

**REGULATORY REVIEW AND EVALUATION ACT:**

**WORKPLANS DUE OCTOBER 1, 2015 FOR:**

**Subtitle 26 BOARD OF ACUPUNCTURE**

**Subtitle 27 BOARD OF NURSING**

**Subtitle 28 BOARD OF EXAMINERS IN OPTOMETRY**

**Subtitle 29 BOARD OF MORTICIANS AND FUNERAL DIRECTORS**

**Subtitle 30 COMMISSION ON KIDNEY DISEASE**

**Subtitle 39 BOARD OF NURSING—CERTIFIED NURSING ASSISTANTS**

**SUBMITTED BY:**

**Department of Health and Mental Hygiene  
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## EXEMPTION REQUESTED

In accordance with State Government Article, §10-132-1, Annotated Code of Maryland, the Secretary of DHMH has certified to the Governor and the AELR Committee that a review of the following chapters would not be effective or cost-effective and therefore are exempt from the review process based on the fact that they were either initially adopted (IA), comprehensively amended (CA) during the preceding 8 years, or Federally mandated (FM):

### Subtitle 26 BOARD OF ACUPUNCTURE

10.26.01 Fee Schedule	CA April 20, 2009
10.26.02 General Regulations	CA April 20, 2009
10.26.04 Rules of Procedure for Board Hearings	CA February 20, 2012

### Subtitle 27 BOARD OF NURSING

10.27.01 Examination and Licensure	CA September 22, 2008 and April 19, 2010
10.27.03 Nursing Education Programs	CA January 26, 2009
10.27.04 Methadone Dispensing	IA February 9, 2009
10.27.05 Practice of Nurse Midwifery	CA September 29, 2014
10.27.07 Practice of the Nurse Practitioner	CA July 11, 2011
10.27.10 Standards of Practice for Licensed Practical Nurses	CA May 2, 2011
10.27.11 Delegation of Nursing Functions	CA January 26, 2009 & Sept.19, 2011
10.27.14 Nursing Staff Agencies -	Transferred to 10.07.03
10.27.17 Advanced Practice Nurses—HCACC User Fee Collection -	Repealed
10.27.19 Code of Ethics	CA December 11, 2014
10.27.21 Registered Nurse—Forensic Nurse Examiner	CA March 19, 2012
10.27.25 Cosmetic Procedures	IA May 30, 2011
10.27.26 Sanctioning Guidelines	IA April 16, 2012
10.27.27 Practice of Clinical Nurse Specialist	IA October 1, 2012

### Subtitle 28 BOARD OF EXAMINERS IN OPTOMETRY

10.28.01 Board Procedures -	Repealed
10.28.02 Continuing Education Requirements	CA October 19, 2009
10.28.12 Therapeutic Pharmaceutical Agents	CA October 19, 2009
10.28.17 Disciplinary Sanctions and Monetary Penalties	IA October 1, 2012

### Subtitle 29 BOARD OF MORTICIANS AND FUNERAL DIRECTORS

10.29.02 Examination	CA February 25, 2008
10.29.03 Inspection of Funeral Establishments and Funeral Service Businesses	CA February 25, 2008
10.29.04 Fee Schedule	CA February 25, 2008
10.29.05 Continuing Education	CA February 8, 2010
10.29.06 Preneed Contract	CA August 27, 2007
10.29.09 Requirements for Apprenticeship	CA February 25, 2008
10.29.13 Rehabilitation Committee	CA February 25, 2008
10.29.15 Family Security Trust Fund	IA April 5, 2010
10.29.16 Crematories—Definitions	IA April 14, 2014

10.29.17 Crematories—Permit, Licensing, and Fees	IA April 14, 2014
10.29.18 Crematories—Inspections, Complaints, Investigations, Grounds for Discipline, and Penalties	IA April 14, 2014
10.29.19 Crematories—Cremation Procedures	IA April 14, 2014
10.29.20 Crematories—Code of Ethics	IA April 14, 2014
10.29.21 Mortuary Transport Services	IA February 17, 2014
10.29.22 General Regulations	IA August 5, 2013

**Subtitle 30 COMMISSION ON KIDNEY DISEASE**

10.30.02 Physical and Medical Standards	CA April 5, 2010
10.30.03 Transmissible Diseases	CA April 5, 2010
10.30.04 Dialyzer Reuse and Water Standards	CA April 5, 2010

