# **REGULATORY REVIEW AND EVALUATION ACT:**

**EVALUATION REPORTS DUE OCTOBER 1, 2017 FOR:** 

Subtitle 31 HEALTH OCCUPATIONS BOARD Subtitle 32 BOARD OF PHYSICIANS Subtitle 33 BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS Subtitle 34 BOARD OF PHARMACY Subtitle 35 POSTMORTEM EXAMINERS COMMISSION Subtitle 36 BOARD OF EXAMINERS OF PSYCHOLOGISTS

SUBMITTED BY:

Maryland Department of Health Office of Regulation and Policy Coordination 201 W. Preston Street, Room 512 Baltimore, Maryland 21201 Phone: (410) 767-6499 Email: mdh.regs@maryland.gov

# **EVALUATION REPORTS**

# Subtitle 31 HEALTH OCCUPATION BOARDS

COMAR 10.31.01 Code of Conduct for Board Members and Investigators COMAR 10.31.02 Tax Compliance Regulations

# Subtitle 32 BOARD OF PHYSICIANS

COMAR 10.32.04 Delegation of Duties by a Licensed Physician-Psychiatrist to a Psychiatrist's Assistant COMAR 10.32.07 Unlicensed Medical Practitioners COMAR 10.32.12 Del. of Acts by a Lic. Physician to an Assistant Not Otherwise Authorized under...Article COMAR 10.32.13 Physician License by Conceded Eminence COMAR 10.32.14 Unlicensed X-Ray Assistant COMAR 10.32.15 Registration of Physicians to Perform Acupuncture COMAR 10.32.16 Petition for Declaratory Ruling COMAR 10.32.17 Sexual Misconduct COMAR 10.32.18 Compelling Purpose Disclosure

#### Subtitle 34 BOARD OF PHARMACY

COMAR 10.34.02 Examination for Licensure and Professional Experience Programs

COMAR 10.34.04 Transfer and Outsourcing of Prescriptions and Prescription Orders

COMAR 10.34.16 Portable Drug Kits for Lic. Home Health Agencies, Hospices, & Home Infusion Providers...

COMAR 10.34.24 Record of Drug Inventory Acquisition

COMAR 10.34.26 Patient Safety Improvement

COMAR 10.34.27 Compelling Purpose Disclosure

COMAR 10.34.31 Dispensing or Distributing at a Setting That Does Not Possess a Pharmacy Permit

# **EXEMPTIONS 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 32 BOARD OF PHYSICIANS

10.32.01 General Licensure Regulations	CA 9-29-14
10.32.02 Hearings Before the Board of Physicians	CA 3-2-15
10.32.03 Delegation of Duties by a Licensed Physician—Physician Assistant	CA 10-3-11
10.32.05 Telemedicine	IA 12-28-09
10.32.06 Licensure of Polysomnographic Technologists	CA 5-11-15
10.32.08 Licensure of Athletic Trainers	IA 7-22-13
10.32.09 Delegationof Cosmetic Medical Procedures & Use of Cosmetic Medic	al Devices IA 8-23-10
10.32.10 Lic. of RTs, Radiographers, NMTs and RATs	CA 5-12-2014 and 12-22-14
10.32.11 Licensing of Respiratory Care Practitioners	CA 3-7-11
10.32.19 Disclosure of Records to State Health Agencies	IA 3-3-14
10.32.20 Licensure of Perfusionists	IA 9-15-14
10.32.21 Licensure, Regulation, and Discipline of Naturopathic Doctors	IA 9-12-16
10.32.22 Mandated Reporting to the Board	IA 11-7-16

# Subtitle 33 BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS

10.33.01 Nursing Home Administrators

# Subtitle 34 BOARD OF PHARMACY

Subtitle 34 BOARD OF PHARMACY	
10.34.01 Disciplinary Proceedings	CA 1-28-08
10.34.03 Inpatient Institutional Pharmacy	CA 10-1-11
10.34.05 Pharmacy Security	CA 7-1-10
10.34.06 Reporting Phar., Phar. Intern's, & Phar. Tech. Mailing Address & Location of Emp.	CA 7-1-15
10.34.07 Pharmacy Equipment	CA 7-1-10
10.34.08 Information Required on Prescriptions or Patient Drug Profiles	CA 1-28-08
10.34.09 Fees	CA 7-1-15
10.34.10 Pharmacist, Pharmacy Intern, and Pharmacy Technician Code of Conduct	CA 7-1-15
10.34.11 Disciplinary Sanctions Monetary Penalties and Civil Fines	CA 7-1-15
10.34.12 Removal of Expired Medications	CA 7-1-10
10.34.13 Reinstatement of Expired Licenses for Pharmacists	CA 7-1-10
10.34.14 Opening and Closing of Pharmacies	CA 7-8-13
10.34.15 Licensure by Reciprocity	CA 7-1-10
10.34.17 Waiver of Full Service Requirements for Recognized Pharmaceutical Specialties	CA 10-19-09
10.34.18 Continuing Education for Pharmacists	CA 7-1-10
10.34.19 Sterile Pharmaceutical Compounding	CA 2-23-09
10.34.20 Format of Prescription Transmission	CA 2-23-09 CA 10-4-10
10.34.20 Format of Prescription Transmission 10.34.21 Standard of Practice for Unlicensed Personnel	CA 10-4-10 CA 1-28-08
10.34.22 Licensing of Wholesale Prescription Drug or Device Distributors	CA 7-1-14
10.34.23 Pharmaceutical Services to Patients in Comprehensive Care Facilities	CA 6-1-11
10.34.25 Delivery of Prescriptions	CA 3-1-12
10.34.28 Automated Medication Systems	CA 10-1-12
10.34.29 Drug Therapy Management	CA 4-15-13
10.34.30 Change to Permit—Pharmacy or Wholesale Distribution Permit Holder	CA 7-8-13
10.34.32 Pharmacist Administration of Vaccinations	CA 4-28-14
10.34.33 Prescription Drug Repository Program	CA 5-9-16
10.34.34 Pharmacy Technicians	CA 7-1-15
10.34.35 Infusion Pharmacy Services in an Alternate Site Care Environment	IA 3-1-12
10.34.36 Pharmaceutical Services to Residents in Assisted Living Programs & Group Homes	IA 6-15-13
10.34.37 Pharmacy Permit Holder—Wholesale Distribution	IA 7-1-14
10.34.38 Pharmacy Interns	IA 7-1-15
10.34.39 Pharmacist Administration of Self-Administered Drugs	IA 5-9-16
Subtitle 35 POSTMORTEM EXAMINERS COMMISSION	
10.35.01 Medical Examiner Cases	CA 11-24-14
10.35.02 Testing Blood and Breath for Alcohol	IA 10-4-10
ů – Elektrik	
Subtitle 36 BOARD OF EXAMINERS OF PSYCHOLOGISTS	
10.36.01 Procedures	CA 5-25-15
10.36.02 Continuing Education	CA 5-25-15
10.36.03 Procedure for Board Hearings	CA 5-25-15
10.36.05 Code of Ethics and Professional Conduct	CA 5-25-15
10.36.06 Fee Schedule	CA 5-25-15
10.36.07 Psychology Associate	CA 5-25-15
10.36.08 Disciplinary Sanctions and Monetary Penalties	CA 5-25-15
10.36.09 Child Custody Evaluations in Family Law Proceedings	IA 8-22-11
10.00.00 China Cubicay Evaluations in Farmy Law Frocedurigs	1/ \ 0-22-11

