm	
Canik (Tri Star)	T-120	85094, 85096, 85099	9mm	Model Addition
Cimarron Arms (Aldo Uberti)	1872 Open Top		.45 LC	Caliber Addition
Colt/Colt's Mfg. Co., Inc.	Commander	04610	9mm	Caliber Addition
Dan Wesson Firearms/NYI	Silverback		.45 ACP, 10mm	
Deer Country Archery (DCA), Inc.	Red X Arms	DCA 15	.223/5.56 Nato	
E.A.A./Hermann Weihrauch	Windicator		.38 Special	Caliber Addition
Glock	40 Gen 4		10mm	
Grand Power	K-100, X-Trim		40 S&W & .357 Sig	Caliber Addition
Heckler & Koch	P30 SK		9mm, .40 S&W, .357 Sig, .45 ACP	
Kimber	Onyx Ultra II		9mm, .45 ACP	
Kimber	Solo Crimson Carry		9mm	Model Addition
Kimber	Ultra Crimson Carry II		.45 ACP	Model Addition
Masterpiece Arms	Defender		.45 ACP	Caliber Addition
MKE (Zenith Firearms)	MKE Z 5RS		9mm	
MKE (Zenith Firearms)	Z 43 P		5.56X45mm	
Para USA, Inc. & Para USA, LLC	Black OPS Ltd	SRX845SO	.45 ACP	Model Addition
Sig Sauer/Sigarms Inc.	P-220 Elite		10mm, .45 ACP, 9mm, .40 S&W	Model Addition
Sig Sauer/Sigarms Inc.	P-320		.45 ACP	Caliber Addition
Sig Sauer/Sigarms Inc.	P-220		10 mm	Caliber Addition
Springfield Armory	(Lightweight) Operator		.45 ACP	
Sturm Ruger	Redhawk Da		.45 ACP, .45 LC	Caliber Addition
Taurus	Curve		.380 ACP	
Tisas (Umarex USA)	Regent R200 S		.45 ACP	

[15-19-45]

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.

ATHLETIC COMMISSION

Subject: Public Meeting
Date and Time: September 24, 2015, 2 — 4 p.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Patrick Pannella (410) 230-6223
 [15-19-33]

COMPTROLLER OF THE TREASURY/ADMINISTRATION AND FINANCE

Subject: Reduction of Bond Authorization Announcement
Add'l. Info: Pursuant to State Finance and Procurement Article, §8-128, Annotated Code of Maryland, which provides that, if within 2 years after the date of an authorization of State debt no part of the project or program for which the enabling act authorized the State debt is under contract and the Board of Public Works has not committed money for any part of the project or program, the authorization terminates unless:

- (1) The enabling act provides otherwise; or
- (2) In an emergency, the Board unanimously grants a temporary exception for a period of 1 year.

Therefore, with Board of Public Works approval of item #17 dated August 26, 2015, we submit for publication the following cancellation of bond authorizations in accordance with the above-referenced articles:

Beckett Field: Ch. 336, Acts of 2008, amended by Ch. 639, Acts of 2012; \$6,244.59; authorized the funds for the planning, design, and construction of lights and a scoreboard for Beckett Field, located in New Carrollton.

Maryland School for the Blind: Ch. 396, Acts of 2011; \$2,482.50; authorized the funds for the design, construction, and capital equipping of a new life Education Building at the Maryland School for the Blind.

Laurel Armory Anderson Murphy Community Center: Ch. 396, Acts of 2011; \$142,840.69; authorized the funds for the renovation, reconstruction, and capital equipping of the Laurel Armory Anderson Murphy Community Center, located in Laurel.

Patterson Park Public Charter School Façade Restoration: Ch. 444, Acts of 2012; \$318.38; authorized the funds for the planning, design, construction, repair, renovation, and reconstruction of the façade of Patterson Park Public Charter School, located in Baltimore City.

Arbutus Recreation Center Project: Ch. 463, Acts of 2014; \$30,000; authorized the funds for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Arbutus Recreation Center, including the replacement of the tiled gymnasium floor with wood flooring.

Bowie Gymnasium Roof Replacement: Ch. 463, Acts of 2014; \$9,832.77; authorized the funds for the acquisition, planning, design, construction, repair, renovation, reconstruction and capital equipping of the Bowie Gymnasium.

