

Craig P. Tanio, M.D.
CHAIR

STATE OF MARYLAND

Ben Steffen
EXECUTIVE DIRECTOR



MARYLAND HEALTH CARE COMMISSION

4160 PATTERSON AVENUE – BALTIMORE, MARYLAND 21215
TELEPHONE: 410-764-3460 FAX: 410-358-1236

DATE: April 1, 2015

TO: Michael Richards
Deputy Chief of Staff
Governor's Office

Gail Klakring, Administrator
Division of State Documents

Maria Ruzlius, Esquire
AELR

Michele Phinney, Director
Office of Regulations & Policy Coordination
DHMH

FROM: Amelia T. Rutledge, Administrator *ATR*
Maryland Health Care Commission

RE: Regulatory Review and Evaluation Act for the *Maryland Health Care Commission*

Enclosed is the Evaluation Report for COMAR 10.24 – 10.25. Also attached is a copy of
the: **2012-2020 Work Plan for Evaluation Report on COMAR 10.24 – 10.25**

(Submitted on April 1, 2014, in accordance with the requirements of *State Government Article, §10-134, Annotated Code of Maryland.*)

Attachments

cc: Ben Steffen
Bridget Zombro
Suellen Wideman, AAG
Siobhan Madison, AAG

**Regulatory Review and Evaluation Act
Evaluation Report Form
2012 – 2020**

Chapter Codification:

Chapter Name:

Authority:

Date Originally Adopted or Last Amended:

Purpose:

A. Review Criteria. (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.2003.20E)

- (1) Do the regulations continue to be necessary for the public interest? Yes No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? Yes No
- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? Yes No
- (4) Are the regulations effective in accomplishing their intended purpose? Yes No

B. Outreach and Research. (State Government Article, §10-135(a)(2)(i) – (viii), Annotated Code of Maryland)

- (1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.

Before updating regulations that deal with CON regulation or parts of the State Health Plan for Facilities and Services ("SHP"), the MHCC engages stakeholders in workgroups that discuss relevant issues. Existing workgroups regarding updates to various chapters of the SHP are likely to result in changes to the procedural regulations found at COMAR 10.24.01. To ensure additional participation by stakeholders and members of the public in the review process, the MHCC presents draft regulations to the public for a 10-30 day informal public comment period before taking revised draft regulations to the Commission for proposed action.

- (2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

To ensure the participation in the review process of other units affected by the regulations, the following procedures will be used: E-mail and hard copy of the request for comments will be sent to internal Departmental units.

- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
 - (b) any notice published in newspapers of general circulation;
 - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulations review;
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- (4) Provide summaries of:
- (a) all comments received from stakeholders, affected units, or the public; and
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N/A

- (5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A

- (6) Provide a summary of any relevant scientific data gathered.

A search will be conducted on the Internet of other Maryland State Department regulations to find out whether they have similar regulations and how their regulations are structured.

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N/A

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act? Yes No

Has the agency promulgated all regulations required by recent legislation? Yes No

Provide explanations of the above responses, as needed:

D. **Actions Needed.** (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland)
(check all that apply)

- no action
- amendment
- repeal
- repeal and adopt new regulations
- reorganization

Summary:

Person performing review:

Amelia T. Rutledge

Title:

Administrator

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(check all that apply)

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Summary:

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Person performing review:	Amelia T. Rutledge
Title:	Administrator

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Evaluation Report Form
2012 – 2020**

Chapter Codification:

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