



MARYLAND GENERAL ASSEMBLY
JOINT COMMITTEE ON ADMINISTRATIVE, EXECUTIVE, AND LEGISLATIVE REVIEW

SYNOPSIS OF EMERGENCY REGULATIONS

The following document provides synopses of emergency regulations received by the AELR Committee on the dates noted below. Please contact the issuing agency for copies of the text of emergency regulations. For more information, please contact Kelvin Lucas, Kathleen Kennedy, or Georgeanne Carter at the number below.

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
March 11, 2024	Emergency/Proposed Regulations DLS Control No. 24-019 Maryland Department of Health: Natalie Laprade Medical Cannabis Commission: Definitions: COMAR 10.62.01.01 General Regulations: COMAR 10.62.02.01, .02, .03, and .05 Certifying Physicians: COMAR 10.62.03.01 – .03 Patient and Caregiver Registry: COMAR 10.62.04.01 – .06 Written Certifications: COMAR 10.62.05.01 and .02		

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	<p>Patient and Caregiver Identification Cards: COMAR 10.62.06.01 – .07</p> <p>New Condition Approval Process: COMAR 10.62.07.01 – .06</p> <p>Medical Cannabis Grower License: COMAR 10.62.08.01 – .14</p> <p>Medical Cannabis Grower Agent: COMAR 10.62.09.01 – .09</p> <p>Medical Cannabis Grower Premises: COMAR 10.62.10.01 – .08</p> <p>Medical Cannabis Growing Controls: COMAR 10.62.11.01 – .04</p> <p>Inventory Control by Grower: COMAR 10.62.12.01 – .09</p> <p>Medical Cannabis Shipment Packaging: COMAR 10.62.13.01 and .02</p> <p>Licensed Grower Dispensary Facility: COMAR 10.62.14.01 and .02</p> <p>Medical Cannabis Grower Quality Control: COMAR 10.62.15.01 – .07</p> <p>Licensed Independent Testing Laboratory Registration: COMAR 10.62.16.01 – .06</p> <p>Complaints, Adverse Events, and Recall: COMAR 10.62.17.01 – .04</p> <p>Shipment of Products Between Licensees: COMAR 10.62.18.00 – .10 and .9999</p> <p>Medical Cannabis Processor License: COMAR 10.62.19.01 – .12</p> <p>Medical Cannabis Processor: COMAR 10.62.20.01 – .09</p> <p>Medical Cannabis Processor Premises:</p>		

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	<p>COMAR 10.62.21.01 – .07 Medical Cannabis Processor Operations: COMAR 10.62.22.01 – .06 Medical Cannabis Concentrates and Medical Cannabis-Infused Products: COMAR 10.62.23.01 – .06 Medical Cannabis Finished Products Packaging: COMAR 10.62.24.01 Medical Cannabis Dispensary License: COMAR 10.62.25.01 – .13 Registered Dispensary Agent: COMAR 10.62.26.01 – .09 Licensed Dispensary Premises: COMAR 10.62.27.01 – .10 Licensed Dispensary Operations: COMAR 10.62.28.01 – .06 Licensed Dispensary Packaging and Labeling for Distribution: COMAR 10.62.29.01 and .02 Dispensing Medical Cannabis: COMAR 10.62.30.01 – .10 Licensed Dispensary Clinical Director: COMAR 10.62.31.01 Records: COMAR 10.62.32.01 – .03 Inspection: COMAR 10.62.33.01 – .08 Discipline and Enforcement: COMAR 10.62.34.01 – .09 Fee Schedule: COMAR 10.62.35.01 Academic Research: COMAR 10.62.36.01 – .06 Edible Cannabis Products: COMAR 10.62.37.01 – .21</p>		

