

**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.

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- (a) any notice published in the Maryland Register;
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- (4) Provide summaries of:
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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? Yes No

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

Provide explanations of the above responses, as needed:

N/A

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:

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Person performing review:	Amelia T. Rutledge
Title:	Administrator

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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.

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- (3) Describe the process used to solicit public comment, including:
- (a) any notice published in the Maryland Register;
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 - (d) any mailing by the adopting authority; and
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1. Publication of notice in the Maryland Register;
2. Publication of notice in newspapers of general circulation in the State;
3. Posting of notice on the unit's website; and
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- (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.

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.

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

A search will be conducted on the Internet of other States, particularly those states that surround Maryland, to find out whether they have similar regulations and how their regulations are structured.

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

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:

N/A

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:

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- repeal
- repeal and adopt new regulations
- reorganization

Summary:

Person performing review: Amelia T. Rutledge
Title: Administrator

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

Chapter Codification:

Chapter Name:

Authority:

Date Originally Adopted or Last Amended:

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Summary:

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Person performing review:

Amelia T. Rutledge

Title:

Administrator

**Regulatory Review and Evaluation Act
Evaluation Report Form
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Chapter Codification:

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

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- no action
- amendment
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Summary:

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Person performing review:	Amelia T. Rutledge
Title:	Administrator

Regulatory Review and Evaluation Act
Evaluation Report Form
2012 – 2020

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Date Originally Adopted or Last Amended:

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(check all that apply)

- no action
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- reorganization

Summary:

Person performing review:

Amelia T. Rutledge

Title:

Administrator

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

Chapter Codification: COMAR 10.25.18

Chapter Name: Health Information Exchanges: Privacy and Security of Protected Health Information

Authority: Health-General Article, §§4-301, 4-302.2, 19-101, and 19-143, Annotated Code of Maryland

Date Originally Adopted or Last Amended: March 17, 2014

Purpose: This chapter addresses the privacy and security of protected health information maintained by a health information exchange, or obtained or released by any person through a health information exchange by adopting specific requirements: To assure the privacy and security of protected health information accessed, used, or disclosed through a health information exchange, including protections for the secondary use of protected health information obtained, accessed, or released through a health information exchange.

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.

The MHCC has an ongoing HIE Policy Board that meets 10-12 times per year that has with approximately 35 active participants, including representatives from providers, consumers, the State-designated HIE, and insurance carriers. The HIE Policy Board advises MHCC staff on policies that will result in additions to 110.25.18. 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;
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Summary:

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Person performing review:

Amelia T. Rutledge

Title:

Administrator

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

April 1, 2014

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

RE: Regulatory Review and Evaluation Act:
Work Plan for COMAR 10.24 and 10.25

Dear Senator Pinsky:

In accordance with State Government Article, §§10-130—10-139, Annotated Code of Maryland, and the implementing COMAR 01.01.2003.20, the work plans for the evaluation of chapters under COMAR 10.24. and 10.25 are due April 1, 2014 and the evaluation reports are due April 15, 2015.

At this time I am certifying that a review of Subtitle 24 & 25 Maryland Health Care Commission would not be efficient or cost effective and therefore are exempt from the review process based on the fact that they have been comprehensively amended in the last 8 years.

Should there be any questions, please contact Amelia T. Rutledge, Regulations Coordinator, at (410) 764-3322.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ben Steffen", with a long horizontal flourish extending to the right.

Ben Steffen
Executive Director

Attachments

cc: Department of Legislative Reference
Gail Klakring, Division of State Documents
Amelia T. Rutledge
Bridget Zombro
Bruce Kozlowski
David Sharp
Kevin McDonald
Linda Bartnyska
Paul Parker
Siobhan Madison
Suellen Wideman