Re Rentuma
 Fiscal Specialist
 Administration and Finance
Contact: Re Rentuma (410) 260-7909
 [15-19-38]

CORRECTIONAL TRAINING COMMISSION

Subject: Public Meeting
Date and Time: October 21, 2015, 10 a.m. — 12 p.m.
Place: Public Safety Education and Training Center, 6852 4th St., Sykesville, MD
Add'l. Info: Portions of this meeting may be held in closed session.
Contact: Thomas C. Smith (410) 875-3605
 [15-19-25]

BOARD OF COSMETOLOGISTS

Subject: Public Meeting
Date and Time: October 5, 2015, 10 a.m. — 1 p.m.
Place: 500 N. Calvert St., Baltimore, MD
Contact: Shirley Leach (410) 230-6195
 [15-19-29]

OFFICE OF THE DEAF AND HARD OF HEARING/MARYLAND ADVISORY COUNCIL ON THE DEAF AND HARD OF HEARING

Subject: Public Meeting
Date and Time: September 28, 2015, 2 — 6 p.m.
Place: MDOT Headquarters, 7201 Corporate Center Dr., Harry Hughes Conf. Rm., Hanover, MD
Add'l. Info: Please RSVP to Kelby.Brick@maryland.gov.
Contact: Kelby Brick (443) 842-5844
 [15-19-40]

MARYLAND STATE DEPARTMENT OF EDUCATION

Subject: Public Meeting
Date and Time: September 24, 2015, 10 a.m. — 1 p.m.; Additional Dates: October 8, October 23, November 6, 2015, 10 a.m. — 1p.m.
Place: Center for Technology in Education, 6740 Alexander Bell Dr., Columbia, MD
Add'l. Info: The Task Force to Study the Implementation of a Dyslexia Education Program (Task Force) was established through the enactment of H.B. 278, Acts of 2015, by the Maryland General Assembly.

The Task Force is pleased to receive oral public comment. Please contact Carmen Brown at 410-767-7197 or via email at carmen.brown1@maryland.gov at least 24 hours prior to the meeting to register to speak. Registration will be accepted on a first-come, first served basis. To ensure effective use of the time available for public comment, speakers are encouraged to provide multiple written copies of their comments or any other documents supporting their oral comments.

Appropriate accommodations for individuals with disabilities will be provided upon request. To allow time to arrange accommodations, 8 business days' notice prior to the meeting is requested.

This notice is provided pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.
Contact: Carmen Brown (410) 767-7197
 [15-19-46]

**STATEWIDE EMERGENCY
MEDICAL SERVICES ADVISORY
COUNCIL (SEMSAC)**

Subject: Public Meeting
Date and Time: October 1, 2015, 1 — 3 p.m.
Place: 653 W. Pratt St., Ste. 212, Baltimore, MD
Add'l. Info: The State Emergency Medical Services Advisory Committee (SEMSAC) meets regularly on the 1st Thursday of each month.
Contact: Leandra Gilliam (410) 706-4449 [15-19-21]

**EMERGENCY MEDICAL SERVICES
BOARD**

Subject: Public Meeting
Date and Time: October 13, 2015, 9 — 11 a.m.; part of the meeting may include a closed session
Place: 653 W. Pratt St., Ste. 212, Baltimore, MD
Add'l. Info: The State Emergency Medical Services Board (EMS Board) meets regularly on the 2nd Tuesday of each month.
Contact: Leandra Gilliam (410) 706-4449 [15-19-22]

**STATE BOARD OF STATIONARY
ENGINEERS**

Subject: Public Meeting
Date and Time: October 19, 2015, 10:15 a.m. — 12 p.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Robin Bailey (410) 230-6160 [15-19-14]

**DEPARTMENT OF HEALTH AND
MENTAL HYGIENE**

Subject: Public Meeting
Date and Time: September 28, 2015, 2 p.m. — 4 p.m.
Place: 45 Calvert St., Rm. 164, Annapolis, MD
Contact: Allison Taylor (410) 767-6481 [15-19-18]

**DEPARTMENT OF HEALTH AND
MENTAL HYGIENE**

Subject: Call for Physician Nomination for DUR Board
Add'l. Info: : The Maryland Department of Health and Mental Hygiene Drug Utilization Review (DUR) Board is currently recruiting for one physician to serve on the Maryland DUR Board beginning in December 2015.

