



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: Georgeanne Carter, AELR Committee Counsel
Kathleen P. Kennedy, AELR Committee Counsel
Kelvin V. Lucas, AELR Committee Counsel

Date: July 17, 2026

Re: **Synopses of Regulations received from 6/5/2026 through 7/16/2026**

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.

GC/KPK/KVL/bal

cc: Sally Robb
Michelle Firmin
Erin Hopwood

Natural Resources, Department of

Proposed Regulations

DLS Control No. 26-108

Department of Natural Resources: Forest Conservation:

General: COMAR 08.19.01.01 – .05

State Review and Approval of a Local Program: COMAR 08.19.02.01 – .05

Model Forest Conservation Ordinance: COMAR 08.19.03.01

State Forest Conservation Program:

COMAR 08.19.04.02, .04 – .09, .09-1, .10 – .13, .15, and .16

Forest Conservation Maintenance and Management Agreements:

COMAR 08.19.05.02

Additional Requirements for State and Local Programs: COMAR 08.19.06.03

According to the department, the purpose of this action is to implement Senate Bill 526 (2023) and House Bill 1511 (2024), which amended the Forest Conservation Act under Natural Resources Article §§ 5-101, 5-102, and 5-1601 through 5-1613. Specifically, the amendments:

- adjust fee-in-lieu rates to reflect cumulative inflation since 2014, as required under Natural Resources Article § 5-1610(c)(2), using year-over-year Bureau of Labor Statistics data, and extend the Forest Conservation Fund expenditure period from two to five years under § 5-1610(e);
- update reforestation ratios under § 5-1606, including the revised above-threshold ratio, the reduced ratio for forest cleared within Priority Funding Areas not identified as priority retention, and the riparian buffer afforestation requirement that applies upon satisfaction of standard reforestation and afforestation requirements;
- implement new statutory exemptions from certain afforestation and reforestation requirements, including for forest management, transit-oriented development, qualifying multifamily housing, federal facility construction, and solar photovoltaic facilities under § 5-1602(b);
- establish procedures and approval standards for local jurisdictions to propose alternative afforestation, reforestation, and preservation requirements under § 5-1606.1, including the baseline forest cover standard against which proposals are evaluated and the conditions under which the Department may rescind approval;
- revise the forest mitigation bank framework to distinguish between Afforestation or Reforestation Mitigation Banks and Qualified Conservation Mitigation Banks, update Qualified Conservation eligibility standards under § 5-1601(gg), and implement conditions governing Qualified Conservation use;
- expand priority retention categories under § 5-1607(c) to include forest interior-dwelling species habitat, targeted ecological areas, Tier II and Tier III high quality watersheds, water resource protection zones, reservoir watersheds, wellhead protection areas, and priority urban forests;

- expand eligible afforestation and reforestation methods under § 5-1607(b) to include degraded forest restoration, planted green infrastructure, and environmental site design practices beyond the amount required under Environment Article § 4-203;
- add and define new terms in COMAR 08.19.01.03, including Degraded Forest, Planted Green Infrastructure, and Qualified Conservation;
- implement abutting property owner notification requirements for certain forest conservation plans in COMAR 08.19.04.11D to conform to the standards established under § 5-1605(d), and establish judicial review provisions for approved forest conservation plans and priority retention clearing determinations under §§ 5-1605(d) and 5-1607(c)(3); and
- repeal COMAR 08.19.03, which previously contained the Model Forest Conservation Ordinance, and replace it with a provision incorporating the Forest Conservation Technical Manual (4th edition, December 2024) by reference.
- amend references across the subtitle to include Natural Resources Article § 5-1613, which mandates an annual statewide report on the Forest Conservation Act program to be submitted by the Department to the Senate Education, Health, and Environmental Affairs Committee and the House Environment and Transportation Committee.

Environment, Department of the

Proposed Regulations

DLS Control No. 26-109

Department of the Environment: Mining:

Surface Mining: COMAR 26.21.01.01 – .04, .07, .08, .10 – .14, .18 – .25, .27, and .29

Zone of Dewatering Influence: COMAR 26.21.02.03 – .06

Public Notice for Existing Permits: COMAR 26.21.03.05

Utilization of Coal Combustion Byproducts in Noncoal Surface Mine Reclamation:
COMAR 26.21.04.03, .06, and .09

According to the department, the purpose of this action is to revise COMAR 26.21 to enhance clarity, reflect current standards and practices, and achieve consistency with other regulations. Amendments include revisions to definitions to improve clarity and adoption of additional defined terms.

