



MARYLAND GENERAL ASSEMBLY
JOINT COMMITTEE ON ADMINISTRATIVE, EXECUTIVE, AND LEGISLATIVE REVIEW

SYNOPSIS OF EMERGENCY REGULATIONS

The following document provides synopses of emergency regulations received by the AELR Committee on the dates noted below. Please contact the issuing agency for copies of the text of emergency regulations. For more information, please contact Kelvin Lucas, Kathleen Kennedy, or Georgeanne Carter at the number below.

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
December 5, 2023	<p>A new regulation, referenced below, was received by the AELR committee. An analysis of the regulation will be sent to you once it is completed. NO ACTION IS REQUIRED AT THIS TIME.</p> <p>Emergency/Proposed Regulations DLS Control No. 23-344</p> <p>Maryland Department of Agriculture: Board of Veterinary Medical Examiners: Fees: COMAR 15.14.12.02</p>		Emergency status approved beginning February 7, 2024, and expiring May 31, 2024.

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
	<p>The purpose of this action is to increase various fees charged by the Board of Veterinary Medical Examiners.</p>		
<p>December 5, 2023</p>	<p>A new regulation, referenced below, was received by the AELR committee. An analysis of the regulation will be sent to you once it is completed. NO ACTION IS REQUIRED AT THIS TIME.</p> <p>Emergency/Proposed Regulations DLS Control No. 23-346</p> <p>Maryland Department of Agriculture: Office of the Secretary: Cost Sharing – Water Pollution Control Program: COMAR 15.01.05.10</p> <p>The purpose of this action is to alter the maximum payment amounts and circumstances under which a person may receive payments under the Maryland Agricultural Water Quality Cost-Share (MACS) Program.</p>		<p>Emergency status approved beginning January 12, 2024 and expiring June 30, 2024.</p>
<p>December 8, 2023</p>	<p>A new regulation, referenced below, was received by the AELR committee. An analysis of the regulation will be sent to you once it is completed. NO ACTION IS REQUIRED AT THIS TIME.</p> <p>Emergency/Proposed Regulations DLS Control No. 23-354 Maryland Department of Health:</p>		

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
	<p>Medical Care Programs: Early and Periodic Screening, Diagnosis, and Treatment: Nursing Services for Individuals Younger than 21 Years Old: COMAR 10.09.53.04 and .05</p> <p>The purpose of this action is to clarify covered private duty nursing (PDN) services when provided to participants younger than 21 years old eligible for early and periodic screening, diagnosis, and treatment (EPSDT) services.</p>		
December 8, 2023	<p>A new regulation, referenced below, was received by the AELR committee. An analysis of the regulation will be sent to you once it is completed. NO ACTION IS REQUIRED AT THIS TIME.</p> <p>Emergency/Proposed Regulations DLS Control No. 23-353 Maryland Department of Health: Medical Care Programs: Maryland Medicaid Managed Care Program: Rare and Expensive Case Management: COMAR 10.09.69.02, .11, and .12</p> <p>The purpose of this action is to clarify covered optional private duty nursing (PDN) services when provided to participants eligible for rare and expensive case management (REM) services.</p>		

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November 28, 2023	<p>A new regulation, referenced below, was received by the AELR committee. An analysis of the regulation will be sent to you once it is completed. NO ACTION IS REQUIRED AT THIS TIME.</p> <p>Emergency Regulations DLS Control No. 23-312 Department of Natural Resources: Fisheries Service: Striped Bass: COMAR 08.02.15.08, .09, and .12</p> <p>The purpose of this action is eliminate the recreational and charter boat spring season for striped bass (May 1 – May 15), also known as the Trophy Season, eliminate the early season in the Susquehanna Flats, Susquehanna River, and Northeast River from the recreational and charter boat summer and fall striped bass fishery in the Chesapeake Bay and its tidal tributaries (May 16 – May 31), and prohibit the targeting of striped bass in the areas which are being closed by this action. This action is necessary to reduce mortality on the striped bass spawning stock biomass. Emergency status is requested because this action cannot be scoped, proposed, adopted, and effective prior to the May 1 opening of the spring season through the normal regulatory promulgation process.</p>	A public hearing took place on February 2, 2024 and February 9, 2024	Emergency status approved beginning February 9, 2024 and expiring June 15, 2024.
November 20, 2023	<p>A new regulation, referenced below, was received by the AELR committee. An analysis of the regulation will be sent to you once it is completed. NO ACTION IS REQUIRED AT THIS TIME.</p>		Emergency status approved beginning January 9, 2024 and expiring July 7, 2024.