# CHAPTERS THAT HAVE BEEN TRANSFERRED, REPEALED, OR VACANT

Subtitle 36 BOARD OF EXAMINERS OF PSYCHOLOGISTS

10.36.04 Expungement of Board Records

Repealed

Chapte	r Codification: 10.31.01						
Chapte	Chapter Name: Code of Conduct for Board Members and Investidators						
Authori	Authority: Health – General Article, §2–104, Health Occupations Article, §§1–203, 1A–205, 2–205, 3– 205, 4–205, 5–205, 6–206, 7–205, 9–205, 10–205, 11–205, 12–205, 13–206, 14–205, 16– 205, 17–205, 18–206, 19–205, 20–205 and 21–205, Annotated Code of Maryland						
Date O	riginally Adopted or Last Amended: July 24, 2000						
Purpos	e: This chapter establishes a code of conduct for members of health occupation boards, except the Board of Nursing, within the Maryland Department of Health and for investigators employed by the health occupation boards.						
	<b>view Criteria.</b> (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 6002.20E)						
(1)	Do the regulations continue to be necessary for the public interest? X Yes No						
(2)	(2) Do the regulations continue to be supported by statutory authority and judicial opinion? $X$ Yes $No$						
	Are the regulations obsolete or otherwise appropriate for amendment or repeal? Yes X No						
(4)	Are the regulations effective in accomplishing their intended purpose? $\begin{bmatrix} X \\ \end{bmatrix}$ Yes $\begin{bmatrix} \\ \end{bmatrix}$ No						
B. Out	reach 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.						
	All Health Occupations Boards were notified of the review and invited to submit comments. None submitted comments.						
	(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.						
	None						

- (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 regulation review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notice of the review and request for comments was posted on the Department's website for at least 30 days.

- (4) Provide summaries of:
  - (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments received.

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

None

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

N/A

(7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

Three states have substantively similar regulations in place for at least one health licensing board.

(8) Provide a summary of any other relevant information gathered.

None.

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 X No
Has the agency promulgated all regulations required by recent legislation? X Yes No
Provide explanations of the above responses, as needed:

No legislation has been enacted recently on this topic.

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

XX no action

Summary:

This chapter continues to be supported by statutory authority and is effective in accomplishing its intended purpose. Therefore, no action is required at this time.

Person performing review:

Kristen Neville

Title:

Legislation & Regulations Specialist

Chapte	er Coo	dification: 10.31.02					
Chapte	er Nar	me: Tax Compliance Regulations					
Authority: Health Occupations Article, §§1–213, 1A–205, 2–205, 3–205, 4–205, 7–205, 8–205, 9– 205, 10–205, 11–205, 12–205, 13–206, 14–205, 16–205, 17–205, 18–206, 19–205, Annotated Code of Maryland							
Date C	Drigina	ally Adopted or Last Amended: March 15. 2004					
Purpos	i c	This chapter requires a health occupation board to notify a renewal applicant, who has been identified as delinquent in paying all undisputed tax obligations or unemployment insurance contributions that their application for renewal will be denied unless a verification, attesting to payment of all outstanding obligations, is received within 30 days.					
<b>A. Re</b> 01.01.3		<b>Criteria.</b> (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR .20E)					
(2)	Do th	he regulations continue to be necessary for the public interest? X Yes No					
(3)	No         (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal?         X       Yes         No						
		the regulations effective in accomplishing their intended purpose? X Yes No <b>ch and Research.</b> (State Government Article, §10-135(a)(2)(i)–(viii), Annotated Code of Maryland					
(1)		any stakeholders invited to review the regulations and provide a summary of their participation in input into the review process.					
		Health Occupations Boards were notified of the review and invited to submit comments. None bmitted comments.					
(2)		any other affected agencies that were invited to review the regulations and provide a summary of r participation in and input into the review process.					
	No	ne					
(3)		scribe the process used to solicit public comment, including: 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 regulation review;
- (d) any mailing by the adopting authority; and
- (e) any public hearing held.

Notice of the review and request for comments was posted on the Department's website for at least 30 days.

- (4) Provide summaries of:
  - (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments received.

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

None

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

N/A

(7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

None

(8) Provide a summary of any other relevant information gathered.

None.

**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 Х Х Yes No

Has the agency promulgated all regulations required by recent legislation?

Provide explanations of the above responses, as needed:

No legislation has been enacted recently on this topic.

- **D. Actions Needed.** (State Government Article, §10-135(a)(2)(ix) (xi), Annotated Code of Maryland)
  - XX amendment

Summary:

Add four citations to the statutory authority for COMAR 10.31.02. Two cites (Health Occupations Article, §§20–205 and 21–205) are for Boards which were not established at the time that this regulation chapter was originally enacted. The citations Health Occupations Article, §§5–205 and 6–206 were not included in the statutory authority previously and should be added.

Additionally, the exception for the Board of Dietetic Practice, COMAR 10.31.02.01B(1) should be repealed. The Board has always complied with the process prescribed in the regulations, so the exception does not reflect current practice.

Person performing review:

**Kristen Neville** 

Title:

Legislation & Regulations Specialist

Chapter Codification:		on:	COMAR 10.32.04
Chapter Name: Deleg		Deleg	ation of Duties by a Licensed Physician-Psychiatrist to a Psychiatrist's Assistant
Authority: Health Occupations Article, §§14-205, 14-302, and 14-306, Annotated Code of Maryla			

Date Originally Adopted or Last Amended: Effective date: May 24, 1982 (9:10 Md. R. 1022), last amended effective October 10, 2016 (43:20 Md. R. 1110)

Purpose: This chapter concerns the registration of psychiatrist's assistants before October 1, 1993, and re-registration and discipline of psychiatrist's assistants currently registered by the Board of Physicians. The recent amendments were to remove reinstatement; there are currently less than 10 still registered.

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.3002.20E)

- (1) Do the regulations continue to be necessary for the public interest? X Yes No
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? X Yes No

Х

No

No

- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal?
- (4) Are the regulations effective in accomplishing their intended purpose?  $\begin{bmatrix} X \end{bmatrix}$  Yes
- **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.

The regulations were posted on the Board website for 30 days in August/September 2016 inviting all stakeholders to submit comments for consideration.

(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.

In October 2016 a communication was sent out to DHMH internal units, other affected units and state agencies for comment.

- (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 regulation review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The regulations were published in the Md. Register, Volume 43, Issue 19, page 1069 and also posted on the Board of Physician's website for 30 days during August 2016 to September 2016.

(4) Provide summaries of:

(a) all comments received from stakeholders, affected units, or the public; and (b) the adopting authority's responses to those comments.