Transportation, Department of

Emergency Regulations

DLS Control No. 26-110

Department of Transportation: Transportation Service Human Resources System:

Leave Benefits: COMAR 11.02.03.11 and .19

According to the department, the reason for the request for emergency status is to adopt regulation .19 Paid Family Medical Leave (PFML), Acts of 2025. Which should have taken effect July 1, 2026.

Maryland Cannabis Administration

Emergency Regulations

DLS Control No. 26-095

Independent Agencies: Maryland Cannabis Administration:

Community Reinvestment and Repair Fund: COMAR 14.17.23.01 – .09

According to the administration, these regulations provide guidance to political subdivisions that receive funds from the Community Reinvestment and Repair Fund (CRRF) on how to administer those funds. Chapters 254 and 255 of 2023 (Cannabis Reform Acts) established the CRRF to provide funds to benefit communities determined to have been the most impacted by the disproportionate enforcement of cannabis laws.

Maryland Department of Health

Proposed Regulations

DLS Control No. 26-097

Maryland Department of Health: Maryland Health Care Commission:

Certificate of Need for Health Care Facilities: COMAR 10.24.01.03 and .04

According to the department, the purpose of this action is to amend the Procedural Regulations for Health Care Facilities and Services, COMAR 10.24.01, to align with legislation that was passed in 2026. Under current law, a person must obtain a certificate of need (CON) from the Maryland Health Care Commission (MHCC) to establish an intermediate care facility (ICF), but no review is required for an existing ICF to add additional bed capacity. Senate Bill 444/House Bill 498 (Chs. 68 and 69) Certificate of Need – Intermediate Health Care Facilities (ICF) passed in the 2026 legislative session and allows MHCC to exempt a project seeking to establish or expand an ICF from the full CON review process. The exemption process requires an applicant to demonstrate that its project meets certain standards and serves the public interest. The Governor signed the bill on April 14, 2026, with an effective date of October 1, 2026. The legislative changes require the MHCC to amend the Procedural Regulations for Health Care Facilities and Services, COMAR 10.24.01.

Proposed Regulation

DLS Control No. 26-101

Maryland Department of Health: Board of Pharmacy:

Licensure by Reciprocity: COMAR 10.34.15.01

According to the department, the purpose of this action is to clarify and update examination requirements for licensure by reciprocity.

Proposed Regulations

DLS Control No. 26-102

Maryland Department of Health: Board of Social Work Examiners:

Case Management: COMAR 10.42.02.02

Code of Ethics: COMAR 10.42.03.03 and .06

According to the department, the purpose of this action is to clarify certain definitions and update responsibilities to clients and standards of practice under the Code of Ethics chapter.

Proposed Regulation

DLS Control No. 26-103

Maryland Department of Health: Board of Podiatric Medical Examiners:

Examination and Post-Graduate Training: COMAR 10.40.01.05

According to the department, the purpose of this action is to remove and update obsolete language relating to post-graduate clinical training.

Proposed Regulations

DLS Control No. 26-104

Maryland Department of Health: Board of Massage Therapy Examiners:

Rules of Procedure for Board Hearings: COMAR 10.65.02.04 – .06

Licensure and Registration Examination - Special Needs Applicants:

COMAR 10.65.08.01 and .02

According to the department, the purpose of this action is to remove obsolete language and add clarifying language.

Proposed Regulations

DLS Control No. 26-114

Maryland Department of Health:

Community-Based Behavioral Health Programs and Services:

Requirements for All Licensed Programs: COMAR 10.63.01.01 – .08

Programs Required to be Accredited in Order to be Licensed to Provide

Community-Based Behavioral Health: COMAR 10.63.02.01 – .06

Descriptions and Criteria for Programs and Services Required to have an

Accreditation-Based License: COMAR 10.63.03.01 – .21

Additional Requirements for Accreditation-Based Licenses for Specific Residential

