Craig P. Tanio, M.D. CHAIR



Ben Steffen EXECUTIVE DIRECTOR

#### MARYLAND HEALTH CARE COMMISSION

4160 PATTERSON AVENUE – BALTIMORE, MARYLAND 21215 TELEPHONE: 410-764-3460 FAX: 410-358-1236

**DATE:** April 1, 2015

TO: Michael Richards Deputy Chief of Staff Governor's Office

> Gail Klakring, Administrator Division of State Documents

Maria Ruzlius, Esquire AELR

Michele Phinney, Director Office of Regulations & Policy Coordination DHMH

FROM: Amelia T. Rutledge, Administrator

RE: Regulatory Review and Evaluation Act for the Maryland Health Care Commission

Enclosed is the Evaluation Report for COMAR 10.24 – 10.25. Also attached is a copy of the: **2012-2020 Work Plan for Evaluation Report on COMAR 10.24** – **10.25** (Submitted on April 1, 2014, in accordance with the requirements of *State Government Article, §10-134, Annotated Code of Maryland.*)

Attachments

cc: Ben Steffen Bridget Zombro Suellen Wideman, AAG Siobhan Madison, AAG

> TDD FOR DISABLED MARYLAND RELAY SERVICE 1-800-735-2258

Chapter Codification: COMAR 10.24.01

Chapter Name: Certificate of Need for Health Care Facilities

Authority: Health-General Article, §19-109(a)1) and 19-120, Annotated Code of Maryland

Date Originally Adopted or Last Amended: April 20, 2009

Purpose: The Certificate of Need for Health Care Facilities regulations implement the state's certificate of need review program for health care facility and services development.

- 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?  $\odot$  Yes  $\bigcirc$  No
  - (2) Do the regulations continue to be supported by statutory authority and judicial opinion? Yes ONo
  - (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal?  $\odot$  Yes  $\bigcirc$  No
  - (4) Are the regulations effective in accomplishing their intended purpose?  $\odot$  Yes  $\bigcirc$  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.

Before updating regulations that deal with CON regulation or parts of the State Health Plan for Facilities and Services ("SHP"), the MHCC engages stakeholders in workgroups that discuss relevant issues. Existing workgroups regarding updates to various chapters of the SHP are likely to result in changes to the procedural regulations found at COMAR 10.24.01. To ensure additional participation by stakeholders and members of the public in the review process, the MHCC presents draft regulations to the public for a 10-30 day informal public comment period before taking revised draft regulations to the Commission for proposed action.

(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.

- (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.
- 1. Publication of notice in the Maryland Register;
- 2. Publication of notice in newspapers of general circulation in the State:
- 3. Posting of notice on the unit's website; and
- Posting notice on Division of State Document's website

#### (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.

A search will be conducted on the Internet of other Maryland State Department regulations to find out whether they have similar regulations and how their regulations are structured.

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

A search will be conducted on the Internet of other States, particularly those states that surround Maryland, to find out whether they have similar regulations and how their regulations are structured.

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

Has the agency promulgated all regulations required by recent legislation? • Yes O 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
1	amendment
	repeal
	repeal and adopt new regulations
	reorganization

Summary:

	3	
		(86)
		×
3		

Chapter Codification: COMAR 10.24.02

Chapter Name: Data Reporting by Hospitals

Authority: Health-General Article, §19-101 et seq., Annotated Code of Maryland

Date Originally Adopted or Last Amended: |February 28, 2005

Purpose: The Data Reporting by Hospital regulations provide authority for the Commission to collect data necessary to support planning and policy development for hospital services.

- 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?  $\odot$  Yes  $\bigcirc$  No
  - (2) Do the regulations continue to be supported by statutory authority and judicial opinion? Yes ONo
  - (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? Yes ONo
  - (4) Are the regulations effective in accomplishing their intended purpose? Yes O 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.

To ensure additional participation by stakeholders and members of the public in the review process, the MHCC presents draft regulations to the public for a 10-30 day informal public comment period before taking revised draft regulations to the Commission for proposed action.

(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.

- (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.

- 1. Publication of notice in the Maryland Register;
- 2. Publication of notice in newspapers of general circulation in the State:
- 3. Posting of notice on the unit's website; and
- 4. Posting notice on Division of State Document's website

## (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.

A search will be conducted on the Internet of other Maryland State Department regulations to find out whether they have similar regulations and how their regulations are structured.

