



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: John J. Joyce, AELR Committee Counsel
Kathleen P. Kennedy, AELR Committee Counsel
Georgianne Carter, AELR Committee Counsel

Date: June 28, 2021

Re: **Synopses of Regulations received from 6/11/2021 through 6/27/2021**

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

Transportation, Department of

Proposed Regulation

DLS Control No. 21-057

Department of Transportation:

Motor Vehicle Administration–Vehicle Operations:

Unified Truck Travel: COMAR 11.16.05.01 through .04

According to the department, the purpose of this action is to adopt new regulations to set procedures for the Maryland Department of Transportation Motor Vehicle Administration (MDOT MVA) to govern truck travel in a unified manner in order to conform to Chapter 118, Senate Bill 291, Acts of 2021.

Secretary of State

Proposed Regulation

DLS Control No. 21-056

Executive Department:

Secretary of State:

Notary Public Fees: COMAR 01.02.08.13 through .17

According to the Secretary, the purpose of this action is to create standards for approving providers of a notary public course of study and examination. Beginning October 1, 2021, all new and renewing notary applicants will be required to take a course of study and all new notary applicants will be required to pass an examination under State Government Article, § 18-102(a), Annotated Code of Maryland. On or before October 1, 2021, the Secretary of State is required to regularly offer a course of study and examination that cover the laws, regulations, procedures, and ethics relevant to notarial acts. State Government Article, Section 18-102(b). The course and examination may be offered through an entity approved by the Secretary of State. This proposed action establishes the qualifications, responsibilities, and standards required by the Secretary of State of providers of the notary public course and examination; and establishes a process for approving providers.

Workers' Compensation Commission

Proposed Regulations

DLS Control No. 21-059

Independent Agencies:

Workers' Compensation Commission:

Procedural Regulations: COMAR 14.09.01.01 through .04, .08, and .09

Requirements for Filing and Amending Claims:

COMAR 14.09.02.01 through .04, and .06 through .08

Hearing Procedures: COMAR 14.09.03.02 through .05, .07, .08, .09, .11, .12, and .13

Legal Representation and Fees: COMAR 14.09.04.01 through .03

Uninsured Employers' Fund Claims: COMAR 14.09.05.01, .03, and .07

Payment of Awards and Assessments and Termination of Benefits:

COMAR 14.09.06.04

Settlements and Lump Sum Payments: COMAR 14.09.10.02

Judicial Review Procedures: COMAR 14.09.11.02 through .04

Responsibilities of Insurers: COMAR 14.09.12.02, .03, .07, and .08

Individual Employer Self-Insurer: COMAR 14.09.13.01, .02, .08, and .12

Governmental Group Self-Insurance: COMAR 14.09.14.01-1, and .03

Open Meetings: COMAR 14.09.15.01

Public Information Act Requests:

COMAR 14.09.16.03, .07, .08, .09, .11, .13, .15, and .17

Emergency Powers of Chairman of the Commission: COMAR 14.09.17.03

According to the commission, the purpose of this action is to change certain filing and submission methods to facilitate full integration of CompHub, the Commission's online system designed to facilitate the filing and adjudication of workers' compensation claims; make minor style and language changes; and remove redundancies. Repeal certain filing and submission instructions which no longer apply in CompHub; make minor style and language changes; remove redundancies; and to clarify filing instructions in CompHub for employers and insurers represented by counsel.

Maryland Department of Health

Proposed Regulation

DLS Control No. 21-052

Maryland Department of Health:

Maryland Health Care Commission:

Maryland Medical Care Data Base and Data Collection: COMAR 10.25.06.01-.18

According to the department, the purpose of this action is to amend regulations governing the submission of healthcare data (claims, encounters, and eligibility) by reporting entities to the Maryland Health Care Commission (MHCC). The regulations allow the Commission to increase data collection frequency; expand the Non-Fee-For-Service data collection to include all services,

not only medical; and update definitions of terms used throughout the regulations. This increase in the frequency of data reporting will allow MHCC to meet the demands from stakeholders such as the Maryland Department of Health, the Health Services Cost Review Commission, the Maryland Insurance Administration, the Maryland Health Benefit Exchange, the Maryland Prescription Drug Affordability Board, the Maryland Legislature, the Governor's Office, and the public to provide healthcare data requests faster and to respond quickly to global health challenges such as the COVID-19 pandemic in Maryland.

Proposed Regulation

DLS Control No. 21-053

Maryland Department of Health:

Maryland Health Care Commission:

State Health Plan for Facilities and Services: General Surgical Services:

COMAR 10.24.11.01

According to the department, the purpose of this action is to update COMAR 10.24.11 to align the regulation with statutory changes in the 2019 and 2020 legislative sessions. These changes include updating language to be consistent with changes in the Health Services Cost Review Commission's regulation of Maryland hospitals, changing the definition of ambulatory surgical facility, and allowing for limited use of general anesthesia in a procedure room as a "rescue" option. The Health Services Cost Review Commission (HSCRC) no longer sets rates for hospital services lines.

Labor, Maryland Department of

Proposed Regulation

DLS Control No. 21-058

Maryland Department of Labor:

Workforce Development and Adult Learning:

Correctional Institutions Mandatory Educational and Workforce Skills Training P:

COMAR 09.37.02.05

According to the department, the purpose of this action is to amend existing regulations based on SB 86, which was enacted in the 2021 legislative session. Correctional Education – Changes to Mandatory Education Requirements altered the minimum number of days that a nonexempt inmate must participate in mandatory education programming from 120 to 240 calendar days at a Maryland state correctional facility.