The implementation of the Omnibus Budget Reconciliation Act of 1990 requires that the Maryland Department of Health and Mental Hygiene establish a DUR Board. The DUR Board is comprised of both physicians and pharmacists and has been in operation since November 1992. The activities of the DUR Board include:

- Overseeing retrospective and prospective DUR within the Maryland Medicaid Program.
- Approving DUR criteria and standards.
- Making recommendations concerning education and other types of interventions based on prospective and retrospective DUR findings.
- Preparing an annual report for submission to the Centers for Medicare and Medicaid (CMS) describing the nature and scope of the DUR program, summarizing educational/interventional strategies used, and estimating cost savings generated.
- Reviewing individual recipient profiles and make recommendations to restrict patients who might be abusing Medicaid prescription drugs.

The DUR Board has quarterly 3-hour meetings in the Baltimore area. Meetings are normally scheduled on a Thursday morning during the months of March, June, September, and December. Members serve terms of 3 years from the date of their appointment with the option to serve an additional 3 year term.

The membership of the Maryland DUR Board includes health care professionals who have recognized knowledge and expertise in at least one of the following areas:

- (1) The clinically appropriate prescribing of outpatient drugs.
- (2) The clinically appropriate dispensing and monitoring of outpatient drugs.
- (3) Drug use review, evaluation and intervention.
- (4) Medical quality assurance.

For an application packet, please contact Gina Homer at The Maryland Medicaid Pharmacy Program at 410-767-1749 or via e-mail at Gina.Homer@Maryland.gov. The application deadline is September 30, 2015.
Contact: Gina Homer (410) 767-1749 [15-19-28]

**DEPARTMENT OF HEALTH AND
MENTAL HYGIENE/MEDICAID
PHARMACY AND THERAPEUTICS
COMMITTEE**

Subject: Public Hearing
Date and Time: November 5, 2015, 9 a.m. — 12 p.m.

Place: UMBC Research and Technology Park—South Campus, 1450 South Rolling Rd., Halethorpe, MD

Add'l. Info: Meeting of the Maryland Medicaid Pharmacy Program's Pharmacy & Therapeutics Committee (Preferred Drug List).

As soon as available, classes of drugs to be reviewed, agenda, speaker registration guidelines, and driving directions will be posted on the Maryland Pharmacy Program website at:

<https://mmcp.dhmh.maryland.gov/pap/SeitePages/Public%20Meeting%20Announcement%20and%20Procedures%20for%20Public%20Testimony.aspx>.

Submit email questions to Dhmm.marylandpdquestions@maryland.gov.

Contact: Shawn Singh (410) 767-6896 [15-19-23]

**BOARD OF HEATING,
VENTILATION, AIR-
CONDITIONING, AND
REFRIGERATION CONTRACTORS
(HVACR)**

Subject: Public Meeting
Date and Time: October 14, 2015, 10:30 a.m. — 12 p.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Robin Bailey (410) 230-6160 [15-19-50]

**MARYLAND STATEWIDE
INDEPENDENT LIVING COUNCIL**

Subject: Public Meeting
Date and Time: October 16, 2015, 11:30 a.m. — 3 p.m.
Place: Workforce and Technology Center, 2301 Argonne Dr., Rm. T-130, Baltimore, MD
Add'l. Info: For more information contact Denise Thomas, 240-599-7966, marylandsilc@gmail.com
Contact: Denise Thomas (240) 599-7966 [15-19-26]

**DEPARTMENT OF INFORMATION
TECHNOLOGY**

Subject: Public Hearing
Date and Time: September 23, 2015, 1 — 3 p.m.
Place: Maryland Dept. of Transportation, 7201 Corporate Center Dr., 4th Fl. Board Rm., Hanover, MD
Add'l. Info: Quarterly Meeting for Statewide Radio Control Board. May include closed session.
Contact: Betsy Jackson (410) 260-6614 [15-19-27]

GENERAL NOTICES

1252

MARYLAND INSURANCE ADMINISTRATION

Subject: Public Hearing
Date and Time: September 28, 2015, 10 a.m. — 1 p.m.
Place: 200 St. Paul Pl., 24th Fl. Hearing Rm., Baltimore, MD
Add'l. Info: Pursuant to Ch. 494, Acts of 2015, the Maryland Insurance Administration is required to conduct a study on the use of medical stop-loss insurance in self-funded employer health plans.