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

A search will be conducted on the Internet of other States, particularly those states that surround Maryland, to find out whether they have similar regulations and how their regulations are structured.

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

Has the agency promulgated all regulations required by recent legislation? • Yes O 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
1	amendment
	repeal
-	repeal and adopt new regulations
	reorganization

Summary:

		10

Chapter Codification: COMAR 10.24.03

Chapter Name: Maryland Long-Term Care Survey

Authority: Health-General Article, §§19-109(a)(1) and (7) and 19-116(b)(1) and (2), Annotated Code of Maryland

Date Originally Adopted or Last Amended: August 16, 2004

- Purpose: The Maryland Long Term Care Survey regulations provide authority for the Commission to collect data necessary to support planning and policy development for institutional and community-based long-term care services.
- 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 O No
  - (2) Do the regulations continue to be supported by statutory authority and judicial opinion? Yes ONo
  - (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? Yes ONo
  - (4) Are the regulations effective in accomplishing their intended purpose? Yes O 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.

To ensure additional participation by stakeholders and members of the public in the review process, the MHCC presents draft regulations to the public for a 10-30 day informal public comment period before taking revised draft regulations to the Commission for proposed action.

(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.

- (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.

1. Publication of notice in the Maryland Register;

- 2. Publication of notice in newspapers of general circulation in the State:
- 3. Posting of notice on the unit's website; and
- 4. Posting notice on Division of State Document's website

#### (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.

A search will be conducted on the Internet of other Maryland State Department regulations to find out whether they have similar regulations and how their regulations are structured.

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

A search will be conducted on the Internet of other States, particularly those states that surround Maryland, to find out whether they have similar regulations and how their regulations are structured.

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

Has the agency promulgated all regulations required by recent legislation? • Yes O 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
$\checkmark$	amendment
	repeal
	repeal and adopt new regulations
	reorganization

Summary:

		55
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Chapter Codification: COMAR 10.24.04

Chapter Name: Freestanding Ambulatory Surgical Facilities Survey

Authority: Health-General Article, §19-109(a)1) and 19-116(b)1) and (2) Annotated Code of Maryland

Date Originally Adopted or Last Amended: December 23, 2002

- Purpose: The Freestanding Ambulatory Surgical Facilities Survey regulations provide the authority for the Commission to collect data necessary to support planning and policy development for ambulatory surgery centers.
- 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 O No
  - (2) Do the regulations continue to be supported by statutory authority and judicial opinion? Yes ONo
  - (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? Yes ONo
  - (4) Are the regulations effective in accomplishing their intended purpose? Yes O 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.

To ensure additional participation by stakeholders and members of the public in the review process, the MHCC presents draft regulations to the public for a 10-30 day informal public comment period before taking revised draft regulations to the Commission for proposed action.

(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.

- (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.
- 1. Publication of notice in the Maryland Register;
- 2. Publication of notice in newspapers of general circulation in the State:
- 3. Posting of notice on the unit's website; and
- 4. Posting notice on Division of State Document's website

(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.

A search will be conducted on the Internet of other Maryland State Department regulations to find out whether they have similar regulations and how their regulations are structured.

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

A search will be conducted on the Internet of other States, particularly those states that surround Maryland, to find out whether they have similar regulations and how their regulations are structured.

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

Has the agency promulgated all regulations required by recent legislation? • Yes O 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
$\checkmark$	amendment
	repeal
	repeal and adopt new regulations
	reorganization

Summary:

