

REGULATORY REVIEW AND EVALUATION ACT:

WORK PLANS DUE OCTOBER 1, 2024 FOR:

Subtitle 31 HEALTH OCCUPATION BOARDS

Subtitle 32 BOARD OF PHYSICIANS

Subtitle 33 BOARD OF LONG-TERM CARE ADMINISTRATORS

Subtitle 34 BOARD OF PHARMACY

Subtitle 35 COMMISSION ON POSTMORTEM EXAMINERS

Subtitle 36 BOARD OF EXAMINERS OF PSYCHOLOGISTS

SUBMITTED BY:

Maryland Department of Health
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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 34 BOARD OF PHARMACY

10.34.30 Change to Permit — Pharmacy or Wholesale Distribution Permit Holder	CA 5-20-2019
10.34.34 Pharmacy Technicians	CA 1-28-2024
10.34.40 Pharmacists Prescribing Contraceptives	IA 7-2-2018
10.34.41 Administration of a Maintenance Injectable Medication	IA 6-13-2022

Subtitle 36 BOARD OF EXAMINERS OF PSYCHOLOGISTS

10.36.10 Telepsychology	IA 5-20-20
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Maryland Department of Health
2020 – 2028 WORK PLAN FOR EVALUATION REPORT ON
Subtitle 31 HEALTH OCCUPATION BOARDS

10.31.01 Code of Conduct for Board Members and Investigators
10.31.02 Tax Compliance Regulations

OBJECTIVES	ACTION STEPS	RESPONSIBLE PERSON	SCHEDULED COMPLETION DATE
I. Evaluate COMAR 10.31.01 satisfying the requirement of State Government Article, §10-130 - 10-139, Annotated Code of Md.	1. Inventory affected regulations.	Emily Berg	9/3/24
	2. Procedures and methods to be used to ensure comments from public/ stakeholders / other affected units.	Emily Berg	2/3/25
	A. To invite public comment on these regulations, the following procedures and methods will be used:		
	(1) Publication of notice in the Maryland Register (2) Posting notice on Division of State Documents website		
	B. To ensure the participation of stakeholders in the review process, the following procedures will be used:	Emily Berg	2/3/25
	Solicit input via notification in the Maryland Register.		
	C. To ensure the participation in the review process of other units affected by the regulations, the following procedures will be used:	Emily Berg	3/31/25
	Solicit comments from other health occupation boards and the Maryland Department of Health.		
	3. Procedures for gathering and reviewing of: A. Any recent scientific information related to the regulations being reviewed, if applicable. B. Similar regulations adopted or repealed by other states or the federal government; and C. Other appropriate information, are as follows:	Emily Berg	4/30/25
	A. Not applicable		
	B. Conduct an internet search of contiguous jurisdictions to Maryland, for similar regulations and structure.		
	C. Not applicable		
	4. Evaluate the need to retain, amend, or repeal each existing regulation	Emily Berg	5/15/25

based on the following criteria:

- A. Continue to be necessary for public interest.
- B. Continue to be supported by statutory authority and judicial opinions.
- C. Are obsolete or otherwise appropriate for amendment or repeal.
- D. Continue to be effective in accomplishing the intended purpose of the regulations.
- E. The information gathered under Action Steps 1 - 3.

II. Prepare report to the Administrative, Executive and Legislative Review (AELR) Committee	1. Consolidate information obtained from objective #1 above	Emily Berg	6/16/25
	2. Write draft report.	Emily Berg	7/1/25
	3. Coordinate executive reviews of draft report.	Emily Berg	8/1/25
	4. Consolidate review comments and prepare final report.	Emily Berg	8/15/25

