

# **REGULATORY REVIEW AND EVALUATION ACT:**

## **EVALUATION REPORTS - OCTOBER 1, 2024**

**Subtitle 26 BOARD OF ACUPUNCTURE**

**Subtitle 27 BOARD OF NURSING**

**Subtitle 28 BOARD OF EXAMINERS IN OPTOMETRY**

**Subtitle 29 BOARD OF MORTICIANS AND FUNERAL DIRECTORS**

**Subtitle 30 COMMISSION ON KIDNEY DISEASE**

**Subtitle 39 BOARD OF NURSING - CERTIFIED NURSING ASSISTANTS**

SUBMITTED BY:

Maryland Department of Health  
Jordan Fisher Blotter, Director  
Office of Regulation and Policy Coordination  
201 W. Preston Street, Room 534  
Phone: 410-215-7809  
Email: [mdh.regs@maryland.gov](mailto:mdh.regs@maryland.gov)

## EVALUATION REPORTS

### **CHAPTERS AFFECTED**

### **ACTIONS NEEDED**

#### **Subtitle 26 BOARD OF ACUPUNCTURE**

10.26.01 Fee Schedule	Amendment
10.26.02 General Regulations	Amendment, Adopt new regulations
10.26.03 Code of Ethics	Amendment
10.26.04 Rules of Procedure for Board Hearings	Amendment
10.26.05 Compelling Purpose Disclosure	No action

#### **Subtitle 27 BOARD OF NURSING**

10.27.02 Hearing Procedures	Amendment
10.27.04 Methadone Dispensing	No action
10.27.08 Petition for Declaratory Ruling	No action
10.27.09 Standards of Practice for Registered Nurses	No action
10.27.10 Standards of Practice for Licensed Practical Nurses	No action
10.27.11 Delegation of Nursing Functions	Amendment
10.27.15 Open Meetings - Attendance and Recording, Photographing, and Broadcasting of Sessions	No action
10.27.16 Registered Nurse-Workers' Compensation Medical Case Manager	No action
10.27.19 Code of Ethics	No action
10.27.20 Management of Infusion Therapy by the Registered Nurse and the Licensed Practical Nurse	No action
10.27.23 Code of Conduct for Board Members and Investigations	No action
10.27.24 Compelling Purpose Disclosure	Amendment
10.27.25 Cosmetic Procedures	No action
10.27.26 Sanctioning Guidelines	Amendment

#### **Subtitle 28 BOARD OF EXAMINERS IN OPTOMETRY**

10.28.03 Examination and Licensing of Optometrists	Amendment
10.28.04 Rules of Procedure for Board Hearings	No action
10.28.05 Inactive Status and Reinstatement of Expired Licenses	Amendment
10.28.06 Examination of Patients by Optometrists, Maintenance of Records, and...	

Keeping of Certain Instrumentation and Equipment	No action
10.28.07 Fee Schedule	Amendment
10.28.08 Partial Waiver of Examination	Amendment, Repeal
10.28.09 Advertising	No action
10.28.13 Civil Penalties	No action
10.28.14 Code of Conduct	No action
10.28.15 Compelling Purpose Disclosure	No action
10.28.16 Selling and Dispensing of Contact Lenses	No action
10.28.17 Disciplinary Sanctions and Monetary Penalties	No action

**Subtitle 29 BOARD OF MORTICIANS AND FUNERAL DIRECTORS**

10.29.01 Hearing Procedures	No action
10.29.02 Examination	No action
10.29.04 Fee Schedule	No action
10.29.05 Continuing Education	No action
10.29.06 Preneed Contract	No action
10.29.07 Surviving Spouse	No action
10.29.08 Courtesy Card	No action
10.29.09 Requirements for Apprenticeship	No action
10.29.10 Monetary Penalties	No action
10.29.11 Complaint Procedures	No action
10.29.12 Advertising	No action
10.29.13 Rehabilitation Committee	No action
10.29.14 Compelling Purpose Disclosure	No action
10.29.16 Crematories - Definition	Amendment
10.29.17 Crematories - Permit, Licensing, and Fees	Amendment
10.29.18 Crematories – Inspections, Complaints, Investigations, Grounds for Discipline, and Penalties	Amendment
10.29.19 Crematories - Cremation Procedures	Amendment
10.29.20 Crematories - Code of Ethics	Amendment
10.29.21 Mortuary Transport Services	Amendment
10.29.22 General Regulations	No action

**Subtitle 30 COMMISSION ON KIDNEY DISEASE**

10.30.01 General Regulations	Amendment
10.30.02 Physical and Medical Standards	Amendment
10.30.03 Transmissible Diseases	Amendment
10.30.04 Dialyzer Reuse and Water Standards	Repeal
10.30.05 Fee Schedule	Amendment

**Subtitle 39 BOARD OF NURSING - CERTIFIED NURSING ASSISTANTS**

10.39.02 Nursing Assistant Training Program	Amendment
10.39.03 Certified Medicine Aides	Amendment
10.39.04 Medication Technicians	Amendment
10.39.05 Standards of Practice for Certified Nursing Assistants (CNA)	No action
10.39.07 Certified Nursing Assistants/Certified Medical Technicians (CNA/CMT) - Code of Ethics	Amendment

**EXEMPTIONS REQUESTED**

In accordance with State Government Article, §10-132-1, Annotated Code of Maryland, the Secretary of Health has certified to the Governor and the AELR Committee that a review of the following chapters would not be effective or cost-effective and therefore are exempt from the review process based on the fact that they were either initially adopted (IA), comprehensively amended (CA) during the preceding 8 years, or Federally mandated (FM):

**Subtitle 27 BOARD OF NURSING**

10.27.01 Examination and Licensure	CA 2-13-2017
10.27.03 Nursing Education Programs	CA 2-22-2021
10.27.05 Practice of Nurse Midwifery	CA 7-2-2018
10.27.06 Practice of Nurse Anesthetist	CA 6-17-2019
10.27.07 Practice of the Nurse Practitioner	CA 12-10-2015
10.27.12 Nurse Psychotherapists in Independent Practice (Clinical Nurse Specialist)	CA 7-2-2018
10.27.13 Rehabilitation Committee	CA 7-2-2018

10.27.17 Teletherapy	IA 7-29-2019
10.27.21 Registered Nurse—Forensic Nurse Examiner	CA 9-10-2018
10.27.22 Multistate Licensure Compact Regulations	CA 8-27-2017
10.27.27 Practice of Clinical Nurse Specialist	CA 7-2-2018

**Subtitle 28 BOARD OF EXAMINERS IN OPTOMETRY**

10.28.01 Telehealth	IA 9-18-2023
10.28.02 Continuing Education Requirements	CA 5-20-2019
10.28.10 Optometrist Accountability	CA 7-31-2017
10.28.11 Use of Diagnostic Pharmaceutical Agents	CA 7-31-2017
10.28.12 Therapeutic Pharmaceutical Agents	CA 11-15-2021

**Subtitle 29 BOARD OF MORTICIANS AND FUNERAL DIRECTORS**

10.29.03 Inspection of Funeral Establishments	CA 4-4-2022
10.29.15 Family Security Trust Fund	CA 4-9-2018

**Subtitle 39 BOARD OF NURSING - CERTIFIED NURSING ASSISTANTS**

10.39.01 Certification of Nursing Assistants	CA 7-2-2018
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**CHAPTERS THAT HAVE BEEN REPEALED OR THAT ARE CURRENTLY VACANT**

**Subtitle 27 BOARD OF NURSING**

10.27.14 Nursing Staff Agencies	Vacant
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**Subtitle 39 BOARD OF NURSING – CERTIFIED NURSING ASSISTANTS**

10.39.06 Medication Technicians	Vacant
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**REGULATIONS SIGNATURE SHEET**

**REGULATIONS AFFECTED:** COMAR 10.26.01 Fee Schedule

10.26.02 General Regulations

10.26.03 Code of Ethics

10.26.04 Rules of Procedure for Board Hearings

10.26.05 Compelling Purpose Disclosure

**REGULATORY REVIEW AND EVALUATION ACT: WORKPLAN:**      **EVALUATION REPORTS:**   X  

\* \* \* \* \*

**SIGNATURE:** 

**TITLE:** Executive Director

**DATE:** August 2, 2024

\* \* \* \* \*

**SIGNATURE:** 

**TITLE:** Director, Office of Regulation and Policy

**DATE:** October 1, 2024

\* \* \* \* \*

**SIGNATURE:** \_\_\_\_\_

**TITLE:** \_\_\_\_\_

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**TITLE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.26.01

Chapter Name: Fee Schedule

Authority: Corporations and Associations Article, §§5-101—5-131; Health Occupations Article, §§1A-205, 1A-206, and 1A-302; Annotated Code of Maryland

Date Originally Adopted or Last Amended: April 15, 2002

Purpose: This chapter applies to all acupuncturists who apply for licensure or license renewal and auricular detoxification specialists.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notification of public meetings were posted on the Board's website and the review of this chapter was also discussed in open Board meetings. Once the regulations are completed and signed off by the Secretary of Health, they will be published in the *Maryland Register* for a 30-day comment period.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A



C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

**D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland) ( check all that apply)

- ☐no action
- ☒amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

The Board is in the process of amending Regulation .03H of this chapter to delete the fee for application for professional corporate name and add a new fee for inactive status renewal.

Person performing review:

Title:

Executive Director

Tiffany Smith-Williams

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:	10.26.02
Chapter Name:	General Regulations
Authority:	Agriculture Article, §§2-301(g) and 2-304; Health Occupations Article, §§1-211, 1A-205, 1A-301, 1A-302, 1A-306, 1A-307, and 1A-316; Annotated Code of Maryland
Date Originally Adopted or Last Amended:	October 16, 2023 (Reg. .03 and .04)
Purpose:	This chapter governs the practice of acupuncture.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notification of public meetings were posted on the Board's website and the review of this chapter was also discussed in open Board meetings. Once the regulations are completed and signed off by the Secretary of Health, they will be published in the *Maryland Register* for a 30-day comment period.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
(check all that apply)

- ☐no action
- ☒amendment
- ☐repeal
- ☒~~repeal~~ and adopt new regulations
- ☐reorganization

Summary:

After a comprehensive review of this chapter, the Board will be amending Regulations .02—.07 to update and add clarifying language. A new Regulation .08 will be added to provide requirements that a licensee shall practice only under the name on the license.

