

**Maryland Department of Health, Behavioral Health Administration
Stakeholder Engagement Session 5 – 10.63, Chapter 6**

**August 12, 2025
12:30 PM - 2:00 PM**

I. Welcome and Opening Remarks (12:30-12:35)

II. Meeting Procedures (12:40-12:45)

III. Status of COMAR 10.63 Regulatory Revisions (12:45-12:50)

a. Review of Phase I, II, and II

- i. Jordan provided an overview of Phases I, II, and II of the 10.63 updates, including that the Department will not finalize Phase 2 regulations until Phase 3 is published in the Maryland Register.
- ii. The Department received more than 110 formal comments on the 10.63 proposal published in May. All formal comments must receive responses in writing prior to finalization; responses have not yet been sent.

IV. Brief Review of Changes to 10.63.01, Chapter 6 (12:50-12:55)

a. Clarification of dietary requirements for program licensure

- i. Due to the large volume of stakeholder questions and feedback on this topic, there will be an entire session devoted to this topic in the coming weeks.

ii.

V. Stakeholder Feedback on 10.63, Chapter 6 (12:55-1:55)

a. Clarification on the requirement to provide “data elements to the Administration at the frequency required by the Administration”

- i. The Department sometimes receives data requests from federal partners such as CMS, SAMHSA, etc. As a result, the Department will be requesting this data from providers in accordance with the frequency with which it is requested from the Department. This data was previously collected during the ASO authorization process, but it can no longer be collected during this process. As such, the Department is in the process of developing a new data collection process.
- ii. Takeaways from stakeholder dialogue included:

1. The data collected under this process will be similar to the social determinants of health data that was formerly collected under the OMS.
2. Concerns regarding the burden that the data collection process will place on providers.

b. Additional clarification on requirements for commercial kitchens for outpatient programs

- i. Takeaways from stakeholder dialogue included:
 1. Some counties in the State have different requirements with regards to commercial kitchens and licensure. These State regulations exist because there is a statutory requirement to promulgate regulations on this topic.

c. Additional comments

- i. Inclusion of failure to meet an accreditation standard in the definition of “deficiency”
 1. Takeaways from stakeholder dialogue included:
 - a. Concerns that accreditation standards are meant to be aspirational and that failure to meet these standards may not, in actuality, constitute a deficiency. The Department will take another look at this language to ensure that the text aligns with the intent of the regulations.
- ii. Process for requesting a variance
 1. Takeaways from stakeholder dialogue included:
 - a. When a variance request is received by the Department, the provider will receive an email stating that the request was received. A staff member will reach out to the provider to request any additional documentation and to inquire as to whether the organization would like to attend a variance meeting. Once the request has been reviewed, the provider should receive a response within 2 weeks.
- iii. Organizational Level Staff working across programs at the same physical site
 1. Takeaways from stakeholder dialogue included:
 - a. Organizational staff can work across the organization, meaning across sites and across programs. Whether this would be acceptable in a specific case depends on the size

and composition of the organization, in addition to the supervisory requirements for program staff.

VI. Closing Remarks and Next Steps (1:55-2:00)