No comments received.

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

None

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

In review of other states, a "Psychiatric Assistant" seems to encompass a variety of titles, training and educational paths and employment. It appears that there is no provider category with consistent, comparable criteria.

(7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

Across state lines, a "Psychiatric Assistant" seems to encompass a variety of titles, training and educational paths and employment. It appears that there is no provider category with consistent, comparable criteria.

(8) Provide a summary of any other relevant information gathered.

None.

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? X Yes No
 Provide explanations of the above responses, as needed:

There are no policy statements, guidelines, or standards being applied, nor is there any recent legislation that requires the promulgation of regulations.

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

✓ no action

Summary:

"Psychiatrist's assistant" is defined as an individual who applied for registration on or before October 1, 1993, and was registered by the Board to perform medical duties which would normally be performed by a psychiatrist. Because this particular category of providers has been grandfathered in, there will be no new applications for registration. Recent changes to the regulations eliminated the 3 month grace period for reinstatement. At the same time the Board included amendments to the fees charged these providers.

COMAR 10.32.04.10 states that "The Board shall establish fees for application, registration, re-registration, late registration, and reinstatement of psychiatrist's assistants." To date, the Board has never established fees in regulations, the fee is currently \$20 and is not in alignment with other licensees in other health occupation categories. The Board's 2013 Sunset legislation, Chapter 401 Acts of 2013 (HB 1096) added two requirements related to the establishment of fees; Health Occupations Article §14-205(12) requires the Board to "establish fees that are adequate to fund the effective regulation of physicians and allied health professionals," and §14-205(16) to "develop and adopt a budget that reflects revenues and supports the costs associated with each allied health profession regulated by the Board." The proposed fee provisions of the proposal were not approved.

Given that there are only 10 active registrations with the Board, and the prior effort to amend the regulations was not approved, the Board recommends no action at this time.

Person performing review:

Wynee E. Hawk

Title: Manager, Policy & Legislation

Chapter Codification:		dification:	COMAR 10.32.07		
Chapter Name: Unlice			ensed Medical Pract	itioners	
Authority: Health Occupations Article, §§14-205, 14-207, 14-302, and 14-404, Annotated Code					
Date O	rigina	ally Adopted	or Last Amended:	Originally adopted: February 11, 1985; Last amended 1995	
Purpos	· · ·	•	-	practitioners in medical training programs, clinical clerkships equiring registration with the Board of Physicians.	
<b>A. Re</b> v 01.01.3		•	ate Government Arti	cle, §10-132(1)(i), Annotated Code of Maryland; COMAR	
(1)	Do th	e regulation	s continue to be nec	cessary for the public interest? $\Box$ Yes $X$ No	
(2)	Do th	e regulation	s continue to be sup	ported by statutory authority and judicial opinion? Yes $X$ No	
(3)	Are th	he regulatior	ns obsolete or otherv	wise appropriate for amendment or repeal? X Yes No	
				plishing their intended purpose? $\Box$ Yes $X$ No	
B. Out	treac	h and Rese	arch. (State Govern	ment Article, §10-135(a)(2)(i)–(viii), Annotated Code of Maryland)	
<ol> <li>List any stakeholders invited to r and input into the review process</li> </ol>				w the regulations and provide a summary of their participation in	
			were posted on the to submit comment	Board website for 30 days in August/September 2016 inviting s for consideration.	
. ,		•	ected agencies that in and input into the	were invited to review the regulations and provide a summary of e review process.	
	1		6 a communication v for comment.	vas sent out to DHMH internal units, other affected units and	
(3)			cess used to solicit   blished in the <u>Maryla</u>	oublic comment, including: and 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 regulation review;
- (d) any mailing by the adopting authority; and
- (e) any public hearing held.

The regulations were published in the Md. Register, Volume 43, Issue 19, page 1069 and also posted on the Board of Physician's website for 30 days during August 2016 to September 2016.

- (4) Provide summaries of:
  - (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments received.

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

None.

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

None found.

(7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

In a state by state comparison, 17 additional states do not require registration or any other form of licensure for medical school graduates in training.

(8) Provide a summary of any other relevant information gathered.

Review of the Federation of State Medical Boards report of resident licensure and other state statutes.

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

X

No

Has the agency promulgated all regulations required by recent legislation?

Provide explanations of the above responses, as needed:

There is a current proposal from the Board to repeal COMAR 10.32.07. These regulations are obsolete as a result of the passage of legislation, the Board's Sunset (Senate Bill 549/House Bill 1265) during the 2017 legislative session. In that legislation, a medical student is an exception to licensure, however, the legislation removed the requirement for the Board to perform a criminal history record check. This was the only statutory authority the Board had relative to unlicensed medical practitioners. The other nuance is that the bill as introduced, inserted a new section 14-302.2 which was to further clarify the Board's disciplinary authority over UMPs--that provision was amended out. Other than the CHRC requirement that was in §14-302 and amended out in the Sunset, there is no specific authority in statute for the Board to require registration or charge a fee for that registration required by the regulations.

As a result of the Governor's current moratorium on proposed regulations, a request for an exemption for this proposal was submitted to the Governor's Office on August 15, 2017 and the Department is currently awaiting approval to proceed.

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

✓ repeal

Summary:

COMAR 10.32.07 are not supported by statute and should be repealed.

This proposed action is currently before the Governor's Office for approval to proceed with promulgation (see §C above).

Person performing review:

Wynee E. Hawk

Title: Manager, Policy & Legislation

Chapter Codification:		ition:	COMAR 10.32.12			
Chapter Name: Deleg		•		ensed Physician to an Assistant Not Otherwise Authorized unde icle or the Education Article	эr	
Authority:		Ith Gene e of Mar		4 and 19-118; Health Occupations Article, §14-306; Annotated		
Date Origi	nally A	dopted of	or Last Amended:	Effective June 12, 2000, last amended March 2016		
Purpose:	Se: This chapter governs the delegation of acts by a physician to an assistant not otherwise authorized under the Health Occupations Article or the Education Article, Annotated Code of Maryland.					
<b>A. Revie</b> 01.01.300			te Government Arti	cle, §10-132(1)(i), Annotated Code of Maryland; COMAR		

- (1) Do the regulations continue to be necessary for the public interest?
- (2) Do the regulations continue to be supported by statutory authority and judicial opinion? X Yes No

No

No

- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal?  $\$  Yes  $\$
- (4) Are the regulations effective in accomplishing their intended purpose?  $\begin{bmatrix} X \end{bmatrix}$  Yes
- **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.

The regulations were posted on the Board website for 30 days in August/September 2016 inviting all stakeholders to submit comments for consideration.

(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.

In October 2016 a communication was sent out to DHMH internal units, other affected units and state agencies for comment.

- (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 regulation review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The regulations were published in the Md. Register, Volume 43, Issue 19, page 1069 and also posted on the Board of Physician's website for 30 days during August 2016 to September 2016.

- (4) Provide summaries of:
  - (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments received.

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

None.

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

None found.

