



THE MARYLAND GENERAL ASSEMBLY
ANNAPOLIS, MARYLAND 21401-1991

JOINT COMMITTEE ON ADMINISTRATIVE, EXECUTIVE, AND LEGISLATIVE REVIEW

Memorandum

To: Members of the AELR Committee
Standing Committee Chairs

From: George H. Butler, Jr., AELR Committee Counsel
Kathryn H. Selle, AELR Committee Counsel
Nathan W. McCurdy, AELR Committee Counsel

Date: October 7, 2019

Re: **Synopses of Regulations received from 9/20/2019 through 10/6/2019**

Enclosed please find synopses of regulations received by the Joint Committee on Administrative, Executive, and Legislative Review (AELR) during the weeks noted above.

The Office of Policy Analysis prepares analyses of the regulations to determine if there are any problem areas, to ensure that the regulations comply with statutory authority and legislative intent, and to assess the fiscal impact of the regulations. If any regulation is of particular interest to you, please feel free to contact us at 410-946-5350 and we will supply you with a copy of the regulation along with the legal and fiscal analysis.

/cr

cc: Jake Weissmann
Alexandra M. Hughes

Agriculture, Department of

Proposed Regulation

DLS Control No. 19-180

Department of Agriculture:

Office of the Secretary:

Correction or Amendment of Personal Records: COMAR 15.01.06.01 through .11

According to the department, the purpose of this action is to update the Public Information Act regulations that allow a person in interest to request the department correct or amend any information that the department keeps and that the person in interest is authorized to inspect.

Proposed Regulation

DLS Control No. 19-181

Department of Agriculture:

Office of the Secretary:

Public Information Act Requests: COMAR 15.01.04.01 through .16

According to the department, the purpose of this action is to update the regulations governing the manner in which the Maryland Department of Agriculture responds to requests filed under the Maryland Public Information Act.

Commerce, Department of

Proposed Regulation

DLS Control No. 19-183

Department of Commerce:

Economic Development:

Enterprise Investment Program: COMAR 24.05.16.01 through .11

According to the department, the purpose of this action is to repeal regulations that are no longer supported by statutory authority.

Transportation, Department of

Emergency Regulations

DLS Control No. 19-182

Department of Transportation:

State Highway Administration:

Permits for Oversize and Overweight Vehicles: COMAR 11.04.01.02 and .13

Heavy Weight Port Corridor Permit: COMAR 11.04.17.01 through .12

According to the department, this regulation implements Chapter 255 of 2019 by authorizing the State Highway Administration to issue a heavy weight port corridor permit in accordance with § 24-113.3 of the Transportation Article and COMAR 11.04.17.

The department indicates the emergency status is necessary as heavy loads are expected at Seagirt in mid-October 2019 and must be ready to move to Trade Point Terminal by November 1, 2019.

Maryland Department of Health

Proposed Regulations

DLS Control No. 19-179

Maryland Department of Health:

Community Health Workers:

Certification of Community Health Workers: COMAR 10.68.01.01 through .09

Community Health Worker Certification Training Programs:

COMAR 10.68.02.01 through .07

According to the department, the purpose of this action is to establish a process within the Maryland Department of Health to certify community health workers and accredit community health worker certification training programs.

Education, State Board of

Proposed Regulation

DLS Control No. 19-177

State Board of Education:

Special Instructional Programs:

Hearing Aid Loan Bank: COMAR 13A.05.12.01 through .03

According to the board, the purpose of this action is to implement Education Article §§ 8-601 through 8-606, which established the Hearing Aid Loan Bank. Updates include:

- change in the program name to: “Maryland Hearing Aid and Language and Communication Video Loan Bank;”
- extend eligibility to include individuals under age 21 who have not graduated from high school;
- change the initial loan term to 1 year and the extension period to 1 year; and

- provide videos and downloadable resources that offer unbiased information about language and communication options, and resources to learn the language, or other means of communication, the parents choose to use (ASL, Cued Speech, and Listening and Spoken Language).

Proposed Regulation

DLS Control No. 19-178

State Board of Education:

Special Instructional Programs:

Provision of a Free Appropriate Public Education: COMAR 13A.05.01.14

According to the board, the purpose of this action is to implement amendments to COMAR as stated in Education Article § 8-405 which established the independent educational evaluation. The updates include: if a parent requests an independent educational evaluation at public expense the local school system or public agency shall provide a written response approving or denying the request within 30 days; if the local school system or public agency approves a request, the written response shall advise the parent of the process for arranging the evaluation at public expense; and if the local school system or public agency denies a request, the local school system or public agency shall file a due process complaint within 30 days of the date of denial.