Person performing review:

Title:

Executive Director

Tiffany Smith-Williams

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.26.03

Chapter Name: Code of Ethics

Authority: Health Occupations Article, §§1A-205 and 1A-206, Annotated Code of Maryland

Date Originally Adopted or Last Amended: April 11, 2005

Purpose: This chapter applies to all individuals licensed to practice acupuncture, excluding the practice of acupuncture on an animal under an animal research protocol which has been approved by an Animal Use and Care Committee as provided in 9 CFR §§2.30—2.38.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notification of public meetings were posted on the Board's website and the review of this chapter was also discussed in open Board meetings. Once the regulations are completed and signed off by the Secretary of Health, they will be published in the *Maryland Register* for a 30-day comment period.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

**D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
(check all that apply)

- ☐no action
- ☒amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

The Board will be amending Regulations .03 and .06 of this chapter to update and add clarifying language.

Person performing review:  
Title:

Tiffany Smith-Williams

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.26.04

Chapter Name: Rules of Procedure for Board Hearings

Authority: Health Occupations Article, §§1A-205, 1A-309, 1A-310, and 1A-314; State Government Article, §10-206; Annotated Code of Maryland

Date Originally Adopted or Last Amended: April 13, 2015 (Reg. .12)

Purpose: This chapter governs procedures for disciplinary matters and hearings before the Board and establishes the standards for use as a guide for the imposition of disciplinary sanctions against any Maryland licensed acupuncturist or any registered auricular detoxification specialist.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A



- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notification of public meetings were posted on the Board's website and the review of this chapter was also discussed in open Board meetings. Once the regulations are completed and signed off by the Secretary of Health, they will be published in the *Maryland Register* for a 30-day comment period.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or

standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

**D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
(check all that apply)

- ☐no action
- ☒amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

After a comprehensive review, the Board will be amending Regulations .02, .05, and .10 in this chapter to add clarifying language and update sanctions for licensees.

Person performing review:

Title:

Executive Director

Tiffany Smith-Williams

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.26.05

Chapter Name: Compelling Purpose Disclosure

Authority: General Provision Article, §4-333, Annotated Code of Maryland

Date Originally Adopted or Last Amended: October 1, 2001

Purpose: This chapter permits the Board to disclose investigative information to other agencies, or other entities, or both, under certain circumstances.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

N/A

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the

Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

**D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
(check all that apply)

- ☒no action
- ☐amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

Person performing review:

Tiffany Smith-Williams

Title:

Executive Director

# REGULATIONS SIGNATURE SHEET

REGULATIONS AFFECTED: COMAR

REGULATORY REVIEW AND EVALUTION ACT: WORKPLAN: \_\_\_\_\_ EVALUATION REPORTS: \_\_\_\_\_

\* \* \* \* \*

SIGNATURE: 

TITLE: Executive Director

DATE: October 1st, 2024

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DATE: \_\_\_\_\_

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:

Chapter Name:

Authority:

Date Originally Adopted or Last Amended:

Purpose:

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The Board holds monthly public meetings during which the public is invited to participate. The Board's monthly meetings provide an opportunity for general public comment, including on matters related to the adoption, amendment, or repeal of regulations under Subtitles 27, 39, 53, and 64 of the Code of Maryland Regulations.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments were received.

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

There are no interunit conflicts associated with this chapter.

- (6) Provide a summary of any relevant scientific data gathered.

Gathering of any relevant scientific data was unnecessary for this review.

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

Gathering of any relevant information of other states or the federal government was unnecessary for this review.

- (8) Provide a summary of any other relevant information gathered.

Pursuant to HB 758/Ch 462 (2021) and HB 717/Ch 368 (2023), COMAR 10.27.02.01 is being amended to add additional statutes 8-6C-20 and 8-6D-10, which speak to Licensed Direct-Entry Midwives and Licensed Certified Midwives. Additionally, in 2023, evaluation reports of the Maryland Board of Nursing, conducted by Ernst & Young LLP and the Office of Program Evaluation and Government Accountability, recommended that the Board take immediate action to streamline its complaint resolution process and to consider additional methods to reduce the current backlog of complaints. This recommendation led to the further revision of 10.27.02.



C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☐ Yes ☒ No

Provide explanations of the above responses, as needed:

N/A

**D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☐ no action
- ☒ amendment
- ☐ repeal
- ☐ repeal and adopt new regulations
- ☐ reorganization

Summary:

COMAR 10.27.02 continues to be necessary for the public interest and is supported by statutory authority.

Pursuant to HB 758/Ch 462 (2021) and HB 717/Ch 368 (2023), COMAR 10.27.02.01 is being amended to add additional statutes 8-6C-20 and 8-6D-10, which speak to Licensed Direct-Entry Midwives and Licensed Certified Midwives. Additionally, in 2023, evaluation reports of the Maryland Board of Nursing, conducted by Ernst & Young LLP and the Office of Program Evaluation and Government Accountability, recommended that the Board take immediate action to streamline its complaint resolution process and to consider additional methods to reduce the current backlog of complaints. This recommendation led to the further revision of 10.27.02.

The Board of Nursing submitted proposed amendments to COMAR 10.27.02.01 to the Maryland Department of Health (MDH) on December 19, 2023, and were resent to MDH on July 12, 2024. The Board also submitted proposed amendments to COMAR 10.27.02.01 and new regulations COMAR 10.27.02.10 & .11 to MDH on April 30, 2024 and were resent to MDH on July 11, 2024. Both proposal packages are awaiting final promulgation.

Person performing review: Mitzi Fishman

Title: Director of Legislative Affairs, MBON

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.27.04

Chapter Name: Methadone Dispensing

Authority: Health Occupations Article, §§ 8-205(a)(1) and 8-511, Annotated Code of Maryland

Date Originally Adopted or Last Amended: Adopted February 9, 2009

Purpose: To set regulations for methadone-dispensing nurses.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

Stakeholders were not invited to participate in the review of this chapter, as it remains necessary for the public interest and is supported by statutory authority.

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

The Board of Pharmacy was not invited to review this chapter, as it remains necessary for the public interest and is supported by statutory authority.

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The Board holds monthly public meetings during which the public is invited to participate. The Board's monthly meetings provide an opportunity for general public comment, including on matters related to the adoption, amendment, or repeal of regulations under Subtitles 27, 39, 53, and 64 of the Code of Maryland Regulations.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments were received.

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

There are no interunit conflicts associated with this chapter.

- (6) Provide a summary of any relevant scientific data gathered.

Gathering of any relevant scientific data was unnecessary for this review.

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

Gathering of any relevant information of other states or the federal government was unnecessary for this review.

- (8) Provide a summary of any other relevant information gathered.

No other relevant information gathered.

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

N/A

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒ no action
- ☐ amendment
- ☐ repeal
- ☐ repeal and adopt new regulations
- ☐ reorganization

Summary:

COMAR 10.27.04 continues to be necessary for the public interest and is supported by statutory authority. There is no current need for this chapter to be amended or repealed.

Person performing review:	Mitzi Fishman
Title:	Director of Legislative Affairs, MBON

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.27.08

Chapter Name: Petition for Declaratory Ruling

Authority: State Government Article, §§ 10-301—10-305, Annotated Code of Maryland

Date Originally Adopted or Last Amended: Amended effective April 16, 2001

Purpose: To outline regulations by which an interested person may file with the Board a petition for a declaratory ruling with respect to the manner in which the Board would apply:  
(1) A statute;  
(2) A regulation; or  
(3) An order which the Board enforces to a particular case based on the facts presented in the petition.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

Stakeholders were not invited to participate in the review of this chapter, as it remains necessary for the public interest and is supported by statutory authority.

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

There are no other agencies affected by this chapter.

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The Board holds monthly public meetings during which the public is invited to participate. The Board's monthly meetings provide an opportunity for general public comment, including on matters related to the adoption, amendment, or repeal of regulations under Subtitles 27, 39, 53, and 64 of the Code of Maryland Regulations.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments were received.

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

There are no interunit conflicts associated with this chapter.

- (6) Provide a summary of any relevant scientific data gathered.

Gathering of any relevant scientific data was unnecessary for this review.

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

Gathering of any relevant information of other states or the federal government was unnecessary for this review.

- (8) Provide a summary of any other relevant information gathered.

No other relevant information gathered.

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

N/A

**D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒ no action
- ☐ amendment
- ☐ repeal
- ☐ repeal and adopt new regulations
- ☐ reorganization

Summary:

COMAR 10.27.08 continues to be necessary for the public interest and is supported by statutory authority. There is no current need for this chapter to be amended or repealed.

Person performing review: Mitzi Fishman

Title: Director of Legislative Affairs, MBON

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.27.09

Chapter Name: Standards of Practice for Registered Nurses

Authority: Health Occupations Article, §§ 8-205 and 8-316, Annotated Code of Maryland

Date Originally Adopted or Last Amended: Amended effective July 2, 2018

Purpose: To set standards of care, professional performance, and specialty practice for registered nurses.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

Stakeholders were not invited to participate in the review of this chapter, as it remains necessary for the public interest and is supported by statutory authority.

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

There are no other agencies affected by this chapter.



- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The Board holds monthly public meetings during which the public is invited to participate. The Board's monthly meetings provide an opportunity for general public comment, including on matters related to the adoption, amendment, or repeal of regulations under Subtitles 27, 39, 53, and 64 of the Code of Maryland Regulations.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments were received.

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

There are no interunit conflicts associated with this chapter.

- (6) Provide a summary of any relevant scientific data gathered.

