

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulation
Department of Health and Mental Hygiene
(DLS Control No. 14-191)**

Overview and Legal and Fiscal Impact

The regulation authorizes the Alcohol and Drug Abuse Administration to accept a certain accreditation of an applicant for renewal of certification as an alcohol abuse and drug abuse treatment program, instead of the Office of Health Care Quality conducting a site visit and issuing a written report.

The regulation presents no legal issue of concern.

There is no fiscal impact on State or local agencies.

Regulation of COMAR Affected

Department of Health and Mental Hygiene:

Alcohol and Drug Abuse Administration: Certification Requirements:
COMAR 10.47.04.05

Legal Analysis

Summary of Regulation

The regulation authorizes the Alcohol and Drug Abuse Administration, when considering a renewal application, to accept accreditation of an alcohol abuse and drug abuse treatment program by an accreditation organization approved in accordance with § 19-2302 of the Health – General Article, instead of the Office of Health Care Quality conducting a site visit and issuing a written report.

Legal Issue

The regulation presents no legal issue of concern.

Statutory Authority and Legislative Intent

The department cites §§ 8-401 through 8-405 and 19-308 of the Health – General Article as legal authority for the regulation. More specifically, the regulation is authorized by §§ 8-401, 8-403, and 8-404. Section 8-401 requires the Alcohol and Drug Abuse Administration to promote, develop, establish, conduct, certify, and monitor programs for the prevention, treatment, and rehabilitation related to the misuse of alcohol and drugs, while § 8-403 provides

that an alcohol abuse and drug abuse treatment program shall be certified by the department before program services may be provided in the State. Section 8-404 requires the department to adopt regulations for establishing, operating, and certifying alcohol abuse and drug abuse treatment programs.

The authority is correct and complete. The regulation complies with the legislative intent of the law.

Fiscal Analysis

There is no fiscal impact on State or local agencies.

Agency Estimate of Projected Fiscal Impact

The regulation authorizes the Office of Health Care Quality to accept, as part of a certification renewal application, accreditation of a substance abuse treatment or prevention program by an approved accreditation organization. Acceptance of accreditation will be in lieu of the office conducting a site visit and issuing a written report. While the regulation may allow for greater operational efficiencies for the office, it is not expected to have a fiscal impact. The Department of Legislative Services concurs.

Impact on Budget

There is no impact on the State operating or capital budget.

Agency Estimate of Projected Small Business Impact

The department advises that the regulation has minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

Contact Information

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