13A.17.06 Staff Requirements

Authority: Education Article, §§89.5-401, 9.5-404, 9.5-405, 9.5-409, 9.5-411, and 9.5-413—9.5-418; General Provisions Article, §4-333; Human Services Article, §1-202; Annotated Code of Maryland


.A. Operational Support MSDE’s reversion to the original existing regulatory language in the above regulations as proposed. Because the changes do not increase the burdens on regulated stakeholders that would have been imposed by the regulations as proposed.

.B. (proposed text unchanged)

.C. (proposed text unchanged)

.D. (proposed text unchanged)

.E. (proposed text unchanged)

.F. (proposed text unchanged)

.G. (proposed text unchanged)

.H. (proposed text unchanged)

.I. (proposed text unchanged)

.J. (proposed text unchanged)

.K. (proposed text unchanged)

.L. (proposed text unchanged)

.M. (proposed text unchanged)

.N. (proposed text unchanged)

.O. (proposed text unchanged)

.P. (proposed text unchanged)

.Q. (proposed text unchanged)

.R. (proposed text unchanged)

.S. (proposed text unchanged)

.T. (proposed text unchanged)

.U. (proposed text unchanged)

.V. (proposed text unchanged)

.W. (proposed text unchanged)

.X. (proposed text unchanged)

.Y. (proposed text unchanged)

.Z. (proposed text unchanged)

.04 Staff Health.

A. (proposed text unchanged)

(2) The medical evaluation shall be signed by the individual who conducted the evaluation or the individual’s designee and include verification that the staff member:

(a) (1) (proposed text unchanged)

(b) (3) (proposed text unchanged)

(3) (4) (proposed text unchanged)

B. (proposed text unchanged)

.05 Substitutes.

A.—B. (proposed text unchanged)

[I. C. Approval by Office.

(1) An individual designated as a substitute may not be used in that capacity unless the office has approved the individual.

(2) If information received by the office indicates that an individual designated as a substitute may present a risk to the health, safety, or welfare of children in care, the office may disapprove the use of that substitute.

(3) The office shall notify the operator of its decision to approve or disapprove a substitute upon evaluation of all criminal background check information and child protective services clearances.]

13A.17.15 Inspections, Complaints, and Enforcement

Authority: Education Article, §§89.5-401, 9.5-404, 9.5-405, 9.5-409, 9.5-411, and 9.5-413—9.5-418; General Provisions Article, §4-333; Human Services Article, §1-202; Annotated Code of Maryland


.07 Revocation.

A. The office may revoke a letter of compliance if:

(1) (proposed text unchanged)

(2) The operator’s [regardless of intent] misrepresented or offered false information on the application or on any form or report required by the office;

(3) (proposed text unchanged)

(4) The operator fails to comply with the:

(a) [Prohibitions on the use of an individual as an employee, substitute, or as a volunteer as set forth, respectively, in COMAR 13A.17.06.03A and B][. COMAR 13A.17.06.05C.] and COMAR 13A.17.06.07B; or

(b) (text unchanged)

(5) (6) (proposed text unchanged)

B.—C. (proposed text unchanged)

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change the position of any group affected by the regulation, decrease any benefits, or increase administrative burdens, they are deemed nonsubstantive. Reversion to the original language is consistent with nonsubstantive changes as discussed in 75 Md. Op. Atty. 27 (1990).

13A.18.02 Registration Application and Maintenance

Authority: Education Article, §§89.5-301—9.5-308, 9.5-310—9.5-312, 9.5-320, and 9.5-321; General Provisions Article, §4-333; Human Services Article, §1-202; Annotated Code of Maryland


.07 Denial of a Registration Application.
A. The office may deny a certificate of registration if:
   (1) (proposed text unchanged)
   (2) An evaluation of the application or any documents required by the office reveals that the applicant[], regardless of intent,[] reported false information;
   (3)—(6) (proposed text unchanged)
   (7) An evaluation of the medical report or other information about the applicant or a resident indicates that the:
      (a)—(b) (proposed text unchanged)
      (c) Applicant[], regardless of intent,[] submitted false or altered medical documentation for the applicant, resident, substitute, or employee for consideration by the office;
      (8)—(11) (proposed text unchanged)
B.—G. (proposed text unchanged)

13A.18.03 Management and Administration

Authority: Education Article, §§89.5-301—9.5-308, 9.5-310—9.5-312, 9.5-320, and 9.5-321; General Provisions Article, §4-333; Human Services Article, §1-202; Annotated Code of Maryland


.02 Admission to Care.
A.—C. (proposed text unchanged)
D. If a child is younger than 6 years old at the time of admission, the provider may not allow the child to remain in care if the parent does not. []within 30 days after the child’s admission[] in accordance with COMAR 10.11.04 submit evidence to the provider on a form supplied or approved by the Office that the child has received an appropriate lead screening or test []in accordance with applicable State or local requirements[].
E. (proposed text unchanged)

.04 Child Records.
A.—D. (proposed text unchanged)
E. As required by []State or local law] COMAR 10.11.04, there shall be evidence that the child has received:
   (1)—(2) (proposed text unchanged)
F.—L. (proposed text unchanged)

13A.18.06 Provider and Staff Requirements

Authority: Education Article, §§89.5-301—9.5-308, 9.5-310—9.5-312, 9.5-320, and 9.5-321; General Provisions Article, §4-333; Human Services Article, §1-202; Annotated Code of Maryland


.08 Substitutes.
A.—E. (proposed text unchanged)
   [F. Approval by Office.
   (1) An individual designated as a substitute may not be used in that capacity unless the office has approved the individual.
   (2) If information received by the office indicates that an individual designated as a substitute may present a risk to the health, safety, or welfare of children in care, the office may disapprove the use of that substitute.
   (3) The office shall notify the provider of its decision to approve or disapprove a substitute within 30 days of the request being submitted.]]

13A.18.14 Inspections, Complaints, and Enforcement

Authority: Education Article, §§89.5-301—9.5-308, 9.5-310—9.5-312, 9.5-320, and 9.5-321; General Provisions Article, §4-333; Human Services Article, §1-202; Annotated Code of Maryland


.07 Revocation.
A. The office may revoke a certificate of registration if the:
   (1) (proposed text unchanged)
   (2) Provider[], regardless of intent,[] misrepresented or offered false information on the application or on any form or report required by the office;
   (3)—(14) (proposed text unchanged)
B.—C. (proposed text unchanged)

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