(MDH/Board of Physicians)
WORK PLAN FOR EVALUATION REPORT ON
COMAR 10.32.01-23

OBJECTIVES	ACTION STEPS	RESPONSIBLE PERSON	SCHEDULED COMPLETION DATE
I. Evaluate COMAR for the purpose of satisfying the requirement of State Government Article, §§10-130—10-139, Annotated Code of Maryland	<ol style="list-style-type: none"> 1. Inventory affected regulations. 2. Procedures and methods to be used to ensure comments from public / stakeholders / other affected units. <ol style="list-style-type: none"> A. To invite public comment on these regulations, the following procedures and methods will be used: <ol style="list-style-type: none"> (1) Posting of notice on the unit's website; B. To ensure the participation of stakeholders in the review process, the following procedures will be used: <p>For each chapter of regulations in Subtitle 32, stakeholders will be identified and notified of the regulatory review. As each chapter is reviewed and posted to the Board's website for comment, stakeholders will receive a follow-up notification so that they have an opportunity to provide comments.</p> C. To ensure the participation in the review process of other units affected by the regulations, the following procedures will be used: <p>See actions listed under item 2B. Other affected units will be treated as stakeholders and notified as we review and post each chapter.</p> 3. Procedures for gathering and reviewing of: A. Any recent scientific information related to the regulations being reviewed, if applicable; B. Similar regulations adopted or repealed by other states or the federal government; and C. Other appropriate information, are as follows: <p>Board policy staff monitors state and federal updates via Google alerts, notifications from the Federation of State Medical Boards and other national organizations, and discussions with stakeholders such as MedChi. Any relevant information related to the regulations being reviewed will be incorporated appropriately.</p> 4. Evaluate the need to retain, amend, or repeal each existing regulation based on the following criteria: <ol style="list-style-type: none"> A. Continue to be necessary for public interest; B. Continue to be supported by statutory authority and judicial opinions; 	Oriell Harris	6/1/2025

- C. Are obsolete or otherwise appropriate for amendment or repeal;
- D. Continue to be effective in accomplishing the intended purpose of the regulations; and
- E. The information gathered under Action Steps 1—3.

II. Prepare report to the Administrative, Executive and Legislative Review (AELR) Committee	1. Consolidate information obtained from objective #I, above	Oriell Harris	9/1/2025
	2. Write draft evaluation report.	Oriell Harris	9/1/2025
	3. Coordinate executive reviews of draft evaluation report.	Oriell Harris	9/1/2025
	4. Consolidate review comments and prepare final evaluation report.	Oriell Harris	9/1/2025

Maryland Department of Health
2020 – 2028 WORK PLAN FOR EVALUATION REPORT ON
Subtitle 33 BOARD OF LONG-TERM CARE ADMINISTRATORS
(formerly BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS)

10.33.01 Nursing Home Administrators

OBJECTIVES	ACTION STEPS	RESPONSIBLE PERSON	SCHEDULED COMPLETION DATE
I. Evaluate COMAR 10.31.01 satisfying the requirement of State Government Article, §10-130 - 10-139, Annotated Code of Md.	1. Inventory affected regulations.	Linda Burrell-Warr	9/3/24
	2. Procedures and methods to be used to ensure comments from public/ stakeholders / other affected units.	Linda Burrell-Warr	2/3/25
	A. To invite public comment on these regulations, the following procedures and methods will be used: (1) Publication of notice in the Maryland Register (2) Posting notice on Division of State Documents website (3) Posting of notice on the Board's website		
	B. To ensure the participation of stakeholders in the review process, the following procedures will be used: Solicit input via notification in the Maryland Register, and on the Board's website.	Linda Burrell-Warr	2/3/25
	C. To ensure the participation in the review process of other units affected by the regulations, the following procedures will be used: Solicit comments from other health occupation units including the Office of Health Care Quality, the Maryland Department of Health, and stakeholders via the Board's website.	Linda Burrell-Warr	3/31/25
	3. Procedures for gathering and reviewing of: A. Any recent scientific information related to the regulations being reviewed, if applicable. B. Similar regulations adopted or repealed by other states or the federal government; and C. Other appropriate information, are as follows: A. Not applicable B. Conduct an internet search of jurisdictions that have adopted similar regulations and structure such as Alabama, Arizona, Virginia and Washington, D.C. C. The Board will review other MDH board regulations, as well	Linda Burrell-Warr	4/30/25

as those for assisted living facilities under the Office of Health Care Quality, in the development of regulations for assisted living managers.