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
	<p>Emergency/Proposed Regulations DLS Control No. 23-268 Maryland Department of Health: Board of Environmental Health Specialists: Licensing Procedures: COMAR 10.60.02.08 Licensing Procedures: COMAR 10.60.02.09</p> <p>(1) Make clarifying changes for license reactivation as it relates to completion of approved training; (2) Update training approval requirements; (3) Establish reporting, documenting, and auditing compliance with continuing education requirements; and (4) Specify the consequences for failing to comply with the continuing education requirements.</p>		
<p>November 20, 2023</p>	<p>A new regulation, referenced below, was received by the AELR committee. An analysis of the regulation will be sent to you once it is completed. NO ACTION IS REQUIRED AT THIS TIME.</p> <p>Emergency/Proposed Regulations DLS Control No. 23-284 Maryland Department of Health: Maryland Health Care Commission: Certification of Electronic Health Networks and Medical Care Electronic Claims Clearinghouses: COMAR 10.25.07.02 Certification of Electronic Health Networks and Medical Care Electronic Claims Clearinghouses: COMAR 10.25.07.04</p>		<p>Emergency status approved beginning January 11, 2024 and expiring July 9, 2024.</p>

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
	<p>Certification of Electronic Health Networks and Medical Care Electronic Claims Clearinghouses: COMAR 10.25.07.05 Certification of Electronic Health Networks and Medical Care Electronic Claims Clearinghouses: COMAR 10.25.07.09</p> <p>The purpose of this emergency action is to implement requirements as specified in Chapter 249, House Bill 812, Health – Reproductive Health Services – Protected Information and Insurance Requirements (2023).</p>		
November 20, 2023	<p>A new regulation, referenced below, was received by the AELR committee. An analysis of the regulation will be sent to you once it is completed. NO ACTION IS REQUIRED AT THIS TIME.</p> <p>Emergency/Proposed Regulations DLS Control No. 23-287 Maryland Department of Health: Maryland Health Care Commission: Health Information Exchanges: Privacy and Security of Protected Health Informations: COMAR 10.25.18.01 Health Information Exchanges: Privacy and Security of Protected Health Informations: COMAR 10.25.18.02 Health Information Exchanges: Privacy and Security of Protected Health Informations: COMAR 10.25.18.03</p>		Emergency status approved beginning January 9, 2024 and expiring July 7, 2024.

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
	<p>Health Information Exchanges: Privacy and Security of Protected Health Informations: COMAR 10.25.18.04</p> <p>Health Information Exchanges: Privacy and Security of Protected Health Informations: COMAR 10.25.18.06</p> <p>Health Information Exchanges: Privacy and Security of Protected Health Informations: COMAR 10.25.18.07</p> <p>Health Information Exchanges: Privacy and Security of Protected Health Informations: COMAR 10.25.18.09</p> <p>Health Information Exchanges: Privacy and Security of Protected Health Informations: COMAR 10.25.18.10</p> <p>Health Information Exchanges: Privacy and Security of Protected Health Informations: COMAR 10.25.18.11</p> <p>The purpose of this emergency action is to implement requirements as specified in Chapter 249, House Bill 812, Health – Reproductive Health Services – Protected Information and Insurance Requirements (2023).</p>		
November 2, 2023	<p>A new regulation, referenced below, was received by the AELR committee. An analysis of the regulation will be sent to you once it is completed. NO ACTION IS REQUIRED AT THIS TIME.</p> <p>Emergency/Proposed Regulations DLS Control No. 23-261</p>		Emergency status approved beginning December 12, 2023 and expiring June 9, 2024

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
	<p>Maryland State Lottery and Gaming Control Agency: Gaming Provisions: General: COMAR 36.03.01.02 Investigation and Licensing: COMAR 36.03.02.06, .12, .13, and .17 Video Lottery Operation License: COMAR 36.03.03.01, .05 – .07, and .10 Collection of Taxes, Fees and Penalties: COMAR 36.03.08.02 and .04 Video Lottery Facility Minimum Internal Control Standards: COMAR 36.03.10.16, .20, and .21 Facility Standards: COMAR 36.03.11.05 Video Lottery Terminals: Video Lottery Technical Standards: COMAR 36.04.01.11 Instant Bingo Machines in Anne Arundel and Calvert Counties: Application and Licensing: COMAR 36.07.02.12 Sports Wagering Provisions: General: COMAR 36.10.01.02 Qualification Requirements: COMAR 36.10.03.02 Specific Requirements for Sports Wagering Facility Licensees: COMAR 36.10.04.02, .04, and .06 Specific Requirements for Mobile Sports Wagering Licenses: COMAR 36.10.05.02 Specific Requirements for Other Licenses Required for Sports Wagering: COMAR 36.10.06.02, .03, and .09 Enforcement of Voluntary Exclusion Program: COMAR 36.10.10.03</p>		

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
	<p>Sports Wagering Licensee Minimum Internal Control Standards: COMAR 36.10.13.41 Sports Wagering Licensee Facility Standards: COMAR 36.10.15.03 and .04 Sports Wagering Application Review Commission: All Applicants and Awardees: COMAR 36.11.02.20</p> <p>According to the department, the purpose of this action under COMAR 36.03.01 General: (1) Adjust and clarify definitions, and apply them in subsequent regulations, to address questions the Licensing Division encounters related to ownership interests; and (2) Clarify the existing licensing and fee structure for contractor and manufacturer licenses.</p> <p>Under COMAR 36.03.02 Investigation and Licensing: (1) Clarify requirements for principal entities (owners); (2) For video lottery employee licensees, allow gaming employees to work as sports wagering employees without submitting a separate license application; (3) Allow employees ages 18-20 to be on a casino's gaming floor while they work, as is already permitted in statute; (4) Provide that individual licensees may voluntarily relinquish a license, and later request to be returned to active license status; (5) Implement House Bill 1288, which relaxes mandatory disqualification requirements for individuals with misdemeanor records who complete a problem-solving court; (6) Implement clarifying definitions from Chapter 01; (7) Delegate to Staff the authority to issue manufacturer licenses; (8) Correct an error that omitted manufacturer license applicants from the due process required for license denials; and (9) For vendors, clarify what is and is not a vendor, and streamline registration requirements.</p>		