(7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

Across state lines, the criteria for how and to whom a Licensed Physician delegates to an Assistant Not Otherwise Authorized seems to encompass a variety of titles, training, educational paths and employment. This is not a provider category with consistent, comparable criteria.

(8) Provide a summary of any other relevant information gathered.

None.			

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?

Has the agency promulgated all regulations required by recent legislation?

Yes X No

Provide explanations of the above responses, as needed:

There are no policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations. In terms of recent legislation that requires the promulgation of regulations, there is a pending proposal to amend the regulations, which is under consideration as of the publication of this evaluation.

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

✓ no action

Summary:

The Board has consistently amended and updated these provisions as needed. Currently, the Board has proposed to amend COMAR 10.32.12 to allow for the delegation of certain steps in the dispensing of prescription drugs by a physician to an unlicensed assistant, so this COMAR chapter is not in conflict with State statute and other proposed regulations.

Given that there are current pending regulations under consideration by the Department, the Board recommends no further action at this time.

Person performing review: Wyne

Wynee E. Hawk

Title: Manager, Policy & Legislation

Chapter C	Codific	ation	COMAR 10.32.13		
•			ician License by Cor		
Chapter N	Name:				
Authority:			cupations Article, §§ laryland; Chapter 27	14-205, 14-206, 14-301, 14-302, 14-307—319, Annotated 3 (1993)	
Date Orig	inally /	Adopted	or Last Amended:	Effective date: November 22, 1993	
Purpose: These regulations establish the qualifications for an individual to become lie to practice medicine by virtue of conceded eminence and authority in the p limits on the license.					
<b>A. Revie</b> 01.01.300		•	ate Government Arti	cle, §10-132(1)(i), Annotated Code of Maryland; COMAR	
(1) Do	o the re	gulation	is continue to be nec	cessary for the public interest? X Yes No	
(2) Do	o the re	gulation	is continue to be sup	poprted by statutory authority and judicial opinion? $X$ Yes $X$	
		•		wise appropriate for amendment or repeal? X Yes No	
		-		ment Article, §10-135(a)(2)(i)–(viii), Annotated Code of Maryland)	
	-		lders invited to revie e review process.	w the regulations and provide a summary of their participation in	
	The regulations were posted on the Board website for 30 days in August/September 2016 inviting all stakeholders to submit comments for consideration.				
(2) List any other affected agencies that were invited to review the regulations and provide a su their participation in and input into the review process.					
In October 2016 a communication was sent out to DHMH i state agencies for comment.				was sent out to DHMH internal units, other affected units and	
(a (b	) any r ) any r ) any n	otice pu otice pu	Iblished in the <u>Maryla</u> Iblished in newspape Isted on the unit's we	public comment, including: <u>and Register;</u> ers of general circulation; ebsite or on a Statewide website created for units to post notices o	

- (d) any mailing by the adopting authority; and
- (e) any public hearing held.

The regulations were published in the Md. Register, Volume 43, Issue 19, page 1069 and also posted on the Board of Physician's website for 30 days during August 2016 to September 2016.

(4) Provide summaries of:

(a) all comments received from stakeholders, affected units, or the public; and

(b) the adopting authority's responses to those comments.

No comments received.

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

None.

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

None found.

(7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

Licensure is a state medical board function and a review of other states laws identifies 9 states, in addition to Maryland, that have this type of medical license.

(8) Provide a summary of any other relevant information gathered.

None.

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?

Provide explanations of the above responses, as needed:

The Board made a policy decision to comprehensively amend the Conceded Eminence regulations in 2017. As of the preparation of this evaluation, the regulations are in the final stages of approval and therefore the anticipated amended and revised regulations continue to be effective in accomplishing the intended purpose of the regulations.

As a result of the Governor's current moratorium on proposed regulations, a request for an exemption for this proposal was submitted to the Governor's Office on August 15, 2017 and the Department is currently awaiting approval to proceed.

D. Actions Needed. (State Government Article, §10-135(a)(2)(ix) - (xi), Annotated Code of Maryland)

amendment

Summary:

The Board is in the final stages of amending and updating these regulations. This proposed action is currently before the Governor's Office for approval to proceed with promulgation (see §C above).

Person performing review:

Wynee E. Hawk

Yes

No

Title: Manager, Policy & Legislation

Chapter Codification: COMAR					COMAR 10.32.14		
C٢	apte	r Nan	ne:	Unlice	ensed X-Ray Assista	ant	
Au	Authority: Health Occupations Article, §§14-205 and 14-306, Annotated Code of Maryland						
Da	te O	rigina	lly Ad	opted	or Last Amended:	Effective date: April 25, 1994, last amended March 2004	
Purpose: The regulations set requirements for an individual to obtain a certificate authorizing the individual to perform X-ray duties without a license as described in Health Occupations Artic §14-306(e), Annotated Code of Maryland.						s without a license as described in Health Occupations Article,	
		view ( 002.2		<b>a.</b> (Sta	ate Government Arti	icle, §10-132(1)(i), Annotated Code of Maryland; COMAR	
	(1)	Do th	e regu	lation	s continue to be neo	cessary for the public interest? X Yes No	
	(2)	Do th	e regu	lation	s continue to be sup	ported by statutory authority and judicial opinion? $\begin{tabular}{c} X \\ \hline X \\ \hline$	
	(3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? $\Box$ Yes $X$ No						
	(4) Are the regulations effective in accomplishing their intended purpose? X Yes No						
В.	Out	react	h and	Resea	arch. (State Govern	ment Article, §10-135(a)(2)(i)–(viii), Annotated Code of Maryland)	
	• •		•		ders invited to revie review process.	w the regulations and provide a summary of their participation in	
		all s Mar reta	stakeh ryland ain the	olders Radio regula	to submit comment logical Society (MR ations. MRS submit	e Board website for 30 days in August/September 2016 inviting ts for consideration. Also the Board reached out to the S) via telephone and email asking for input on the need to tted the issue for discussion at their monthly Board meeting d was to retain the regulations.	

(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.

In October 2016 a communication was sent out to DHMH internal units, other affected units and state agencies for comment.

- (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 regulation review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The regulations were published in the Md. Register, Volume 43, Issue 19, page 1069 and also posted on the Board of Physician's website for 30 days during August 2016 to September 2016.

- (4) Provide summaries of:
  - (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments received other than MRS as discussed in (1).

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

None

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

None found.

(7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

Certification of unlicensed X-Ray Assistants is authorized under Maryland State law. Across state lines, an "Unlicensed X-Ray Assistant" seems to encompass a variety of health occupations, titles, training and educational paths and employment. It appears that there is no provider category with consistent, comparable criteria.

(8) Provide a summary of any other relevant information gathered.

None.

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?

Has the agency promulgated all regulations required by recent legislation?

Provide explanations of the above responses, as needed:

There are no policy statements, guidelines, or standards being applied, nor is there any recent legislation that requires the promulgation of regulations.