	4. Evaluate the need to retain, amend, or repeal each existing regulation based on the following criteria:	Linda Burrell-Warr	5/15/25
	A. Continue to be necessary for public interest.		
	B. Continue to be supported by statutory authority and judicial opinions.		
	C. Are obsolete or otherwise appropriate for amendment or repeal.		
	D. Continue to be effective in accomplishing the intended purpose of the regulations.		
	E. The information gathered under Action Steps 1 - 3.		
II. Prepare report to the Administrative, Executive and Legislative Review (AELR) Committee	1. Consolidate information obtained from objective #1 above	Linda Burrell-Warr	6/16/25
	2. Write draft report.	Linda Burrell-Warr	7/1/25
	3. Coordinate executive reviews of draft report.	Linda Burrell-Warr	8/1/25
	4. Consolidate review comments and prepare final report.	Linda Burrell-Warr	8/15/25

Maryland Department of Health
2020 – 2028 WORK PLAN FOR EVALUATION REPORT ON
Subtitle 34 BOARD OF PHARMACY

- 10.34.01 Disciplinary Proceedings
- 10.34.02 Examination for Licensure and Professional Experience Programs
- 10.34.03 Institutional Pharmacy
- 10.34.04 Transfer and Outsourcing of Prescriptions and Prescription Orders
- 10.34.05 Pharmacy Security
- 10.34.06 Reporting Pharmacist's, Pharmacy Intern's, and Pharmacy Technician's Mailing Address and Location of Employment
- 10.34.07 Pharmacy Equipment
- 10.34.08 Information Required on Prescriptions or Patient Drug Profiles
- 10.34.09 Fees
- 10.34.10 Pharmacist, Pharmacy Intern, and Pharmacy Technician Code of Conduct
- 10.34.11 Disciplinary Sanctions, Monetary Penalties, and Civil Fines
- 10.34.12 Removal of Expired Medications
- 10.34.13 Reinstatement of Expired Licenses for Pharmacists
- 10.34.14 Opening and Closing of Pharmacies
- 10.34.15 Licensure by Reciprocity
- 10.34.16 Portable Drug Kits for Licensed Home Health Agencies, Hospices, and Home Infusion Providers Licensed as Residential Service Agencies
- 10.34.17 Waiver of Full Service Requirements for Recognized Pharmaceutical Specialties
- 10.34.18 Continuing Education for Pharmacists
- 10.34.19 Sterile Pharmaceutical Compounding
- 10.34.20 Format of Prescription Transmission
- 10.34.21 Standard of Practice for Unlicensed Personnel
- 10.34.22 Licensing of Wholesale Prescription Drug or Device Distributors
- 10.34.23 Pharmaceutical Services to Patients in Comprehensive Care Facilities
- 10.34.24 Record of Drug Inventory Acquisition
- 10.34.25 Delivery of Prescriptions
- 10.34.26 Patient Safety Improvement
- 10.34.27 Compelling Purpose Disclosure
- 10.34.28 Automated Medication Systems
- 10.34.29 Drug Therapy Management
- 10.34.31 Dispensing or Distributing at a Setting That Does Not Possess a Pharmacy Permit
- 10.34.32 Pharmacist Administration of Vaccinations
- 10.34.33 Prescription Drug Repository Program
- 10.34.35 Infusion Pharmacy Services in an Alternate Site Care Environment
- 10.34.36 Pharmaceutical Services to Residents in Assisted Living Programs and Group Homes
- 10.34.37 Pharmacy Permit Holder – Wholesale Distribution and Nonresident Pharmacy Operations
- 10.34.38 Pharmacy Interns
- 10.34.39 Pharmacist Administration of Self-Administered Drugs

OBJECTIVES	ACTION STEPS	RESPONSIBLE PERSON	SCHEDULED COMPLETION DATE
I. Evaluate COMAR 10.31.01	1. Inventory affected regulations.	Deena Speights-Napata	9/3/24

satisfying the requirement of State Government Article, §10-130 - 10-139, Annotated Code of Md.