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	<p>Under COMAR 36.03.03 Video Lottery Operation License: (1) Implement the casino license renewal requirements in Senate Bill 537, and build time into the process for Staff to conduct background investigations before license expiration and (2) As specified in SB 537, designate that license renewal fees accrue to the Education Trust Fund.</p> <p>Under COMAR 36.03.06 Enforcement of Voluntary Exclusion Program, require conspicuous display of the gambling assistance message.</p> <p>Under COMAR 36.03.08 Collection of Taxes, Fees, and Penalties: (1) Incorporate casino license renewal fee requirements from Senate Bill 537 and amendments to Chapter 03, and ensure consistency with proposed amendments to Subtitle 04, Chapter 02, which clarify the calculation of annual Problem Gambling Fund assessments for VLT counts based on the authorized number of VLTs on the casino's operation license; and (2) Clarify annual Problem Gambling Fund assessments for table games based on the high-water mark of table games in operation in the year.</p> <p>Under COMAR 36.03.10 Video Lottery Facility Minimum Internal Control Standards: (1) Reduce audit frequency for two non-gaming functions; (2) Increase aggregate amount of check(s) a casino can accept from a player on a single gaming day; (3) Allow a casino to accept a higher aggregate dollar value of check(s) from a player from checks that are payouts for gaming activity from a casino licensed in Maryland or an out of state affiliate of a Maryland casino; (4) Authorize casinos to accept an ACH transfer from a player to pay off a casino debt, in addition to a wire transfer; and (5) Authorize a casino's player tracking system to give players their player account information</p>		

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	<p>(win-loss statements) at a self-service kiosk or the casino’s player rewards website.</p> <p>Under COMAR 36.03.11 Facility Standards, authorize Agency staff to approve changes to a casino’s gaming floor plan within authorized VLT and table game counts.</p> <p>Under COMAR 36,04.01 Video Lottery Terminal Standards, allow Staff to authorize use of a paytable with an average payout above 95% if the Commission has already approved the paytable.</p> <p>Under COMAR 36.04.02 Video Lottery Terminal Machines: (1) Delete obsolete provisions pertaining to the Commission’s purchase or lease of VLTs for the casinos, and replace them with requirements to obtain Staff authorization before adding VLTs to the gaming floor; (2) Delete the requirement that the Commission authorize both temporary and permanent VLT count reductions; (3) Establish process for casinos to make one annual request for reduction to the authorized maximum number of VLTs on its license; if Staff approves, the VLT count on the operation license is reduced accordingly; (4) Adjust VLT counts on the floor at or below the licensed VLT count with prior notice to Staff; (5) Establish process for casino to pay license fees required to permit operation of VLTs above the number authorized on the operation license; and (6) Clarify that the annual assessment to the Problem Gambling Fund is based on the number of VLTs on the license, regardless of whether all VLTs were actually in use in the assessment year; and COMAR 36.03.08 has corresponding amendment.</p> <p>Under COMAR 36.07.02 Application and Licensing, clarify Staff’s enforcement authority for instant bingo manufacturers.</p>		

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	<p>Under COMAR 36.10.01 General: (1) Implement amendments regarding ownership and principal entities consistent with amendments to the same as proposed (above) in COMAR 36.03; and (2) Implement Senate Bill (SB) 621, which authorizes the Commission to license and regulate independent evaluators, and requires additional definitions of associated new terminology in the bill.</p> <p>Under COMAR 36.10.02 All Applicants and Licensees – Applications and Investigations: (1) Clarify bond requirements that apply to all sports wagering applicants and licensees; and (2) Implement amendments regarding principal entities consistent with amendments to the same as proposed (above) in COMAR 36.03.</p> <p>Under COMAR 36.10.03 All Applicants and Licensees – Qualification Requirements: (1) Clarify bond requirements for sports wagering licensees; and (2) Remove language related to conducting gaming for 3 years before a license transfer because it addressed in statute.</p> <p>Under COMAR 36.10.04 Specific Requirements for Sports Wagering Facilities Licensees: (1) Clarify bond requirements for sports wagering facilities, by category; and (2) Implement uncodified portion of SB 621, which authorizes a Class B-2 that became an awardee before February 15, 2023, to request the Commission and SWARC to allow it to change the proposed facility location identified in its applications to both commissions.</p> <p>Under COMAR 36.10.05 Specific Requirements for Mobile Sports Wagering Licenses, clarify bond requirements for mobile sports wagering licensees.</p>		