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

✓ no action

Summary:

The Board was considering a recommendation to repeal these regulations based on the fact that the Board has not received any requests or notifications from the Maryland Radiological Society (MRS) since 2002, and no certifications have been issued since 2002. Additionally, while the Board issues a certification, there is no ongoing oversight of these practitioners. MRS, however, is concerned that they may get a request in the future, and has requested this option not be repealed at this time.

Person performing review:

Wynee E. Hawk

Title:

Manager, Policy & Legislation

No

		_		
Chapter Codification:		COMAR 10.32.15		
Chapter Name: Regis		Regist	tration of Physicians	s to Perform Acupuncture
Authority:	Health Occupations Article, §14-504, Annotated Code of Maryland			
Date Originally Adopted or Last Amended: Effective date: September 11, 1995				Effective date: September 11, 1995
Purpose: The regulations require a physician to register to perform acupuncture, and meet certain training qualifications to qualify for registration.				

**A. Review Criteria.** (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 01.01.3002.20E)

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

The regulations were posted on the Board website for 30 days in August/September 2016 inviting all stakeholders to submit comments for consideration.

(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.

In October 2016 a communication was sent out to DHMH internal units, other affected units and state agencies for comment.

- (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 regulation review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The regulations were published in the Md. Register, Volume 43, Issue 19, page 1069 and also posted on the Board of Physician's website for 30 days during August 2016 to September 2016.

- (4) Provide summaries of:
  - (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments received.

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

None.

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

None found.

(7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

The statutory requirements for specific hours and acupuncture training are decided on a state by state basis. States determine the legal standards for all licensed acupuncturists, including medical acupuncturists. Most states have legal requirements based on the guidelines put forth by the World Health Organization (WHO) and World Federation of Acupuncture and Moxibustion Societies (WFAS). Those organizations drafted the WHO and WFAS Guidelines on Basic Training & Safety in Acupuncture in 1996 (printed in 1999). Those guidelines explain the difference in educational requirements between physician acupuncturists and other licensed acupuncturists. There is variability between states on the requirements.

(8) Provide a summary of any other relevant information gathered.

None.			

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?

Has the agency promulgated all regulations required by recent legislation?

No

Х

Yes

Provide explanations of the above responses, as needed:

There are no policy statements, guidelines, or standards being applied, nor is there any recent legislation that requires the promulgation of regulations.

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

✓ no action

Summary:

COMAR 10.32.15 continue to be effective in accomplishing the intended purpose and the Board recommends that no action is needed at this time.

Person performing review:

Wynee E. Hawk

Title:

Manager, Policy & Legislation

Chapter Codification:		tion:	COMAR 10.32.16	
Chapter N	ame:	Petitio	n for Declaratory Ru	Jling
Authority:	Sta	te Gove	rnment Article. §§1	0-301—10-305. Annotated Code of Marvland
Date Origi	nally A	dopted o	or Last Amended:	Effective date: April 5, 1999
Purpose:		0	•	edures for an interested person to petition for a declaratory or submission, consideration and disposition of the petition.
<b>A. Reviev</b> 01.01.300		<b>ria.</b> (Sta	te Government Arti	cle, §10-132(1)(i), Annotated Code of Maryland; COMAR
(1) Do	the reg	gulations	continue to be nec	essary for the public interest? X Yes No
(2) Do the regulations continue to be supported by statutory authority and judicial opinion? $X$ Yes (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal? Yes $X$				
B. Outrea	ach an	d Resea	rch. (State Govern	ment Article, §10-135(a)(2)(i)–(viii), Annotated Code of Maryland)
	-		ders invited to reviev review process.	w the regulations and provide a summary of their participation in
	0		were posted on the to submit comment	Board website for 30 days in August/September 2016 inviting s for consideration.

(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.

In October 2016 a communication	was sent out to	DHMH internal	units, othe	r affected	units and
state agencies for comment.					

- (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 regulation review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The regulations were published in the Md. Register, Volume 43, Issue 19, page 1069 and also posted on the Board of Physician's website for 30 days during August 2016 to September 2016.

- (4) Provide summaries of:
  - (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments received.

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

None.

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

None found.

(7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

A declaratory ruling is a statutorily prescribed administrative procedure with respect an inquiry related to the manner in which the Board would apply a regulation, order or statute. There is variability among states in how these issues are decided, and the required process for the interested party and the agency.

(8) Provide a summary of any other relevant information gathered.

None.

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?

Has the agency promulgated all regulations required by recent legislation?

Provide explanations of the above responses, as needed:

There are no policy statements, guidelines, or standards being applied, nor is there any recent legislation that requires the promulgation of regulations.

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

✓ no action

Summary:

COMAR 10.32.16 continue to be effective in accomplishing the intended purpose and the Board recommends that no action is needed at this time.

Person performing review:

Wynee E. Hawk

Х

Yes

No

Title:

Manager, Policy & Legislation

Chapter C	Codificat	ion:	COMAR 10.32.17					
Chapter N	lame:	Sexua	al Misconduct					
Authority:	Hea	alth Occ	upations Article, §1	-212, Annotated Code of Maryland				
Date Orig	inally Ac	dopted o	or Last Amended:	Effective date: March 6, 2000				
Purpose:	Purpose: This chapter prohibits sexual misconduct against patients or key third parties by individuals licensed or certified under Health Occupations Article, Titles 14 and 15, Annotated Code of Maryland.							
<b>A. Revie</b> 01.01.300		r <b>ia.</b> (Sta	ite Government Artio	cle, §10-132(1)(i), Annotated Code of Maryland; COMAR				
(1) Do	the reg	ulations	s continue to be nec	essary for the public interest? X Yes No				
(2) Do	the reg	ulations	s continue to be sup	ported by statutory authority and judicial opinion? X Yes				
				vise appropriate for amendment or repeal? X Yes No				
(4) Are	e the reo	gulation	s effective in accom	plishing their intended purpose?				
B. Outrea	ach and	l Resea	arch. (State Govern	ment Article, §10-135(a)(2)(i)–(viii), Annotated Code of Maryland)				
• • •	-		ders invited to review review process.	w the regulations and provide a summary of their participation in				
			were posted on the to submit comment	Board website for 30 days in August/September 2016 inviting s for consideration.				
• • •	-		ected agencies that in and input into the	were invited to review the regulations and provide a summary of e review process.				
			a communication w or comment.	vas sent out to DHMH internal units, other affected units and				
(a)	any no	tice put	blished in the Maryla	public comment, including: and Register; ers of general circulation:				

- (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulation review;
- (d) any mailing by the adopting authority; and
- (e) any public hearing held.

The regulations were published in the Md. Register, Volume 43, Issue 19, page 1069 and also posted on the Board of Physician's website for 30 days during August 2016 to September 2016.

- (4) Provide summaries of:
  - (a) all comments received from stakeholders, affected units, or the public; and (b) the adopting authority's responses to those comments.

No comments received.

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

None.

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

None.

(7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

Sexual misconduct by physicians is an issue that affects all geographic jurisdictions, however, it is regulated by state medical boards versus the federal government. It is within each state medical board's responsibility to protect the public it serves. The Federation of State Medical Boards (FSMB) has compiled guidelines to provide a framework for discipline in dealing with sexual misconduct cases, including efforts to educate licensees. Additionally, the Board has reviewed other state regulations to evaluate the need to update language and terminology in the current Marvland regulations.