	2.	Procedures and methods to be used to ensure comments from public/ stakeholders / other affected units.	Deena Speights-Napata	2/3/25
	A.	To invite public comment on these regulations, the following procedures and methods will be used: 1. Publication of notice in the Maryland Register; and 2. Posting notice on the unit's website.		
	B.	To ensure the participation of stakeholders in the review process, the following procedures will be used: Posting notice on the unit's website and in the Board of Pharmacy newsletter, and emailing industry stakeholders	Deena Speights-Napata	2/3/25
	C.	To ensure the participation in the review process of other units affected by the regulations, the following procedures will be used: Emailing internal units within MDH and other state agencies to solicit comments.	Deena Speights-Napata	3/31/25
	3.	Procedures for gathering and reviewing of: A. Any recent scientific information related to the regulations being reviewed, if applicable. B. Similar regulations adopted or repealed by other states or the federal government; and C. Other appropriate information, are as follows: A. N/A; B. Conduct internet searches of other states and the federal government, with particular attention to states contiguous to Maryland, to find out whether they have similar regulations and how they're structured, and query the National Association of Boards of Pharmacy (NABP); and C. Conduct internet searches.	Deena Speights-Napata	4/30/25
II.	4.	Evaluate the need to retain, amend, or repeal each existing regulation based on the following criteria: A. Continue to be necessary for public interest. B. Continue to be supported by statutory authority and judicial opinions. C. Are obsolete or otherwise appropriate for amendment or repeal. D. Continue to be effective in accomplishing the intended purpose of the regulations. E. The information gathered under Action Steps 1 - 3.	Deena Speights-Napata	5/15/25
	1.	Consolidate information obtained from objective #1 above	Deena Speights-Napata	6/16/25
	2.	Write draft report.	Deena Speights-Napata	7/1/25
	3.	Coordinate executive reviews of draft report.	Deena Speights-Napata	8/1/25
Prepare report to the Administrative, Executive and Legislative Review (AELR) Committee				

4. Consolidate review comments and prepare final report.

Deena Speights-Napata

8/15/25

Maryland Department of Health
WORK PLAN FOR EVALUATION REPORT ON
Subtitle 35 POSTMORTEM EXAMINERS COMMISSION
10.35.01 Medical Examiner Cases
10.35.02 Testing Blood and Breath for Alcohol Authority

			SCHEDULE COMPLETION
OBJECTIVES	ACTION STEPS	RESPONSIBLE PERSON	DATE
I. Evaluate COMAR for the purpose of satisfying the requirement of State Government Article, §§10-130—10-139, Annotated Code of Maryland	1. Inventory affected regulations.	M. Vonn/B.Serbeck	7/22/24
	2. Procedures and methods to be used to ensure comments from public stakeholders / other affected units.	Michelle Vonn	
	A. To invite public comment on these regulations, the following procedures and methods will be used:		2/1/25
	(1) Publication of notice in the Maryland Register		
	B. To ensure the participation of stakeholders in the review process, the following procedures will be used:		2/1/25
	Feedback from stakeholders will be solicited through the Maryland register		
	C. To ensure the participation in the review process of other units affected by the regulations, the following procedures will be used:		2/1/25
	OCME internal units will be emailed to solicit comments and internal work groups will be created to facilitate participation.		
	3. Procedures for gathering and reviewing of:	Michelle Vonn	3/15/25
	A. Any recent scientific information related to the regulations being reviewed, if applicable;		
	• N/A		
	B. Similar regulations adopted or repealed by other states or the federal government; and		
	• Including what neighboring states release to constituents and public under the PIA		
	• Research current fees and practices of neighboring state		
	C. Other appropriate information, are as follows:		
	• Applicability of statutes based on changes in best practices		

Maryland Department of Health
WORK PLAN FOR EVALUATION REPORT ON
Subtitle 35 POSTMORTEM EXAMINERS COMMISSION

10.35.01 Medical Examiner Cases
10.35.02 Testing Blood and Breath for Alcohol Authority

- Applicability of statutes based on restructuring of the Postmortem Examiners Advisory Committee

4. Evaluate the need to retain, amend, or repeal each existing regulation based on the following criteria:
- Michelle Vonn 4/1/25
- A. Continue to be necessary for public interest;
 - B. Continue to be supported by statutory authority and judicial opinions;
 - C. Are obsolete or otherwise appropriate for amendment or repeal;
 - D. Continue to be effective in accomplishing the intended purpose of the regulations; and
 - E. The information gathered under Action Steps 1—3.