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Chapter Codification: COMAR 10.24.05
Chapter Name: Continuation of Authority to Provide Non-Primary PCI Waivers Through Participation in the Follow-On C-PORT E Registry
Authority: Health-General Article, §19-101, 19-118, 19-120, and 19-120.1, Annotated Code of Maryland
Date Originally Adopted or Last Amended: March 4, 2013
Purpose: In 2011, after the C-PORT E research study concluded active enrollment, the Commission continued the research waiver of each hospital that was in good standing, thereby permitting each such hospital to continue to offer non-primary PCI services while the required follow-up data on C-PORT E patients was collected and analyzed, provided that the hospital continued to perform non-primary PCI under the limitations and for the Registry term provided in prior regulations until such time as the Commission has the information from the research study that is needed to guide State policy about the regulation of non-primary PCI. The Commission has convened a clinical advisory group, in accordance with Health-General Article, §19-120.1(g)(3), Annotated Code of Maryland, that will offer advice to the Commission on the update of COMAR 10.24.17, the Cardiac Surgery and PCI Services Chapter of the State Health Plan. The analysis conducted as part of this update will review the C-PORT E study results, which were published in a peer-reviewed journal in March 2012 and will consider the system impact, including access, cost-effectiveness, and quality implications, of non-primary PCI being performed in hospitals without on-site cardiac surgery.
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? $\odot$ Yes $\bigcirc$ No
(2) Do the regulations continue to be supported by statutory authority and judicial opinion? $\odot$ Yes $\bigcirc$ No
(3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? $\odot$ Yes $\bigcirc$ No
(4) Are the regulations effective in accomplishing their intended purpose? $\odot$ Yes $\bigcirc$ No $\rightarrow$
B. Outreach and Research. (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)
<ol> <li>List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.</li> </ol>
To ensure additional participation by stakeholders and members of the public in the review process, the MHCC presents draft regulations to the public for a 10-30 day informal public comment period before taking revised draft regulations to the Commission for proposed action.
(2) List any other affected agencies that were invited to review the regulations and provide a summary of

To ensure the participation in the review process of other units affected by the regulations, the following procedures will be used: E-mail and hard copy of the request for comments will be sent to internal Departmental units.

their participation in and input into the review process.

- (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.
- 1. Publication of notice in the Maryland Register;
- 2. Publication of notice in newspapers of general circulation in the State:
- 3. Posting of notice on the unit's website; and
- 4. Posting notice on Division of State Document's website

(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.

A search will be conducted on the Internet of other Maryland State Department regulations to find out whether they have similar regulations and how their regulations are structured.

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

A search will be conducted on the Internet of other States, particularly those states that surround Maryland, to find out whether they have similar regulations and how their regulations are structured.

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

Has the agency promulgated all regulations required by recent legislation? • Yes O 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)

1	no action
	amendment
	repeal
	repeal and adopt new regulations
	reorganization

Summary:

11	

Person performing review: Amelia T. Rutledge Title: Administrator

Chapter Codification: COMAR 10.24.06

Chapter Name: Data Reporting by Freestanding Medical Facilities

Authority: Health-General Article, §19-131, Annotated Code of Maryland

Date Originally Adopted or Last Amended: October 23, 2006

- Purpose: The Data Reporting by Freestanding Medical Facilities regulations provides the authority for the Commission to conduct a study of the operations, utilization, and financing of freestanding medical facilities, using information from the pilot project
- 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?  $\odot$  Yes  $\bigcirc$  No
  - (2) Do the regulations continue to be supported by statutory authority and judicial opinion? Yes ONo
  - (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? Yes O No
  - (4) Are the regulations effective in accomplishing their intended purpose? Yes O 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.

To ensure additional participation by stakeholders and members of the public in the review process, the MHCC presents draft regulations to the public for a 10-30 day informal public comment period before taking revised draft regulations to the Commission for proposed action.

(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.

- (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.
- 1. Publication of notice in the Maryland Register;
- 2. Publication of notice in newspapers of general circulation in the State:
- 3. Posting of notice on the unit's website; and
- 4. Posting notice on Division of State Document's website

(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.

A search will be conducted on the Internet of other Maryland State Department regulations to find out whether they have similar regulations and how their regulations are structured.

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

A search will be conducted on the Internet of other States, particularly those states that surround Maryland, to find out whether they have similar regulations and how their regulations are structured.

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

Has the agency promulgated all regulations required by recent legislation? • Yes O 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)

Π	no action
$\checkmark$	amendment
	repeal
	repeal and adopt new regulations
	reorganization

Summary:

Chapter Codification: COMAR 10.24.07

Chapter Name: State Health Plan: Overview, Psychiatric Services, and Emergency Medical Services

Authority: Health-General §§19-109(a)(1) and 19-118 Annotated Code of Maryland

Date Originally Adopted or Last Amended: June 30, 1997

Purpose: To assist in developing a health care system that provides financial and geographic access to quality health care at a reasonable cost for all citizens by establishing goals, policies, certificate of need rules for review standards, and a need projection methodology for the services encompassed by the Overview, Acute Psychiatric Services, and Emergency Medical Services.