(8) Provide a summary of any other relevant information gathered.

The Board's most recent Sunset Review in December 2016 was reviewed as it raised issues related to the Board's sexual misconduct reporting. Greater transparency and more specificity in reporting was recommended and ultimately included in the Sunset legislation that passed. The Board plans to evaluate the regulations, processes, and utilize the existing statutory authority in Health Occupations, §1-212, Md. Code Annotated to strengthen oversight and enhance transparency.

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?

Has the agency promulgated all regulations required by recent legislation?

Yes No

Х

Provide explanations of the above responses, as needed:

There are no policy statements, guidelines, or standards being applied, nor is there any recent legislation that requires the promulgation of regulations.

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

#### Summary:

The Board is planning to review and evaluate COMAR 10.32.17 in light of the 2016 Sunset recommendations for transparency, the FSMB guidelines, and a comparison to other states regulations. The current regulations have not been amended since enacted in 2000. The ongoing objective is to strengthen the Board's oversight of sexual misconduct cases to better serve the public.

-			Г
Person	performing	rev/iew/.	
1 013011	penonning	ICVICVV.	

Wynee E. Hawk

Title:

Manager, Policy & Legislation

Chapter Co	odificat	ion:	COMAR 10.32.18			
Chapter Na	ame:	Comp	elling Purpose Disclosure			
Authority:	Health Occupations Article, §§14-405 and 14-411; State Government Article, §10-617(h)(3); Annotated Code of Maryland					
Ū	ally A	dopted	or Last Amended: Effective date: June 10, 2002			
Purpose: The regulations set forth the criteria for when the Board may disclose certain info contained in the Board's record.						
<b>A. Review</b> 01.01.3002		<b>ria.</b> (Sta	ate Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR			
(1) Do t	(1) Do the regulations continue to be necessary for the public interest? X Yes No					

(2) Do the regulations continue to be supported by statutory authority and judicial opinion?

Х

No

No

- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal?
- (4) Are the regulations effective in accomplishing their intended purpose?  $\begin{bmatrix} X \end{bmatrix}$  Yes
- 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.

The regulations were posted on the Board website for 30 days in August/September 2016 inviting all stakeholders to submit comments for consideration.

(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.

In October 2016 a communication was sent out to DHMH internal units, other affected units and state agencies for comment.

- (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 regulation review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

The regulations were published in the Md. Register, Volume 43, Issue 19, page 1069 and also posted on the Board of Physician's website for 30 days during August 2016 to September 2016.

- (4) Provide summaries of:
  - (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments received.

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

None.

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

None.

(7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

The provisions in the regulations are consistent with other state board disclosure regulations.

(8) Provide a summary of any other relevant information gathered.

None.
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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?

Has the agency promulgated all regulations required by recent legislation?

Provide explanations of the above responses, as needed:

There are no policy statements, guidelines, or standards being applied, nor is there any recent legislation that requires the promulgation of regulations.

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

✓ no action

Summary:

COMAR 10.32.18 continue to be effective in accomplishing the intended purpose and no action is recommended.

Person performing review:

Wynee E. Hawk

Title:

Manager, Policy & Legislation

				2012 - 2020
Chapter C	Codification	tion:	10.34.02	
Chapter N	lame:	Exam	ination for Licensure	and Professional Experience Programs
Authority:	Hea	alth Occ	cupations Article, §1	2-205, Annotated Code of Maryland
Date Orig	inally A	dopted	or Last Amended:	July 3, 2017
Purpose:	licens schoo	e to pra l accreo	ctice pharmacy grad dited by the Accredit	476 2016 Legislative Session-Requiring that, applicants for a duate from a recognized English-speaking professional ation Council for Pharmacy Education as acceptable proof of of the English language.
<b>A. Revie</b> 01.01.300		<b>ria.</b> (Sta	ate Government Arti	cle, §10-132(1)(i), Annotated Code of Maryland; COMAR
(1) Do	the reg	gulations	s continue to be nec	essary for the public interest? X Yes No
(2) Do	the reg	gulations	s continue to be sup	ported by statutory authority and judicial opinion? X Yes No
(3) Are	e the re	gulation	s obsolete or otherv	vise appropriate for amendment or repeal? Yes X No
(4) Are	e the re	gulation	s effective in accom	plishing their intended purpose? X Yes No
B. Outrea	ach an	d Resea	arch. (State Govern	ment 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.

Maryland Pharmacy Association, all licensees, registrants and permit holders, notice placed on Board's web site August 22, 2016.

(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.

No other agencies were affected.

- (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 regulation review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Email blast sent to all licensees, registrants and permit holders, notice placed on Board's web site August 22, 2016. Published in the October 14, 2016 <u>Maryland Register</u>.

(4) Provide summaries of:

(a) all comments received from stakeholders, affected units, or the public; and

(b) the adopting authority's responses to those comments.

(a) MPhA- The language related to the English Competency exam needs to be updated to comply with 2016 HB 117.

(b) The Board acknowledges that the referenced chapter be amended, specifically, amending COMAR 10.34.02.03 D. Proof of Proficiency in English. The Board at a previous meeting approved to amend this section. This amendment was printed as a proposal in the March 31, 2017 <u>Maryland Register</u> and was adopted in the June 23, 2017 <u>Md.R.</u> with an effective date of July 3, 2017.

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

No interunit conflict was reported.

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

No relevant data was found.

(7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

There are no corresponding regulations under the federal regulations. Checked surrounding states and found no significant differences.

(8) Provide a summary of any other relevant information gathered.

No other relevant information was gathered.

C.	Under COMAR 01.01.2003.20E(3)	, does t	he ager	ncy have any existing policy statements, guidelines, or
	standards being applied or enforce	<u>ed which</u>	n sh <u>ould</u>	be promulgated as regulations, in accordance with the
	Administrative Procedure Act?	Ye	S X	No

Has the agency promulgated all regulations required by recent legislation?

Provide explanations of the above responses, as needed:

HB 227 and SB 469 was enacted into law under Chapters 475 and 476 of the 2016 Legislative Session which required Pharmacy license applicants, graduate from a English-speaking professional school accredited by the Accreditation Council for Pharmacy Education as acceptable proof of proficiency in the oral communication of the English language. This amendment was printed as a proposal in the March 31, 2017 <u>Maryland Register</u> and was adopted in the June 23, 2017 <u>Maryland Register</u> with an effective date of July 3, 2017.

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

X no action

Summary:

The Board reviewed and discussed the need for regulatory review at its September 21, 2016 public Board meeting. After the proposed review was posted in the <u>Maryland Register</u>, one comment was received. The Board voted on the approved response at its December 21, 2016 public Board meeting and, and as a result the proposal as discussed in §B(4) and §C was subsequently adopted and is currently in effect.