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	<p>Maryland Cannabis Administration: General Regulations: COMAR 14.17.02.03 Social Equity: COMAR 14.17.03.01 and .03 Medical Cannabis Program: COMAR 14.17.04.01 – .08 Application Process and Issuance of Licenses: COMAR 14.17.05.03 and .05 – .07 Standard Cannabis Licenses: COMAR 14.17.06.01 – .10 Micro Licenses: COMAR 14.17.07.01 – .07 Laboratory Registration and Operations: COMAR 14.17.08.01 – .04, .06, and .07 Other Cannabis Business: COMAR 14.17.09.01 – .03 Cannabis Grower Operations: COMAR 14.17.10.01 – .09 Cannabis Processor Operations: COMAR 14.17.11.01 – .05, 05 1 – 5 9, and .06 – .10 Cannabis Dispensary Operations: COMAR 14.17.12.01 – .11 Cannabis Products: COMAR 14.17.13.01 – .11 Complaints, Enforcement, Record Keeping, and Inspections of Cannabis Businesses: COMAR 14.17.14.01 – .06 Cannabis Business Agents: COMAR 14.17.15.01 – .05 Cannabis Business Owners: COMAR 14.17.16.01 – .05 Secured Creditors and Receivership: COMAR 14.17.17.01 – .07 Finished Product Packaging: COMAR 14.17.18.01 – .07 Cannabis Research: COMAR 14.17.19.01 – .05 Prohibited Acts: COMAR 14.17.20.01 and .02</p>		

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	<p>Fees: COMAR 14.17.21.01 and .02 Hearing Procedures: COMAR 14.17.22.01 – .12</p> <p>According to the department, this emergency action is necessary to ensure that revised regulations replace the emergency regulations that took effect July 1, 2023.</p>		
December 19, 2023	<p>Emergency/Proposed Regulations DLS Control No. 23-355 Department of Human Services: Social Services Administration Private Child Placement Agencies: License for Private Child Placement Agencies: COMAR 07.05.01.14</p> <p>The purpose of this action is to alter the educational requirements for child placement workers in private child placement agencies. The regulation repeals the requirement that a child placement worker (1) have a master’s degree from an accredited school of social work and be State-licensed as a graduate social worker or (2) be a State-licensed social work associate under the supervision of a State-licensed graduate or certified social worker.</p>		
December 8, 2023	<p>Emergency/Proposed Regulations DLS Control No. 23-354 Maryland Department of Health: Medical Care Programs: Early and Periodic Screening, Diagnosis, and Treatment:</p>		

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	<p>Nursing Services for Individuals Younger than 21 Years Old: COMAR 10.09.53.04 and .05</p> <p>The purpose of this action is to clarify covered private duty nursing (PDN) services when provided to participants younger than 21 years old eligible for early and periodic screening, diagnosis, and treatment (EPSDT) services.</p>		
December 8, 2023	<p>Emergency/Proposed Regulations DLS Control No. 23-353 Maryland Department of Health: Medical Care Programs: Maryland Medicaid Managed Care Program: Rare and Expensive Case Management: COMAR 10.09.69.02, .11, and .12</p> <p>The purpose of this action is to clarify covered optional private duty nursing (PDN) services when provided to participants eligible for rare and expensive case management (REM) services.</p>		
December 5, 2023	<p>Emergency/Proposed Regulations DLS Control No. 23-344 Maryland Department of Agriculture: Board of Veterinary Medical Examiners: Fees: COMAR 15.14.12.02</p> <p>The purpose of this action is to increase various fees charged by the Board of Veterinary Medical Examiners.</p>		Emergency status approved beginning February 7, 2024, and expiring May 31, 2024.

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December 5, 2023	<p>Emergency/Proposed Regulations DLS Control No. 23-346 Maryland Department of Agriculture: Office of the Secretary: Cost Sharing – Water Pollution Control Program: COMAR 15.01.05.10</p> <p>The purpose of this action is to alter the maximum payment amounts and circumstances under which a person may receive payments under the Maryland Agricultural Water Quality Cost-Share (MACS) Program.</p>		Emergency status approved beginning January 12, 2024 and expiring June 30, 2024.
November 30, 2023	<p>Emergency/Proposed Regulations DLS Control No. 23-313 Office of the State Treasurer: Treasury Management: Local Government Investment Guidelines and Reporting Requirements: COMAR 25.03.03.01 – .06 and .09 Policy Regarding the Investment of Public Money: COMAR 25.03.04.01 – .06</p> <p>The purpose of this action is to (1) establish the manner in which public money is invested; (2) set the maximum thresholds for investment in certain classes of assets; and (3) require financial officers to prioritize investment in securities of high credit quality and marketability that are reviewed using the grading of the Securities and Exchange Commission’s Nationally Recognized Statistical Rating Organizations.</p>		Emergency Status approved beginning April 25, 2024 and expiring October 22, 2024.