- 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?  $\odot$  Yes  $\bigcirc$  No
  - (2) Do the regulations continue to be supported by statutory authority and judicial opinion? Yes ONo
  - (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? Yes O No
  - (4) Are the regulations effective in accomplishing their intended purpose? Yes O 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.

To ensure additional participation by stakeholders and members of the public in the review process, the MHCC presents draft regulations to the public for a 10-30 day informal public comment period before taking revised draft regulations to the Commission for proposed action.

(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.

- (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.

- 1. Publication of notice in the Maryland Register;
- 2. Publication of notice in newspapers of general circulation in the State:
- 3. Posting of notice on the unit's website; and
- 4. Posting notice on Division of State Document's website

#### (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.

A search will be conducted on the Internet of other Maryland State Department regulations to find out whether they have similar regulations and how their regulations are structured.

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

A search will be conducted on the Internet of other States, particularly those states that surround Maryland, to find out whether they have similar regulations and how their regulations are structured.

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

Has the agency promulgated all regulations required by recent legislation? • Yes O 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
$\checkmark$	amendment
	repeal
	repeal and adopt new regulations
	reorganization

Summary:

Chapter Codification: COMAR 10.24.08

Chapter Name: State Health Plan for Facilities and Services: Nursing Home and Home Health Agency Services

Authority: Health-General Article, §§19-109(a)(1) and 19-118, Annotated Code of Maryland

Date Originally Adopted or Last Amended: October 14, 2013

- Purpose: The Nursing and Home Health Agency Chapter furthers the mission of health planning, which is to plan to meet the current and future health care system needs of all Maryland residents by assuring access, quality, and cost-effectiveness.
- 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?  $\odot$  Yes  $\bigcirc$  No
  - (2) Do the regulations continue to be supported by statutory authority and judicial opinion? Yes ONo
  - (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? Yes ONo
  - (4) Are the regulations effective in accomplishing their intended purpose? Yes O 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.

To ensure additional participation by stakeholders and members of the public in the review process, the MHCC presents draft regulations to the public for a 10-30 day informal public comment period before taking revised draft regulations to the Commission for proposed action.

(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.

- (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.
- 1. Publication of notice in the Maryland Register;
- 2. Publication of notice in newspapers of general circulation in the State:
- 3. Posting of notice on the unit's website; and
- 4. Posting notice on Division of State Document's website

(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.

A search will be conducted on the Internet of other Maryland State Department regulations to find out whether they have similar regulations and how their regulations are structured.

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

A search will be conducted on the Internet of other States, particularly those states that surround Maryland, to find out whether they have similar regulations and how their regulations are structured.

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

Has the agency promulgated all regulations required by recent legislation? • Yes O 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)

1	no action
	amendment
	repeal
	repeal and adopt new regulations
	reorganization

Summary:

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Chapter Codification: COMAR 10.24.09
Chapter Name: State Health Plan for Facilities and Services: Specialized Health Care Services — Acute Inpatient Rehabilitation Services
Authority: Health-General Article, §§19-109(a)(1) and 19-121, Annotated Code of Maryland
Date Originally Adopted or Last Amended: December 23, 2013
Purpose: The Acute Inpatient Rehabilitation Services Chapter applies to freestanding hospitals and distinct units that are engaged in acute inpatient rehabilitation and have licensed rehabilitation beds or plan to apply for a license, and applicants who propose to establish such services. It includes all of the following subcategories of acute inpatient rehabilitation: comprehensive inpatient rehabilitation, brain injury, spinal cord injury, and infant and early childhood developmental 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? $\odot$ Yes $\bigcirc$ No
(2) Do the regulations continue to be supported by statutory authority and judicial opinion? $\odot$ Yes $\bigcirc$ No
(3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? $\odot$ Yes $\bigcirc$ No
(4) Are the regulations effective in accomplishing their intended purpose? $\odot$ Yes $\bigcirc$ 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.
To ensure additional participation by stakeholders and members of the public in the review process, the MHCC presents draft regulations to the public for a 10-30 day informal public comment period before taking revised draft regulations to the Commission for proposed action.
(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.
To ensure the participation in the review process of other units affected by the regulations, the following procedures will be used: E-mail and hard copy of the request for comments will be sent to internal Departmental units.