Community-Based Behavioral Health Services: COMAR 10.63.04.01 – .09

Descriptions and Criteria for Programs Requiring a Non-Accreditation-Based

License: COMAR 10.63.05.01 – .07

Application and Licensure Process: COMAR 10.63.06.01 – .21

Civil Money Penalty: COMAR 10.63.08.01 – .06

Early Intervention Level 0.5 Program: COMAR 10.63.09.01 – .06
Substance-Related Disorder Assessment and Referral Program:
COMAR 10.63.10.01 – .06
Behavioral Health Crisis Stabilization Center (BHCSC) Program:
COMAR 10.63.11.01 – .11
Integrated Behavioral Health Program: COMAR 10.63.12.01 – .06
Intensive Outpatient Treatment Level 2.1 – Substance-Related Disorder Treatment Program: COMAR 10.63.13.01 – .06
Mobile Crisis Team Program: COMAR 10.63.14.01 – .06
Mobile Treatment Services Program: COMAR 10.63.15.01 – .09
Outpatient Mental Health Center (OMHC): COMAR 10.63.16.01 – .06
Outpatient Treatment Level 1.0 - Substance-Related Disorder Treatment Program:
COMAR 10.63.17.01 – .06
Level 2.5 Substance-Related Disorder Treatment Partial Hospitalization Program (PHP): COMAR 10.63.18.01 – .06
Mental Health Partial Hospitalization Program (PHP): COMAR 10.63.19.01 – .06
Psychiatric Rehabilitation Program for Adults (PRP-A): COMAR 10.63.20.01 – .07
Psychiatric Rehabilitation Program for Minors (PRP-M): COMAR 10.63.21.01 – .07
Respite Care Services: COMAR 10.63.22.01 – .06
Supported Employment Program (SEP): COMAR 10.63.23.01 – .07
Substance-Related Disorder Treatment Program in a Correctional Facility:
COMAR 10.63.24.01 – .06
Group Homes for Adults with Mental Illness: COMAR 10.63.25.01 – .06
Mental Health Residential Crisis Services Program: COMAR 10.63.26.01 – .07
Recovery Residence Program: COMAR 10.63.27.01 – .08
Substance-Related Disorder Residential Crisis Services Program:
COMAR 10.63.28.01 – .07
Level 3.1 Clinically Managed Low-Intensity Residential Services Program:
COMAR 10.63.29.01 – .07
Level 3.3 Clinically Managed Population-Specific High-Intensity Residential Services Program: COMAR 10.63.30.01 – .07
Level 3.5 Clinically Managed High-Intensity Residential Services Program:
COMAR 10.63.31.01 – .07
Level 3.7 Medically Monitored Intensive Inpatient Services Program:
COMAR 10.63.32.01 – .07
Residential Rehabilitation Program (RRP): COMAR 10.63.33.01 – .07
Therapeutic Group Homes: COMAR 10.63.34.01 – .16
Opioid Treatment Program: COMAR 10.63.35.01 – .09
Withdrawal Management Service: COMAR 10.63.36.01 – .06
Mental Health Intensive Outpatient Program: COMAR 10.63.37.01 – .05
Corrective Actions and Sanctions: COMAR 10.63.39.01 – .10

According to the department, the purpose of this action is to repeal existing regulations and adopt new regulations within COMAR 10.63 Community-Based Behavioral Health Programs and Services to align with current statutory requirements and to support improved quality of

services, compliance, and a more equitable and sustainable operating environment for community-based behavioral health programs in the State.

The subtitle will be organized as follows: (1) 10.63.01 sets forth the requirements for all organizations operating programs to provide community-based behavioral health services; (2) 10.63.02 sets forth compliance and reporting requirements for all organizations operating programs to provide community-based behavioral health services; (3) 10.63.03 outlines general staffing requirements; (4) 10.63.04 identifies and sets forth documentation requirements for all organizations operating programs to provide community-based behavioral health services; (5) 10.63.05 sets forth program site requirements for programs providing community-based behavioral health services; (6) 10.63.06 sets forth the licensing process for all organizations licensed to provide community-based behavioral health services; (7) 10.63.08 – 10.63.37 provide detailed program-specific information required for an organization to operate a specific community-based behavioral health services program; and (8) 10.63.38 sets forth a civil money penalty for material and egregious non-compliance with federal or State law or regulation; (9) 10.63.39 provides the regulatory framework for corrective actions and sanctions undertaken by the Behavioral Health Administration against an organization for material and egregious non-compliance with federal or State law or regulation.

Proposed Regulations

DLS Control No. 26-116

Maryland Department of Health: Hospitals:

Assisted Living Programs: COMAR 10.07.14.02, .06, .08, .11, .15 – .17, .19 – .21, .24, .26 – .28, .31, .33, .36, .47, .49, and .50

Laboratories:

Medical Laboratories - Licenses: COMAR 10.10.03.02

Adult Health:

Day Care for the Elderly and Adults with a Medical Disability: COMAR 10.12.04.14

According to the department, the purpose of this action is to (1) align regulations with current law SB293/HB442 Professional Liability Insurance Coverage - Nursing Homes, Assisted Living Facilities, Nurse Midwives, and Licensed Certified Midwives - Disclosure (Nyeli Rose Lewis Act of 2026); (2) allow a Registered Nurse or delegating nurse to sign a CLIA waiver application and add CLIA waiver training to the 80-hour assisted living manager course in response to the industry; (3) correct typographical errors in response to industry feedback; (4) enhance public health and resident safety by clarifying proof of immunity to measles, mumps, rubella, and varicella, vaccine requirements, allowing for a medical and religious exemption, and clarifying when an incident report must be completed; and (5) clarify that an emergency plan must remain on site, the 80 hour Assisted Living Manager course covers all managerial responsibilities of the chapter and updates cross references to the appropriate section of the Nurse Practice Act regarding the delegating nurse's responsibility of oversight of contracted health care services.