Maryland Department of Health
WORK PLAN FOR EVALUATION REPORT ON
Subtitle 35 POSTMORTEM EXAMINERS COMMISSION
10.35.01 Medical Examiner Cases
10.35.02 Testing Blood and Breath for Alcohol Authority

II. Prepare report to the Administrative, Executive and Legislative Review (AELR) Committee	1. Consolidate information obtained from objective #I, above	Michelle Vonn	6/30/25
	2. Write draft evaluation report.	Michelle Vonn	7/1/25
	3. Coordinate executive reviews of draft evaluation report.	Michelle Vonn	8/1/25
	4. Consolidate review comments and prepare final evaluation report.	Michelle Vonn	8/15/25

Maryland Department of Health
2020 – 2028 WORK PLAN FOR EVALUATION REPORT ON
Subtitle 36 BOARD OF EXAMINERS OF PSYCHOLOGISTS

10.36.01 Procedures
10.36.02 Continuing Education
10.36.03 Procedure for Board Hearings
10.36.04 vacant
10.36.05 Code of Ethics and Professional Conduct
10.36.06 Fee Schedule
10.36.07 Psychology Associate
10.36.08 Disciplinary Sanctions, Monetary Penalties, and
10.36.09 Child Custody Evaluations in Family Law Proceedings

OBJECTIVES	ACTION STEPS	RESPONSIBLE PERSON	SCHEDULED COMPLETION DATE
I. Evaluate COMAR 10.31.01 satisfying the requirement of State Government Article, §10-130 - 10-139, Annotated Code of Md.	1. Inventory affected regulations.	Lorraine Smith	9/3/24
	2. Procedures and methods to be used to ensure comments from public/ stakeholders / other affected units.	Lorraine Smith	2/3/25
	A. To invite public comment on these regulations, the following procedures and methods will be used: (1) Publication of notice in the Maryland Register (2) Posting notice on Division of State Documents website (3) Posting of notice on the Board's website		
	B. To ensure the participation of stakeholders in the review process, the following procedures will be used: Solicit input via notification in the Maryland Register, and publication in the Board's newsletter and on the Board's website.	Lorraine Smith	2/3/25
	C. To ensure the participation in the review process of other units affected by the regulations, the following procedures will be used: Solicit comments from other health occupation boards and the Maryland Department of Health.	Lorraine Smith	3/31/25
	3. Procedures for gathering and reviewing of: A. Any recent scientific information related to the regulations being reviewed, if applicable. B. Similar regulations adopted or repealed by other states or the federal government; and C. Other appropriate information, are as follows: A. Not applicable	Lorraine Smith	4/30/25

- B. **Conduct an internet search of contiguous jurisdictions to Maryland, for similar regulations and structure.**
- C. **Examine regulations of the Maryland Division of Occupational and Professional Licensing Agency for similar regulations and structure.**

	4. Evaluate the need to retain, amend, or repeal each existing regulation based on the following criteria:	Lorraine Smith	5/15/25
	A. Continue to be necessary for public interest.		
	B. Continue to be supported by statutory authority and judicial opinions.		
	C. Are obsolete or otherwise appropriate for amendment or repeal.		
	D. Continue to be effective in accomplishing the intended purpose of the regulations.		
	E. The information gathered under Action Steps 1 - 3.		
II. Prepare report to the Administrative, Executive and Legislative Review (AELR) Committee	1. Consolidate information obtained from objective #1 above	Lorraine Smith	6/16/25
	2. Write draft report.	Lorraine Smith	7/1/25
	3. Coordinate executive reviews of draft report.	Lorraine Smith	8/1/25
	4. Consolidate review comments and prepare final report.	Lorraine Smith	8/15/25