- (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.
- 1. Publication of notice in the Maryland Register;
- 2. Publication of notice in newspapers of general circulation in the State:
- Posting of notice on the unit's website; and
- 4. Posting notice on Division of State Document's website

(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.

A search will be conducted on the Internet of other Maryland State Department regulations to find out whether they have similar regulations and how their regulations are structured.

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

A search will be conducted on the Internet of other States, particularly those states that surround Maryland, to find out whether they have similar regulations and how their regulations are structured.

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

Has the agency promulgated all regulations required by recent legislation?  $\odot$  Yes  $\bigcirc$  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)

1	no action
	amendment
	repeal
	repeal and adopt new regulations
	reorganization

Summary:

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	*	1	-

Chapter Codification: COMAR 10.24.10

Chapter Name: State Health Plan for Facilities and Services: Acute Care Hospital Services

Authority: Health-General Article, §§19-109(a)(1) and 19-118, Annotated Code of Maryland

Date Originally Adopted or Last Amended: January 26, 2009

Purpose: The Acute Inpatient Rehabilitation Services Chapter applies to freestanding hospitals and distinct units that are engaged in acute inpatient rehabilitation and have licensed rehabilitation beds or plan to apply for a license, and applicants who propose to establish such services. It includes all of the following subcategories of acute inpatient rehabilitation: comprehensive inpatient rehabilitation, brain injury, spinal cord injury, and infant and early childhood developmental 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?  $\odot$  Yes  $\bigcirc$  No
  - (2) Do the regulations continue to be supported by statutory authority and judicial opinion? Yes ONo
  - (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? Yes ONo
  - (4) Are the regulations effective in accomplishing their intended purpose? Yes O 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.

To ensure additional participation by stakeholders and members of the public in the review process, the MHCC presents draft regulations to the public for a 10-30 day informal public comment period before taking revised draft regulations to the Commission for proposed action.

(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.

- (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.
- 1. Publication of notice in the Maryland Register;
- 2. Publication of notice in newspapers of general circulation in the State:
- 3. Posting of notice on the unit's website; and
- 4. Posting notice on Division of State Document's website

# (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.

A search will be conducted on the Internet of other Maryland State Department regulations to find out whether they have similar regulations and how their regulations are structured.

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

A search will be conducted on the Internet of other States, particularly those states that surround Maryland, to find out whether they have similar regulations and how their regulations are structured.

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

Has the agency promulgated all regulations required by recent legislation? • Yes O 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
$\checkmark$	amendment
	repeal
	repeal and adopt new regulations
	reorganization

Summary:

Chapter Codification: COMAR 10.24.11

Chapter Name: State Health Plan for Facilities and Services: General Surgical Services

Authority: Health-General Article, §§19-109(a)(1) and 19-118, Annotated Code of Maryland

Date Originally Adopted or Last Amended: November 12, 2012

- Purpose: This Chapter of the State Health Plan supersedes and replaces the previously adopted State Health Plan for Facilities and Services: Ambulatory Surgical Services, COMAR 10.24.11, and is applicable to all matters regarding CON review of surgical facilities and services except for open heart surgery and organ transplantation, addressed respectively in COMAR 10.24.17 and 10.24.15.
- 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 O No
  - (2) Do the regulations continue to be supported by statutory authority and judicial opinion? Yes ONo
  - (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? Yes O No
  - (4) Are the regulations effective in accomplishing their intended purpose? Yes O 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.

To ensure additional participation by stakeholders and members of the public in the review process, the MHCC presents draft regulations to the public for a 10-30 day informal public comment period before taking revised draft regulations to the Commission for proposed action.

(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.

- (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.
- 1. Publication of notice in the Maryland Register;
- 2. Publication of notice in newspapers of general circulation in the State:
- Posting of notice on the unit's website; and
- 4. Posting notice on Division of State Document's website

(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.

A search will be conducted on the Internet of other Maryland State Department regulations to find out whether they have similar regulations and how their regulations are structured.

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

A search will be conducted on the Internet of other States, particularly those states that surround Maryland, to find out whether they have similar regulations and how their regulations are structured.