Proposed Regulations

DLS Control No. 26-117

Maryland Department of Health: Medical Care Programs:

Community Violence Prevention Services: COMAR 10.09.63.03 – .06

According to the department, the purpose of this action is to reduce units of service to 15 minute increments and expand provider qualifications to include affiliation with any hospital in the State.

Proposed Regulations

DLS Control No. 26-119

Maryland Department of Health:

Human Immunodeficiency Virus (HIV) Infection and Acquired Immunodeficiency Syndrome (AIDS):

nPEP Standing Order Program: COMAR 10.18.11.01 – .05

According to the department, the purpose of this action is to adopt regulations implementing the Nonoccupational Postexposure Prophylaxis (nPEP) Standing Order Program, pursuant to Health-General Article §13–5302, Annotated Code of Maryland.

Labor, Maryland Department of

Proposed Regulations

DLS Control No. 26-096

Maryland Department of Labor: State Athletic Commission:

Safety and Health Standards for Contestants: COMAR 09.14.04.02 and .13

According to the department, the purpose of this action is to update and align the State Athletic Commissions regulations with recent statutory changes. The General Assembly updated Maryland Code, Annotated, Business Regulation Section 4-304.1 during the recent legislative session to increase, from 30 days to 90 days, the acceptable amount for required blood tests of contestants to be performed and still be considered valid by the Commission for approval for licensure in contests. The Commission is aligning its regulations with this change and also updating its ophthalmological evaluations regulations to maintain identical acceptable timeframes for both ophthalmological evaluations and blood tests.

Proposed Regulations

DLS Control No. 26-106

Maryland Department of Labor: Board of Master Electricians:

Continuing Education: COMAR 09.09.02.03

General Regulations: COMAR 09.09.03.04

According to the department, the purpose of this action is to (1) clarify the qualifying subject matter to satisfy the continuing education requirements for renewal of a journey person or

master electrician license and (2) establish the enforcement date of the National Fire Protection Association (NFPA) 70: National Electric Code (NEC), which is updated in every three years.

Insurance Administration, Maryland

Proposed Regulations

DLS Control No. 26-100

Maryland Insurance Administration: Property and Casualty Insurance:

Application of a Percentage Deductible in the Case of a Hurricane or Other Storm:

COMAR 31.08.13.04

Filing of Underwriting Standards: COMAR 31.08.19.01 – .05

According to the administration, the purpose of this action is to require that: (1) insurers file underwriting standards for homeowner's insurance, and any subsequent amendments and (2) insurers file underwriting standards for PPA insurance, and any subsequent amendments.

Education, State Board of

Proposed Regulations

DLS Control No. 26-098

State Board of Education: Supporting Programs:

Interscholastic Athletics in the State: COMAR 13A.06.03.02 – .05, .07, and .09

According to the board, the purpose of this action is to update interscholastic athletic regulations related to participation eligibility, parity of competition within sport seasons, operational guidelines, and classifications, and administrative procedures related to school violations, appeals, and sanctioning of sport participation.

Proposed Regulations

DLS Control No. 26-099

State Board of Education: Students:

General Regulations: COMAR 13A.08.01.10 and .10-1

According to the board, the purpose of this action is to ensure that all student rights are adequately protected. This new regulation adds a requirement that each local education agency (LEA) adopt a policy on student expression.

Proposed Regulations

DLS Control No. 26-107

State Board of Education: Child Care Centers:

Staff Requirements: COMAR 13A.16.06.09, .09-1, .10, and .10-1

Large Family Child Care Homes:

Provider and Staff Requirements: COMAR 13A.18.06.06 and .06-1

According to the board, the purpose of this action is to require that child care teachers of large family child care homes and child care centers be at least 18 years old.

Procurement Regulations, State

Proposed Regulations

DLS Control No. 26-115

State Procurement Regulations: Contract Formation and Award:

Bid and Contract Security/Bonds: COMAR 21.06.07.10

Contract Terms and Conditions:

Mandatory Contract Provisions - All Contracts (except as provided under COMAR 21.05.07, 21.07.02, and 21.07.03): COMAR 21.07.01.32

Socioeconomics Policies:

Good Labor Practices Evaluation Factor: COMAR 21.11.17.01 – .06

According to the department, the purpose of this action is to comply with State Finance and Procurement Article, §14-903, Annotated Code of Maryland, Good Labor Practices Evaluation Factor.