Gathering of any relevant scientific data was unnecessary for this review.

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

Gathering of any relevant information of other states or the federal government was unnecessary for this review.

- (8) Provide a summary of any other relevant information gathered.

No other relevant information was gathered.

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

N/A

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒ no action
- ☐ amendment
- ☐ repeal
- ☐ repeal and adopt new regulations
- ☐ reorganization

Summary:

COMAR 10.27.09 continues to be necessary for the public interest and is supported by statutory authority. There is no current need for this chapter to be amended or repealed.

Person performing review:	Mitzi Fishman
Title:	Director of Legislative Affairs, MBON

**Regulatory Review and Evaluation Act  
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Chapter Codification:

Chapter Name:

Authority:

Date Originally Adopted or Last Amended:

Purpose:

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The Board holds monthly public meetings during which the public is invited to participate. The Board's monthly meetings provide an opportunity for general public comment, including on matters related to the adoption, amendment, or repeal of regulations under Subtitles 27, 39, 53, and 64 of the Code of Maryland Regulations.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments were received.

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

There are no interunit conflicts associated with this chapter.

- (6) Provide a summary of any relevant scientific data gathered.

Gathering of any relevant scientific data was unnecessary for this review.

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

Gathering of any relevant information of other states or the federal government was unnecessary for this review.

- (8) Provide a summary of any other relevant information gathered.

No other relevant information gathered.

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

N/A

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒ no action
- ☐ amendment
- ☐ repeal
- ☐ repeal and adopt new regulations
- ☐ reorganization

Summary:

COMAR 10.27.10 continues to be necessary for the public interest and is supported by statutory authority. There is no current need for this chapter to be amended or repealed.

Person performing review:	Mitzi Fishman
Title:	Director of Legislative Affairs, MBON

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.27.11

Chapter Name: Delegation of Nursing Functions

Authority: Health Occupations Article, §§ 8-205, 8-6A-01, and 8-6A-03, Annotated Code of Maryland

Date Originally Adopted or Last Amended: Amended July 4, 1994; Amendments proposed on May 28, 2024 (resen

Purpose: To set standards regarding the delegation of nursing functions, including exclusions, criteria, supervision, etc.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

General stakeholders were not invited to participate in the review of this chapter, as it remains necessary for the public interest and is supported by statutory authority. However, a certified dialysis technician (CDT) stakeholder workgroup convened subsequent to the enactment of HB 218/Ch 681 (2022) to develop regulations concerning CDTs. This chapter was reviewed by this stakeholder group for amendments that would be relevant to CDTs.

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

There are no other agencies affected by this chapter.

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The Board holds monthly public meetings during which the public is invited to participate. The Board's monthly meetings provide an opportunity for general public comment, including on matters related to the adoption, amendment, or repeal of regulations under Subtitles 27, 39, 53, and 64 of the Code of Maryland Regulations.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments were received.

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

There are no interunit conflicts associated with this chapter.

- (6) Provide a summary of any relevant scientific data gathered.

Gathering of any relevant scientific data was unnecessary for this review.

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

Gathering of any relevant information of other states or the federal government was unnecessary for this review.

- (8) Provide a summary of any other relevant information gathered.

No other relevant information was gathered.

- C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☐ Yes ☒ No

Provide explanations of the above responses, as needed:

The Board of Nursing submitted proposed amendments to COMAR 10.27.11.01 to the Maryland Department of Health (MDH) on May 24, 2024 and resent the proposal package to MDH on July 11, 2024; the proposal is awaiting final promulgation. These amendments concern CDTs, which were established pursuant to HB 218/Ch 681 (2022).

- D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☐ no action
- ☒ amendment
- ☐ repeal
- ☐ repeal and adopt new regulations
- ☐ reorganization

Summary:

COMAR 10.27.11 continues to be necessary for the public interest and is supported by statutory authority.

The Board of Nursing submitted proposed amendments to COMAR 10.27.11.01 to MDH on May 24, 2024 and resent the proposal package to MDH on July 11, 2024; the proposal is awaiting final promulgation. Pursuant to HB 218/Ch 681 (2022), COMAR 10.27.11.01 is being amended to include certified dialysis technicians (regulated in accordance with pending new chapter COMAR 10.39.06) as an exclusion to the chapter.

Person performing review: **Mitzi Fishman**

Title: **Director of Legislative Affairs, MBON**



**Regulatory Review and Evaluation Act  
Evaluation Report Form  
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Chapter Codification: 10.27.15

Chapter Name: Open Meetings—Attendance and Recording, Photographing, and Broadcasting of Sessions

Authority: General Provisions Article § 3-303(b), Annotated Code of Maryland; Health Occupations Article, § 8-205, Ann

Date Originally Adopted or Last Amended: Adopted September 13, 1993

Purpose: To outline regulations regarding public attendance, conduct, and recording, photographing, and broadcasting of open session meetings.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

Stakeholders were not invited to participate in the review of this chapter, as it remains necessary for the public interest and is supported by statutory authority.

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

There are no other agencies affected by this regulation.

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The Board holds monthly public meetings during which the public is invited to participate. The Board's monthly meetings provide an opportunity for general public comment, including on matters related to the adoption, amendment, or repeal of regulations under Subtitles 27, 39, 53, and 64 of the Code of Maryland Regulations.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments were received.

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

There are no interunit conflicts associated with this chapter.

- (6) Provide a summary of any relevant scientific data gathered.

Gathering of any relevant scientific data was unnecessary for this review.

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

Gathering of any relevant information of other states or the federal government was unnecessary for this review.

- (8) Provide a summary of any other relevant information gathered.

No other relevant information gathered.

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

N/A

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒ no action
- ☐ amendment
- ☐ repeal
- ☐ repeal and adopt new regulations
- ☐ reorganization

Summary:

COMAR 10.27.15 continues to be necessary for the public interest and is supported by statutory authority. There is no current need for this chapter to be amended or repealed.

Person performing review:	Mitzi Fishman
Title:	Director of Legislative Affairs, MBON

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.27.16

Chapter Name: Registered Nurse-Workers' Compensation Medical Case Manager

Authority: Health Occupations Article, § 8-205, Annotated Code of Maryland

Date Originally Adopted or Last Amended: Amended effective July 2, 2018

Purpose: To outline regulations for Workers' Compensation Medical Case Manager nurses.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

Stakeholders were not invited to participate in the review of this chapter, as it remains necessary for the public interest and is supported by statutory authority.

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

The Workers' Compensation Commission was not invited to review this chapter, as it remains necessary for the public interest and is supported by statutory authority.

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The Board holds monthly public meetings during which the public is invited to participate. The Board's monthly meetings provide an opportunity for general public comment, including on matters related to the adoption, amendment, or repeal of regulations under Subtitles 27, 39, 53, and 64 of the Code of Maryland Regulations.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments were recieved.

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

There are no interunit conflicts associated with this chapter.

- (6) Provide a summary of any relevant scientific data gathered.

Gathering of any relevant scientific data was unnecessary for this review.

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

Gathering of any relevant information of other states or the federal government was unnecessary for this review.

- (8) Provide a summary of any other relevant information gathered.

No other relevant information was gathered.

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

N/A

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒ no action
- ☐ amendment
- ☐ repeal
- ☐ repeal and adopt new regulations
- ☐ reorganization

Summary:

COMAR 10.27.16 continues to be necessary for the public interest and is supported by statutory authority. There is no current need for this chapter to be amended or repealed.

Person performing review:	Mitzi Fishman
Title:	Director of Legislative Affairs, MBON

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.27.19

Chapter Name: Code of Ethics

Authority: Health Occupations Article, §§ 8-205 and 8-316(a)(25), Annotated Code of Maryland

Date Originally Adopted or Last Amended: Amended effective July 2, 2018

Purpose: To establish a professional code of ethics for nurses.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

Stakeholders were not invited to participate in the review of this chapter, as it remains necessary for the public interest and is supported by statutory authority.

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

There are no other agencies affected by this chapter.

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The Board holds monthly public meetings during which the public is invited to participate. The Board's monthly meetings provide an opportunity for general public comment, including on matters related to the adoption, amendment, or repeal of regulations under Subtitles 27, 39, 53, and 64 of the Code of Maryland Regulations.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments were received.

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

There are no interunit conflicts associated with this chapter.

- (6) Provide a summary of any relevant scientific data gathered.

Gathering of any relevant scientific data was unnecessary for this review.

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

Gathering of any relevant information of other states or the federal government was unnecessary for this review.

- (8) Provide a summary of any other relevant information gathered.

No other relevant information was gathered.



C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

N/A

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒ no action
- ☐ amendment
- ☐ repeal
- ☐ repeal and adopt new regulations
- ☐ reorganization

Summary:

COMAR 10.27.19 continues to be necessary for the public interest and is supported by statutory authority. There is no current need for this chapter to be amended or repealed.

Person performing review: Mitzi Fishman

Title: Director of Legislative Affairs, MBON

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.27.20

Chapter Name: Management of Infusion Therapy by the Registered Nurse and the Licensed Practical Nurse

Authority: Health Occupations Article, § 8-205, Annotated Code of Maryland

Date Originally Adopted or Last Amended: Amended effective July 2, 2018

Purpose: To establish the minimum qualifications and standards for the management of infusion therapy by the registered nurse and licensed practical.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

Stakeholders were not invited to participate in the review of this chapter, as it remains necessary for the public interest and is supported by statutory authority.

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

There are no other agencies affected by this chapter.

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The Board holds monthly public meetings during which the public is invited to participate. The Board's monthly meetings provide an opportunity for general public comment, including on matters related to the adoption, amendment, or repeal of regulations under Subtitles 27, 39, 53, and 64 of the Code of Maryland Regulations.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments were received.

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

There are no interunit conflicts associated with this Chapter.

- (6) Provide a summary of any relevant scientific data gathered.

Gathering relevant scientific data was unnecessary for this review.

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

Gathering information related to the regulations of other states or the federal government was unnecessary for this review.