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

Has the agency promulgated all regulations required by recent legislation? • Yes O 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)

1	no action
	amendment
	repeal
	repeal and adopt new regulations
	reorganization

Summary:

N/A

Person performing review: Amelia T. Rutledge

Title: Administrator

Chapter Codification: COMAR 10.24.12

Chapter Name: State Health Plan for Facilities and Services: Acute Hospital Inpatient Obstetric Services

Authority: Health-General Article, §19-118(a)(2), Annotated Code of Maryland

Date Originally Adopted or Last Amended: February 28, 2005

Purpose: The Acute Hospital Inpatient Obstetric Services chapter focuses on hospital obstetric services, and establishes guidelines for Certificate of Need review of applications for a new hospital obstetric service, based on policies and standards of access, cost effectiveness and quality.

- 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?  $\odot$  Yes  $\bigcirc$  No
  - (2) Do the regulations continue to be supported by statutory authority and judicial opinion? Yes ONo
  - (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? Yes ONo
  - (4) Are the regulations effective in accomplishing their intended purpose?  $\odot$  Yes  $\bigcirc$  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.

To ensure additional participation by stakeholders and members of the public in the review process, the MHCC presents draft regulations to the public for a 10-30 day informal public comment period before taking revised draft regulations to the Commission for proposed action.

(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.

- (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.
- 1. Publication of notice in the Maryland Register;
- 2. Publication of notice in newspapers of general circulation in the State:
- 3. Posting of notice on the unit's website; and
- 4. Posting notice on Division of State Document's website

(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.

A search will be conducted on the Internet of other Maryland State Department regulations to find out whether they have similar regulations and how their regulations are structured.

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

A search will be conducted on the Internet of other States, particularly those states that surround Maryland, to find out whether they have similar regulations and how their regulations are structured.

(8) Provide a summary of any other relevant information gathered.
Has the agency promulgated all regulations required by recent legislation? • Yes O 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	
1	amendment	
	repeal	
	repeal and adopt new regulations	
	reorganization	52

Summary:

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	27

Chapter Codification: COMAR 10.24.13

Chapter Name: State Health Plan for Facilities and Services: Hospice Services

Authority: Health-General Article, §§19-109(a)(1) and 19-118, Annotated Code of Maryland

Date Originally Adopted or Last Amended: October 14, 2013

Purpose: The Hospice Services chapter is to provide a policy blueprint for the Commission and affected industries to address issues related to the provision of hospice services. It also provides procedural rules and standards as well as a methodology to guide the Certificate of Need review process.

- 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?  $\odot$  Yes  $\bigcirc$  No
  - (2) Do the regulations continue to be supported by statutory authority and judicial opinion? Yes ONo
  - (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? Yes O No
  - (4) Are the regulations effective in accomplishing their intended purpose? Yes O 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.

To ensure additional participation by stakeholders and members of the public in the review process, the MHCC presents draft regulations to the public for a 10-30 day informal public comment period before taking revised draft regulations to the Commission for proposed action.

(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.

- (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.
- 1. Publication of notice in the Maryland Register;
- 2. Publication of notice in newspapers of general circulation in the State:
- 3. Posting of notice on the unit's website; and
- 4. Posting notice on Division of State Document's website

(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.

A search will be conducted on the Internet of other Maryland State Department regulations to find out whether they have similar regulations and how their regulations are structured.

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

A search will be conducted on the Internet of other States, particularly those states that surround Maryland, to find out whether they have similar regulations and how their regulations are structured.

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

Has the agency promulgated all regulations required by recent legislation? • Yes O 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)

1	no action
	amendment
	repeal
	repeal and adopt new regulations
	reorganization

Summary:

		1
		8
		1

Chapter Codification: COMAR 10.24.14

Chapter Name: State Health Plan for Facilities and Services: Alcoholism and Drug Abuse Intermediate Care Facility Treatment Services

Authority: Health-General Article, §§19-109 (a)(1) and 19-121, Annotated Code of Maryland

Date Originally Adopted or Last Amended: February 18, 2013

Purpose: The Alcoholism and Drug Abuse Treatment Services Chapter addresses all alcohol and drug abuse treatment facilities. The regulations apply to acute alcohol and drug abuse treatment and intermediate care facilities for alcohol and drug abuse rehabilitation and subacute detoxification.

- 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?  $\odot$  Yes  $\bigcirc$  No
  - (2) Do the regulations continue to be supported by statutory authority and judicial opinion? Yes ONo
  - (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? Yes ONo
  - (4) Are the regulations effective in accomplishing their intended purpose? Yes O 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.

