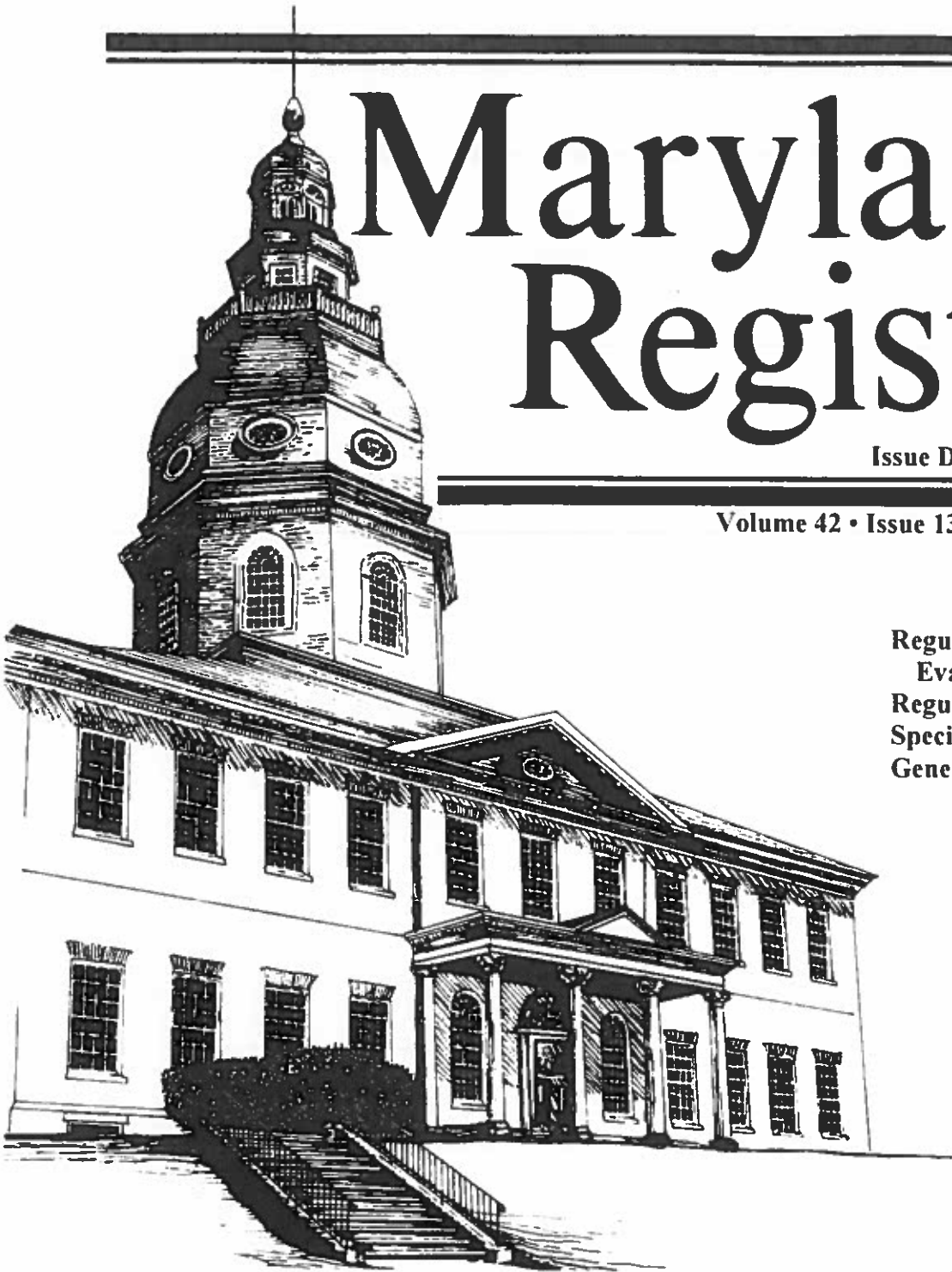

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IN THIS ISSUE

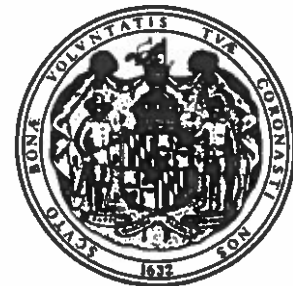
Regulatory Review and
Evaluation
Regulations
Special Documents
General Notices



Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before June 8, 2015, 5 p.m.

