

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulation
Maryland Institute for Emergency Medical Services Systems
(DLS Control No. 15-174)**

Overview and Legal and Fiscal Impact

The regulation corrects an error in the standards for designation of perinatal and neonatal referral centers and makes the standards consistent with those developed by the Perinatal Clinical Advisory Committee to the Secretary of Health and Mental Hygiene.

The regulation presents no legal issues of concern.

There is no fiscal impact on State or local agencies.

Regulation of COMAR Affected

Maryland Institute for Emergency Medical Services Systems:

Designation of Trauma and Specialty Referral Centers: Perinatal and Neonatal Referral Center Standards: COMAR 30.08.12.11

Legal Analysis

Background

The Maryland Perinatal System Standards were originally developed in the mid-1990s by a Department of Health and Mental Hygiene advisory committee as a set of voluntary standards for Maryland hospitals providing obstetrical and neonatal services. The standards have been incorporated into the regulations for designation of perinatal referral centers (Level III and Level IV hospitals) by the Maryland Institute for Emergency Medical Services Systems (MIEMSS), as well as the Maryland Health Care Commission's State Plan regulations for obstetrical units and neonatal intensive care units.

Summary of Regulation

The regulation corrects an error in the standards for designation of perinatal and neonatal referral centers and makes the standards consistent with those developed by the Perinatal Clinical Advisory Committee to the Secretary of Health and Mental Hygiene in the committee's most recent document, Maryland Perinatal System Standards, Revised 2014.

COMAR 30.08.12.11 requires a hospital to meet specified equipment standards to receive a Level III or Level IV designation. Some equipment standards are optional for Level III hospitals. An essential standard for both Level III and Level IV in the existing regulation is the

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capability of providing continuing therapeutic hypothermia. The Maryland Perinatal System Standards, Revised 2014 make the standard optional for the Level III designation. The regulation likewise makes the standard optional, not essential, for the Level III designation.

Legal Issues

The regulation presents no legal issues of concern.

Statutory Authority and Legislative Intent

MIEMSS cites § 13-509 of the Education Article as statutory authority for the regulation. Section 13-509 requires the State Emergency Medical Services Board to develop and adopt an Emergency Medical System plan to ensure effective coordination and evaluation of emergency medical services delivered in the State. The plan must include criteria for the designation of trauma and specialty referral facilities, including all echelons of care. The board must adopt regulations to implement the plan.

This statutory 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 corrects a typographical error in the standards for designation of perinatal and neonatal referral centers. Thus, the Maryland Institute for Emergency Medical Services Systems advises that the regulation has no impact on State or local governments. 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 Maryland Institute for Emergency Medical Services Systems 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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