**Subtitle 39 BOARD OF NURSING — CERTIFIED NURSING ASSISTANTS**

10.39.05 Standards of Practice for Certified Nursing Assistants (CNA)	IA November 15, 2010
10.39.06	Vacant
10.39.07 Certified Nursing Assistants/Certified Medical Technicians (CNA/CMT)—Code of Ethics	CA December 11, 2014

**CHAPTERS THAT HAVE BEEN TRANSFERRED, REPEALED, OR VACANT**

**Subtitle 27 BOARD OF NURSING**

10.27.14 Nursing Staff Agencies -	Transferred to 10.07.03
10.27.17 Advanced Practice Nurses—HCACC User Fee Collection -	Repealed

**Subtitle 28 BOARD OF EXAMINERS IN OPTOMETRY**

10.28.01 Board Procedures -	Repealed
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**Subtitle 39 BOARD OF NURSING — CERTIFIED NURSING ASSISTANTS**

10.39.06	Vacant
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**DEPARTMENT OF HEALTH AND MENTAL HYGIENE  
2011 – 2018 WORK PLAN FOR EVALUATION REPORT ON  
BOARD OF ACUPUNCTURE  
COMAR 10.26.03 Code of Ethics**

<b>OBJECTIVES</b>	<b>ACTION STEPS</b>	<b>RESPONSIBLE PERSON</b>	<b>SCHEDULED COMPLETION DATE</b>
I. Evaluate COMAR 10.26.03 for the purpose of satisfying the requirement of State Government Article, §10-130—10-139, Annotated Code of Md.	1. Inventory affected regulations.	Michele Phinney	3/11/15
	2. Procedures and methods to be used to ensure comments from public / stakeholders / other affected units. A. To invite public comment on these regulations, the following procedures and methods will be used: The Maryland Acupuncture Society and the MD University of Integrated Health will be notified of the review process. Notice of the review will be posted on the Board's website. B. To ensure the participation of stakeholders in the review process, the following procedures will be used: Notice of the review will be posted on the Board's website. C. To ensure the participation in the review process of other units affected by the regulations, the following procedures will be used: Notice of the review will be posted on the Board's website.	Penny Heisler	1/1/16
	3. Procedures for gathering and reviewing of: A. Any recent scientific information related to the regulations being reviewed, if applicable; B. Similar regulations adopted or repealed by other states or the federal government; and C. Other appropriate information, are as follows: All comments received by the Board from the public will be reviewed and considered by the Board and Board Counsel in Committee and in an Open Meeting of the Board.	Penny Heisler	8/13/15
	4. Evaluate the need to retain, amend, or repeal each existing regulation based on the following criteria: A. Continue to be necessary for public interest; B. Continue to be supported by statutory authority and judicial opinions; C. Are obsolete or otherwise appropriate for amendment or repeal; D. Continue to be effective in accomplishing the intended purpose of the regulations; E. The information gathered under Action Steps 1 - 3.	Penny Heisler	4/1/16
II. Prepare report to the Administrative, Executive and Legislative Review (AELR) Committee	1. Consolidate information obtained from objective #1 above	Penny Heisler	4/1/16
	2. Write draft report.	Penny Heisler	5/1/16
	3. Coordinate executive reviews of draft report.	Penny Heisler	6/1/16
	4. Consolidate review comments and prepare final report.	Penny Heisler	8/1/16

**DEPARTMENT OF HEALTH AND MENTAL HYGIENE  
2011 – 2018 WORK PLAN FOR EVALUATION REPORT ON  
BOARD OF ACUPUNCTURE  
COMAR 10.26.05 Compelling Purpose Disclosure**

<b>OBJECTIVES</b>	<b>ACTION STEPS</b>	<b>RESPONSIBLE PERSON</b>	<b>SCHEDULED COMPLETION DATE</b>
I. Evaluate COMAR 10.26.05 for the purpose of satisfying the requirement of State Government Article, §10-130—10-139, Annotated Code of Md.	1. Inventory affected regulations.	Michele Phinney	3/1/15
	2. Procedures and methods to be used to ensure comments from public / stakeholders / other affected units. A. To invite public comment on these regulations, the following procedures and methods will be used: Posting of notice on the unit's website B. To ensure the participation of stakeholders in the review process, the following procedures will be used: The Maryland Acupuncture Society and the MD University of Integrated Health will be notified of the review process. Notice of the review will be posted on the Board's website. C. To ensure the participation in the review process of other units affected by the regulations, the following procedures will be used: Notice of the review process will be posted on the Board's website.	Penny Heisler	1/1/16
	3. Procedures for gathering and reviewing of: A. Any recent scientific information related to the regulations being reviewed, if applicable; B. Similar regulations adopted or repealed by other states or the federal government; and C. Other appropriate information, are as follows: All comments received by the Board from the public will be reviewed and considered by the Board and Board Counsel in Committee and in an Open Meeting of the Board.	Penny Heisler	2/1/16
	4. Evaluate the need to retain, amend, or repeal each existing regulation based on the following criteria: A. Continue to be necessary for public interest; B. Continue to be supported by statutory authority and judicial opinions; C. Are obsolete or otherwise appropriate for amendment or repeal; D. Continue to be effective in accomplishing the intended purpose of the regulations; E. The information gathered under Action Steps 1 - 3.	Penny Heisler	4/1/16
II. Prepare report to the Administrative, Executive and Legislative Review (AELR) Committee	1. Consolidate information obtained from objective #1 above	Penny Heisler	4/1/16
	2. Write draft report.	Penny Heisler	5/1/16
	3. Coordinate executive reviews of draft report.	Penny Heisler	6/1/16
	4. Consolidate review comments and prepare final report.	Penny Heisler	8/1/16

**DEPARTMENT OF HEALTH AND MENTAL HYGIENE  
2011 – 2018 WORK PLAN FOR EVALUATION REPORT ON  
BOARD OF NURSING**

- COMAR 10.27.02 Hearing Procedures,  
10.27.08 Petition for Declaratory Ruling  
10.27.09 Standards of Practice for Registered Nurses  
10.27.12 Nurse Psychotherapists in Independent Practice  
10.27.13 Rehabilitation Committee  
10.27.15 Open Meetings  
10.27.16 Registered Nurse Workers Compensation Case Manager  
10.27.18 Monetary Penalties  
10.27.20 Management of Infusion Therapy by the RN and LPN  
10.27.22 Multistate Licensure Compact Regulations  
10.27.23 Code of Conduct for Board Members and Investigators  
10.27.24 Compelling Purpose Disclosure**

<b>OBJECTIVES</b>	<b>ACTION STEPS</b>	<b>RESPONSIBLE PERSON</b>	<b>SCHEDULED COMPLETION DATE</b>
I. Evaluate COMAR 10.27 for the purpose of satisfying the requirement of State Government Article, §§10-130—10-139, Annotated Code of Md.	1. Inventory affected regulations.	Michele Phinney	3/11/15
	2. Procedures and methods to be used to ensure comments from public / stakeholders / other affected units.  A. To invite public comment on these regulations, the following procedures and methods will be used: 1. Posting of notice on the board’s website; and 2. Notice to professional organizations via US mail or e-mail. B. To ensure the participation of stakeholders in the review process, the following procedures will be used: 1. Consult with other Boards and agencies within the Department; 2. Invite professional organizations to participate and comment; 3. Establish a work group of stakeholders to work on amending regulations, if indicated; and 4. Discuss with Board staff and the Board. C. To ensure the participation in the review process of other units affected by the regulations, the following procedures will be used: If indicated the Boards of Pharmacy and Physicians, The Office of Health Care Quality, agencies within the Department, and professional organizations will be notified via e-mail and asked for their comments on any proposed or new regulations.	Shirley Devaris	12/1/ 2015
	3. Procedures for gathering and reviewing of:  A. Any recent scientific information related to the regulations being reviewed, if applicable; B. Similar regulations adopted or repealed by other states or the federal government; and	Shirley Devaris	1/1/2016

C. Other appropriate information, as follows:  
 Special reports related to nursing practice such as the Institute of Medicine's report on The Future of Nursing, the National Council of State Boards of Nursing Model Rules and regulatory studies, and the Federal report on Occupational Licensing.

