



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene
201 W. Preston Street • Baltimore, Maryland 21201

Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor – Joshua M. Sharfstein, M.D., Secretary

November 17, 2014

The Honorable Paul G. Pinsky
AELR Committee, Presiding Chair
90 State Circle
Annapolis, Maryland 21401

RE: Regulatory Review and
Evaluation Act:
Work Plans for COMAR 10.22

Dear Senator Pinsky:

In accordance with State Government Article, §§10-130—10-139, Annotated Code of Maryland, and the implementing Executive Order 01.01.1996.04, I am submitting for your approval the work plan for the evaluation of COMAR 10.22 Developmental Disabilities.

Should there be any questions, please contact Michele A. Phinney, Director, Office of Regulations and Policy Coordination, at (410) 767-5623.

Sincerely,

Joshua M. Sharfstein, M.D.
Secretary

Attachments

cc: Department of Legislative Reference - 5 copies
Division of State Documents - 1 copy
Bernard A. Simon
Rianna Brown
Leslie Frey
Allison Taylor
Michele Phinney

**DEPARTMENT OF HEALTH AND MENTAL HYGIENE
2011 – 2018 WORK PLAN FOR EVALUATION REPORT ON
ALL CHAPTERS IN SUBTITLE 22 DEVELOPMENTAL DISABILITIES**

OBJECTIVES	ACTION STEPS	RESPONSIBLE PERSON	SCHEDULED COMPLETION DATE
I.	<p>1. Inventory affected regulations.</p> <p>2. Evaluate Subtitle 22 for compliance with CMS Community Rule</p> <p>3. Organize and distribute list of necessary regulations changes noted by Attorney General's Office to each Team Leader.</p> <p>4. Share DDA assessment of regulations with Medicaid; and share public comment and Transition Plan with DDA and Team Leaders</p> <p>5. Procedures and methods to be used to ensure comments from public/stakeholders/other affected units.</p> <p style="margin-left: 20px;">A. To invite public comment on these regulations, DHMH will post Notice on Division of State Documents Website.</p> <p style="margin-left: 20px;">B. To ensure the participation of stakeholders in the review process, the Department will solicit input via mailings to stakeholders.</p> <p style="margin-left: 20px;">C. To ensure the participation in the review process of other units affected by the regulations, DDA will email other DHMH units and other State agencies to inquire whether they have similar regulations, structure of regulations, and solicit comments.</p>	<p>Michelle Phinney</p> <p>Peter deFries, Amy Daugherty Rhonda Workman, Leslie Frey</p> <p>Leslie Frey</p> <p>Rhonda Workman</p> <p>*Team Leaders</p>	<p>Completed</p> <p>11/26/14</p> <p>12/1/14</p> <p>3/17/15</p> <p>7/1/15</p>
6.	<p>Conduct research regarding:</p> <p style="margin-left: 20px;">A. Any recent scientific information related to the regulations being reviewed, if applicable;</p> <p style="margin-left: 20px;">B. Similar regulations adopted or repealed by other states or the federal government; and</p> <p style="margin-left: 20px;">C. Practices in other states, particularly states contiguous to Maryland, to find out whether they have similar policies/regulations and how they are structured</p>	Team Leaders	7/1/15
7.	<p>Evaluate the need to retain, amend, or repeal each existing regulation based on the following criteria:</p> <p style="margin-left: 20px;">A. Continue to be necessary for public interest;</p> <p style="margin-left: 20px;">B. Continue to be supported by statutory authority and judicial opinions;</p> <p style="margin-left: 20px;">C. Are obsolete or otherwise appropriate for amendment or repeal;</p> <p style="margin-left: 20px;">D. Continue to be effective in accomplishing the intended purpose of the regulations;</p> <p style="margin-left: 20px;">E. The information gathered under Action Steps 2-7</p>	Team Leaders	8/1/15
II.	<p>1. Consolidate information obtained from objective #1 above</p> <p>2. Write draft report.</p> <p>3. Coordinate executive reviews of draft report.</p> <p>4. Consolidate review comments and prepare final report.</p>	<p>Team Leaders</p> <p>Team Leaders</p> <p>Team Leaders</p> <p>Team Leaders</p>	<p>8/15/15</p> <p>9/15/15</p> <p>10/15/15</p> <p>11/1/15</p>

***Team Leaders**

10.22.01 Definitions	Leslie Frey
10.22.02 Administrative Requirements for Licensees	Janet Furman
10.22.03 Procedures for License Denials and Disciplinary Sanctions	Janet Furman & Leslie Frey
10.22.04 Values, Outcomes, and Fundamental Rights	Janet Furman/ QE Director
10.22.05 The Individual Plan	Lynell Sanderson
10.22.06 Family and Individual Support Services (FISS) Program Service Plan	Kim Gscheidle & Cathy Marshall
10.22.07 Vocational and Day Services Program Service Plan	Janet Furman & Danielle Lyons
10.22.08 Community Residential Services Program Service Plan	Janet Furman & Phyllis Landry
10.22.09 Resource Coordination Program Service Plan	Lynell Sanderson
10.22.10 Behavior Support Services Program Service Plan	Lisa Hovermale
10.22.11 Respite Services in the State Residential Center (SRC)	Shelly Amick & Robin Weagley
10.22.12 Eligibility for and Access to Community Services for Individuals with Developmental Disability	Amy Daugherty
10.22.13 Admission of Individuals to State Residential Facilities Under the Jurisdiction of the DDA	Shelly Amick & Robin Weagley, <i>in consultation with Dan Malone, if appropriate</i>
10.22.14 Low Intensity Support Services (LISS) Program	Sandra Moskoff
10.22.15 Waiting List Equity Fund	Peter deFries
10.22.16 Informal Hearings Under the Maryland Developmental Disabilities Law	Amy Daugherty
10.22.17 Fee Payment System for Licensed Residential and Day Programs	Shanita Alam
10.22.18 Community Supported Living Arrangements Payment System	Shanita Alam
10.22.19 Special Programs	Janet Furman & Danielle Lyons
10.22.20 Organized Health Care Delivery Systems	Rhonda Workman