

**Maryland Department of Health, Behavioral Health Administration
Stakeholder Engagement Session 7 – Additional Discussion**

**August 19, 2025
11:00 AM - 12:30 PM**

I. Welcome and Opening Remarks (11:00-11:05)

II. Meeting Procedures (11:05-11:10)

III. 10.63 Status Update (11:10-11:15)

- a. Jordan provided an overview of the status of the COMAR 10.63 proposal, including that a notice to withdraw the proposal will be published in the Maryland Register on August 22, 2025.
- b. In the near future, MDH is planning to bring comprehensive updates to COMAR 10.63 that will include the general regulations published in the May 16th Maryland Register as well as the forthcoming program-specific regulations.
- c. All formal comments from the May 16th publication will be reviewed, but responses to these comments will not be sent.
- d. An opportunity will be provided for preview and dialogue surrounding the next proposal prior to its publication in the Maryland Register.

IV. Department Overview – Commercial Kitchen Requirements (11:15-11:30)

- a. Dietary services means the services provided to clients by a community based behavioral health program which offers comprehensive food preparation as a service to program participants.
- b. Dietary services do not include communal food preparation by program participants or food preparation done as a rehabilitative activity.
- c. If the program does not have one of the following qualities, they do not need to follow Maryland Food Handler Requirements (but are still required to follow the BHA's regulations regarding Safe Food Handling)
 - i. Has more than 17 residential participants at one location;
 - ii. Serves food to participants; or
 - iii. Sells food to participants.
- d. Ways by which programs can meet Maryland Food Handler Requirements include:
 - i. Providing catered meals;
 - ii. Providing commercial meals;
 - iii. Providing pre-packaged meals for clients to prepare and eat themselves; or
 - iv. Preparing meals in a commercial kitchen operated by the program.

- e. Sherita discussed some example scenarios under which providers would and would not meet Maryland Food Handler Requirements.
- f. The Department was required by statute to adopt regulations that establish food service facility standards for residential programs with fewer than 17 residents that are licensed as:
 - i. Residential-Low Intensity Level 3.1 Programs;
 - ii. Residential-Medium Intensity Level 3.3 Programs;
 - iii. Residential-High Intensity Level 3.5 Programs; or
 - iv. Residential-Intensive Level 3.7 Programs.
- g. Sherita discussed best practices for safe food handling.

V. Open Discussion (11:30-11:55)

- a. Takeaways from stakeholder dialogue included:
 - i. After the amended COMAR 10.63 regulations become effective, providers will be given a glide path to come into compliance with the requirements of the regulations. This information will be shared in a compliance guide along with the next iteration of COMAR 10.63 regulations.
 - ii. Concerns were expressed regarding the practical and financial impacts of the commercial impact requirements. Sherita clarified that commercial kitchens are only one way for programs to meet the food handling requirements.

VI. Closing Remarks and Next Steps (11:55-12:00)