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|----|---|-----------------|----------|
| 4. | Evaluate the need to retain, amend, or repeal each existing regulation based on the following criteria: | Shirley Devaris | 5/1/2016 |
|    | A. Continue to be necessary for public interest;  |                 |          |
|    | B. Continue to be supported by statutory authority and judicial opinions;                               |                 |          |
|    | C. Are obsolete or otherwise appropriate for amendment or repeal;                                       |                 |          |
|    | D. Continue to be effective in accomplishing the intended purpose of the regs; and                      |                 |          |
|    | E. The information gathered under Action Steps 1 – 3.   |                 |          |

II. Prepare report to the Administrative, Executive and Legislative Review (AELR) Committee

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|----|--|-----------------|----------|
| 1. | Consolidate information obtained from objective #1 above | Shirley Devaris | 6/1/2016 |
| 2. | Write draft report.                                      | Shirley Devaris | 7/1/2016 |
| 3. | Coordinate executive reviews of draft report.            | Shirley Devaris | 8/1/2016 |
| 4. | Consolidate review comments and prepare final report.    | Shirley Devaris | 8/1/2016 |

**DEPARTMENT OF HEALTH AND MENTAL HYGIENE  
2011 – 2018 WORK PLAN FOR EVALUATION REPORT ON  
BOARD OF NURSING  
COMAR 10.27.06 Practice of Nurse Anesthetist**

<b>OBJECTIVES</b>	<b>ACTION STEPS</b>	<b>RESPONSIBLE PERSON</b>	<b>SCHEDULED COMPLETION DATE</b>
I. Evaluate COMAR 10.27.06 for the purpose of satisfying the requirement of State Government Article, §§10-130—10-139, Annotated Code of Md.	1. Inventory affected regulations.	Michele Phinney	3/11/15
	2. Procedures and methods to be used to ensure comments from public / stakeholders / other affected units.	Shirley Devaris	December, 2015
	A. To invite public comment on these regulations, the following procedures and methods will be used: 1. Publication of notice in the Maryland Register; and 2. Posting of notice on the unit's website.		
	B. A proposal to amend this Chapter has already been drafted. To ensure the participation of stakeholders in the review process, the following procedures will be used: 1. A draft proposal will be circulated to stakeholders via e-mail in advance of a scheduled stakeholder meeting on September 9, 2015, to be held at the Board of Nursing; and 2. Notice of the meeting will be sent to stakeholders via e-mail and will be posted on the Board's web-site.		
	C. To ensure the participation in the review process of other units affected by the regulations, the following procedures will be used: The draft proposal will be circulated via e-mail to any other unit that might use the services of CRNAs.		
	3. Procedures for gathering and reviewing of:  A. Any recent scientific information related to the regulations being reviewed, if applicable; B. Similar regulations adopted or repealed by other states or the federal government; and C. Report of the Institute of Medicine, The Future of Nursing, 2010.	Shirley Devaris	7/30/15
	4. Evaluate the need to retain, amend, or repeal each existing regulation based on the following criteria:  A. The regulations continue to be necessary for public interest; B. The regulations are supported by statutory authority and judicial opinions; C. The regulations are obsolete or otherwise appropriate for amendment or repeal; D. The regulations continue to be effective in accomplishing the intended purpose of the regulations; and E. The information gathered under Action Steps 1 - 3.	Shirley Devaris	7/30/15
II. Prepare report to the	1. Consolidate information obtained from objective #1 above	Shirley Devaris	9/26/15



Administrative, Executive  
and Legislative Review  
(AELR) Committee

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| 2. Write draft report.                                   | Shirley Devaris | 11/1/15 |
| 3. Coordinate executive reviews of draft report.         | Shirley Devaris | 11/1/15 |
| 4. Consolidate review comments and prepare final report. | Shirley Devaris | 6/1/16  |