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	<p>Under COMAR 36.10.06 Specific Requirements for Other Licenses Required for Sports Wagering: (1) Clarify bond requirements for online sports wagering operator, sports wagering facility, sports wagering contractor, and sports wagering employee licensees; (2) Implement independent evaluator licensing and regulation requirements established in SB 621; (3) Consistent with statute and amendments to COMAR 36.03, authorize sports wagering employees who are 18 to 20 years old to be in restricted areas if they are working; (4) Restrict wagering by Independent Evaluator employees; and (5) Consistent with amendments to COMAR 36.03, clarifies vendor registration requirements.</p> <p>Under COMAR 36.10.10 Enforcement of Voluntary Exclusion Program: (1) Consistent with amendments to COMAR 36.03 above, require conspicuous posting of gambling assistance message; and (2) Prohibit advertisements offering or suggesting guaranteed or risk-free gambling outcomes.</p> <p>Under COMAR 36.10.13 Sports Wagering Licensee Minimum Internal Control Standards: (1) Consistent with amendments to COMAR 36.03 above, reduce the frequency of an audit for two non-gaming functions; (2) Allow for a Class B-2 licensee to perform cash storage drop box collection with two employees; (3) Clarify reserve requirement and player account requirements; (4) For consumer protection regulations, reorganize existing language non-substantively, and clarify requirements for promotions; (5) Implement SB 620, which prohibits institutions of higher education from contracting with sports wagering licensees if the licensees would profit from securing student participation in sports wagering.</p> <p>Under COMAR 36.10.14 Sports Wagering Requirements and Limitations: (1) Prohibit Independent Evaluator employees</p>		

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	<p>from placing wagers; and (2) Clarify requirements for surety bonds that comprise part of a reserve.</p> <p>Under COMAR 36.10.15 Sports Wagering Licensee Facility Standards, authorize Agency staff to approve facility design standards and facility plans.</p> <p>Under COMAR 36.11.02 All Applicants and Awardees, implement uncodified language in SB 621, which allows an awardee to ask SWARC and the Commission to authorize it to change the facility location identified in its applications...</p>		
September 25, 2023	<p>Emergency/Proposed Regulations DLS Control No. 23-228 Maryland Department of Health: Maternal and Child Health: Abortion Care Disclosure: COMAR 10.11.08.01 – .05</p> <p>The purpose of this action is to introduce the Abortion Care Diagnosis, Procedure, and Medication Code Technical Guidance Document. This document outlines the specific mifepristone data and the abortion care diagnosis, procedure, medication, and related codes that are subject to restrictions on disclosure. Additionally, the chapter specifies the entities to which these restrictions apply. This proposal is being promulgated pursuant to Chs. 248 and 249 (S.B. 786 and H.B. 812), Acts of 2023, Health – Reproductive Health Services – Protected Information and Insurance Requirements.</p>		

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September 5, 2023	<p>Emergency Regulation DLS Control No. 23-218 Maryland Department of Health: Board of Nursing: Examination and Licensure: COMAR 10.27.01.05</p> <p>The purpose of this action is to revise the English language proficiency examinations accepted by the Maryland Board of Nursing and to outline overall and minimum passing section scores. This emergency action is being requested due to substantive comments during the public comment period, which led to the revision of the proposal and resubmission to the Maryland Department of Health. The regulation is being revised to correct the Occupational English Test (OET) minimum passing scores. The original proposal was submitted on November 3, 2022. The Board has been receiving many inquiries from constituents and are concerned about the delay in promulgation.</p>	N/A	Emergency Action approved beginning October 6, 2023, and expiring April 3, 2024.
July 25, 2023	<p>Emergency Regulation DLS Control No. 23-193 Department of Natural Resources: Fisheries Service: Crabs: COMAR 08.02.03.01</p> <p>Regulation requires mature female hard crab harvest be held in bushels or barrels. A shortage of wooden bushel baskets has left the commercial crabbing industry with few options for holding mature female hard crab harvest. The industry has identified the lug as the preferred alternate container, but it is larger than a bushel basket and therefore needs to be defined in regulation and included as a</p>	N/A	Emergency Action approved beginning August 31, 2023, and expiring December 31, 2023.

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	<p>container that can be used to hold mature female hard crab harvest. Daily catch limits are an integral component of the Department's ability to ensure the fisheries do not overharvest crabs. Prohibiting container mixing provides simplicity for compliance and enforcement of limits.</p>		
<p>August 1, 2023</p>	<p>Emergency Regulations DLS Control No. 23-194 State Board of Education: Family Child Care Central Repository: Scope and Definitions: COMAR 13A.15.01.02 Home Environment and Equipment: COMAR 13A.15.05.03 Child Safety: COMAR 13A.15.10.02 Health: COMAR 13A.15.11.04 – .06 Child Care Centers: Scope and Definitions: 13A.16.01.02 Physical Plant and Equipment: COMAR 13A.16.05.11 Safety: COMAR 13A.16.10.04 Health: COMAR 13A.16.11.04 – .06 Child Care – Letters of Compliance: Scope and Definitions: 13A.17.01.02 Physical Plant and Equipment: COMAR 13A.17.05.11 Safety: COMAR 13A.17.10.04 Health: COMAR 13A.17.11.04 – .06 Large Family Child Care Homes: Scope and Definitions: 13A.18.01.02 Home Environment and Equipment: COMAR 13A.18.05.11 Safety: COMAR 13A.18.10.04 Health: COMAR 13A.18.11.04 – .06</p>	<p>N/A</p>	<p>Emergency Action approved beginning August 31, 2023, and expiring February 12, 2024.</p>