Interested parties are invited to attend the hearing and to provide oral comments. Interested parties are also encouraged to submit informational written comments. Written comments should be sent to Nick Cavey, Assistant Director of Government and External Relations, either by email to nick.cavey@maryland.gov or by mail to 200 St. Paul Place, Suite 2700, Baltimore, MD 21202 or by fax to 410-468-2020. The deadline for submission of informational written comments is October 13, 2015.

Any questions regarding this matter should be directed to Nancy Egan, Director of Government Relations, by phone to 410-468-2488, or by email to nancy.egan@maryland.gov.
Contact: Nancy Egan (410) 468-2488 [15-19-31]

BOARD OF CERTIFIED INTERIOR DESIGNERS

Subject: Public Meeting
Date and Time: September 28, 2015, 2 p.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Pamela J. Edwards (410) 230-6262 [15-19-42]

FACILITIES ADVISORY BOARD— JUVENILE SERVICES

Subject: Public Meeting
Date and Time: October 8, 2015, 4:30 — 6 p.m.
Place: Alfred D. Noyes Children's Center, 9925 Blackwell Rd., Rockville, MD
Contact: Antoinette McLeod (301) 315-1130 [15-19-13]

BOARD FOR PROFESSIONAL LAND SURVEYORS

Subject: Public Meeting
Date and Time: October 7, 2015, 10 p.m.
Place: 500 N. Calvert St. 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Pamela J. Edwards (410) 230-6262 [15-19-43]

MARYLAND HEALTH CARE COMMISSION

Subject: Public Meeting
Date and Time: October 7, 2015, 3 — 5 p.m.
Place: 4160 Patterson Ave., Conf. Rm. 100, Baltimore, MD
Add'l. Info: Provider Carrier Workgroup — Self-Referral Study: Preliminary report review. Meeting rescheduled from September 23, 2015.
Contact: Erin Dorrient (410) 764-3460 [15-19-20]

MARYLAND HEALTH CARE COMMISSION

Subject: Public Meeting
Date and Time: October 15, 2015, 1 p.m.
Place: Maryland Health Care Commission, 4160 Patterson Ave., Conf. Rm. 100, Baltimore, MD
Contact: Valerie Wooding (410) 764-3460 [15-19-02]

MARYLAND HEALTH CARE COMMISSION

Subject: Formal Start of Review
Add'l. Info: The Maryland Health Care Commission (MHCC) hereby gives notice of docketing of the following application for Certificate of Need:
Sheppard Pratt at Elkridge — Docket No. 15-13-2367 — The relocation and replacement of its current 92 bed psychiatric facility located at 4100 College Avenue, Ellicott City to a new site near the intersection of Route 103 and Route 1, Elkridge with an increase of 8 beds for a total of 100 beds; Proposed Cost: \$102,653,372.

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

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

Persons desiring to become interested parties in the Commission's review of the above-referenced applications must meet the requirements of COMAR 10.24.01.01B(2) and (20) and must also submit written comments to the Commission no later than close of business October 19, 2015. These comments must state with particularity the State Health Plan standards or review criteria that you believe have not been met by the applicants as stated in COMAR 10.24.01.08F.

Please refer to the Matter/Docket Number listed above in any correspondence on the applications. Copies of the application are available for review in the office of MHCC during regular business hours by appointment. All correspondence should be addressed to Paul E. Parker, Director, Center for Health Care Facilities Planning & Development, Maryland Health Care Commission, 4160 Patterson Avenue, Baltimore, Maryland 21215.
Contact: Ruby Potter (410) 764-3276 [15-19-48]

MARYLAND HEALTH CARE COMMISSION/PROVIDER CARRIER WORKGROUP SELF REFERRAL STUDY

Subject: Public Meeting
Date and Time: September 23, 2015, 3 — 5 p.m.
Place: Maryland Health Care Commission, 4160 Patterson Ave., Conf. Rm. 100, Baltimore, MD
Add'l. Info: Preliminary Report Review
Contact: Erin Dorrien (410) 764-3284 [15-19-12]

