

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	07/14/2014	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 8/22/2014

2. COMAR Codification

Title Subtitle Chapter Regulation

10 29 17 02

3. Name of Promulgating Authority

Department of Health and Mental Hygiene

4. Name of Regulations Coordinator Telephone Number
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6. Check applicable items:

New Regulations

Title
Secretary

Telephone No.
410-767-6500

Date
July 14, 2014

Title 10
DEPARTMENT OF HEALTH AND MENTAL HYGIENE
Subtitle 29 BOARD OF MORTICIANS AND FUNERAL DIRECTORS

10.29.17 Crematories — Permit, Licensing, and Fees

Authority: Health Occupations Article, §§7-101, 7-102, 7-205, 7-316, Annotated Code of Maryland

Notice of Proposed Action

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The Secretary of Health and Mental Hygiene proposes to amend Regulation .02 under COMAR 10.29.17 Crematories – Permit, Licensing, and Fees.

Statement of Purpose

The purpose of this action is to authorize a crematory to cremate one human remains prior to obtaining a permit to operate a crematory from the Board only if the cremation is conducted as part of a manufacturer's training course on the cremation machinery and only if the person or persons with the right to final disposition are notified and give permission prior to the cremation.

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 September 22, 2014. A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 2015

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

This proposal does impose any new costs to licensees, to the Board, or to the State.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

This proposal authorizes a crematory to cremate one human remains under specific circumstances and does not impose any new financial mandate or cost upon the small business.

G. Small Business Worksheet:

Attached Document:

Title 10

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10.29.17 (downloaded 6/23/2014)

.02 Permit — Issuing Agency.

A.—B. (text unchanged)

C. Before obtaining a permit from the Board, a crematory may cremate the human remains of one decedent provided the:

(1) Cremation is only performed as part of the manufacturer's operator training course for the cremation machinery in which the cremation takes place; and

(2) The person or persons with the right to final disposition of the decedent are notified and have given permission before the cremation.

JOSHUA M. SHARFSTEIN, M.D.

Secretary of Health and Mental Hygiene