

PROPOSED ACTION ON REGULATIONS

772

| Ground | Maximum Sanction | Minimum Sanction | Maximum Fine | Minimum Fine |
|--|-----------------------|------------------|--------------|--------------|
| (45) Fails to comply with Health Occupations Article, §1-223, Annotated Code of Maryland | Revocation | Reprimand | \$50,000 | \$5,000 |
| (46) Fails to comply with the requirements of the Prescription Drug Monitoring Program under Health - General Article, Title 21, Subtitle 2A, Annotated Code of Maryland | Suspension for 1 year | Reprimand | \$25,000 | \$10,000 |
| [(42)] (47)—[(43)] (48) (text unchanged) | | | | |

DENNIS R. SCHRADER
Secretary of Health

Title 13B
MARYLAND HIGHER
EDUCATION COMMISSION
Subtitle 08 FINANCIAL AID

13B.08.01 2 + 2 Transfer Scholarship Program

Authority: Education Article, §§11-105(u), 18-204(c), and 18-2501—18-2507, Annotated Code of Maryland

Notice of Proposed Action
[22-126-P]

The Maryland Higher Education Commission proposes to amend Regulation .02 under COMAR 13B.08.01 2 + 2 Transfer Scholarship Program. This action was considered at an open meeting of the Commission held on June 22, 2022.

Statement of Purpose

The purpose of this action is to remove the use of the federally calculated expected family contribution (EFC) as a measure of financial need for this scholarship, pursuant to The Maryland Student Investment Act (Ch. 23, Acts of 2022), in anticipation of the U.S. Department of Education phasing out the use of the EFC in favor of the student aid index (SAI).

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 Geoff Newman, Assistant Secretary for Finance and Administration, Maryland Higher Education Commission, 6 N. Liberty Street, 10th Floor, Baltimore, MD 21201, or call 410-767-3085, or email to geoff.newman@maryland.gov. Comments will be accepted through August 29, 2022. A public hearing has not been scheduled.

.02 Eligibility.

To be eligible for assistance under the 2+2 Transfer Scholarship Program, an applicant shall:

A.—I. (text unchanged)

J. Have demonstrated financial need[, defined as a federally calculated expected family contribution (EFC) of \$10,000 or less as reported on the student's FAFSA].

JAMES D. FIELDER, JR., Ph.D.
Secretary of Higher Education

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
[22-127-P]

The Insurance Commissioner proposes to amend Regulations .01, .03, and .05 under COMAR 31.01.02 Emergency Powers.

Statement of Purpose

The purpose of this action is to amend Regulations .01, .03, and .05 under COMAR 31.01.02 Emergency Powers. Specifically, during the 2022 legislative session, H.B. 536 passed as Ch. 495, Acts of 2022. These regulatory changes implement the changes pursuant to Ch. 495. Specifically, Ch. 495 amended Insurance Article, §2-115, Annotated Code of Maryland, to:

(1) Authorize the Maryland Insurance Commissioner to apply the emergency regulations when a national or public health emergency the Commissioner determines affects the State is declared by the President of the United States under provisions of the federal National Emergencies Act or the U.S. Secretary of Health and Human Services under the federal Public Health Services Act and is based on a serious threat to health resulting from the existence of a deadly agent;

(2) Provide that any regulation issued under these circumstances may not apply beyond the duration of the President's or Secretary of Health and Human Services' declaration; and

(3) Require carriers offering Medicare supplement plans in Maryland to provide a guaranteed issue period during the 63 days after a public health emergency ends, when certain eligible individuals terminated from Medicaid more than 6 months following the effective date of enrollment in Medicare Part B may enroll in any Medicare supplement policy without underwriting or imposition of a pre-existing condition exclusion.

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 August 29, 2022. A public hearing has not been scheduled.

.01 Purpose.

[The purpose of this chapter is to provide safeguards to consumers with respect to their dealings with entities licensed or registered to transact insurance business in the State in the event of a Governor-declared state of emergency or a Presidential declaration of a major disaster or emergency declaration under the Federal Stafford Act.]

The purpose of this chapter is to provide safeguards to consumers with respect to their dealings with entities licensed or registered to transact insurance business in the State in the event of:

- A. A Governor-declared state of emergency;
- B. A Presidential declaration of a major disaster or emergency declaration under the Federal Stafford Act; or
- C. A national or public health emergency that within the Commissioner's discretion affects the State that:

- (1) Is issued:
 - (a) By the President of the United States under §201, 202(d) or 301 of the Federal National Emergencies Act; or
 - (b) By the Secretary of Health and Human Services under the Federal Public Health Service Act; and
- (2) Is based on a serious threat to health resulting from the existence of a deadly agent as defined in Public Safety Article, §14-3A-01, Annotated Code of Maryland.

.03 Definitions.

- A. (text unchanged)
- B. Terms Defined.
 - (1)—(25)
 - (26) "Specified illness" means an illness, disease, virus, or infection for which:
 - (a) The Governor has declared or has renewed a declaration of a state of emergency for the State or an area within the State under Public Safety Article, §14-107, Annotated Code of Maryland; [or]
 - (b) The President of the United States has issued a major disaster or emergency declaration for the State or an area within the State under the federal Stafford Act.]; or

(c) A national or public health emergency that within the Commissioner's discretion affects the State and is:

- (i) Issued by the President of the United States under §201, 202(d), or 301 of the Federal National Emergencies Act or by the Secretary of Health and Human Services under the Federal Public Health Service Act; and
 - (ii) Based on a serious threat to health resulting from the existence of a deadly agent as defined in Public Safety Article, §14-3A-01, Annotated Code of Maryland.
- (27) (text unchanged)

.05 Activation of Regulations.

A. [In the event the Governor has declared or has renewed a declaration of a state of emergency for the State or an area within the State under Public Safety Article, §14-107, Annotated Code of Maryland, or the President of the United States has issued a major disaster or emergency declaration for the State or an area within the State under the Federal Act,] *If an event described in Regulation .01 of this chapter occurs*, the Commissioner may activate one or more of the requirements specified in this chapter adopted under this regulation by issuing a bulletin specifying:

- (1)—(4) (text unchanged)
- B. A requirement activated under §A or E of this regulation may not:
 - (1) (text unchanged)
 - (2) Apply, except as otherwise authorized by §C of this regulation or by Insurance Article, §12-210 or 19-112, Annotated Code of Maryland, beyond the duration of the Governor's or President's declaration or renewal of a state of emergency.

C. A requirement activated under Regulation .01C of this chapter may not apply beyond the duration of the President's or Secretary of Health and Human Services' declaration of a national or public health emergency.

[C.] D.—[E.] F. (text unchanged)

KATHLEEN A. BIRrane
Insurance Commissioner

Title 36
MARYLAND STATE
LOTTERY AND GAMING
CONTROL AGENCY

Notice of Proposed Action
[22-122-P]

The Maryland State Lottery and Gaming Control Agency proposes to:

- (1) Amend Regulations .07, .27, and .37 under COMAR 36.03.10 Video Lottery Facility Minimum Internal Control Standards;
- (2) Amend Regulation .11 under COMAR 36.04.01 Video Lottery Technical Standards;
- (3) Amend Regulation .04 under COMAR 36.10.05 Specific Requirements for Mobile Sports Wagering Licenses; and
- (4) Amend Regulation .06 under COMAR 36.10.13 Sports Wagering Licensee Minimum Internal Control Standards.

This action was considered at the Maryland Lottery and Gaming Control Commission open meeting held on May 26, 2022, notice of which was given pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.