- (8) Provide a summary of any other relevant information gathered.

No other relevant information was gathered.

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

N/A

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒ no action
- ☐ amendment
- ☐ repeal
- ☐ repeal and adopt new regulations
- ☐ reorganization

Summary:

COMAR 10.27.20 continues to be necessary for the public interest and is supported by statutory authority; there is no current need for this chapter to be amended or repealed.

Person performing review:	Mitzi Fishman
Title:	Director of Legislative Affairs, MBON

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:

Chapter Name:

Authority:

Date Originally Adopted or Last Amended:

Purpose:

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The Board holds monthly public meetings during which the public is invited to participate. The Board's monthly meetings provide an opportunity for general public comment, including on matters related to the adoption, amendment, or repeal of regulations under Subtitles 27, 39, 53, and 64 of the Code of Maryland Regulations.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments were received.

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

There are no interunit conflicts associated with this Chapter.

- (6) Provide a summary of any relevant scientific data gathered.

Gathering relevant scientific data was unnecessary for this review.

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

Gathering information related to the regulations of other states or the federal government was unnecessary for this review.

- (8) Provide a summary of any other relevant information gathered.

No other relevant information was gathered.

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

N/A

**D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒ no action
- ☐ amendment
- ☐ repeal
- ☐ repeal and adopt new regulations
- ☐ reorganization

Summary:

COMAR 10.27.23 continues to be necessary for the public interest and is supported by statutory authority; there is no current need for this chapter to be amended or repealed.

Person performing review:	Mitzi Fishman
Title:	Director of Legislative Affairs, MBON

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.27.24

Chapter Name: Compelling Purpose Disclosure

Authority: Health Occupations Article, § 8-205(a)(1), Annotated Code of Maryland; General Provisions Article, § 4-333(d)

Date Originally Adopted or Last Amended: Adopted July 23, 2001

Purpose: To authorize the Maryland Board of Nursing's Custodian of Records to disclose Board records to certain officials, authorities, or agencies if the Custodian of Records determines that there is a compelling public purpose to allow the disclosure.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

Stakeholders were not invited to participate in the review of this chapter, as it remains necessary for the public interest and is supported by statutory authority.

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

There are no other agencies affected by this chapter.



- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The Board holds monthly public meetings during which the public is invited to participate. The Board's monthly meetings provide an opportunity for general public comment, including on matters related to the adoption, amendment, or repeal of regulations under Subtitles 27, 39, 53, and 64 of the Code of Maryland Regulations.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments were received.

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

There are no interunit conflicts associated with this Chapter.

- (6) Provide a summary of any relevant scientific data gathered.

Gathering relevant scientific data was unnecessary for this review.

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

Gathering information related to the regulations of other states or the federal government was unnecessary for this review.

- (8) Provide a summary of any other relevant information gathered.

No other relevant information was gathered.

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

N/A

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☐ no action
- ☒ amendment
- ☐ repeal
- ☐ repeal and adopt new regulations
- ☐ reorganization

Summary:

COMAR 10.27.24 continues to be necessary for the public interest and is supported by statutory authority; there is one necessary amendment, specifically COMAR 10.27.24.02 needs to be amended to correct an internal reference, changing it from "State Government Article § 10-617(h), Annotated Code of Maryland" to "General Provisions Article § 4-333, Annotated Code of Maryland."

Person performing review:	Mitzi Fishman
Title:	Director of Legislative Affairs, MBON

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:

Chapter Name:

Authority:

Date Originally Adopted or Last Amended:

Purpose:

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The Board holds monthly public meetings during which the public is invited to participate. The Board's monthly meetings provide an opportunity for general public comment, including on matters related to the adoption, amendment, or repeal of regulations under Subtitles 27, 39, 53, and 64 of the Code of Maryland Regulations.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments were received.

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

There are no interunit conflicts associated with this chapter.

- (6) Provide a summary of any relevant scientific data gathered.

Gathering relevant scientific data was unnecessary for this review.

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

Gathering information related to the regulations of other states or the federal government was unnecessary for this review.

- (8) Provide a summary of any other relevant information gathered.

No other relevant information was gathered.

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

N/A

**D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒ no action
- ☐ amendment
- ☐ repeal
- ☐ repeal and adopt new regulations
- ☐ reorganization

Summary:

COMAR 10.27.25 continues to be necessary for the public interest and is supported by statutory authority; there is no current need for this chapter to be amended or repealed.

Person performing review:

Mitzi Fishman

Title:

Director of Legislative Affairs, MBON

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:

Chapter Name:

Authority:

Date Originally Adopted or Last Amended:

Purpose:

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The Board holds monthly public meetings during which the public is invited to participate. The Board's monthly meetings provide an opportunity for general public comment, including on matters related to the adoption, amendment, or repeal of regulations under Subtitles 27, 39, 53, and 64 of the Code of Maryland Regulations.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments were received.

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

There are no interunit conflicts associated with this chapter.

- (6) Provide a summary of any relevant scientific data gathered.

Gathering relevant scientific data was unnecessary for this review.

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

Gathering information related to the regulations of other states or the federal government was unnecessary for this review.

- (8) Provide a summary of any other relevant information gathered.

Pursuant to HB 758/Ch 462 (2021) and HB 717/Ch 368 (2023), COMAR 10.27.26.02 is being amended to include licensed certified midwives (LCM) as subject to the sanctioning guidelines. Pursuant to HB 218/Ch 681 (2022), COMAR 10.27.26.02 is being amended to include certified dialysis technicians (CDT) as subject to the sanctioning guidelines.

- C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☒ Yes ☐ No

Has the agency promulgated all regulations required by recent legislation? ☐ Yes ☒ No

Provide explanations of the above responses, as needed:

Pursuant to HB 758/Ch 462 (2021) and HB 717/Ch 368 (2023), on December 19, 2023, the Board of Nursing submitted proposed amendments to COMAR 10.27.26.02 to the Maryland Department of Health (MDH) to add Licensed Certified Midwives as subject to the sanctioning guidelines, and on May 24, 2024, to add Certified Dialysis Technicians as subject to the sanctioning guidelines. Both proposed amendments were resent to MDH on July 11, 2024 (Certified Dialysis Technicians) and July 12, 2024 (Licensed Certified Midwives); both proposals are awaiting final promulgation.

- D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☐ no action  
☒ amendment  
☐ repeal  
☐ repeal and adopt new regulations  
☐ reorganization

Summary:

COMAR 10.27.26 continues to be necessary for the public interest and is supported by statutory authority.

Pursuant to HB 758/Ch 462 (2021) and HB 717/Ch 368 (2023), on December 19, 2023, the Board of Nursing submitted proposed amendments to COMAR 10.27.26.02 to the Maryland Department of Health (MDH) to add Licensed Certified Midwives as subject to the sanctioning guidelines, and on May 24, 2024, to add Certified Dialysis Technicians as subject to the sanctioning guidelines. Both proposed amendments were resent to MDH on July 11, 2024 (Certified Dialysis Technicians) and July 12, 2024 (Licensed Certified Midwives); both proposals are awaiting final promulgation.

Person performing review: **Mitzi Fishman**

Title: **Director of Legislative Affairs, MBON**



**REGULATIONS SIGNATURE SHEET**

REGULATIONS AFFECTED: COMAR 10.28.03 Examination and Licensing of Optometrists  
10.28.04 Rules of Procedure for Board Hearings  
10.28.05 Inactive Status and Reinstatement of Expired Licenses  
10.28.06 Examination of Patients by Optometrists, Maintenance of Records, and  
Keeping of Certain Instrumentation and Equipment  
10.28.07 Fee Schedule  
10.28.08 Partial Waiver of Examination  
10.28.09 Advertising  
10.28.13 Civil Penalties  
10.28.14 Code of Conduct  
10.28.15 Compelling Purpose Disclosure  
10.28.16 Selling and Dispensing of Contact Lenses  
10.28.17 Disciplinary Sanctions and Monetary Penalties

REGULATORY REVIEW AND EVALUTION ACT: WORKPLAN: \_\_\_\_\_ EVALUATION REPORTS: X

\* \* \* \* \*

SIGNATURE: 

TITLE: Executive Director

DATE: August 2, 2024

\* \* \* \* \*

SIGNATURE: 

TITLE: Director, Office of Regulation & Policy

DATE: October 1, 2024

\* \* \* \* \*

SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

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DATE: \_\_\_\_\_

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**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:	10.28.03
Chapter Name:	Examination and Licensing of Optometrists
Authority:	Health Occupations Article, §§11-205 and 11-302—11-308, Annotated Code of Maryland
Date Originally Adopted or Last Amended:	July 31, 2017 (Reg. .02)
Purpose:	This chapter applies to the examination and licensing requirements for optometrists.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notification of public meetings were posted on the Board's website and the review of this chapter was also discussed in open Board meetings. Once the regulations are completed and signed off by the Secretary of Health, they will be published in the *Maryland Register* for a 30-day comment period.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☐ Yes ☒ No

Provide explanations of the above responses, as needed:

Updated regulations pertaining to HB 381/SB 175 (Chs. 814 and 815), Acts of 2024 have been sent to the Secretary of Health for sign off to begin promulgation.

**D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☐no action
- ☒amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

After a comprehensive review, the Board will be amending this chapter to:

- (1) Add clarifying language;
- (2) Add the criminal history records check requirement to licensure application procedures pursuant to Chs. 814 and 815, Acts of 2024;
- (3) Amend examination requirements provided by the Board;
- (4) Add license renewal requirements to regulations; and
- (5) Update requirements for a change of mailing address, legal name, or email address for licensees, including a fee for noncompliance.