Person performing review: Title: Brian K. Logan

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Yes

No

Legislative Liaison

Cha	apter C	odifica	tion:	10.34.04			
Cha	apter Na	ame:	Tran	sfer and Outsourcing	g of Prescriptions and Prescription Orders		
Authority: Health Occupations Article, §12-205, Annotated Code of Maryland							
Dat	te Origii	nally A	dopted	or Last Amended:	June 25. 2001		
Pur	rpose:	filling	of pres	scriptions at one pha	erns the transfer of prescriptions between pharmacies; the armacy pursuant to the request of staff of a second pharmacy; on for stock and investigational use.		
	<b>Reviev</b> 01.3002		•	tate Government Art	ticle, §10-132(1)(i), Annotated Code of Maryland; COMAR		
	(1) Do	the reg	gulatior	ns continue to be nee	cessary for the public interest? X Yes No		
	(2) Do	the reg	gulatior	ns continue to be sup	pported by statutory authority and judicial opinion? $\begin{tabular}{c} X \\ \hline X \end{tabular}$ Yes $\begin{tabular}{c} No \\ \hline No \end{tabular}$		
	(3) Are	the re	gulatio	ons obsolete or other	wise appropriate for amendment or repeal? Yes $X$ No		
	(4) Are	the re	gulatio	ons effective in accor	mplishing their intended purpose? X Yes No		
В.	Outrea	ich an	d Rese	earch. (State Goverr	nment Article, §10-135(a)(2)(i)–(viii), Annotated Code of Maryland)		
	(1) Lis	t any s	stakeho	olders invited to revie	ew the regulations and provide a summary of their participation in		

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

Maryland Pharmacy Association, all licensees, registrants and permit holders, notice placed on Board's web site August 22, 2016.

(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.

No other agencies were affected.

- (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 regulation review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Email blast sent to all licensees, registrants and permit holders, notice placed on Board's web site August 22, 2016. Published in the October 14, 2016 <u>Maryland Register</u>.

- (4) Provide summaries of:
  - (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

(a) CVS- need language to address transfer of new or unfilled prescription, clarity of what method of communication, address a valid new/unfilled prescription and the date the prescription was first filled.

(b) The Board is satisfied with the current language of this section.

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

There was no interunit conflict.

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

No relevant data was found.

(7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

There are no corresponding regulations under the federal regulations. Checked surrounding States and found no significant differences.

(8) Provide a summary of any other relevant information gathered.

No other relevant information was gathered.

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?

Has the agency promulgated all regulations required by recent legislation?

Provide explanations of the above responses, as needed:

The Board currently does not have any existing policy statements, guidelines or standards which should be promulgated into regulations at this time.

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

X no action

Summary:

In response to the questions presented by CVS, the Board is satisfied with the current language of this chapter which the Board voted on at the December 21, 2016 public Board Meeting. Therefore, the Board recommends no action regarding this chapter at this time.

Person performing review:

Brian K. Logan

Х

Yes

No

Title:

Legislative Liaison

Chap	oter Codif	fication: 10.34.16	
Chap	oter Name	Portable Drug Kits for Licensed Home Health Agencies, Hospices, and Home Infusion Providers Licensed as Residential Services Agencies	
Autho	ority:	Health Occupations Article, §12-205, Annotated Code of Maryland	
Date	Original	ly Adopted or Last Amended: April 16, 2001	
Purp		nis chapter establishes guidelines, protocols and requirements regarding the distribution of ortable drug kits for use in Home Health Care Settings.	
	<b>eview C</b> 1.3002.20	<b>Criteria.</b> (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 0E)	
(1	1) Do the	e regulations continue to be necessary for the public interest? X Yes No	
(2	2) Do the	e regulations continue to be supported by statutory authority and judicial opinion? $\begin{tabular}{c} X \\ \hline X \end{tabular}$ Yes $\begin{tabular}{c} N \\ \hline N \end{tabular}$	lo
(3	3) Are the	e regulations obsolete or otherwise appropriate for amendment or repeal? Yes X No	
(4	4) Are the	e regulations effective in accomplishing their intended purpose? X Yes No	
в. о	utreach	and Research. (State Government Article, §10-135(a)(2)(i)–(viii), Annotated Code of Maryland)	)
	1)   :=+ ==	ny stakeholders invited to review the regulations and provide a summary of their participation in	

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

Maryland Pharmacy Association, all licensees, registrants and permit holders, notice placed on Board's web site August 22, 2016.

(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.

No other agencies were affected.

- (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 regulation review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Email blast sent to all licensees, registrants and permit holders, notice placed on Board's web site August 22, 2016. Published in the October 14, 2016 <u>Maryland Register</u>.

- (4) Provide summaries of:
  - (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments were received regarding this chapter.

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

There was no interunit conflict.

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

No relevant data was found.

(7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

There are no corresponding regulations under the federal regulations. Checked surrounding States
but could find no corresponding regulations concerning portable drug kits in Home Health Care
Settings.

(8) Provide a summary of any other relevant information gathered.

No other relevant information was gathered.

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?

Has the agency promulgated all regulations required by recent legislation?

Provide explanations of the above responses, as needed:

The Board currently does not have existing policy statements, guidelines or standards which should be promulgated into regulations at this time.

- D. Actions Needed. (State Government Article, §10-135(a)(2)(ix) (xi), Annotated Code of Maryland)
  - X no action

Summary:

There were no comments received regarding this chapter. In addition, the Board did review the chapter and determined that no changes were required at this time.

Person performing review:

Brian K. Logan

Title:

Legislative Liaison

No

	2012 - 2020
Chapter C	Codification: 10.34.24
Chapter N	Name: Record of Drug Inventory Acquisition
Authority:	Health Occupations Article, §12-205, Annotated Code of Maryland
Date Orig	inally Adopted or Last Amended: September 17, 2001
Purpose:	The purpose of this chapter is to establish minimum requirements for maintaining records by pharmacy permit holders
01.01.300	w Criteria. (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 02.20E) o the regulations continue to be necessary for the public interest? X Yes No
	the regulations continue to be supported by statutory authority and judicial opinion? $X$ Yes
(3) Are	e the regulations obsolete or otherwise appropriate for amendment or repeal? $\Box$ Yes $X$ No
(4) Are	e the regulations effective in accomplishing their intended purpose? X Yes No
B. Outrea	ach and Research. (State Government Article, §10-135(a)(2)(i)–(viii), Annotated Code of Maryland)
• •	st any stakeholders invited to review the regulations and provide a summary of their participation in Ind input into the review process.
	Maryland Pharmacy Association, all licensees, registrants and permit holders, notice placed on Board's web site August 22, 2016.

(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.

No other agencies were affected.

- (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 regulation review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Email blast sent to all licensees, registrants and permit holder, notice placed on Board's web site August 22, 2016. Published in the October 14, 2016 <u>Maryland Register</u>.

- (4) Provide summaries of:
  - (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

(a) MPhA-COMAR 10.34.24.04B - Record of Drug Inventory Acquisition – This section could use clarification, specifically related to the term "replaced." Is this an acquisition that is replaced by the distributor or returned to the distributor?

(b) The Board is reviewing the regulatory history regarding the use of the term "replaced" and will consider its use.