**DEPARTMENT OF HEALTH AND MENTAL HYGIENE  
 WORK PLAN FOR EVALUATION REPORT ON  
 BOARD OF EXAMINERS IN OPTOMETRY  
 COMAR 10.28.03 Examination and Licensing of Optometrists  
 10.28.04 Rules of Procedure for Board Hearings  
 10.28.05 Inactive Status and Reinstatement of Expired Licenses  
 10.28.06 Examination of Patients by Optometrists, Maintenance of Records,  
 and Keeping of Certain Instruments and Equipment  
 10.28.07 Fee Schedule  
 10.28.08 Partial Waiver of Examination  
 10.28.09 Advertising  
 10.28.10 Optometrist Accountability  
 10.28.11 Use of Diagnostic Pharmaceutical Agents  
 10.28.13 Civil Penalties  
 10.28.14 Code of Conduct  
 10.28.15 Compelling Purpose Disclosure  
 10.28.16 Selling and Dispensing of Contact Lenses**

<b>OBJECTIVES</b>	<b>ACTION STEPS</b>	<b>RESPONSIBLE PERSON</b>	<b>SCHEDULED COMPLETION DATE</b>
I. Evaluate COMAR 10.28.03--10.28.11, and 10.28.13—10.28.16 for the purpose of satisfying the requirement of State Government Article, §10-130 - 10-139, Annotated Code of Md.	1. Inventory affected regulations.	Patricia G. Bennett	10/1/2015
	2. Procedures and methods to be used to ensure comments from public / stakeholders / other affected parties. <ul style="list-style-type: none"> <li>A. To invite public comment on these regulations, the following procedures and methods will be used:               <ul style="list-style-type: none"> <li>1. Publication of notice in the Maryland Register</li> <li>2. Posting of notice on the Board's website</li> </ul> </li> <li>B. To ensure the participation of stakeholders in the review process, the following procedures will be used: The Board will notify licensees, via posting a notice on the Board's website and including an article in the Board's newsletter; the Board will also notify professional associations that represent eye care practitioners that regulations will be reviewed and work group sessions will be convened for the submission of comments.</li> <li>C. To ensure the participation in the review process of other parties affected by the regulations, the following procedures will be used: The Board will notify associations and organizations as well as others interested in optometric care in the state of Maryland that regulations will be reviewed and work group sessions will be convened for the submission of comments.</li> </ul>	Patricia G. Bennett	12/1/2015

	<p>3. Procedures for gathering and reviewing of: A. Any recent scientific information related to the regulations being reviewed, if applicable; Similar regulations adopted or repealed by other states or the federal government; and C. Other appropriate information, are as follows: The Board will survey optometry boards throughout the country as well as the Association of Regulatory Boards of Optometry to determine whether similar regulations have been adopted or repealed.</p>	Patricia G. Bennett	2/1/2016
	<p>4. Evaluate the need to retain, amend, or repeal each existing regulation based on the following criteria:</p> <p>A. Continue to be necessary for public interest;  B. Continue to be supported by statutory authority and judicial opinions;  C. Are obsolete or otherwise appropriate for amendment or repeal;  D. Continue to be effective in accomplishing the intended purpose of the regulations;  E. The information gathered under Action Steps 1 - 3.</p>	Patricia G. Bennett	4/1/2016
<p>II. Prepare report to the Administrative, Executive and Legislative Review (AELR) Committee</p>	<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 if any, prepare final report, and submit to Deputy Secretary's Office for sign off before forwarding to the Office of Regulation and Policy Coordination.</p>	<p>Kristen Neville</p> <p>Kristen Neville</p> <p>Kristen Neville</p> <p>Kristen Neville</p>	<p>5/1/2016</p> <p>5/15/2016</p> <p>7/15/2016</p> <p>8/15/2016</p>

**DEPARTMENT OF HEALTH AND MENTAL HYGIENE  
 WORK PLAN FOR EVALUATION REPORT ON  
 BOARD OF MORTICIANS AND FUNERAL DIRECTORS  
 COMAR 10.29.01 Hearing Procedures  
 10.29.07 Surviving Spouse  
 10.29.08 Courtesy Card  
 10.29.10 Monetary Penalties  
 10.29.11 Complaint Procedures  
 10.29.12 Advertising  
 10.29.14 Compelling Purpose Disclosure**