Person performing review:

Gwendolyn Joyner

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:	10.28.04
Chapter Name:	Rules of Procedure for Board Hearings
Authority:	Health Occupations Article, §§11-205, 11-313, and 11-315; State Government Article, §10-206; Annotated Code of Maryland
Date Originally Adopted or Last Amended:	September 3, 2001
Purpose:	This chapter governs procedures for disciplinary matters and hearings before the Board.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

N/A

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒no action
- ☐amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

Person performing review:

Gwendolyn Joyner

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:	10.28.05
Chapter Name:	Inactive Status and Reinstatement of Expired Licenses
Authority:	Health Occupations Article, §11-310, Annotated Code of Maryland
Date Originally Adopted or Last Amended:	March 4, 2002
Purpose:	This chapter governs the requirements for inactive status and reinstatement of expired licenses.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A



- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notification of public meetings were posted on the Board's website and the review of this chapter was also discussed in open Board meetings. Once the regulations are completed and signed off by the Secretary of Health, they will be published in the *Maryland Register* for a 30-day comment period.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

- C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

Updated Regulation .03 has been sent to the Secretary of Health for sign off to begin promulgation.

**D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
(check all that apply)

- ☐ no action
- ☒ amendment
- ☐ repeal
- ☐ repeal and adopt new regulations
- ☐ reorganization

Summary:

After a comprehensive review, the Board will be amending Regulation .03 of this chapter to add clarifying language.

Person performing review:

Gwendolyn Joyner

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.28.06

Chapter Name: Examination of Patients by Optometrists, Maintenance of Records, and Keeping of Certain Instrumentation and Equipment

Authority: Authority: Health Occupations Article, §§11-205 and 11-208, Annotated Code of Maryland

Date Originally Adopted or Last Amended: July 31, 2017 (Reg. .02)

Purpose: This chapter establishes criteria the Board considers necessary to perform a minimum optometric examination, maintain certain records, and have on hand certain instrumentation and equipment required to carry out procedures for the minimum examination.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

N/A

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
(check all that apply)

- ☒no action
- ☐amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

Person performing review:

Gwendolyn Joyner

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:	10.28.07
Chapter Name:	Fee Schedule
Authority:	Health Occupations Article, §§11-205, 11-207, and 11-302—11-308, Annotated Code of Maryland
Date Originally Adopted or Last Amended:	July 31, 2017 (Reg. .02H)
Purpose:	This chapter governs all persons licensed as optometrists by the State.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notification of public meetings were posted on the Board's website and the review of this chapter was also discussed in open Board meetings. Once the regulations are completed and signed off by the Secretary of Health, they will be published in the *Maryland Register* for a 30-day comment period.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

- C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

Updated Regulation .02 of this chapter has been sent to the Secretary of Health for sign off to begin promulgation.

**D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
(check all that apply)

- ☐ no action
- ☒ amendment
- ☐ repeal
- ☐ repeal and adopt new regulations
- ☐ reorganization

Summary:

After a comprehensive review, the Board will be amending this chapter to add:

- (1) Clarifying language;
- (2) A fee for licensees' failure to maintain correct address, name, or email address with the Board; and
- (3) A fee for license verification.

Person performing review:

Gwendolyn Joyner

Title:

Executive Director



**Regulatory Review and Evaluation  
Act Evaluation Report Form  
2020 – 2028**

Chapter Codification:	10.28.08
Chapter Name:	Partial Waiver of Examination
Authority:	Health Occupations Article, §§11-205 and 11-302—11-308, Annotated Code of Maryland
Date Originally Adopted or Last Amended:	October 19, 2009 (Reg. .02B)
Purpose:	This chapter provides the criteria for partial waiver of examination for applicants.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notification of public meetings were posted on the Board's website and the review of this chapter was also discussed in open Board meetings. Once the regulations are completed and signed off by the Secretary of Health, they will be published in the *Maryland Register* for a 30-day comment period.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

- C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

Updated regulations have been sent to the Secretary of Health for sign off to begin promulgation.

- D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
(check all that apply)

- ☐ no action
- ☒ amendment
- ☒ repeal
- ☐ repeal and adopt new regulations
- ☐ reorganization

Summary:

After a comprehensive review, the Board will be amending this chapter to add clarifying language to Regulations .01—.03 and repeal Regulation .04.

Person performing review:

Gwendolyn Joyner

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:	10.28.09
Chapter Name:	Advertising
Authority:	Health Occupations Article, §§11-205 and 11-313, Annotated Code of Maryland
Date Originally Adopted or Last Amended:	July 31, 2017 (Reg. 02B)
Purpose:	This chapter governs advertising by optometrists in Maryland.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

N/A

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
(check all that apply)

- ☒no action
- ☐amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

Person performing review:

Gwendolyn Joyner

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:	10.28.13
Chapter Name:	Civil Penalties
Authority:	Health Occupations Article, §§11-205, 11-313—11-315, and 11-505, Annotated Code of Maryland
Date Originally Adopted or Last Amended:	August 17, 2015
Purpose:	This chapter established standards by which the Board may impose monetary penalties or civil fines on licensees.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

N/A

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A



C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
(check all that apply)

- ☒no action
- ☐amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

Person performing review:

Gwendolyn Joyner

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:	10.28.14
Chapter Name:	Code of Conduct
Authority:	Health Occupations Article, §§1-212 and 11-205, Annotated Code of Maryland
Date Originally Adopted or Last Amended:	July 31, 2006
Purpose:	This chapter governs all optometrists licensed by the Board to practice in the State.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

N/A

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
(check all that apply)

- ☒no action
- ☐amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

Person performing review:

Gwendolyn Joyner

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:	10.28.15
Chapter Name:	Compelling Purpose Disclosure
Authority:	General Provisions Article, §4-333; Health Occupations Article, §§11-205; Annotated Code of Maryland
Date Originally Adopted or Last Amended:	January 7, 2002
Purpose:	This chapter permits the Board to disclose investigative information to other agencies or other entities, or both, under certain circumstances.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

N/A

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
(check all that apply)

- ☒no action
- ☐amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

Person performing review:

Gwendolyn Joyner

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:	10.28.16
Chapter Name:	Selling and Dispensing of Contact Lenses
Authority:	Health-General Article, §24-301.1; Health Occupations Article, §§11-101, 11-205, and 11-404.4; Annotated Code of Maryland
Date Originally Adopted or Last Amended:	January 16, 2006
Purpose:	This chapter authorizes the prescribing, selling, and dispensing of contact lenses.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A



- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

N/A

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
(check all that apply)

- ☒no action
- ☐amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

Person performing review:

Gwendolyn Joyner

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:	10.28.17
Chapter Name:	Disciplinary Sanctions and Monetary Penalties
Authority:	Health Occupations Article, §§1-606 and 11-314, Annotated Code of Maryland
Date Originally Adopted or Last Amended:	October 1, 2012
Purpose:	This chapter establishes standards for sanctions and monetary penalties against optometrists in the State.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

N/A

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
(check all that apply)

- ☒no action
- ☐amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

Person performing review:

Gwendolyn Joyner

Title:

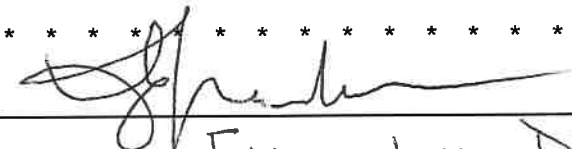
Executive Director

# REGULATIONS SIGNATURE SHEET

REGULATIONS AFFECTED: **COMAR** 10.29.01 Hearing Procedures  
10.29.02 Examination  
10.29.04 Fee Schedule  
10.29.05 Continuing Education  
10.29.06 Preneed Contract  
10.29.07 Surviving Spouse  
10.29.08 Courtesy Card  
10.29.09 Requirements for Apprenticeship  
10.29.10 Monetary Penalties  
10.29.11 Complaint Procedures  
10.29.12 Advertising  
10.29.13 Rehabilitation Committee  
10.29.14 Compelling Purpose Disclosure  
10.29.16 Crematories—Definitions  
10.29.17 Crematories—Permit, Licensing, and Fees  
10.29.18 Crematories—Inspections, Complaints, Investigations, Grounds for Discipline, and Penalties  
10.29.19 Crematories—Cremation Procedures  
10.29.20 Crematories—Code of Ethics  
10.29.21 Mortuary Transport Services  
10.29.22 General Regulations

REGULATORY REVIEW AND EVALUATION ACT: WORKPLAN: \_\_\_\_\_ EVALUATION REPORTS:   X  

\* \* \* \* \*

SIGNATURE: 

TITLE: Executive Director

DATE: 7/29/24

\* \* \* \* \*

SIGNATURE: 

TITLE: Director, Office of Regulation & Policy

DATE: October 1, 2024

\* \* \* \* \*

SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

\* \* \* \* \*

SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

\* \* \* \* \*

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:	10.29.01
Chapter Name:	Hearing Procedures
Authority:	Health Occupations Article, §§1-606, 7-205(a)(1) and (c), 7-316, 7-318, and 7-604, Annotated Code of Maryland
Date Originally Adopted or Last Amended:	October 24, 2016
Purpose:	This chapter governs procedures for disciplinary matters and hearings before the Board.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

N/A

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A



C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒no action
- ☐amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

Person performing review:

Erika Malone

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:	10.29.02
Chapter Name:	Examination
Authority:	Health Occupations Article, §7-304, Annotated Code of Maryland
Date Originally Adopted or Last Amended:	January 8, 2024 (Reg. 03C)
Purpose:	This chapter applies to the examination requirements for applicants.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

N/A

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒no action
- ☐amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

Person performing review:

Erika Malone

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.29.04

Chapter Name: Fee Schedule

Authority: Health Occupations Article, §§7-205, 7-206, 7-303(b)(6), 7-304(e), 7-305(b)(1), 7-306(c), 7-308(a)(4), 7-308.1, 7-309(b)(4), 7-310(b)(1)(ii), 7-311(a)(4), 7-314(c)(2), 7-315(a)(3), and 7-321, Annotated Code of Maryland

Date Originally Adopted or Last Amended: January 8, 2024 (Reg. .03)

Purpose: This chapter establishes the fee schedule for all individuals licensed by the Board.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

N/A

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒no action
- ☐amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