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

There were no interunit conflict.

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

No relevant data was found.

(7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

There are no corresponding regulations under the federal regulations. Checked surrounding States but could not find any regulation that were more stringent.

(8) Provide a summary of any other relevant information gathered.

No other relevant information was gathered.

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?

Has the agency promulgated all regulations required by recent legislation?

Provide explanations of the above responses, as needed:

The Board currently does not have any existing policy statements, guidelines or standards which should be promulgated into regulations at this time.

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

Summary:

X no action

There was one comment received regarding this chapter. The Board did review the comment at the December 21, 2016 public Board meeting and voted to consider the use of the term "replaced" after researching the history and intent of the regulations. Therefore the Board recommends no action at this time.

Person performing review:

Brian K. Logan

Yes

No

Title:

Legislative Liaison

Chapter C	Codification: 10.34.26		
Chapter N	Jame: Patient Safety Improvement		
Authority:	Health Occupations Article, §12-205, Annotated Code of Maryland		
Date Orig	inally Adopted or Last Amended: October 27. 2003		
Purpose:	<sup>2:</sup> The purpose of this chapter is to establish continual improvement of patient safety by requiring the pharmacy permit holder to provide patient and staff education, and a Quality Assurance Program.		
01.01.300	w Criteria. (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 02.20E) o the regulations continue to be necessary for the public interest? X Yes No		

(2) Do the regulations continue to be supported by statutory authority and judicial opinion? XYes

Yes

No

No

No

Х

- (3) Are the regulations obsolete or otherwise appropriate for amendment or repeal?
- Х (4) Are the regulations effective in accomplishing their intended purpose? Yes
- **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.

Maryland Pharmacy Association, all licensees, registrants and permit holders, notice placed on Board's web site August 22, 2016.

(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.

No other agencies were affected.

- (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 regulation review:
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Email blast sent to all licensees, registrants and permit holders, notice placed on Board's web site August 22, 2016. Published in the October 14, 2016 Maryland Register.

- (4) Provide summaries of:
  - (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments were received.

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

There was no interunit conflict.

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

No relevant data was found.

(7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

There is the Food and Drug Administration Safety and Innovation Act (FDASIA) which addresses continual safety improvement.

(8) Provide a summary of any other relevant information gathered.

No other relevant information was gathered.

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 X
 No

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

Provide explanations of the above responses, as needed:

The Board currently does not have any existing policy statements, guidelines or standards which should be promulgated into regulations at this time.

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

X no action

Summary:

There were no comments received regarding this chapter. In addition, the Board did review the chapter at the September 21, 2016 public Board meeting and determined that no changes were required.

Person performing review:

Brian K. Logan

Title:

Legislative Liaison

			2012 - 2020
Chapter C	odification:	10.34.27	
Chapter N	ame: Con	npelling Purpose Di	Visclosure
Authority:	Health O	ccupations Article,	§12-205, Annotated Code of Maryland
Date Origi	nally Adopte	d or Last Amended	January 7, 2002
Purpose:	information	•	to allow the custodian of records (the Board) to disclose cense or investigative file if the custodian finds a compelling
<b>A. Reviev</b> 01.01.3002	•	State Government A	Article, §10-132(1)(i), Annotated Code of Maryland; COMAR
(1) Do	the regulatio	ons continue to be r	necessary for the public interest? X Yes No
(2) Do	the regulatio	ons continue to be s	supported by statutory authority and judicial opinion? X Yes No
(3) Are	the regulation	ons obsolete or oth	nerwise appropriate for amendment or repeal? Yes X No
(4) Are	the regulation	ons effective in acc	complishing their intended purpose? X 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.

Maryland Pharmacy Association, all licensees, registrants and permit holders, notice placed on Board's web site August 22, 2016.

(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.

No other agencies were affected.

- (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 regulation review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Email blast sent to all licensees, registrants and permit holder, notice placed on Board's web site August 22, 2016. Published in the October 14, 2016 <u>Maryland Register</u>.

(4) Provide summaries of:

(a) all comments received from stakeholders, affected units, or the public; and

(b) the adopting authority's responses to those comments.

No comments were received.

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

There was no interunit conflict.

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

No relevant data was found.

(7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

No relevant information has been gathered from other states or the federal government.

(8) Provide a summary of any other relevant information gathered.

No other relevant information was gathered.

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?

Has the agency promulgated all regulations required by recent legislation?

Provide explanations of the above responses, as needed:

The Board currently does not have any existing policy statements, guidelines or standards which should be promulgated into regulations at this time.

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

X no action

Summary:

There were no comments received regarding this chapter. In addition, the Board did review the chapter at the September 21, 2016 public Board meeting and determined that no changes were required.

Person performing review:

Brian K. Logan

Х

Yes

No

Title:

Legislative Liaison

# Evaluation Report Form 2012 – 2020

	2012 – 2020			
Chapter C	Codification: 10.34.31			
Chapter N	Name: Dispensing or Distributing at a Setting That Does Not Possess a Pharmacy Permit			
Authority:	Health Occupations Article, §§12-205 and 12-307, Annotated Code of Maryland			
Date Origi	inally Adopted or Last Amended: March 1. 2004			
Purpose:	The purpose of this chapter is to allow a pharmacist, after receiving Board approval, to dispense or distribute at a setting that does not possess a pharmacy permit. The chapter also establishes the standards required for a pharmacist to dispense or distribute in a non-pharmacy setting and addresses approval during a catastrophic health emergency.			
<b>A. Revie</b> 01.01.300	<b>w Criteria.</b> (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR 02.20E)			
(1) Do	the regulations continue to be necessary for the public interest? X Yes No			
(2) Do	the regulations continue to be supported by statutory authority and judicial opinion? $X$ Yes $N$	10		

(3) Are the regulations obsolete or otherwise appropriate for amendment or repeal?  $\$  Yes  $\$  No

(4) Are the regulations effective in accomplishing their intended purpose?

- 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.

No

Maryland Pharmacy Association, all licensees, registrants and permit holders, notice placed on Board's web site August 22, 2016.

(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.

No other agencies were affected.

- (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 regulation review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Email blast sent to all licensees, registrants and permit holder, notice placed on Board's web site August 22, 2016. Published in the October 14, 2016 <u>Maryland Register</u>.

- (4) Provide summaries of:
  - (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

No comments were received.

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

There was no interunit conflict.

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

No relevant data was found.

(7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

There is no relevant information gathered from other states or the federal government.

(8) Provide a summary of any other relevant information gathered.

No other relevant information was gathered.

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

Provide explanations of the above responses, as needed:

The Board currently does not have any existing policy statements, guidelines or standards which should be promulgated into regulations at this time.

- D. Actions Needed. (State Government Article, §10-135(a)(2)(ix) (xi), Annotated Code of Maryland)
  - X no action

Summary:

There were no comments received regarding this chapter. In addition, the Board did review the chapter at the September 21, 2016 public Board meeting and determined that no changes were required.

Person performing review:

Brian K. Logan

Title:

Legislative Liaison