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	To prevent inappropriate exposure to or ingestion of cannabis.		
July 18, 2023	<p>Emergency/Proposed Regulations DLS Control No. 23-180 Maryland Department of Labor: Board of Master Electricians: Fees and Deadlines: COMAR 09.09.01.03 Continuing Education: COMAR 09.09.02.01</p> <p>The purpose of this action is to implement the uninsured electrician license classification established by legislative amendments to the Maryland Electricians Act, specifically fees required for state licenses and continuing education requirements for the uninsured electrician license classification.</p>		
June 27, 2023	<p>Emergency/Proposed Regulations DLS Control No. 23-166 Department of Transportation: Motor Vehicle Administration — Vehicle Registration: Electric Vehicle and Low Emission Vehicle Excise Tax Credit: COMAR 11.15.40.01 Electric Vehicle and Low Emission Vehicle Excise Tax Credit: COMAR 11.15.40.02 Electric Vehicle and Low Emission Vehicle Excise Tax Credit: COMAR 11.15.40.03 Electric Vehicle and Low Emission Vehicle Excise Tax Credit: COMAR 11.15.40.04</p>	N/A	Emergency Action approved beginning July 19, 2023 and expiring December 8, 2023.

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	To meet the effective date, July 1, 2023, of the excise tax credit program.		
June 13, 2023	<p>Emergency Regulation DLS Control No. 23-152 Maryland Department of Health: Board of Nursing – Licensed Direct-Entry Midwives: Practice of Licensed Direct-Entry Midwives: COMAR 10.64.01.15</p> <p>The purpose of this emergency action is to conform the education requirements for direct-entry midwives to the 2018 legislation that added completion of a North American Registry of Midwives (NARM) Midwifery Bridge Certificate Program as an acceptable means of meeting education requirements for licensure.</p>	N/A	Emergency Action approved beginning July 11, 2023 and expiring January 7, 2024.
June 12, 2023	<p>Emergency Regulation DLS Control No. 23-148 Department of Transportation: Motor Vehicle Administration – Administrative Procedures: Motor Vehicle Fees: COMAR 11.11.05.04</p> <p>Pursuant to passed emergency legislation, House Bill 123, Chapter 121, Acts of 2023.</p>	N/A	Emergency Action approved beginning July 11, 2023 and expiring January 7, 2024.

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June 6, 2023	<p>Emergency Regulation DLS Control No. 23-136 Department of Human Services: Social Services Administration Private Child Placement Agencies: License for Private Child Placement Agencies: COMAR 07.05.01.14</p> <p>These proposed regulations expand the hiring capacity of Maryland’s Child Placement Agencies to maximize their placement capacity across the state. In alignment with the administration’s goal to create and support viable employment opportunities to those who have substantive working experience, but not specific college degrees, the emergency regulatory changes would allow private providers to hire both Bachelor and Masters-degree level staff. The current regulations only allow for Master’s level, licensed social work staff, limiting the hiring pool and excluding persons with Bachelor’s Degrees and years of qualified experience.</p>	N/A	Emergency Action approved beginning July 1, 2023 and expiring December 28, 2023.
May 19, 2023	<p>Emergency Regulations DLS Control No. 23-121 Independent Agencies: Maryland Cannabis Administration: Definitions: COMAR 14.17.01.01 General Regulations: COMAR 14.17.02.03 Social Equity: COMAR 14.17.03.01, and 14.17.03.03 Medical Cannabis Program: COMAR 14.17.04.01, 14.17.04.02, 14.17.04.04, 14.17.04.06, 14.17.04.07, 14.17.04.09, and 14.17.04.10</p>	N/A	Emergency Action approved beginning July 1, 2023 and expiring June 30, 2024.

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	<p>Application Process and Issuance of Licenses: COMAR 14.17.05.01, 14.17.05.02, 14.17.05.03, 14.17.05.04, 14.17.05.05, 14.17.05.06, 14.17.05.07, and 14.17.05.08</p> <p>Standard Cannabis Licenses: COMAR 14.17.06.01, 14.17.06.02, 14.17.06.03, 14.17.06.07, 14.17.06.08, 14.17.06.09, 14.17.06.10, 14.17.07.01, 14.17.07.02, and 14.17.07.03</p> <p>Micro Licenses: COMAR 14.17.07.05, 14.17.07.06, 14.17.07.07, and 14.17.07.08</p> <p>Laboratory Registration and Operations: 14.17.08.01, 14.17.08.04, 14.17.08.05, and 14.17.08.06</p> <p>Cannabis Grower Operations: COMAR 14.17.10.01, 14.17.10.02, 14.17.10.03, 14.17.10.04, and 14.17.10.05</p> <p>Cannabis Processor Operations: COMAR 14.17.11.02, 14.17.11.04, 14.17.11.06, and 14.17.11.07</p> <p>Cannabis Dispensary Operations: COMAR 14.17.12.01, 14.17.12.02, 14.17.12.04, 14.17.12.05, 14.17.12.06, 14.17.12.07, and 14.17.12.08</p> <p>Cannabis Products: COMAR 14.17.13.01, 14.17.13.02, 14.17.13.03, 14.17.13.04, 14.17.13.05, 14.17.13.07, 14.17.13.08, 14.17.13.09, and 14.17.13.10</p> <p>Complaints, Enforcement, Record Keeping, and Inspections of Cannabis Businesses: COMAR 14.17.14.02, 14.17.14.03, and 14.17.14.06</p> <p>Cannabis Business Agents: COMAR 14.17.15.02, 14.17.15.03, 14.17.15.04, 14.17.15.05, and 14.17.15.06</p> <p>Cannabis Business Owners: COMAR 14.17.16.01, 14.17.16.02, 14.17.16.04, and 14.17.16.05</p> <p>Secured Creditors and Receivership:</p>		