Person performing review:

Erika Malone

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.29.05

Chapter Name: Continuing Education

Authority: Health Occupations Article, §§7-205 and 7-314(c)(4), Annotated Code of Maryland

Date Originally Adopted or Last Amended: May 18, 2020 (Reg. .05)

Purpose: This chapter governs a person practicing as a mortician, funeral director, or holder of a surviving spouse license in Maryland.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A



- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

N/A

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒no action
- ☐amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

Person performing review:

Erika Malone

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.29.06

Chapter Name: Preneed Contract

Authority: Health Occupations Article, §§7-404, 7-405, and 7-504, Annotated Code of Maryland

Date Originally Adopted or Last Amended: April 4, 2022 (Regs. .02 and .03)

Purpose: This chapter applies to all preneed contracts entered into by a licensed mortician, a licensed funeral director, and a holder of a surviving spouse license with a buyer.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

N/A

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒no action
- ☐amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

Person performing review:

Erika Malone

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.29.07

Chapter Name: Surviving Spouse

Authority: Health Occupations Article, §7-308, Annotated Code of Maryland

Date Originally Adopted or Last Amended: February 25, 2008

Purpose: This chapter establishes standards for the issuance of a surviving spouse license by the Board.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

N/A

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒no action
- ☐amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

Person performing review:

Erika Malone

Title:

Executive Director



**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.29.08

Chapter Name: Courtesy Card

Authority: Health Occupations Article, §7-101(f) and 7-311, Annotated Code of Maryland

Date Originally Adopted or Last Amended: February 25, 2008 (Reg. .02)

Purpose: This chapter governs courtesy cards for those licensed to practice mortuary science in other states or countries who wish to transport bodies from Maryland to their states or countries of licensure or from their states or countries of licensure to Maryland.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

N/A

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒no action
- ☐amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

Person performing review:

Erika Malone

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.29.09

Chapter Name: Requirements for Apprenticeship

Authority: Health Occupations Article, §§7-101, 7-205, 7-305, and 7-306, Annotated Code of Maryland

Date Originally Adopted or Last Amended: April 4, 2022 (Reg. .11A)

Purpose: This chapter establishes criteria which an apprentice shall meet before becoming a licensed mortician or funeral director in Maryland.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

N/A

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒no action
- ☐amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

Person performing review:

Erika Malone

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.29.10

Chapter Name: Monetary Penalties

Authority: Health Occupations Article, §§1-212 and 7-317, Annotated Code of Maryland

Date Originally Adopted or Last Amended: February 25, 2008

Purpose: This chapter establishes standards for the imposition of penalties against any mortuary science practitioner licensee in the State if, after a hearing, the Board finds that there are grounds to suspend or revoke a license.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

N/A

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A



C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒no action
- ☐amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

Person performing review:

Erika Malone

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.29.11

Chapter Name: Complaint Procedures

Authority: Health Occupations Article, §7-205(a), Annotated Code of Maryland

Date Originally Adopted or Last Amended: July 4, 2016

Purpose: This chapter applies to the handling of all complaints against licensees of the Board.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

N/A

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒no action
- ☐amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

Person performing review:

Erika Malone

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.29.12

Chapter Name: Advertising

Authority: Health Occupations Article, §7-205(7), Annotated Code of Maryland

Date Originally Adopted or Last Amended: April 4, 2022 (Regs. .03A and .05)

Purpose: This chapter governs advertising by all licensees of the Board.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

N/A

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒no action
- ☐amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

Person performing review:

Erika Malone

Title:

Executive Director

**Regulatory Review and Evaluation  
Act Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.29.13

Chapter Name: Rehabilitation Committee

Authority: Health Occupations Article, §§7-205 and 7-408, Annotated Code of Maryland

Date Originally Adopted or Last Amended: February 25, 2008

Purpose: This chapter applies to the standards of the Rehabilitation Committee of the Board.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A



- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

N/A

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒no action
- ☐amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

Person performing review:

Erika Malone

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.29.14

Chapter Name: Compelling Purpose Disclosure

Authority: General Provisions Article, §4-333; Health Occupations Article, §§7-205; Annotated Code of Maryland

Date Originally Adopted or Last Amended: April 15, 2002

Purpose: This chapter permits the Board to disclose investigative information to other agencies, or other entities, or both, under certain circumstances.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

N/A

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒no action
- ☐amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

Person performing review:

Erika Malone

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.29.16

Chapter Name: Crematories - Definitions

Authority: Health Occupations Article, §§7-101, 7-102, and 7-205, Annotated Code of Maryland

Date Originally Adopted or Last Amended: April 14, 2014

Purpose: This chapter governs procedures for disciplinary matters and hearings before the Board and establishes standards for use as a guide for the imposition of disciplinary sanctions against licensees under the Board's jurisdiction.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

Office of Cemetery Oversight

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notification of public meetings were posted on the Board's website and the review of this chapter was also discussed in open Board meetings. Once the regulations are completed and signed off by the Secretary of Health, they will be published in the *Maryland Register* for a 30-day comment period.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☐ Yes ☒ No

Provide explanations of the above responses, as needed:

The Board is in the process of amending this chapter in accordance with the passage of SB 1028/HB1168 (chs. 599 and 600), Acts of 2024.

**D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☐no action
- ☒amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

After a comprehensive review, the Board will be amending this chapter to include the process of alkaline hydrolysis in the disposition of human remains.

Person performing review:

Erika Malone

Title:

Executive Director



**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.29.17

Chapter Name: Crematories – Permit, Licensing, and Fees

Authority: Health Occupations Article, §§1-213, 7-101, 7-205; 7-314—7-316, and 7-319, Annotated Code of Maryland

Date Originally Adopted or Last Amended: May 18, 2020 (Reg. 04)

Purpose: This chapter governs the crematory permit process and fees for persons regulated under Health Occupations Article, Title 7, Annotated Code of Maryland.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

Office of Cemetery Oversight

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notification of public meetings were posted on the Board's website and the review of this chapter was also discussed in open Board meetings. Once the regulations are completed and signed off by the Secretary of Health, they will be published in the *Maryland Register* for a 30-day comment period.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

- C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☐ Yes ☒ No

Provide explanations of the above responses, as needed:

The Board is in the process of amending this chapter in accordance with the passage of SB 1028/HB1168 (chs. 599 and 600), Acts of 2024.

- D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☐no action  
☒amendment  
☐repeal  
☐repeal and adopt new regulations  
☐reorganization

Summary:

After a comprehensive review, the Board will be amending this chapter to include the process of alkaline hydrolysis in the disposition of human remains.

Person performing review:

Erika Malone

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.29.18

Chapter Name: Crematories – Inspections, Complaints, Investigations, Grounds for Discipline, and Penalties

Authority: Health Occupations Article, §§7-101, 7-102, 7-205, 7-316, 7-317, 7-319, and 7-406, Annotated Code of Maryland

Date Originally Adopted or Last Amended: May 18, 2020 (Reg. .02D)

Purpose: This chapter governs crematory inspections, standards, the complaint process, investigations, grounds for discipline, and penalties.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

Office of Cemetery Oversight

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notification of public meetings were posted on the Board's website and the review of this chapter was also discussed in open Board meetings. Once the regulations are completed and signed off by the Secretary of Health, they will be published in the *Maryland Register* for a 30-day comment period.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☐ Yes ☒ No

Provide explanations of the above responses, as needed:

The Board is in the process of amending this chapter in accordance with the passage of SB 1028/HB1168 (chs. 599 and 600), Acts of 2024.

**D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☐no action
- ☒amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

After a comprehensive review, the Board will be amending this chapter to include the process of alkaline hydrolysis in the disposition of human remains.

Person performing review:

Erika Malone

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.29.19

Chapter Name: Crematories – Cremation Procedures

Authority: Health Occupations Article, §§7-101, 7-102, and 7-205; Annotated Code of Maryland

Date Originally Adopted or Last Amended: April 14, 2014

Purpose: This chapter governs the procedures to be followed in performing a cremation in this State.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

Office of Cemetery Oversight

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notification of public meetings were posted on the Board's website and the review of this chapter was also discussed in open Board meetings. Once the regulations are completed and signed off by the Secretary of Health, they will be published in the *Maryland Register* for a 30-day comment period.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or



standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☐ Yes ☒ No

Provide explanations of the above responses, as needed:

The Board is in the process of amending this chapter in accordance with the passage of SB 1028/HB1168 (chs. 599 and 600), Acts of 2024.

**D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☐no action
- ☒amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

After a comprehensive review, the Board will be amending this chapter to include the process of alkaline hydrolysis in the disposition of human remains.

Person performing review:

Erika Malone

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.29.20

Chapter Name: Crematories – Code of Ethics

Authority: Health Occupations Article, §7-101, Annotated Code of Maryland

Date Originally Adopted or Amended: April 14, 2014 Last

Purpose: 

This chapter governs any person who holds a permit to:

A. Engage in the operation of a crematory;

B. Act as a designated crematory operator; or

C. Act as a registered crematory operator.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

Office of Cemetery Oversight

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notification of public meetings were posted on the Board's website and the review of this chapter was also discussed in open Board meetings. Once the regulations are completed and signed off by the Secretary of Health, they will be published in the *Maryland Register* for a 30-day comment period.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the

Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☐ Yes ☒ No

Provide explanations of the above responses, as needed:

The Board is in the process of amending this chapter in accordance with the passage of SB 1028/HB1168 (chs. 599 and 600), Acts of 2024.

**D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☐no action
- ☒amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

After a comprehensive review, the Board will be amending this chapter to include the process of alkaline hydrolysis in the disposition of human remains.