To ensure additional participation by stakeholders and members of the public in the review process, the MHCC presents draft regulations to the public for a 10-30 day informal public comment period before taking revised draft regulations to the Commission for proposed action.

(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.

- (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.

- 1. Publication of notice in the Maryland Register;
- 2. Publication of notice in newspapers of general circulation in the State:
- 3. Posting of notice on the unit's website; and
- 4. Posting notice on Division of State Document's website

### (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.

A search will be conducted on the Internet of other Maryland State Department regulations to find out whether they have similar regulations and how their regulations are structured.

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

A search will be conducted on the Internet of other States, particularly those states that surround Maryland, to find out whether they have similar regulations and how their regulations are structured.

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

Has the agency promulgated all regulations required by recent legislation? • Yes O 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)

1	no action
	amendment
	repeal
	repeal and adopt new regulations
	reorganization

Summary:

Chapter Codification: COMAR 10.24.15

Chapter Name: State Health Plan for Facilities and Services: Specialized Health Care Services — Organ Transplant Services

Authority: Health-General Article, §19-101 et seq., Annotated Code of Maryland

Date Originally Adopted or Last Amended: April 15, 2002

Purpose: The Specialized Health Care Services -Organ Transplant Services Chapter focuses on organ transplant services. For purposes of regulation under this chapter, organ transplantation refers to the major solid organs (kidney, liver, pancreas, heart, and lung), intestine or small bowel, hemato-poietic stem cells, and other transplantable cells.

- 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?  $\odot$  Yes  $\bigcirc$  No
  - (2) Do the regulations continue to be supported by statutory authority and judicial opinion? Yes ONo
  - (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? Yes ONo
  - (4) Are the regulations effective in accomplishing their intended purpose?  $\odot$  Yes  $\bigcirc$  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.

The MHCC has an ongoing Organ Transplant Workgroup comprised of stakeholders and consumer representatives that is advising staff on issues regarding organ transplantation. After the workgroup's conclusion, there will result be+ an update to this chapter.

To ensure additional participation by stakeholders and members of the public in the review process, the MHCC presents draft regulations to the public for a 10-30 day informal public comment period before taking revised draft regulations to the Commission for proposed action.

(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.

- (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.

- 1. Publication of notice in the Maryland Register;
- Publication of notice in newspapers of general circulation in the State:
  Posting of notice on the unit's website; and
- 4. Posting notice on Division of State Document's website

(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.

A search will be conducted on the Internet of other Maryland State Department regulations to find out whether they have similar regulations and how their regulations are structured.

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

A search will be conducted on the Internet of other States, particularly those states that surround Maryland, to find out whether they have similar regulations and how their regulations are structured.

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

Has the agency promulgated all regulations required by recent legislation? • Yes O 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
1	amendment
	repeal
	repeal and adopt new regulations
	reorganization

Summary:

Chapter Codification: COMAR 10.24.16	
Chapter Name: VACANT	
Authority:	
Date Originally Adopted or Last Amended:	Chapter repealed effective October 14, 2002 (29:20 Md. R. 1589)
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? O Yes No
  - (2) Do the regulations continue to be supported by statutory authority and judicial opinion? OYes No
  - (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? O Yes No
  - (4) Are the regulations effective in accomplishing their intended purpose?  $\bigcirc$  Yes  $\bigcirc$  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.

- (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.
- 1. Publication of notice in the Maryland Register;
- 2. Publication of notice in newspapers of general circulation in the State:
- 3. Posting of notice on the unit's website; and
- 4. Posting notice on Division of State Document's website

#### (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.

Has the agency promulgated all regulations required by recent legislation? O 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)

$\checkmark$	no action
	amendment
	repeal
	repeal and adopt new regulations
	reorganization

Summary:



Chapter Codification: COMAR 10.24.17

Chapter Name: State Health Plan for Facilities and Services: Specialized Health Care Services — Cardiac Surgery and Percutaneous Coronary Intervention Services

Authority: Health-General Article, §§19-109(a)(1) and 19-118, Annotated Code of Maryland

Date Originally Adopted or Last Amended: August 18, 2014

Purpose: Specialized Health Care Services - Cardiac Surgery and Therapeutic Catheterization Services Chapter establishes policies, certificate of need rules and review standards, and a need methodology for adult and pediatric cardiac surgery programs, and therapeutic catheterization services.