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	<p>COMAR 14.17.17.01, 14.17.17.02, 14.17.17.03, 14.17.17.05, 14.17.17.06, 14.17.17.07, 14.17.17.08 Finished Product Packaging: COMAR 14.17.18.01, 14.17.18.03, 14.17.18.06, 14.17.18.07, and 14.17.18.08 Cannabis Research: COMAR 14.17.19.03 Cannabis Research: COMAR 14.17.19.05 Prohibited Acts: COMAR 14.17.20.01 Prohibited Acts: COMAR 14.17.20.02 Fees: COMAR 14.17.21.01 Hearing Procedures: COMAR 14.17.22.01, 14.17.22.02, 14.17.22.03, 14.17.22.04, 14.17.22.05, 14.17.22.07, 14.17.22.08, 14.17.22.10, and 14.17.22.11</p> <p>This emergency action is necessary to implement and enforce the regulatory framework approved by the Maryland General Assembly in emergency legislation set to take effect on July 1, 2023.</p>		
March 6, 2023	<p>Emergency Regulations DLS Control No. 23-087 Department of Agriculture: Office of the Secretary: Hemp Farming Program: COMAR 15.01.17.02, 08, 10 through 13, and 15</p> <p>The Maryland Department of Agriculture (MDA) is requesting an extension of the emergency status that is due to expire on March 15, 2023. MDA, which recently submitted a Proposed Action to adopt the amendments set forth in the existing Emergency Status, does not want the Emergency Status to lapse before the Proposed Action</p>	N/A	Emergency status approved beginning April 16, 2023 and expiring August 10, 2023.

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	<p>is finalized. The Proposed Action contains additional amendments to COMAR 15.01.17 that will benefit hemp growers in the State. Continuation of the Emergency Status provides growers a larger harvest window, increasing the grower’s time to complete the harvest from 15 days to 30 days before the department or an authorized agent is required to collect a new sample of a lot for testing. This change means less downtime for the grower at harvest-time. While growers still must submit planting reports and annual production reports, the emergency action eliminates the requirement to submit a pre-harvest report and a post-harvest report. This change, like the previous change will put licensed hemp growers in this State on an even playing field with growers in surrounding states. This action has been approved by USDA. The Proposed Action that MDA recently submitted likewise has been approved by USDA.</p>		
<p>March 7, 2023</p>	<p>Emergency Regulation DLS Control No. 23-086 Maryland Department of Health: Board of Nursing: Examination and Licensure: COMAR 10.27.01.</p> <p>The purpose of this emergency action is to permit continued flexibility for the state’s overall COVID – 19 response and to ensure that acute care settings in the state are able to maintain adequate healthcare provider staffing capacity.</p>	<p>N/A</p>	<p>Emergency status approved beginning May 4, 2023 and expiring October 31, 2023.</p>

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
	<p>This emergency action is being requested by acute care stakeholders as the Board of Nursing’s current emergency regulations are set to expire on July 3, 2022.</p>		
<p>February 22, 2023</p>	<p>Emergency Regulation DLS Control No. 23-085 Independent Agencies: Maryland Health Benefit Exchange: Eligibility Standards for Enrollment in a Qualified Health Plan and a Qualified Health Plan with APTC and CSR in the Individual Exchange: COMAR 14.35.07.22</p> <p>In December, Congress passed an omnibus spending bill to fund the federal government in FY2023 (the 2023 Consolidated Appropriations Act). One component of the act decouples the Medicaid continuous enrollment requirement from the COVID-19 Public Health Emergency. The Medicaid continuous enrollment requirement allowed Medicaid recipients to continue receiving Medicaid coverage regardless of changes in income, but will end in March 2023. In April 2023, Maryland will begin the 12-month process of “unwinding” the continuous enrollment requirement, which means many individuals will lose Medicaid coverage. Many of these individuals will be eligible for QHP coverage with subsidies through Maryland Health Connection. MHBE can reduce the number of Marylanders who experience a gap in coverage if we implement automatic enrollment into QHPs for individuals losing Medicaid coverage.</p>	<p>N/A</p>	<p>Emergency status approved beginning May 10, 2023 and expiring November 6, 2023.</p>

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
February 24, 2023	<p>Emergency Regulation DLS Control No. 23-071 Department of Natural Resources: Boating–Speed Limits and Operation of Vessels: Chesapeake Bay: COMAR 08.18.07.01</p> <p>Emergency approval of this action is requested to ensure public safety and protect human life. Without an established speed limit, the construction zone poses safety threats for all waterway users, employees, and contractors. The proposed speed limit will help protect all workers and barges from excessive wake actions. This action has been developed in cooperation with the Maryland Transportation Authority and the U.S. Coast Guard and will positively support the project and avoid delays. This action will establish a 6-knot speed limit in the Chesapeake Bay for the area surrounding the construction site of the Maryland Transportation Authority’s Eastbound Bay Bridge Deck Replacement Project. This regulation will be effective through March 31, 2026.</p>	N/A	Emergency status approved beginning May 4, 2023 and expiring October 31, 2023.
January 23, 2023	<p>Emergency Regulation DLS Control No. 23-059 Department of the Environment: Regulation of Water Supply, Sewage Disposal, and Solid Waste: On-site Wastewater Property Transfer Inspection License: COMAR 26.04.12.01</p> <p>An Emergency Action is necessary to create a new chapter codified as 26.04.12.01 – On-site Wastewater Property Transfer Inspection License and to update and make</p>	N/A	Emergency status approved beginning March 9, 2023 and expiring September 5, 2023.

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
	<p>COMAR regulations consistent with legislation added by Acts 2021, c. 444, § 1, eff. Oct. 1, 2021; Acts 2021, c. 445, § 1, eff. Oct. 1, 2021, which modified MD Code, Environment, § 9-217.2, MD ENVIR § 9-217.2. After July 1, 2022, individuals may not inspect on-site sewage disposal systems unless they hold a valid on-site wastewater property transfer inspection license issued by the Department. These individuals are inspecting the systems to ensure they are functioning properly and not negatively impacting public health or the environment. If they are not able to obtain the licenses effective July 1, these inspections may have to cease until the regulations are formally adopted. Failing septic systems may go undetected during this time period. Additionally, without licensed inspectors to inspect and certify the system, some real estate transactions may not proceed in a timely manner.</p>		
<p>December 6, 2022</p>	<p>Emergency Regulations DLS Control No. 23-033 Department of State Police: Crime Laboratory Testing Blood and Breath for Alcohol: COMAR 29.05.03.03</p> <p>According to the department, the regulations adopted are a result of Senate Bill 216 (2021) transferring certain toxicology matters from the Maryland Department of Health to the Maryland State Police Crime Lab</p>	<p>N/A</p>	<p>Emergency status approved beginning February 20, 2023 and expiring July 21, 2023.</p>

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
December 16, 2022	<p>Emergency Regulations DLS Control No. 22-447 Maryland Department of Health: Developmental Disabilities: Fee Payment System for Licensed Residential and Day Programs: COMAR 10.22.17.02 Fee Payment System for Licensed Residential and Day Programs: COMAR 10.22.17.10</p> <p>The purpose of this emergency action is to permit flexibilities in the minimum service hours for meaningful day services provided and billed for, consistent with DDA’s Appendix K, temporarily amending requirements in DDA’s Medicaid Waiver programs during the public health emergency. In addition, this action amends the minimum service hours requirements to accommodate the new 15-minute service units to be implemented under DDA’s LTSSMaryland electronic software system under its new rates and fee-for-service model.</p> <p>This emergency action is being requested because the current Appendix K flexibilities associated with these regulations have been extended.</p>	N/A	Emergency status approved beginning February 2, 2023 and expiring August 1, 2023.
December 16, 2022	<p>Emergency Regulations DLS Control No. 22-446 Maryland Department of Health: Mental Hygiene Regulations: Maryland Mental Health and Substance Use Disorder Registry and Referral System: COMAR 10.21.31.01</p>	N/A	Emergency status approved beginning January 27, 2023 and expiring July 26, 2023.

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
	<p>Maryland Mental Health and Substance Use Disorder Registry and Referral System: COMAR 10.21.31.02 Maryland Mental Health and Substance Use Disorder Registry and Referral System: COMAR 10.21.31.03 Maryland Mental Health and Substance Use Disorder Registry and Referral System: COMAR 10.21.31.04 Maryland Mental Health and Substance Use Disorder Registry and Referral System: COMAR 10.21.31.05</p> <p>The purpose of this emergency action is to implement Health – General Article, §7.5-802 of the Annotated Code of Maryland, and in furtherance of the Maryland Mental Health and Substance Use Disorder Registry and Referral System. The new regulations require all licensed acute care and psychiatric hospitals, and freestanding emergency medical facilities in the Maryland Public Behavioral Health system, including inpatient, crisis, and outpatient services, to provide daily reporting and use the Maryland Mental Health and Substance Use Disorder Registry and Referral System.</p> <p>This emergency action is being requested because there is a need to ensure that all listed facilities report timely into the Maryland Mental Health and Substance Use Disorder Registry and Referral System to give a complete picture of available and open beds that serve this population. Full utilization by all listed facilities so that appropriate discharge facilitation can take place to serve the patients better to improve health outcomes instead of patients waiting in emergency departments</p>		

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
October 5, 2022	<p>Emergency Regulations DLS Control No. 22-404 Maryland Department of Health: Health Services Cost Review Commission: Rate Application and Approval Procedures: COMAR 10.37.10.03 and .05</p> <p>The purpose of the emergency action is to: (1) Establish a moratorium on filing full rate applications until the data used to evaluate a full rate application has no longer been substantially affected by the COVID pandemic. During the moratorium, hospitals will be able to avail themselves of other administrative remedies available under commission law, regulation, or policy. The moratorium will not extend beyond June 30, 2023. (2) Update the standard for a temporarily approved rate to be used by the commission in 10.37.10.05 The emergency action is being requested because obtaining reliable data not substantially affected by the COVID pandemic will enable the successful implementation of commission-approved rate setting methodologies. Changes to 10.37.10.05 are being requested because the current standard for the temporarily approved rate is based on methodologies that no longer exist or no are longer applied.</p>	N/A	Emergency status approved beginning November 3, 2022 and expiring May 2, 2023.
August 5, 2022	<p>Emergency Regulations DLS Control No. 22-388 Department of Agriculture: Office of the Secretary: Hemp Farming Program: COMAR 15.01.17.02, 08, 10 through 13, and 15</p>	N/A	Emergency status approved beginning October 4, 2022 and expiring March 15, 2023.