<b>OBJECTIVES</b>	<b>ACTION STEPS</b>	<b>RESPONSIBLE PERSON</b>	<b>SCHEDULED COMPLETION DATE</b>
I. Evaluate all identified COMAR 10.29.01, 10.29.07, 10.29.08, 10.29.10—10.29.12, And 10.29.14 regulations for the purpose of satisfying the requirement of State Government Article, §10-130 - 10-139, Annotated Code of Md.	1. Inventory affected regulations.	Michele Phinney	3/11/15
	2. Ad Hoc committee meetings were held with Board members several times during this four month period (4/2015 – 8/2015) to review each and every set of regulations, necessary to be reviewed  3. These meetings were reported on during open session meetings  4. Many proposed changes have been made to the regulations  A. To eliminate outdated regulations B. To clarify the regulations which are problematic because of too much room for interpretation C. To add the necessary additions to the regulations because of Statute changes over the past several years D. To ensure the participation of stakeholders in the review process, the Following procedures will be used: The Board will make changes as a whole and then invite one member from each of the associations and major corporations to a meeting to discuss and review the proposed changes. E. The Board will post a notice on the Board’s website and also blast an informative email to interested stakeholders. F. The Board will hold a general public meeting to discuss the proposed changes after input from the associations.	Ruth Ann Arty	December, 2015
	5. Evaluate the need to retain, amend, or repeal each existing regulation based On the following criteria:  A. Continue to be necessary for public interest; B. Continue to be supported by statutory authority and judicial opinions; C. Are obsolete or otherwise appropriate for amendment or repeal; D. Continue to be effective in accomplishing the intended purpose for the regulations; E. The information gathered under steps 1 – 4 F. Respond to all public comment after publication in the Maryland Register.		

II. Prepare report to the Administrative, Executive and Legislative Review (AELR) Committee	1. Consolidate information obtained from objective #1 above	Kristen Neville	5/1/2016
	2. Write draft report.	Kristen Neville	5/15/2016
	3. Coordinate executive reviews of draft report.	Kristen Neville	7/15/2016
	4. Consolidate review comments if any, prepare final report, and submit to Deputy Secretary's Office for sign off before forwarding to the Office of Regulation and Policy Coordination.	Kristen Neville	8/15/2016

**DEPARTMENT OF HEALTH AND MENTAL HYGIENE  
2011 – 2018 WORK PLAN FOR EVALUATION REPORT ON  
COMMISSION ON KIDNEY DISEASE  
COMAR 10.30.01 General Regulations  
10.30.05 Fee Schedule**

<b>OBJECTIVES</b>	<b>ACTION STEPS</b>	<b>RESPONSIBLE PERSON</b>	<b>SCHEDULED COMPLETION DATE</b>
I. Evaluate COMAR 10.30.01 and 10.30.05 for the purpose of satisfying the requirement of State Government Article, §10-130—10-139, Annotated Code of Md.	1. Inventory affected regulations.	Michele Phinney	3/11/15
	2. Procedures and methods to be used to ensure comments from public / stakeholders / other affected units.		
	A. To invite public comment on these regulations, the following procedures and methods will be used:		
	3. Posting of notice on the Commission’s website; and	Eva Schwartz	1/1/2016
	5. Mailing of notice.	Eva Schwartz	1/1/2016
	B. To ensure the participation of stakeholders in the review process, the following procedures will be used:	Eva Schwartz	2/1/2016
	The Commission will notify and solicit comments from Dialysis Facilities and Transplant Centers.		
	C. To ensure the participation in the review process of other units affected by the regulations, the following procedures will be used:	Eva Schwartz	2/1/2016
	The Commission will notify and solicit comments from the Kidney Disease Program, the DHMH Office of Health Care Quality (OHCQ), and the Department of Budget & Management.		
	3. Procedures for gathering and reviewing of:		
A. Any recent scientific information related to the regulations being reviewed, if applicable---- NOT APPLICABLE.			
B. Similar regulations adopted or repealed by other states or the federal Government:	Eva Schwartz	3/1/2016	
The Commission will research other states’ regulations, particularly those in states that are contiguous to Maryland, to find out whether their regulations are similar and how they are structured); and			
C. Other appropriate information, are as follows:	Eva Schwartz	3/1/2016	
The Commission will coordinate its work with the Kidney Disease Program and with the Department of Budget and Management. Throughout the			

the process, the Commission will be mindful of the potential fiscal impact of the regulations on the facilities while also being mindful of what is in the best interest of public safety and patient care.

