



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

September 23, 2020

Dear Pool Stakeholder:

Pursuant to COMAR 10.17.01.21, “Barriers”, pool owners and operators are required to ensure adequate protection is provided to prevent young children from entering into a pool enclosure, falling into the pool or spa, and possibly injuring themselves or drowning. This letter supplements our previous May and June 2018 correspondence on this subject, which can be found online at: <https://phpa.health.maryland.gov/OEHFP/CHS/Pages/AquaticFacility.aspx>.

Originally, compliance with this regulation was required no later than October 1, 2020. We thank the pool owners and operators who have made the changes necessary to protect our state’s children and visitors from harm. We encourage pool and spa owners who are not compliant to make the necessary changes as soon as possible. The Department remains committed to working with the pool community to ensure that children are protected from injury and drowning through the use of barriers.

In light of the ongoing declaration of state of emergency and catastrophic health emergency in Maryland and across the nation due to COVID-19, and pursuant to the Governor’s Executive Order Relating to [Various Health Care Matters](#) (March 16, 2020), **I hereby extend the compliance date for COMAR 10.17.01.21 until November 1, 2021, except COMAR 10.17.01.21(A)(10)(b) and (e) which are extended until May 27, 2022 or unless superseded by other MDH action.** MDH recognizes the challenges faced in becoming compliant with these regulations due to business closures and ongoing uncertainty in the national state of the economy.

If you have any questions or require more information, please do not hesitate to reach out to Webster Ye, Director of Governmental Affairs at webster.ye@maryland.gov or Dr. Clifford Mitchell, Director of the Environmental Health Bureau at 410.767.7438.

Sincerely,

Robert R. Neall
Secretary