Pursuant to State Government Article, §7-206, Annotated Code of Maryland, I hereby certify that this issue contains all documents required to be codified as of June 8, 2015.

Brian Morris
Administrator, Division of State Documents
Office of the Secretary of State



- (3) Valid hunting license or DNRid number,
- (4)—(6) (text unchanged)
- D—G (text unchanged)

MARK J. BELTON
Secretary of Natural Resources

Subtitle 07 FORESTS AND PARKS

08.07.07 Licensed Tree Experts

Authority: Natural Resources Article, §§1-104 and 5-415—5-423, State Government Article, §10-206, Annotated Code of Maryland

Notice of Proposed Action
[15-149-P]

The Department of Natural Resources proposes to amend Regulations .07 and .08 under COMAR 08.07.07 Licensed Tree Experts

Statement of Purpose

The purpose of this action is to include language stating the continuing education requirements in the regulations as required by statute and to clarify the intent of imposition of a suspension and revocation

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. This amendment will require those renewing their tree expert license to complete continuing education instruction prior to the renewal of their license. Instruction will be offered by various entities at varying costs depending on the entity and instruction length. Attendance will result in a loss of billable hours.

II. Types of Economic Impact.	Revenue (R+/R-)	
	Expenditure (E+/E-)	Magnitude
A. On issuing agency	NONE	
B. On other State agencies	NONE	
C. On local governments	NONE	
	Benefit (+) Cost (-)	
	Magnitude	
D. On regulated industries or trade groups	(-)	Potentially significant
E. On other industries or trade groups	(+)	Potentially significant
F. Direct and indirect effects on public	NONE	

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

D. Small companies may have to pay a registration fee and lose billable hours to attend the instruction.

E. Those companies conducting the instruction will have an increase in attendees and registration fees.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Marian Honecny, Supervisor, Urban and Community Forestry, MD Forest Service, 580 Taylor Avenue, E-1, Annapolis, MD 21401, or call 410-260-8511, or email to marian.honecny@maryland.gov. Comments will be accepted through July 27, 2015. A public hearing has not been scheduled.

.07 License Application and Renewal Fees.

A. An applicant shall pay to the Department, as part of the examination application, a \$30 fee. If the applicant fails an examination, an additional \$20 fee must be paid for each subsequent examination application.

B. A tree expert license shall be renewed every 2 years. [License Renewal Schedule.]

(1) All licensees shall renew their licenses by December 31, 2011, for the 2012 calendar year.

(2) Commencing with 2011 renewals for the 2012 calendar year:

(a) Odd-numbered licenses will be renewed for a 2-year period and every subsequent odd-numbered year, and

(b) Even-numbered licenses will be renewed for a 1-year period and will be renewed for a 2-year period every subsequent even-numbered year.]

C. [Renewal Fees]

(1) A licensed tree expert shall pay a \$25 fee every 2 years for license renewal [in accordance with the schedule in §C of this regulation.]

(2) Licensees renewing in accordance with §C(2)(b) of this regulation shall pay a \$10 renewal fee for the 2012 license year.]

D. Professional Development. Commencing with the 2017 renewals, a licensed tree expert shall complete at least 8 hours of Department-approved continuing education instruction during the preceding 2-year term.

E. The Department shall review and approve the curriculum for continuing education instruction provided that the curriculum includes information on:

- (1) New State and federal laws, regulations, and policies, or
- (2) Technologies affecting the work of a licensed tree expert.

F. Before a course may be approved and advertised as meeting the continuing education instruction requirement of this section, the course holder shall:

(1) Submit the course curriculum to the Department for approval at least 4 weeks before the date of the scheduled course; and

(2) Submit documentation that includes the number of classroom hours, the curriculum, and the entity conducting the course.

G. Documentation of completion of a course approved by the Department may be submitted to the Department by:

(1) A licensed tree expert providing a Certificate of Completion; or

(2) The approved course holder providing names and license numbers of those who completed the course.

H. The Department may consider whether a licensee may receive credit for continuing education instruction for a course that was not pre-approved based on a licensee's submission of the documentation required under §§E, F, and G of this regulation.

I. The Department shall maintain continuing education records for each licensed tree expert to reflect the completion of approved course hours.