Person performing review:

Erika Malone

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.29.21

Chapter Name: Mortuary Transport Services

Authority: Health Occupations Article, §§7-101 and 7-601—7-607, Annotated Code of Maryland

Date Originally Adopted or Last Amended: February 17, 2014

Purpose: 

This chapter applies to:

- A. Applicants for a mortuary transport service permit;
- B. Applicants for registration as a transporter for a mortuary transport service;
- C. Permitted mortuary transport services; and
- D. Registered transporters.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notification of public meetings were posted on the Board's website and the review of this chapter was also discussed in open Board meetings. Once the regulations are completed and signed off by the Secretary of Health, they will be published in the *Maryland Register* for a 30-day comment period.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

**D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☐no action
- ☒amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

The Board is in the process of amending this chapter.

Person performing review:

Erika Malone

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.29.22

Chapter Name: General Regulations

Authority: General Provisions Article, §5-513; Health Occupations Article, §§7-205; Annotated Code of Maryland

Date Originally Adopted or Last Amended: August 5, 2013

Purpose: This chapter governs temperature standards for refrigeration units used to store human remains.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:



- (a) any notice published in the Maryland Register;
- (b) any notice published in newspapers of general circulation;
- (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
- (d) any mailing by the adopting authority; and
- (e) any public hearing held.

N/A

(4) Provide summaries of:

- (a) all comments received from stakeholders, affected units, or the public; and
- (b) the adopting authority's responses to those comments.

N/A

(5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

(6) Provide a summary of any relevant scientific data gathered.

N/A

(7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

(8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

**D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒no action
- ☐amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

Person performing review:

Erika Malone

Title:

Executive Director

**REGULATIONS SIGNATURE SHEET**

REGULATIONS AFFECTED: COMAR 10.30.01 General Regulations  
10.30.02 Physical and Medical Standards  
10.30.03 Transmissible Diseases  
10.30.04 Dialyzer Reuse and Water Standards  
10.30.05 Fee Schedule

REGULATORY REVIEW AND EVALUTION ACT: WORKPLAN: \_\_\_ EVALUATION REPORTS: X

\* \* \* \* \*

SIGNATURE: 

TITLE: Executive Director, M&D

DATE: 7/30/2024

\* \* \* \* \*

SIGNATURE: 

TITLE: Director, Office of Regulation & Policy

DATE: October 1, 2024

\* \* \* \* \*

SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

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SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

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SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

\* \* \* \* \*

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:	10.30.01
Chapter Name:	General Regulations
Authority:	Health-General Article, §§13-301—13-316 and 16-204, Annotated Code of Maryland
Date Originally Adopted or Last Amended:	March 16, 2015
Purpose:	This chapter establishes general regulations regarding end stage kidney disease.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notification of public meetings were posted on the Commission's website and the review of this chapter was also discussed in open Commission meetings. Once the regulations are completed and signed off by the Secretary of Health, they will be published in the *Maryland Register* for a 30-day comment period.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

**D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
(check all that apply)

- ☐no action
- ☒amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

The Commission is in the process of amending this chapter to delete and update obsolete language.

Person performing review:

Eva Schwartz

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:	10.30.02
Chapter Name:	Physical and Medical Standards
Authority:	Health-General Article, §§13-301—13-316 and 16-204, Annotated Code of Maryland
Date Originally Adopted or Last Amended:	March 16, 2015
Purpose:	This chapter establishes physical and medical standards for freestanding dialysis facilities, nocturnal hemodialysis programs, home dialysis programs, and self-care dialysis facilities.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notification of public meetings were posted on the Commission's website and the review of this chapter was also discussed in open Commission meetings. Once the regulations are completed and signed off by the Secretary of Health, they will be published in the *Maryland Register* for a 30-day comment period.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A



- C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

- D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
(check all that apply)

- ☐ no action
- ☒ amendment
- ☐ repeal
- ☐ repeal and adopt new regulations
- ☐ reorganization

Summary:

The Commission is in the process of amending this chapter to delete and update obsolete language.

Person performing review:

Eva Schwartz

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:	10.30.03
Chapter Name:	Transmissible Diseases
Authority:	Health-General Article, §§13-301—13-316 and 16-204, Annotated Code of Maryland
Date Originally Adopted or Last Amended:	March 16, 2015
Purpose:	This chapter establishes guidelines for freestanding dialysis facilities, nocturnal hemodialysis programs, home dialysis programs, and self-care dialysis facilities.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notification of public meetings were posted on the Commission's website and the review of this chapter was also discussed in open Commission meetings. Once the regulations are completed and signed off by the Secretary of Health, they will be published in the *Maryland Register* for a 30-day comment period.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

- C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

- D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
(check all that apply)

- ☐ no action
- ☒ amendment
- ☐ repeal
- ☐ repeal and adopt new regulations
- ☐ reorganization

Summary:

The Commission is in the process of amending this chapter to delete and update obsolete language.

Person performing review:

Eva Schwartz

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:	10.30.04
Chapter Name:	Dialyzer Reuse and Water Standards
Authority:	Health-General Article, §§13-301—13-316 and 16-204, Annotated Code of Maryland
Date Originally Adopted or Last Amended:	April 5, 2010
Purpose:	This chapter establishes standards for dialyzer reuse and water treatment for dialysis.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notification of public meetings were posted on the Commission's website and the review of this chapter was also discussed in open Commission meetings. Once the regulations are completed and signed off by the Secretary of Health, they will be published in the *Maryland Register* for a 30-day comment period.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
(check all that apply)

- ☐no action
- ☐amendment
- ☒repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

The Commission is in the process of amending this chapter to delete obsolete language. Specifically, repeal Regulation .02.

Person performing review:

Eva Schwartz

Title:

Executive Director

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:	10.30.05
Chapter Name:	Fee Schedule
Authority:	Health-General Article, §§13-301—13-316 and 16-204, Annotated Code of Maryland
Date Originally Adopted or Last Amended:	December 22, 2003
Purpose:	This chapter governs dialysis facilities and transplant centers, except those exempted by statute, that are certified by the Commission for eligibility for reimbursement by the Kidney Disease Program for performance of dialysis or transplantation on certified patients with end-stage renal disease.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

N/A



- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notification of public meetings were posted on the Commission's website and the review of this chapter was also discussed in open Commission meetings. Once the regulations are completed and signed off by the Secretary of Health, they will be published in the *Maryland Register* for a 30-day comment period.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

N/A

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A

- (8) Provide a summary of any other relevant information gathered.

N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
(check all that apply)

- ☐no action
- ☒amendment
- ☐repeal
- ☐repeal and adopt new regulations
- ☐reorganization

Summary:

The Commission is in the process of amending this chapter to delete and update obsolete language, as well as remove the facility roster fee.

Person performing review:

Title:

Eva Schwartz
Executive Director

# REGULATIONS SIGNATURE SHEET

REGULATIONS AFFECTED: COMAR

REGULATORY REVIEW AND EVALUTION ACT: WORKPLAN: \_\_\_\_\_ EVALUATION REPORTS: \_\_\_\_\_

\* \* \* \* \*

SIGNATURE: 

TITLE: Executive Director

DATE: October 1st, 2024

\* \* \* \* \*

SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

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SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:

Chapter Name:

Authority:

Date Originally Adopted or Last Amended:

Purpose:

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The Board holds monthly public meetings during which the public is invited to participate. The Board's monthly meetings provide an opportunity for general public comment, including on matters related to the adoption, amendment, or repeal of regulations under Subtitles 27, 39, 53, and 64 of the Code of Maryland Regulations.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments were received.

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

There are no interunit conflicts associated with this chapter.

- (6) Provide a summary of any relevant scientific data gathered.

Gathering relevant scientific data was unnecessary for this review.

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

The Board of Nursing conducted research on regulations and other documentation from all fifty states and the District of Columbia to determine which states currently had language regarding the online provision of nursing assistant training programs. Fourteen states (CA, GA, IA, MI, MN, NE, NV, OH, OR, PA, RI, SD, TX, and WA) had language that referred to online nursing assistant training programs, which were used to support drafting proposed amendments to COMAR 10.39.02.02 and new regulation .11. In addition, the Board conducted research on comparable fees across the country, striving to propose fees in line with its peer states and impose the most reasonable costs to its constituents. This research showed that Maryland is an outlier for having fees that are significantly less than its peer states. In addition, the Board, is an outlier for not establishing fees for training program approvals and training program facility site visits. This research supported the drafting of proposed amendments to COMAR 10.39.02.03, .09, and new regulation .12.

- (8) Provide a summary of any other relevant information gathered.

Pursuant to HB 1208/Ch. 675 (2022), the Board proposed amendments to existing regulations and new regulations establishing standards for the provision of online didactic instruction in a nursing assistant training program that meets the requirements established by the Board.

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☐ Yes ☒ No

Provide explanations of the above responses, as needed:

Pursuant to HB 1208/Ch. 675 (2022), the Board of Nursing submitted proposed amendments to COMAR 10.39.02.02 and new regulation .11 to the Maryland Department of Health (MDH) on May 23, 2024, to establish standards for the provision of online didactic instruction in a nursing assistant training program. The Board also proposed amendments to COMAR 10.39.02.03, .09, and new regulation .12 on May 28, 2024, establishing revised fees. Both proposals were resent to MDH on July 11, 2024; both proposals are awaiting final promulgation.

In addition, effective October 1, 2025, HB 1125/Ch 818 (2024) alters the designation of, and certification requirements for, certified nursing assistants and geriatric nursing assistants, which will require further revision of COMAR 10.39.02; draft amendments are underway.

**D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☐ no action
- ☒ amendment
- ☐ repeal
- ☐ repeal and adopt new regulations
- ☐ reorganization

Summary:

COMAR 10.39.02 continues to be necessary for the public interest and is supported by statutory authority.

Pursuant to HB 1208/Ch. 675 (2022), the Board of Nursing submitted proposed amendments to COMAR 10.39.02.02 and new regulation .11 to the Maryland Department of Health (MDH) on May 23, 2024, to establish standards for the provision of online didactic instruction in a nursing assistant training program. The Board also proposed amendments to COMAR 10.39.02.03, .09, and new regulation .12 on May 28, 2024, establishing revised fees. Both proposals were resent to MDH on July 11, 2024; both proposals are awaiting final promulgation.

