

MARYLAND REGISTER

**Proposed Action on Regulations**

<b>Transmittal Sheet</b>  <b>PROPOSED OR REPROPOSED</b>  <b>Actions on Regulations</b>	<b>Date Filed with AELR Committee</b>	<b>TO BE COMPLETED BY DSD</b>
	04/22/2016	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

**1. Desired date of publication in Maryland Register: 5/27/2016**

**2. COMAR Codification**

**Title Subtitle Chapter Regulation**

10 47 06 02-.04

**3. Name of Promulgating Authority**

Department of Health and Mental Hygiene

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**Title 10**  
**DEPARTMENT OF HEALTH AND MENTAL HYGIENE**  
**Subtitle 47 ALCOHOL AND DRUG ABUSE ADMINISTRATION**  
**10.47.06 Substance Abuse Treatment Outcomes Partnerships — (S.T.O.P.) Fund**  
 Authority: Health-General Article, §§8-6C-01—8-6C-04, Annotated Code of Maryland

**Notice of Proposed Action**

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The Secretary of Health and Mental Hygiene proposes to amend Regulations .02—.04 under COMAR 10.47.06 Substance Abuse Treatment Outcomes Partnerships (S.T.O.P.) Fund.

**Statement of Purpose**

The purpose of this action is to :

- (1) Modify the meaning of eligible populations;
- (2) Modify applicant requirements for funding;
- (3) Repeal task force requirement;
- (4) Define eligible functions; and
- (5) Clarify when funds may be continued or expanded for eligible functions.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

**I. Summary of Economic Impact.**

There is no economic impact to the State as the amendments can be implemented within existing Departmental resources. The regulations expand the uses of the S.T.O.P. funds without requiring additional expenditures. In addition, because it is unknown whether counties with existing programs will request supplemental funding, the impact on them is unknown.

<b>II. Types of Economic Impact.</b>	Revenue (R+/R-)	Expenditure (E+/E-)	Magnitude
A. On issuing agency:	(E+)		Indeterminable
B. On other State agencies:	NONE		
C. On local governments:	(R+)		Indeterminable

	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:	(+)	Indeterminable
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

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

A. S.T.O.P. Fund grants are 50/50 matching grants. A county or Baltimore City may expend additional monies in order to receive grant revenue from the State. If participating county or Baltimore City began using the funds after October 1, 2010, they may be eligible for STOP funding for newly eligible functions. Revenues from S.T.O.P. funds may increase significantly for newly eligible functions.

C. See A.

D. See A.

**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](mailto:dhmh.regs@maryland.gov), or fax to 410-767-6483. Comments will be accepted through June 27, 2016. A public hearing has not been scheduled.

**Economic Impact Statement Part C**

A. Fiscal Year in which regulations will become effective: FY 2017

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

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used: Substance Abuse Treatment Outcomes Partnership (S.T.O.P.)

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:

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

S.T.O.P. Fund grants are 50/50 matching grants for a county or Baltimore City. The county or Baltimore City may expend additional monies in order to receive grant revenue from the State. The additional county or Baltimore City expenditure will have minimal or no impact on small businesses.

G. Small Business Worksheet:

Attached Document:

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**Title 10**  
**DEPARTMENT OF HEALTH AND MENTAL**  
**HYGIENE**  
**Subtitle 47 ALCOHOL AND DRUG ABUSE ADMINISTRATION**

**10.47.06 Substance Abuse Treatment Outcomes Partnerships — (S.T.O.P.) Fund**

Authority: Health-General Article, §§8-6C-01—8-6C-04, Annotated Code of Maryland

10.47.06.02 (11/24/15)

**.02 Definitions.**

A. (text unchanged)

B. Terms Defined.

(1) (text unchanged)

(2) "*Eligible functions*" means:

(a) *Transportation to and from treatment services;*

(b) *Treatment, prevention, or coordination staff;*

(c) *Data sharing services among counties and other appropriate treatment providers;*

(d) *Education or outreach programs and materials;*

(e) *In-community emergency behavioral health services or crisis stabilization units; or*

(f) *Behavioral health programs in schools.*

[(2)] (3) "*Eligible population*" means:

(a)—(k) (text unchanged)

(l) *The general inmate population within county-managed correctional facilities; [ or]*

(m) *Parents of children entering out-of-home placements or at risk of entering out-of-home placements; or*

(n) *Drug offenders under the supervision of the problem solving courts.*

[(3)] (4)—[(5)] (6) (text unchanged)

[(6)] (7) "*Request for partnership funding*" means [a]:

(a) *A proposal, submitted by the governing bodies of one or more jurisdictions, to provide [substance abuse] substance-related disorder treatment services to one or more eligible populations; or*

(b) *To provide funding for eligible functions within the requesting jurisdiction or jurisdictions.*

[(7)] (8) (text unchanged)

10.47.06.03 (11/30/15)

**.03 Requests for Partnership Funding and Criteria for Awarding Funding.**

A. (text unchanged)

B. Proposals shall include the following:

(1) (text unchanged)

(2) *Eligible functions that will be funded under the plan;*

[(2)] (3) A description of the plan to provide [substance abuse] *substance-related disorder* services;

[(3)] (4)—[(8)] (9) (text unchanged)

C. Time Line. Requests for partnership funding shall be received by the Department[:

(1) By April 30, 2001 for State fiscal year (SFY) 2002;

(2) By April 1, 2002 for SFY 2003;

(3) By April 1, 2003 for SFY 2004; and

(4) For all succeeding years,] by April 1 for the following fiscal year.

D. The Department[, in consultation with the Task Force, shall determine the criteria for funding awards. In evaluating requests for partnership funding, the Department and the Task Force] shall consider the following:

(1)—(3) (text unchanged)

(4) How the proposal fits into a balanced approach to the State's variety of [substance abuse] *substance-related disorder* needs and populations that serve different geographic areas of the State with partnership funding;

(5) The extent to which the proposal is part of or consistent with a regional strategy for [substance abuse] *substance-related disorder* treatment programs affecting adjoining jurisdictions; and

(6) (text unchanged)

*E. The Department may specify in a request for proposals the types of treatment services that are eligible for funding awards.*

10.47.06.04 (11/30/15)

**.04 Fiscal Responsibility by Jurisdiction.**

A.—C. (text unchanged)

*D. A participating jurisdiction may use partnership funding to continue or expand funding for eligible functions if the participating jurisdiction began spending funds on eligible functions after October 1, 2010.*

**VAN T. MITCHELL**

**Secretary of Health and Mental Hygiene**