J. If a licensed tree expert does not complete the required continuing education instruction within the 2-year license renewal deadline, the licensee shall only be able to renew a license by taking and passing the tree expert examination given by the Department.

.08 Violation of Regulations.

A—B (text unchanged)

C. During the suspension or revocation of a tree expert license, the tree expert shall not engage in performing tree care work, whether or not under the supervision of a licensed tree expert, for the period of the suspension or revocation.

MARK BELTON
Secretary of Natural Resources

Title 10
DEPARTMENT OF HEALTH
AND MENTAL HYGIENE
Subtitle 09 MEDICAL CARE
PROGRAMS

10.09.75 Maryland Medicaid Managed Care Program—Corrective Managed Care

Authority Health-General Article, §15-102 1(b)(9) and 15-103, Annotated Code of Maryland

Notice of Proposed Action
[15-159-P]

The Secretary of Health and Mental Hygiene proposes to repeal existing Regulations .01—,04 and adopt new Regulations .01—,05 under **COMAR 10.09.75 Maryland Managed Care Program—Corrective Managed Care**.

Statement of Purpose

The purpose of this action is to clarify the criteria and processes for the MCO's corrective managed care (CMC) programs and to require MCOs to implement a CMC program.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michele Phinney, Director, Office of Regulation and Policy Coordination, Department of Health and Mental Hygiene, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499, TTY 800-735-2258, or email to dhmh_regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through July 27, 2015. A public hearing has not been scheduled.

.01 General.

A. An MCO shall establish a corrective managed care plan that, at minimum, provides for:

(1) The identification of an enrollee that has abused MCO pharmacy benefits; and

(2) The enrollment of an enrollee that has been determined to have abused MCO pharmacy benefits in the MCO's corrective managed care plan.

B. Enrollee abuse exists when an enrollee:

(1) Has engaged in behaviors identified in COMAR 10.09.24.14-1; or

(2) Engages in Medicaid fraud as defined under COMAR 10.09.24.14.

.02 Corrective Managed Care Plan.

A. An MCO's corrective managed care plan:

(1) Shall cover enrollee abuse of medical assistance pharmacy benefits; and

(2) May cover enrollee abuse of nonpharmacy medical assistance benefits.

B. For all benefit abuse covered by an MCO's corrective managed care plan, the plan shall:

(1) Use the criteria as described in Regulation .01B of this regulation to determine if enrollees have abused benefits;

(2) Provide for a medical review of the alleged abuse consistent with §C of this regulation;

(3) Provide that an enrollee found to have abused benefits will be enrolled in the program for 24 months;

(4) Provide that an enrollee who has been enrolled in a 24 month plan and is subsequently found to have abused MCO benefits shall be enrolled in the plan for an additional 36 months;

(5) Provide for the MCO to select any participating provider in the MCO that meets the requirements of COMAR 10.09.66.05A to serve as the enrollee's primary care, specialty care, and pharmacy providers for enrollees in corrective managed care, as appropriate to the type of benefit the enrollee has been found to have abused;

(6) Except for an emergency or pursuant to hospital inpatient treatment, require an enrollee to obtain prescribed drugs only from a single designated pharmacy provider, which may be any pharmacy or any single branch of a pharmacy chain that participates in the MCO and meets the requirements of COMAR 10.09.66.06B and 07C(2);

(7) Provide enrollees determined to have abused benefits the ability to suggest primary care, specialty care, or pharmacy providers;

(8) Require the MCO to accept the enrollee's suggestion referenced in §B(7) of this regulation unless the MCO determines that the recipient's choice of provider would not serve the enrollee's best interest in achieving appropriate use of the health care systems and benefits available through the MCO;

(9) Provide an enrollee determined to have abused benefits 20 days to present additional documentation to explain the facts that serve as the basis for the MCO's determination of benefit abuse, consistent with §D of this regulation;

(10) Provide for the designation of a new primary care, specialty care, or pharmacy provider if the enrollee moves out of the service area of the current primary care or pharmacy provider;

(11) Provide for prompt reporting to the Department the name of any enrollee enrolled in the MCO's program, the duration of enrollment, or any change in the duration of enrollment, and

(12) Be submitted to the Department for review and approval:
(a) Within 60 days of the effective date of this regulation; and

(b) Before the implementation of any modification.