TASK FORCE TO STUDY MATERNAL MENTAL HEALTH

Subject: Public Meeting
Date and Time: September 29, 2015, 1 — 3 p.m.
Place: Spring Grove Hospital System, Dix Bldg., 55 Wade Ave., Basement Conf. Rm., Catonsville, MD
Contact: Dan Martin (443) 901-1550 x208 [15-19-36]

GOVERNOR'S COMMISSION ON MARYLAND MILITARY MONUMENTS

Subject: Public Meeting
Date and Time: October 14, 2015, 2 — 3:30 p.m.
Place: 100 Community Pl., Crownsville, MD
Contact: Denise Nooe (410) 260-3840 [15-19-34]

**DEPARTMENT OF NATURAL
RESOURCES/FISHERIES SERVICE**

Subject: Public Notice — 2015 Commercial Atlantic Menhaden Daily Catch Limits

Add'l. Info: The Maryland Department of Natural Resources pursuant to the Code of Maryland Regulations (COMAR) 08.02.05.07F announces changes to the commercial Atlantic menhaden fishery. The annual total allowable landings of Atlantic menhaden for Maryland, as established by the Atlantic States Marine Fisheries Commission (ASMFC), is 5.6 million pounds. Due to projected harvest levels, the unlimited menhaden fishery will close at 12:01 a.m., Sunday, August 30, 2015, and bycatch provisions will go into effect. The following catch limits will govern the Atlantic menhaden bycatch fishery:

- For commercial licensees not in possession of an Atlantic Menhaden Bycatch Allowance Landing Permit: 1,500 pounds per vessel per day.
- For commercial licensees in possession of an Atlantic Menhaden Bycatch Allowance Landing permit issued in their name or to which they are assigned as an operator: 6,000 pounds per vessel per day.
- For vessels with permits on board, regardless of the number of permits, there is a 6,000 pound per vessel per day landing limit.

Mark J. Belton
Secretary

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

[15-19-39]

**DEPARTMENT OF NATURAL
RESOURCES/FISHERIES SERVICE**

Subject: Public Notice — Commercial Striped Bass Common Pool Season Modification

Add'l. Info: The Secretary of Maryland Department of Natural Resources pursuant to Code of Maryland Regulation 08.02.15.12(H) announces the re-opening of the 2015 commercial Striped Bass common pool hook and line fishery on Tuesday, September 1, 2015, 1 hour before sunrise, with a catch limit of 300 lbs/permittee/week and 600 lbs/vessel/day. The common pool fishery will close on Wednesday, September 2, 2015 1 hour before sunset. A re-opening will be announced by public notice.

Mark J. Belton
Secretary

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

[15-19-41]

**BOARD OF OCCUPATIONAL
THERAPY PRACTICE**

Subject: Public Meeting

Date and Time: October 16, 2015, 8:30 a.m. — 2 p.m.

Place: Spring Grove Hospital Center, 55 Wade Ave., Catonsville, MD

Add'l. Info: Health Occupations Article, Title 10, Annotated Code of Maryland, and COMAR 10.46 amendments, additions, and revisions, including fee changes, may be discussed/voted on. Budget information may also be discussed. It may be necessary to go into executive session. Sign language interpreters and/or appropriate accommodations for qualified individuals with disabilities will be provided upon request. Please 1-800-735-2255.

Contact: Marilyn Pinkney (410) 402-8556
[15-19-15]

**BOARD OF EXAMINERS IN
OPTOMETRY**

Subject: Public Meeting

Date and Time: September 30, 2015, 9:30 a.m. — 1 p.m.

Place: Metro Executive Bldg., 4201 Patterson Ave., Rm. 105, Baltimore, MD

Add'l. Info: Health Occupations Article, Title 11, Annotated Code of Maryland, and COMAR 10.28, amendments, additions, and revisions maybe discussed/voted on. Budget information may also be discussed. It may be necessary to go into executive session.

Contact: Patricia G. Bennett (410) 764-4710

[15-19-32]

BOARD OF PILOTS

Subject: Public Meeting

Date and Time: October 9, 2015, 10:30 a.m.

Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD

Contact: Pamela J. Edwards (410) 230-6262

[15-19-44]

**BOARD OF PODIATRIC MEDICAL
EXAMINERS**

Subject: Public Meeting

Date and Time: October 8, 2015, 1 p.m.

Place: 4201 Patterson Ave., Baltimore, MD

Contact: Sheri Henderson (410) 764-4785
[15-19-03]

**BOARD OF PODIATRIC MEDICAL
EXAMINERS**

Subject: Public Meeting

Date and Time: November 12, 2015, 1 p.m.

Place: 4201 Patterson Ave., Baltimore, MD

Contact: Sheri Henderson (410) 764-4785
[15-19-04]

**BOARD OF PODIATRIC MEDICAL
EXAMINERS**

Subject: Public Meeting

Date and Time: December 10, 2015, 1 p.m.

Place: 4201 Patterson Ave., Baltimore, MD

Contact: Sheri Henderson (410) 764-4785
[15-19-05]

**BOARD OF PODIATRIC MEDICAL
EXAMINERS**

Subject: Public Meeting

Date and Time: January 14, 2016, 1 p.m.

Place: 4201 Patterson Ave., Baltimore, MD

Contact: Sheri Henderson (410) 764-4785
[15-19-07]

**BOARD OF PODIATRIC MEDICAL
EXAMINERS**

Subject: Public Meeting

Date and Time: February 11, 2016, 1 p.m.

Place: 4201 Patterson Ave., Baltimore, MD

Contact: Sheri Henderson (410) 764-4785
[15-19-08]

BOARD OF PUBLIC ACCOUNTANCY

Subject: Public Meeting

Date and Time: October 6, 2015, 9 a.m. — 12 p.m.

Place: 500 N Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD

Contact: Linda L. Rhew (410) 230-6258
[15-19-09]

**LISTING OF THE PLANNING
COMMITTEE TO IMPLEMENT
IMPROVED ACCESS TO SEXUAL
ASSAULT MEDICAL FORENSIC
EXAMINATIONS IN MARYLAND
COMMITTEE MEETINGS**

Subject: Public Meeting

Date and Time: October 8, 2015, 10 a.m. — 12 p.m.

Place: Columbia Gateway Bldg., 6751 Columbia Gateway Dr., Rm. 401, Columbia, MD

Add'l. Info: Carole Mays (410) 706-3932

GENERAL NOTICES

1254

Contact: Joyce Dantzer (410) 767-1372
[15-19-19]

STATE TREASURER'S OFFICE

Subject: Public Meeting
Date and Time: September 30, 2015, 2 p.m.
Place: Louis L. Goldstein Treasury Bldg., 80 Calvert St., Assembly Rm. #114-116, Annapolis, MD
Add'l. Info: Meeting to Discuss the Recommendation of General Obligation Bond Authorizations
Contact: Nikki Griffith (410) 260-7920
[15-19-16]

STATE BOARD OF INDIVIDUAL TAX PREPARERS

Subject: Public Meeting
Date and Time: October 19, 2015, 1 — 5 p.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Douglas Blackstone (410) 230-6244
[15-19-30]

DEPARTMENT OF VETERANS AFFAIRS/MARYLAND VETERANS COMMISSION

Subject: Public Meeting
Date and Time: October 20, 2015, 10:30 a.m. — 1 p.m.; Alternate Weather Date: October 27, 2015 (time and place are the same)
Place: 4019 Damascus Road, Gaithersburg, MD
Contact: Denise Nooe (410) 260-3840
[15-19-34]



BOARD OF WELL DRILLERS

Subject: Public Meeting
Date and Time: October 28, 2015, 9 a.m. — 4 p.m.
Place: MDE, 1800 Washington Blvd., Terra Conf. Rm. #1006, Baltimore, MD
Add'l. Info: A portion of this meeting may be held in closed session.
Contact: Willie Everett (410) 537-3644
[15-19-01]

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## Title 10 Department of Health and Mental Hygiene

### Part 1

- 01 Procedures
- 02 Division of Reimbursements
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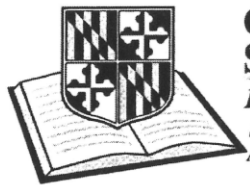
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