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November 28, 2023	<p>Emergency Regulations DLS Control No. 23-312 Department of Natural Resources: Fisheries Service: Striped Bass: COMAR 08.02.15.08, .09, and .12</p> <p>The purpose of this action is eliminate the recreational and charter boat spring season for striped bass (May 1 – May 15), also known as the Trophy Season, eliminate the early season in the Susquehanna Flats, Susquehanna River, and Northeast River from the recreational and charter boat summer and fall striped bass fishery in the Chesapeake Bay and its tidal tributaries (May 16 – May 31), and prohibit the targeting of striped bass in the areas which are being closed by this action. This action is necessary to reduce mortality on the striped bass spawning stock biomass. Emergency status is requested because this action cannot be scoped, proposed, adopted, and effective prior to the May 1 opening of the spring season through the normal regulatory promulgation process.</p>	A public hearing took place on February 2, 2024 and February 9, 2024	Emergency status approved beginning February 9, 2024 and expiring June 15, 2024.
November 20, 2023	<p>Emergency/Proposed Regulations DLS Control No. 23-268 Maryland Department of Health: Board of Environmental Health Specialists: Licensing Procedures: COMAR 10.60.02.08 Licensing Procedures: COMAR 10.60.02.09</p> <p>(1) Make clarifying changes for license reactivation as it relates to completion of approved training; (2) Update training approval requirements; (3) Establish reporting,</p>		Emergency status approved beginning January 9, 2024 and expiring July 7, 2024.

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	documenting, and auditing compliance with continuing education requirements; and (4) Specify the consequences for failing to comply with the continuing education requirements.		
November 20, 2023	<p>Emergency/Proposed Regulations DLS Control No. 23-284 Maryland Department of Health: Maryland Health Care Commission: Certification of Electronic Health Networks and Medical Care Electronic Claims Clearinghouses: COMAR 10.25.07.02, .04, .05, and .09</p> <p>The purpose of this emergency action is to implement requirements as specified in Chapter 249, House Bill 812, Health – Reproductive Health Services – Protected Information and Insurance Requirements (2023).</p>		Emergency status approved beginning January 11, 2024 and expiring July 9, 2024.
November 20, 2023	<p>Emergency/Proposed Regulations DLS Control No. 23-287 Maryland Department of Health: Maryland Health Care Commission: Health Information Exchanges: Health Information Exchanges: Privacy and Security of Protected Health Informations: COMAR 10.25.18.01 – .04 and .06, .07, and .09 – .11</p> <p>The purpose of this emergency action is to implement requirements as specified in Chapter 249, House Bill 812, Health – Reproductive Health Services – Protected Information and Insurance Requirements (2023).</p>		Emergency status approved beginning January 9, 2024 and expiring July 7, 2024.

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November 2, 2023	<p>Emergency/Proposed Regulations DLS Control No. 23-261 Maryland State Lottery and Gaming Control Agency: Gaming Provisions: General: COMAR 36.03.01.02 Investigation and Licensing: COMAR 36.03.02.06, .12, .13, and .17 Video Lottery Operation License: COMAR 36.03.03.01, .05 – .07, and .10 Collection of Taxes, Fees and Penalties: COMAR 36.03.08.02 and .04 Video Lottery Facility Minimum Internal Control Standards: COMAR 36.03.10.16, .20, and .21 Facility Standards: COMAR 36.03.11.05 Video Lottery Terminals: Video Lottery Technical Standards: COMAR 36.04.01.11 Instant Bingo Machines in Anne Arundel and Calvert Counties: Application and Licensing: COMAR 36.07.02.12 Sports Wagering Provisions: General: COMAR 36.10.01.02 Qualification Requirements: COMAR 36.10.03.02 Specific Requirements for Sports Wagering Facility Licensees: COMAR 36.10.04.02, .04, and .06 Specific Requirements for Mobile Sports Wagering Licenses: COMAR 36.10.05.02 Specific Requirements for Other Licenses Required for Sports Wagering: COMAR 36.10.06.02, .03, and .09 Enforcement of Voluntary Exclusion Program: COMAR 36.10.10.03</p>		