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|---|--|-----------------|----------|
|   | 4. Evaluate the need to retain, amend, or repeal each existing regulation based on the following criteria:   | Leslie Schulman | 4/1/2016 |
|   | A. Continue to be necessary for public interest;<br>B. Continue to be supported by statutory authority and judicial opinions;<br>C. Are obsolete or otherwise appropriate for amendment or repeal;<br>D. Continue to be effective in accomplishing the intended purpose of the regulations;<br>E. The information gathered under Action Steps 1 - 3. |                 |          |
| II. Prepare report to the Administrative, Executive and Legislative Review (AELR) Committee | 1. Consolidate information obtained from objective #1 above  | Eva Schwartz    | 5/1/2016 |
|   | 2. Write draft report.   | Eva Schwartz    | 6/1/2016 |
|   | 3. Coordinate executive reviews of draft report.   | Eva Schwartz    | 7/1/2016 |
|   | 4. Consolidate review comments and prepare final report.   | Eva Schwartz    | 8/1/16   |

**DEPARTMENT OF HEALTH AND MENTAL HYGIENE  
2011 – 2018 WORK PLAN FOR EVALUATION REPORT ON  
BOARD OF NURSING — CERTIFIED NURSING ASSISTANTS  
COMAR 10.39.01 Certification of Nursing Assistants  
10.39.02 Nursing Assistant Training Programs  
10.39.03 Certified Medicine Aides  
10.39.04 Medication Technicians**

<b>OBJECTIVES</b>	<b>ACTION STEPS</b>	<b>RESPONSIBLE PERSON</b>	<b>SCHEDULED COMPLETION DATE</b>
I. Evaluate Subtitle 39: 10.39.01—10.39.04 for the purpose of satisfying the requirement of State Government Article, §§10-130—10-139, Annotated Code of Md.	1. Inventory affected regulations.	Michele Phinney	3/11/15
	2. Procedures and methods to be used to ensure comments from public / stakeholders / other affected units.	Shirley Devaris	12/1/2015
	A. To invite public comment on these regulations, the following procedures and methods will be used <ol style="list-style-type: none"> <li>1. Posting of notice on the Board's website; and</li> <li>2. Notice to Provider representatives, schools, and professional organizations via US Mail or e-mail.</li> </ol> B. To ensure the participation of stakeholders in the review process, the following procedures will be used: <ol style="list-style-type: none"> <li>1. Consult with other Boards and agencies within the Department;</li> <li>2. Invite professional organizations, schools, and providers to participate and comment;</li> <li>3. Establish a work group of stakeholders to work on amending regulations, if indicated; and</li> <li>4. Discuss with Board staff and the Board.</li> </ol> C. To ensure the participation in the review process of other units affected by the regulations, the following procedures will be used: If indicated the Boards of Pharmacy and Physicians, The Office of Health Care Quality, agencies within the Department, providers, schools, and professional organizations will be notified via e-mail and asked for their comments on any proposed amendments or new regulations.		
	3. Procedures for gathering and reviewing of:	Shirley Devaris	2/1/2015
	A. Any recent scientific information related to the regulations being reviewed, if applicable; B. Similar regulations adopted or repealed by other states or the federal government; and C. Other appropriate information, are as follows: <ol style="list-style-type: none"> <li>1. Complaint data;</li> <li>2. Passing rate at schools; and</li> <li>3. OHCQ surveys.</li> </ol>		
	4. Evaluate the need to retain, amend, or repeal each existing regulation based on	Shirley Devaris	4/1/2016



the following criteria:

- A. Continue to be necessary for public interest;
- B. Continue to be supported by statutory authority and judicial opinions;
- C. Are obsolete or otherwise appropriate for amendment or repeal;
- D. Continue to be effective in accomplishing the intended purpose of the regulations;
- E. The information gathered under Action Steps 1 - 3.

II. Prepare report to the Administrative, Executive and Legislative Review (AELR) Committee

- |   |                 |          |
|---|-----------------|----------|
| 1. Consolidate information obtained from objective #1 above | Shirley Devaris | 6/1/2016 |
| 2. Write draft report.                                      | Shirley Devaris | 7/1/2016 |
| 3. Coordinate executive reviews of draft report.            | Shirley Devaris | 8/1/2016 |
| 4. Consolidate review comments and prepare final report.    | Shirley Devaris | 8/1/16   |