

## **SUMMARY OF DHMH's Emergency Regulation Promulgation Process**

**Note: Emergency should be submitted to the AELR Committee:**

- 1) **AT LEAST 10 working days before requested effective date - HOWEVER one (1) month before is preferable; and**
- 2) **Along with a PROPOSAL to ensure there is no lapse between effective dates since Emergency actions can only be effective for 180 days.**

### **Unit Decides to Promulgate Emergency Regulations**

- (Varies)
- (1) With approval from Deputy Secretary and Regulation Coordinator, Unit writes the emergency regulations.
  - (2) Unit submits emergency draft to AAG and, if time allows, interested parties for input/comments,

### **Unit Submits Emergency Regulations for Internal Sign Offs**

- (2 weeks)
- (1) Emergency reviewed (clarification or changes may be requested) and, once approved, signed off by:
    - (a) Affected parties within the Department,
    - (b) The Unit's Director, and
    - (c) The Unit's Deputy Secretary;
  - (2) Approved emergency is submitted electronically to RC and yellow signature sheet is forwarded to RC.

### **Unit Submits Emergency Regulations to DHMH Regulations Coordinator (RC)**

- (2 -4 weeks)
- (1) Reviews regulations and may return them for corrections;
  - (2) Submits:
    - (a) Electronically to Affected Units within the Department, the Governor's Office and DHMH Office of Governmental Affairs for comments;
    - (b) To Budget Management Office for approval of Estimate of Economic Impact;
    - (c) To AAG for legal sufficiency (State Government Article, §10-107(b), Annotated Code of Maryland); and
    - (d) For Secretary's approval.

### **RC Electronically Submits Emergency Regulations to AELR Committee [SGA, §10-111]**

- (~15 - 45 days)
- (1) AELR Committee will review emergency and vote on adoption.
  - (2) AELR Committee Counsel will call RC and acknowledge action taken on Emergency regulations via ELF

### **AELR Submits Emergency to Division of State Documents for publication in the Maryland Register [SGA, §10-112]**

(11 days)

### **Emergency Notice and Text Published**