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	<p>Sports Wagering Licensee Minimum Internal Control Standards: COMAR 36.10.13.41 Sports Wagering Licensee Facility Standards: COMAR 36.10.15.03 and .04 Sports Wagering Application Review Commission: All Applicants and Awardees: COMAR 36.11.02.20</p> <p>According to the department, the purpose of this action under COMAR 36.03.01 General: (1) Adjust and clarify definitions, and apply them in subsequent regulations, to address questions the Licensing Division encounters related to ownership interests; and (2) Clarify the existing licensing and fee structure for contractor and manufacturer licenses.</p> <p>Under COMAR 36.03.02 Investigation and Licensing: (1) Clarify requirements for principal entities (owners); (2) For video lottery employee licensees, allow gaming employees to work as sports wagering employees without submitting a separate license application; (3) Allow employees ages 18-20 to be on a casino's gaming floor while they work, as is already permitted in statute; (4) Provide that individual licensees may voluntarily relinquish a license, and later request to be returned to active license status; (5) Implement House Bill 1288, which relaxes mandatory disqualification requirements for individuals with misdemeanor records who complete a problem-solving court; (6) Implement clarifying definitions from Chapter 01; (7) Delegate to Staff the authority to issue manufacturer licenses; (8) Correct an error that omitted manufacturer license applicants from the due process required for license denials; and (9) For vendors, clarify what is and is not a vendor, and streamline registration requirements.</p> <p>Under COMAR 36.03.03 Video Lottery Operation License: (1) Implement the casino license renewal requirements in Senate Bill 537, and build time into the process for Staff to conduct</p>		

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	<p>background investigations before license expiration and (2) As specified in SB 537, designate that license renewal fees accrue to the Education Trust Fund.</p> <p>Under COMAR 36.03.06 Enforcement of Voluntary Exclusion Program, require conspicuous display of the gambling assistance message.</p> <p>Under COMAR 36.03.08 Collection of Taxes, Fees, and Penalties: (1) Incorporate casino license renewal fee requirements from Senate Bill 537 and amendments to Chapter 03, and ensure consistency with proposed amendments to Subtitle 04, Chapter 02, which clarify the calculation of annual Problem Gambling Fund assessments for VLT counts based on the authorized number of VLTs on the casino's operation license; and (2) Clarify annual Problem Gambling Fund assessments for table games based on the high-water mark of table games in operation in the year.</p> <p>Under COMAR 36.03.10 Video Lottery Facility Minimum Internal Control Standards: (1) Reduce audit frequency for two non-gaming functions; (2) Increase aggregate amount of check(s) a casino can accept from a player on a single gaming day; (3) Allow a casino to accept a higher aggregate dollar value of check(s) from a player from checks that are payouts for gaming activity from a casino licensed in Maryland or an out of state affiliate of a Maryland casino; (4) Authorize casinos to accept an ACH transfer from a player to pay off a casino debt, in addition to a wire transfer; and (5) Authorize a casino's player tracking system to give players their player account information (win-loss statements) at a self-service kiosk or the casino's player rewards website.</p>		

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	<p>Under COMAR 36.03.11 Facility Standards, authorize Agency staff to approve changes to a casino’s gaming floor plan within authorized VLT and table game counts.</p> <p>Under COMAR 36.04.01 Video Lottery Terminal Standards, allow Staff to authorize use of a paytable with an average payout above 95% if the Commission has already approved the paytable.</p> <p>Under COMAR 36.04.02 Video Lottery Terminal Machines: (1) Delete obsolete provisions pertaining to the Commission’s purchase or lease of VLTs for the casinos, and replace them with requirements to obtain Staff authorization before adding VLTs to the gaming floor; (2) Delete the requirement that the Commission authorize both temporary and permanent VLT count reductions; (3) Establish process for casinos to make one annual request for reduction to the authorized maximum number of VLTs on its license; if Staff approves, the VLT count on the operation license is reduced accordingly; (4) Adjust VLT counts on the floor at or below the licensed VLT count with prior notice to Staff; (5) Establish process for casino to pay license fees required to permit operation of VLTs above the number authorized on the operation license; and (6) Clarify that the annual assessment to the Problem Gambling Fund is based on the number of VLTs on the license, regardless of whether all VLTs were actually in use in the assessment year; and COMAR 36.03.08 has corresponding amendment.</p> <p>Under COMAR 36.07.02 Application and Licensing, clarify Staff’s enforcement authority for instant bingo manufacturers.</p> <p>Under COMAR 36.10.01 General: (1) Implement amendments regarding ownership and principal entities consistent with amendments to the same as proposed (above) in</p>		