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
	<p>The Maryland Department of Agriculture (MDA) is requesting emergency status so that the benefits it provides to licensed hemp growers will take effect before they begin harvesting the hemp crop in September 2022. The action provides growers a larger harvest window, increasing the grower’s time to complete the harvest from 15 days to 30 days before the Department or an authorized agent is required to collect a new sample of a lot for testing. This change will result in less testing and less downtime for the grower at harvest-time. While growers still must submit planting reports and annual production reports, the proposed action eliminates the requirement to submit a pre-harvest report and a post-harvest report. This change, like the previous change will put licensed hemp growers in this State on an even playing field with growers in surrounding states. This action has been approved by USDA. Later this month, MDA anticipates that it will be submitting a Proposed Action to incorporate these changes (and other changes, deemed less urgent, that likewise have been approved by USDA).</p>		
August 8, 2022	<p>Emergency Regulations DLS Control No. 22-387 Maryland Department of Health: Board of Nursing - Certified Nursing Assistants: Certification of Nursing Assistants: COMAR 10.39.01.01, .04, .05, and .09</p> <p>The purpose of this emergency action is to authorize temporary nurse aides (TNA) who worked during the coronavirus pandemic under the Centers for Medicare &</p>	N/A	Emergency status beginning September 22, 2022 and expiring March 20, 2023.

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
	<p>Medicaid Services (CMS) 1135 blanket waiver to apply on-the-job experience as a nurse aide toward the total number of training hours required for certification as a geriatric nursing assistant (GNA). There are currently 2,000–3,000 TNAs working in the state of Maryland. It is essential for long-term care facilities to retain adequate direct-entry staffing levels to address Maryland’s chronic and aging population needs. This emergency action is being introduced in response to the expiration of the Centers for Medicare & Medicaid Services (CMS) 1135 blanket waiver on June 6, 2022.</p>		
<p>July 22, 2022</p>	<p>Emergency Regulations DLS Control No. 22-374 Maryland State Lottery and Gaming Control Agency: Sports Wagering Application Review Commission: General Provisions: COMAR 36.11.01.01 and .02 All Applicants and Awardees: COMAR 36.11.02.01 through .19</p> <p>The Sports Wagering Application Review Commission would like to begin accepting applications from prospective applicants for Class B-1 or B-2 sports wagering facility licenses and Mobile sports wagering licenses as soon as possible.</p>	<p>N/A</p>	<p>Emergency status beginning September 2, 2022 and expiring March 3, 2023.</p>
<p>July 15, 2022</p>	<p>Emergency Regulations DLS Control No. 22-360 Maryland Department of Health: Board of Nursing: Examination and Licensure:</p>	<p>N/A</p>	<p>Emergency status approved September 7, 2022, and expiring March 5, 2023.</p>

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
	<p>COMAR 10.27.01.01, .03, and .17</p> <p>The purpose of this emergency action is to permit continued flexibility for the state’s overall COVID – 19 response and to ensure that acute care settings in the state are able to maintain adequate healthcare provider staffing capacity.</p> <p>This emergency action is being requested by acute care stakeholders as the Board of Nursing’s current emergency regulations are set to expire on July 3, 2022.</p>		
June 30, 2022	<p>Emergency Regulation DLS Control No. 22-346 Department of the Environment: Regulation of Water Supply, Sewage Disposal, and Solid Waste: On-site Wastewater Property Transfer Inspection License: COMAR 26.04.12.01</p> <p>An Emergency Action is necessary to create a new Chapter codified as 26.04.12.01 – On-site Wastewater Property Transfer Inspection License and to update and make COMAR regulations consistent with legislation added by Acts 2021, C. 444, § 1, eff. Oct. 1. 2021; Acts 2021, C. 445, § 1, eff. Oct. 1, 2021, which modified MD Code; § 9-217.2 of the Environment Article, § 9-217.2. of the MD Environment After July 1, 2022, individuals may not inspect on-site sewage disposal systems unless they hold a valid on-site wastewater property transfer inspection license issued by the department. These individuals are inspecting the systems to ensure they are functioning</p>	N/A	Emergency status approved August 24, 2022, and expiring February 20, 2023.

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
	<p>properly and not negatively impacting public health or the environment. If they are not able to obtain the licenses effective July 1, these inspections may have to cease until the regulations are formally adopted. Failing septic systems may go undetected during this time period. Additionally, without licensed inspectors to inspect and certify the system, some real estate transactions may not proceed in a timely manner.</p>		