In addition, effective October 1, 2025, HB 1125/Ch 818 (2024) alters the designation of, and certification requirements for, certified nursing assistants and geriatric nursing assistants, which will require further revision of COMAR 10.39.02; draft amendments are underway.

Person performing review: **Mitzi Fishman**

Title: **Director of Legislative Affairs, MBON**

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:

Chapter Name:

Authority:

Date Originally Adopted or Last Amended:

Purpose:

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The Board holds monthly public meetings during which the public is invited to participate. The Board's monthly meetings provide an opportunity for general public comment, including on matters related to the adoption, amendment, or repeal of regulations under Subtitles 27, 39, 53, and 64 of the Code of Maryland Regulations.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments were received.

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

There are no interunit conflicts associated with this chapter.

- (6) Provide a summary of any relevant scientific data gathered.

Gathering relevant scientific data was unnecessary for this review.

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

The Board conducted research on comparable fees across the country, striving to propose fees in line with its peer states and impose the most reasonable costs to its constituents. This research showed that Maryland is an outlier for having fees that are significantly less than its peer states. In addition, the Board, is an outlier for not establishing fees for training program approvals and training program facility site visits. This research supported proposed amendments to COMAR 10.39.03.07 and .08.

- (8) Provide a summary of any other relevant information gathered.

No other relevant information was gathered.



- C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☐ Yes ☒ No

Provide explanations of the above responses, as needed:

The Board proposed amendments to COMAR 10.39.03.07 and .08 on May 28, 2024, establishing revised fees. The proposal was resent to the Maryland Department of Health on July 11, 2024; the proposal is awaiting final promulgation.

In addition, effective October 1, 2025, HB 1125/Ch 818 (2024) alters the designation of, and certification requirements for, certified nursing assistants and geriatric nursing assistants, which will require further revision of COMAR 10.39.03; draft amendments are underway.

- D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☐ no action
- ☒ amendment
- ☐ repeal
- ☐ repeal and adopt new regulations
- ☐ reorganization

Summary:

COMAR 10.39.03 continues to be necessary for the public interest and is supported by statutory authority.

The Board proposed amendments to COMAR 10.39.03.07 and .08 on May 28, 2024, establishing revised fees. The proposal was resent to the Maryland Department of Health on July 11, 2024; the proposal is awaiting final promulgation.

In addition, effective October 1, 2025, HB 1125/Ch 818 (2024) alters the designation of, and certification requirements for, certified nursing assistants and geriatric nursing assistants, which will require further revision of COMAR 10.39.03; draft amendments are underway.

Person performing review: **Mitzi Fishman**

Title: **Director of Legislative Affairs, MBON**

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification: 10.39.04

Chapter Name: Medication Technicians

Authority: Health Occupations Article, §§ 8-205(a)(1) and (2) and (c) and 8-6A-01—8-6A-17, Annotated Code of Maryland

Date Originally Adopted or Last Amended: Originally adopted on April 24, 2006; Amendments proposed on May 28

Purpose: To establish minimum qualifications and standards of practice for certified medication technicians (CMT's) and CMT training programs.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

Stakeholders were not invited to participate in the review of this chapter, as it remains necessary for the public interest and is supported by statutory authority.

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

There are no other agencies affected by this chapter.

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The Board holds monthly public meetings during which the public is invited to participate. The Board's monthly meetings provide an opportunity for general public comment, including on matters related to the adoption, amendment, or repeal of regulations under Subtitles 27, 39, 53, and 64 of the Code of Maryland Regulations.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments were received.

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

There are no interunit conflicts associated with this chapter.

- (6) Provide a summary of any relevant scientific data gathered.

Gathering relevant scientific data was unnecessary for this review.

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

The Board conducted research on comparable fees across the country, striving to propose fees in line with its peer states and impose the most reasonable costs to its constituents. This research showed that Maryland is an outlier for having fees that are significantly less than its peer states. This research supported proposed amendments to COMAR 10.39.04.03.

- (8) Provide a summary of any other relevant information gathered.

No other relevant information was gathered.

- C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☐ Yes ☒ No

Provide explanations of the above responses, as needed:

The Board proposed amendments to COMAR 10.39.04.03 on May 28, 2024, establishing revised fees. The proposal was resent to the Maryland Department of Health on July 11, 2024; the proposal is awaiting final promulgation.

In addition, effective October 1, 2025, HB 1125/Ch 818 (2024) alters the designation of, and certification requirements for, certified nursing assistants and geriatric nursing assistants, which will require further revision of COMAR 10.39.04; draft amendments are underway.

- D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☐ no action
- ☒ amendment
- ☐ repeal
- ☐ repeal and adopt new regulations
- ☐ reorganization

Summary:

COMAR 10.39.04 continues to be necessary for the public interest and is supported by statutory authority.

The Board proposed amendments to COMAR 10.39.04.03 on May 28, 2024, establishing revised fees. The proposal was resent to the Maryland Department of Health on July 11, 2024; the proposal is awaiting final promulgation.

In addition, effective October 1, 2025, HB 1125/Ch 818 (2024) alters the designation of, and certification requirements for, certified nursing assistants and geriatric nursing assistants, which will require further revision of COMAR 10.39.04; draft amendments are underway.

Person performing review: **Mitzi Fishman**

Title: Director of Legislative Affairs, MBON

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:

Chapter Name:

Authority:

Date Originally Adopted or Last Amended:

Purpose:

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☐ Yes ☒ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The Board holds monthly public meetings during which the public is invited to participate. The Board's monthly meetings provide an opportunity for general public comment, including on matters related to the adoption, amendment, or repeal of regulations under Subtitles 27, 39, 53, and 64 of the Code of Maryland Regulations.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments were received.

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

There are no interunit conflicts associated with this chapter.

- (6) Provide a summary of any relevant scientific data gathered.

Gathering relevant scientific data was unnecessary for this review.

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

Gathering relevant information about other states or the federal government was unnecessary for this review.

- (8) Provide a summary of any other relevant information gathered.

No other relevant information was gathered.

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☒ Yes ☐ No

Provide explanations of the above responses, as needed:

Effective October 1, 2025, HB 1125/Ch 818 (2024) alters the designation of, and certification requirements for, certified nursing assistants and geriatric nursing assistants, which may require revision of COMAR 10.39.05.

**D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☒ no action
- ☐ amendment
- ☐ repeal
- ☐ repeal and adopt new regulations
- ☐ reorganization

Summary:

COMAR 10.39.05 continues to be necessary for the public interest and is supported by statutory authority; there is no current need for this chapter to be amended or repealed.

Effective October 1, 2025, HB 1125/Ch 818 (2024) alters the designation of, and certification requirements for, certified nursing assistants and geriatric nursing assistants, which may require revision of COMAR 10.39.05.

Person performing review: **Mitzi Fishman**

Title: **Director of Legislative Affairs, MBON**

**Regulatory Review and Evaluation Act  
Evaluation Report Form  
2020 – 2028**

Chapter Codification:

Chapter Name:

Authority:

Date Originally Adopted or Last Amended:

Purpose:

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? ☒ Yes ☐ No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? ☒ Yes ☐ No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? ☒ Yes ☐ No
- (4) Are the regulations effective in accomplishing their intended purpose? ☒ Yes ☐ No

**B. Outreach and Research.** (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

Pursuant to HB 218/Ch 681 (2022), COMAR 10.39.07.01 is being amended to include certified dialysis technicians as subject to the Code of Ethics. A certified dialysis technician stakeholder workgroup convened subsequent to the enactment of HB 218/Ch 681 (2022). Proposed amendments were drafted as a result of these meetings.

Otherwise, stakeholders were not invited to participate in the review of this chapter, as it remains necessary for the public interest and is supported by statutory authority.

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

There are no other agencies affected by this chapter.



- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The Board holds monthly public meetings during which the public is invited to participate. The Board's monthly meetings provide an opportunity for general public comment, including on matters related to the adoption, amendment, or repeal of regulations under Subtitles 27, 39, 53, and 64 of the Code of Maryland Regulations.

- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments were received.

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

There are no interunit conflicts associated with this chapter.

- (6) Provide a summary of any relevant scientific data gathered.

Gathering relevant scientific data was unnecessary for this review.

- (7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

Gathering relevant information about other states or the federal government was unnecessary for this review.

- (8) Provide a summary of any other relevant information gathered.

Pursuant to HB 218/Ch 681 (2022), COMAR 10.39.07.01 is being amended to include certified dialysis technicians as subject to the Code of Ethics.

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? ☐ Yes ☒ No

Has the agency promulgated all regulations required by recent legislation? ☐ Yes ☒ No

Provide explanations of the above responses, as needed:

Pursuant to HB 218/Ch 681 (2022), the Board of Nursing submitted proposed amendments to COMAR 10.39.07.01 on May 24, 2024, and resent the proposal to the Maryland Department of Health on July 11, 2024; the proposal is awaiting final promulgation.

In addition, effective October 1, 2025, HB 1125/Ch 818 (2024) alters the designation of, and certification requirements for, certified nursing assistants and geriatric nursing assistants, which may require revision of COMAR 10.39.07.

**D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)  
( check all that apply)

- ☐ no action
- ☒ amendment
- ☐ repeal
- ☐ repeal and adopt new regulations
- ☐ reorganization

Summary:

COMAR 10.39.07 continues to be necessary for the public interest and is supported by statutory authority

Pursuant to HB 218/Ch 681 (2022), the Board of Nursing submitted proposed amendments to COMAR 10.39.07.01 on May 24, 2024, and resent the proposal to the Maryland Department of Health on July 11, 2024; the proposal is awaiting final promulgation.

In addition, effective October 1, 2025, HB 1125/Ch 818 (2024) alters the designation of, and certification requirements for, certified nursing assistants and geriatric nursing assistants, which may require revision of COMAR 10.39.07.

Person performing review: Mitzi Fishman

Title: Director of Legislative Affairs, MBON