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	<p>COMAR 36.03; and (2) Implement Senate Bill (SB) 621, which authorizes the Commission to license and regulate independent evaluators, and requires additional definitions of associated new terminology in the bill.</p> <p>Under COMAR 36.10.02 All Applicants and Licensees – Applications and Investigations: (1) Clarify bond requirements that apply to all sports wagering applicants and licensees; and (2) Implement amendments regarding principal entities consistent with amendments to the same as proposed (above) in COMAR 36.03.</p> <p>Under COMAR 36.10.03 All Applicants and Licensees – Qualification Requirements: (1) Clarify bond requirements for sports wagering licensees; and (2) Remove language related to conducting gaming for 3 years before a license transfer because it addressed in statute.</p> <p>Under COMAR 36.10.04 Specific Requirements for Sports Wagering Facilities Licensees: (1) Clarify bond requirements for sports wagering facilities, by category; and (2) Implement uncodified portion of SB 621, which authorizes a Class B-2 that became an awardee before February 15, 2023, to request the Commission and SWARC to allow it to change the proposed facility location identified in its applications to both commissions.</p> <p>Under COMAR 36.10.05 Specific Requirements for Mobile Sports Wagering Licenses, clarify bond requirements for mobile sports wagering licensees.</p> <p>Under COMAR 36.10.06 Specific Requirements for Other Licenses Required for Sports Wagering: (1) Clarify bond requirements for online sports wagering operator, sports</p>		

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	<p>wagering facility, sports wagering contractor, and sports wagering employee licensees; (2) Implement independent evaluator licensing and regulation requirements established in SB 621; (3) Consistent with statute and amendments to COMAR 36.03, authorize sports wagering employees who are 18 to 20 years old to be in restricted areas if they are working; (4) Restrict wagering by Independent Evaluator employees; and (5) Consistent with amendments to COMAR 36.03, clarifies vendor registration requirements.</p> <p>Under COMAR 36.10.10 Enforcement of Voluntary Exclusion Program: (1) Consistent with amendments to COMAR 36.03 above, require conspicuous posting of gambling assistance message; and (2) Prohibit advertisements offering or suggesting guaranteed or risk-free gambling outcomes.</p> <p>Under COMAR 36.10.13 Sports Wagering Licensee Minimum Internal Control Standards: (1) Consistent with amendments to COMAR 36.03 above, reduce the frequency of an audit for two non-gaming functions; (2) Allow for a Class B-2 licensee to perform cash storage drop box collection with two employees; (3) Clarify reserve requirement and player account requirements; (4) For consumer protection regulations, reorganize existing language non-substantively, and clarify requirements for promotions; (5) Implement SB 620, which prohibits institutions of higher education from contracting with sports wagering licensees if the licensees would profit from securing student participation in sports wagering.</p> <p>Under COMAR 36.10.14 Sports Wagering Requirements and Limitations: (1) Prohibit Independent Evaluator employees from placing wagers; and (2) Clarify requirements for surety bonds that comprise part of a reserve.</p>		

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	<p>Under COMAR 36.10.15 Sports Wagering Licensee Facility Standards, authorize Agency staff to approve facility design standards and facility plans.</p> <p>Under COMAR 36.11.02 All Applicants and Awardees, implement uncodified language in SB 621, which allows an awardee to ask SWARC and the Commission to authorize it to change the facility location identified in its applications.</p>		
September 25, 2023	<p>Emergency/Proposed Regulations DLS Control No. 23-228 Maryland Department of Health: Maternal and Child Health: Abortion Care Disclosure: COMAR 10.11.08.01 – .05</p> <p>The purpose of this action is to introduce the Abortion Care Diagnosis, Procedure, and Medication Code Technical Guidance Document. This document outlines the specific mifepristone data and the abortion care diagnosis, procedure, medication, and related codes that are subject to restrictions on disclosure. Additionally, the chapter specifies the entities to which these restrictions apply. This proposal is being promulgated pursuant to Chs. 248 and 249 (S.B. 786 and H.B. 812), Acts of 2023, Health – Reproductive Health Services – Protected Information and Insurance Requirements.</p>		
July 18, 2023	<p>Emergency/Proposed Regulations DLS Control No. 23-180 Maryland Department of Labor: Board of Master Electricians: Fees and Deadlines: COMAR 09.09.01.03</p>		

