

Maryland Department of Health, Behavioral Health Administration
Stakeholder Engagement Session 8 – Additional Discussion

August 22, 2025
1:00 PM - 2:30 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 was 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 – Critical Incident Reporting (11:15-12:15)

- a. All programs licensed under COMAR 10.63 are required to report critical incidents to BHA within 5 calendar days via Cognito Form. These provisions currently exist under COMAR 10.63.01.
- b. The intent of the Department with these regulations is not to add additional reporting requirements, but rather to clarify the existing requirements in response to stakeholder feedback on the current regulations.
- c. Sherita discussed the reportable incidents listed in the proposed regulations and some example scenarios under which providers would and would not need to file a Critical Incident Report.
- d. Takeaways from stakeholder dialogue included:
 - i. A certain event not being considered a reportable event to BHA under these regulations does not exempt mandated reporting requirements for other agencies.
 - ii. Concerns were expressed regarding the burden that these reporting requirements may place upon providers.
 - iii. The requirement for the timeline for critical incident reporting is currently that a report must be made within 5 calendar days of the organization's

knowledge of the incident. The proposed regulations change this timeline to 3 business days.

- iv. The requirement for death reporting is a requirement for inpatient providers, not outpatient providers.

V. Closing Remarks and Next Steps (12:15-12:30)

- a. The Department is in the process of evaluating next steps for this proposal and looks forward to continuing the dialogue and communication with stakeholders on these topics.