

(3) A commercial ambulance service seeking a waiver of the requirement for a licensed or certified driver for a BLS ambulance under COMAR 30.09.07 shall meet the following requirements:

(a) Submit to SOCALR with the application and on a monthly basis:

(i) The current number of unit hours staffed over a consecutive 7-day period during the most recent 30 days; and

(ii) The name and address of each non-EMS individual designated by the commercial service to drive a BLS ambulance;

(b) Ensure that each non-EMS individual designated to drive a BLS ambulance possesses a current and valid For-Hire Driver's license issued by the Public Service Commission prior to use of a non-EMS driver on a BLS ambulance;

(c) Provide to SOCALR a photocopy of a current and valid For-Hire Driver's license issued by the Public Service Commission for each non-EMS individual designated to drive a BLS ambulance prior to use of a non-EMS drive on a BLS ambulance;

(d) Ensure that each non-EMS individual designated to drive a BLS ambulance obtains an ePINS number prior to use of a non-EMS drive on a BLS ambulance;

(e) Provide the following training to each non-EMS individual it designates to drive a BLS ambulance prior to use of a non-EMS driver on a BLS ambulance:

(i) COMAR 30.09.02.02 — Patient Rights;

(ii) COMAR 30.09.07.03 — Operational Requirements;

(iii) Bloodborne Pathogens (29 CFR 1910.1030 to include Personal Protective Equipment and Body Substance Isolation precautions);

(iv) Lifting, moving, or positioning patients, to include stretcher and stair chair operations;

(v) CPR certification training, including the use of an AED; and

(vi) Driver's training program to include safe road operations, ambulance backing, and city driving; and

(f) Provide SOCALAR with a copy of the training programs required for the non-EMS driver prior to use of a non-EMS driver on a BLS ambulance.

C.—E. (text unchanged)

F. A waiver may be summarily suspended if SOCALR finds the party to whom the waiver has been granted has:

(1)—(5) (text unchanged)

(6) Failed to reapply for a waiver; [or]

(7) Violated any applicable federal, State, or local statute or regulation[.]; or

(8) Failed to comply with the terms of the waiver.

G. Failure to comply with the terms of a waiver granted under this regulation may be grounds for further action under COMAR 30.09.09.02.

THEODORE R. DELBRIDGE, M.D.
Executive Director

Title 31 MARYLAND INSURANCE ADMINISTRATION

Subtitle 01 GENERAL PROVISIONS

31.01.02 Emergency Powers

Authority: Health-General Article, §19-706; Insurance Article, §2-115;
Annotated Code of Maryland

Notice of Proposed Action

[21-132-P]

The Insurance Commissioner proposes to amend Regulations .06 and .07 and adopt new Regulation .10 under COMAR 31.01.02 Emergency Powers.

Statement of Purpose

The purpose of this action is to amend Regulations .06 and .07 and adopt new Regulation .10 under COMAR 31.01.02 Emergency Powers. The changes to Regulation .06 add the words “or investigational” to the end of the section to allow the Commissioner to require a health carrier to make a claims payment for treatment for a specified illness that the health carrier has denied as experimental.

Additionally, as the COVID-19 pandemic continues, the Maryland Insurance Administration has found it necessary to update regulations during the state of emergency to allow the suspension of on-site reviews for several types of insurance professionals, including title insurance producers, managing general agents, and reinsurers.

Furthermore, as additional issues have been developing regarding the delay of mail being received and sent, the Maryland Insurance Administration is allowing for the extension of certain deadlines during the continuing state of emergency to rectify some of these delays. This includes requiring insurers to implement a grace period of 60 days for the receipt of premium payments, extending the deadlines for requests for hearings from consumers, premium increase protests from consumers, other complaints from consumers, and exceptions to the Office of Administrative Hearing decision from consumers. In addition, we may extend the deadline for insurance companies to respond to Insurance Article, §27-1001, Annotated Code of Maryland, complaints. Finally, the changes would allow the Commissioner to extend deadlines for the Maryland Insurance Administration staff as necessary due to mail delays and the continuing effects of the ongoing pandemic.

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 Lisa Larson, Director of Regulations, Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore, MD 21202, or call 410-468-2007, or email to insuranceregreview.mia@maryland.gov, or fax to 410-468-2020. Comments will be accepted through October 12, 2021. A public hearing has not been scheduled.

.06 Life and Health.

A.—E. (text unchanged)

F. The Commissioner may require a health carrier to make a claims payment for treatment for a specified illness that the health carrier has denied as experimental or *investigational*.

G.—N. (text unchanged)

.07 Property and Casualty.

A. The bulletin issued by the Commissioner under Regulation .05 of this chapter may require insurers authorized in the State [to] *who* write property and casualty insurance, the Maryland Automobile Insurance Fund, and the Joint Insurance Association to:

(1)—(2) (text unchanged)

(3) Provide any or all of the data listed in §C of this regulation in a manner required by the Commissioner in the bulletin; [and]

(4) *Implement a grace period of up to 60 days for the receipt of premium payments from customers prior to cancellation of policies;*

(5) *Suspend the obligation of title insurers to conduct on-site reviews of each of its title insurance producers appointed as principal agents within the calendar year pursuant to COMAR 31.04.22.04, provided that the process and procedures for conducting virtual audits are submitted to, and deemed adequate by, the Commissioner;*

(6) *Suspend the requirements under Insurance Article, § 8-210, Annotated Code of Maryland, for an insurer to conduct an on-site review of the underwriting and claims processing operations of its managing general agent;*

(7) *Suspend the requirement under Insurance Article, § 8-520, Annotated Code of Maryland, for a reinsurer to conduct on-site review of the underwriting and claims processing operations of the reinsurance manager; and*

[(4)] (8) (text unchanged)

B.—G. (text unchanged)

.10 Deadlines.

A. The bulletin issued by the Commissioner under Regulation .05 of this chapter may extend the statutorily imposed deadline for submissions to the Administration by up to 30 days. These submissions may include:

(1) *Requests for hearings;*

(2) *Premium increase protests;*

(3) *Other complaints;*

(4) *Exceptions to Office of Administration Hearing opinions; or*

(5) *Responses to Insurance Article, §27-1001, Annotated Code of Maryland, complaints.*

B. The Commissioner may extend statutory deadlines imposed on the Administration as deemed necessary by the Commissioner during the state of emergency provided the Governor has agreed to extend such statutory requirements and provided the Commissioner affords notice of the extension consistent with this chapter.

KATHLEEN A. BIRRANE
Insurance Commissioner