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	<p>Continuing Education: COMAR 09.09.02.01</p> <p>The purpose of this action is to implement the uninsured electrician license classification established by legislative amendments to the Maryland Electricians Act, specifically fees required for state licenses and continuing education requirements for the uninsured electrician license classification.</p>		
<p>May 19, 2023</p>	<p>Emergency Regulations DLS Control No. 23-121 Independent Agencies: Maryland Cannabis Administration: Definitions: COMAR 14.17.01.01 General Regulations: COMAR 14.17.02.03 Social Equity: COMAR 14.17.03.01, and 14.17.03.03 Medical Cannabis Program: COMAR 14.17.04.01, 14.17.04.02, 14.17.04.04, 14.17.04.06, 14.17.04.07, 14.17.04.09, and 14.17.04.10 Application Process and Issuance of Licenses: COMAR 14.17.05.01, 14.17.05.02, 14.17.05.03, 14.17.05.04, 14.17.05.05, 14.17.05.06, 14.17.05.07, and 14.17.05.08 Standard Cannabis Licenses: COMAR 14.17.06.01, 14.17.06.02, 14.17.06.03, 14.17.06.07, 14.17.06.08, 14.17.06.09, 14.17.06.10, 14.17.07.01, 14.17.07.02, and 14.17.07.03 Micro Licenses: COMAR 14.17.07.05, 14.17.07.06, 14.17.07.07, and 14.17.07.08 Laboratory Registration and Operations: 14.17.08.01, 14.17.08.04, 14.17.08.05, and 14.17.08.06</p>	<p>N/A</p>	<p>Emergency Action approved beginning July 1, 2023 and expiring June 30, 2024.</p>

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	<p>Cannabis Grower Operations: COMAR 14.17.10.01, 14.17.10.02, 14.17.10.03, 14.17.10.04, and 14.17.10.05</p> <p>Cannabis Processor Operations: COMAR 14.17.11.02, 14.17.11.04, 14.17.11.06, and 14.17.11.07</p> <p>Cannabis Dispensary Operations: COMAR 14.17.12.01, 14.17.12.02, 14.17.12.04, 14.17.12.05, 14.17.12.06, 14.17.12.07, and 14.17.12.08</p> <p>Cannabis Products: COMAR 14.17.13.01, 14.17.13.02, 14.17.13.03, 14.17.13.04, 14.17.13.05, 14.17.13.07, 14.17.13.08, 14.17.13.09, and 14.17.13.10</p> <p>Complaints, Enforcement, Record Keeping, and Inspections of Cannabis Businesses: COMAR 14.17.14.02, 14.17.14.03, and 14.17.14.06</p> <p>Cannabis Business Agents: COMAR 14.17.15.02, 14.17.15.03, 14.17.15.04, 14.17.15.05, and 14.17.15.06</p> <p>Cannabis Business Owners: COMAR 14.17.16.01, 14.17.16.02, 14.17.16.04, and 14.17.16.05</p> <p>Secured Creditors and Receivership: COMAR 14.17.17.01, 14.17.17.02, 14.17.17.03, 14.17.17.05, 14.17.17.06, 14.17.17.07, 14.17.17.08</p> <p>Finished Product Packaging: COMAR 14.17.18.01, 14.17.18.03, 14.17.18.06, 14.17.18.07, and 14.17.18.08</p> <p>Cannabis Research: COMAR 14.17.19.03</p> <p>Cannabis Research: COMAR 14.17.19.05</p> <p>Prohibited Acts: COMAR 14.17.20.01</p> <p>Prohibited Acts: COMAR 14.17.20.02</p> <p>Fees: COMAR 14.17.21.01</p> <p>Hearing Procedures: COMAR 14.17.22.01, 14.17.22.02, 14.17.22.03, 14.17.22.04, 14.17.22.05, 14.17.22.07, 14.17.22.08, 14.17.22.10, and 14.17.22.11</p>		

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	This emergency action is necessary to implement and enforce the regulatory framework approved by the Maryland General Assembly in emergency legislation set to take effect on July 1, 2023.		