- 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 O No
  - (2) Do the regulations continue to be supported by statutory authority and judicial opinion? Yes ONo
  - (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal?  $\odot$  Yes  $\bigcirc$  No
  - (4) Are the regulations effective in accomplishing their intended purpose? Yes O 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.

To ensure additional participation by stakeholders and members of the public in the review process, the MHCC presents draft regulations to the public for a 10-30 day informal public comment period before taking revised draft regulations to the Commission for proposed action.

(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.

- (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.

- 1. Publication of notice in the Maryland Register;
- 2. Publication of notice in newspapers of general circulation in the State:
- 3. Posting of notice on the unit's website; and
- 4. Posting notice on Division of State Document's website

#### (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.

A search will be conducted on the Internet of other Maryland State Department regulations to find out whether they have similar regulations and how their regulations are structured.

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

A search will be conducted on the Internet of other States, particularly those states that surround Maryland, to find out whether they have similar regulations and how their regulations are structured.

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

Has the agency promulgated all regulations required by recent legislation? • Yes O 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)

1	no action
	amendment
	repeal
	repeal and adopt new regulations
	reorganization

Summary:

2

Chapter Codification: COMAR 10.24.18

Chapter Name: State Health Plan for Facilities and Services: Specialized Health Care Services - Neonatal Intensive Care Services

Authority: Health-General Article, §§19-109(a)(1) and 19-118, Annotated Code of Maryland

Date Originally Adopted or Last Amended: October 23, 2006

Purpose: The Specialized Health Care Services - Neonatal Intensive Care Services Chapter regulates neonatal intensive care services for levels III, III+, and IV as defined in the Maryland Perinatal System standards. The chapter also includes neonatal polices for Level I & II hospitals.

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

To ensure additional participation by stakeholders and members of the public in the review process, the MHCC presents draft regulations to the public for a 10-30 day informal public comment period before taking revised draft regulations to the Commission for proposed action.

(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.

- (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.
- 1. Publication of notice in the Maryland Register;
- 2. Publication of notice in newspapers of general circulation in the State:
- 3. Posting of notice on the unit's website; and
- 4. Posting notice on Division of State Document's website

(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.

A search will be conducted on the Internet of other Maryland State Department regulations to find out whether they have similar regulations and how their regulations are structured.

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

A search will be conducted on the Internet of other States, particularly those states that surround Maryland, to find out whether they have similar regulations and how their regulations are structured.

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

Has the agency promulgated all regulations required by recent legislation? • Yes O 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
$\checkmark$	amendment
	repeal
	repeal and adopt new regulations
	reorganization

Summary:

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Chapter Codification: COMAR 10.25.01

Chapter Name: Small Employer Health Benefit Plan Premium Subsidy Program

Authority: Insurance Article, §§15-12A-01—15-12A-05, Annotated Code of Maryland

Date Originally Adopted or Last Amended: October 19, 2009

Purpose: Small Employer Health Benefits Plan Premium Subsidy Program is designed to provide an incentive for small employers to offer and maintain a small employer health benefit plan for their employees.

- 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?  $\odot$  Yes  $\bigcirc$  No
  - (2) Do the regulations continue to be supported by statutory authority and judicial opinion? Yes ONo
  - (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? Yes ONo
  - (4) Are the regulations effective in accomplishing their intended purpose? Yes O 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.

To ensure additional participation by stakeholders and members of the public in the review process, the MHCC presents draft regulations to the public for a 10-30 day informal public comment period before taking revised draft regulations to the Commission for proposed action.

(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.

- (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.
- 1. Publication of notice in the Maryland Register;
- 2. Publication of notice in newspapers of general circulation in the State:
- 3. Posting of notice on the unit's website; and
- 4. Posting notice on Division of State Document's website

#### (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.

A search will be conducted on the Internet of other Maryland State Department regulations to find out whether they have similar regulations and how their regulations are structured.

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

A search will be conducted on the Internet of other States, particularly those states that surround Maryland, to find out whether they have similar regulations and how their regulations are structured.

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

Has the agency promulgated all regulations required by recent legislation? • Yes O 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
1	amendment
	repeal
	repeal and adopt new regulations
	reorganization

Summary: