

11, Annotated Code of Maryland, and Regulation .03 of this chapter and collect the assessment.

(2) *Unless the entity requests and is granted an exemption from the assessment, the entity shall pay the assessment by October 1.*

(3) *An entity may pay the assessment by ACH transfer, wire transfer, or check.*

**B. Exemption from Assessment.**

(1)—(2) (text unchanged)

(3) The entity bears the burden of demonstrating it qualifies for the claimed exemption and shall submit documentation in support of the exemption request [as required by the Board.], *as follows:*

(a) *The entity shall provide an executed certificate of business record (available on the Board’s website) authenticating any business record the entity submits in support of the request for exemption.*

(b) *For carriers, supporting documentation may include but is not limited to NAIC “Annual Statement” including the cover page (signature page/jurat), Maryland State page, and Schedule T, acknowledgment from Maryland Insurance Administration of merger/change in subsidiary status, and SEC 10-K (any applicable exhibits).*

(c) *For manufacturers, distributors, and PBMs, supporting documentation may include but is not limited to discharge in bankruptcy, documentation of merger/change in corporate structure/subsidiary status (for example, SEC 10-K and any applicable exhibits), acknowledgment from Board of Pharmacy of expiration of license/registration, expired license/registration, documentation that manufacturer/distributor provides only non-covered products (for example, provides gases only, product or inventory lists), and documentation that the entity does not do business in Maryland.*

(d) *If the entity is unable to provide any documentation supporting the claimed exemption, the entity shall provide an affidavit (form on Board’s website) from the chief operating officer, chief financial officer, or other authorized official attesting to the factual basis of the claimed exemption.*

(4) (text unchanged)

(5) The Board shall determine all requests for exemption promptly [and may require additional documentation or information from the entity requesting an exemption].

**[C. Waiver of Assessment.**

(1) An entity that is otherwise subject to assessment because it meets the definition of a qualifying entity under COMAR 14.01.01 and Health-General Article, §21-2C-11(b)(1), Annotated Code of Maryland, may request a waiver of the annual assessment by submitting a completed waiver form to the Board within 30 days of the Board transmitting the assessment.

(2) The waiver form shall be executed under oath and:

(a) Attest that the Prescription Drug Affordability Fund assessment exceeds 1 percent of the entity’s Maryland revenue in a specified year; and

(b) Be accompanied by supporting documentation for the specified year.

(3) The entity’s Maryland revenue is based on:

(a) The entity’s most recent completed tax year; and

(b) The entity’s total Maryland revenue.

(4) Recommended supporting documentation includes verifiable evidence of the entity’s Maryland revenue for the entity’s most recent completed tax year, including, but not limited to, the entity’s Maryland income tax return and supporting schedules.

(5) The entity bears the burden of demonstrating it qualifies for the claimed waiver and shall submit additional documentation in support of the exemption request as required by the Board.

(6) While the waiver request is pending, payment of the assessment is deferred.

(7) The Board shall determine all requests for waiver promptly and may require additional documentation or information from the entity requesting a waiver.]

**C. Reconsideration.**

(1) *Within 15 days of the notice denying the exemption, an entity may file for reconsideration of the denial of a request for exemption by submitting:*

(a) *A request for reconsideration on the form provided; and*

(b) *Additional information or documentation in support of the claimed exemption.*

(2) *A request for reconsideration that does not include additional information or additional documentation will be denied.*

(3) *If the request for exemption is denied after reconsideration, the entity shall pay the assessment within 30 days of the issuance of the notice of denial.*

D. (text unchanged)

**E. Maintenance of Assessment List.**

(1) *The Board shall maintain a list of entities that are subject to assessment as identified in Health-General Article, §21-2C-11, Annotated Code of Maryland.*

(2) *Board staff shall:*

(a) *Review the list on an annual basis;*

(b) *Add additional entities when reported by or obtained from other agencies; and*

(c) *Remove entities when the entity:*

(i) *Is no longer a going concern; or*

(ii) *Has not been required to pay the assessment for 3 consecutive years.*

**.03 Amount of Assessment.**

A. Entities identified in Health-General Article, §21-2C-11, Annotated Code of Maryland, shall be subject to the following fee schedule:

(1)—(3) (text unchanged)

(4) *Carriers that provide health benefit plans, as defined in Health-General Article, §19-132(e), Annotated Code of Maryland, shall pay an assessment of \$1,000.*

B. (text unchanged)

ANDREW W. YORK  
Executive Director

**Subtitle 40 MARYLAND CENTER FOR SCHOOL SAFETY**

**14.40.04 Certification and Training for School Security Employees and School Resource Officers**

Authority: Education Article, §§7-151(k), 7-1503(g), and 7-1508, Annotated Code of Maryland

**Notice of Proposed Action**

[23-151-P]

The Maryland Center for School Safety proposes to amend Regulations .01—.03 under **COMAR 14.40.04 Certification and Training for School Security Employees and School Resource Officers.**

**Statement of Purpose**

The purpose of this action is to publish amendments to existing regulations in accordance with Education Article, §7-1501(k), Annotated Code of Maryland.

**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 Kate Bryan, Executive Director, Maryland Center for School Safety (MCSS), 7125 Ambassador Road, Windsor Mill, MD 21244, or call 410-281-2335, or email to admin.mcass@maryland.gov. Comments will be accepted through August 28, 2023. A public hearing has not been scheduled.

**.01 Definitions.**

A. (text unchanged)

B. Terms Defined.

(1)—(2) (text unchanged)

(3) “School safety coordinator” means an individual or individuals in a school system, regardless of job title, who serve as:

(a) The head of safety or security for the school system; or

(b) The liaison between the Center, local law enforcement, and the local school system as required under Education Article, §7-1508(a), Annotated Code of Maryland.

[(3)] (4) School Security Employee.

(a) (text unchanged)

(b) School security employee includes [the following] individuals [who are employed by a local school system, either as salaried or contractual employees, to provide safety and security-related services at a public school]:

[(i)] School safety coordinator;

[(ii)] School security director; and

[(iii)] Any individual designated by the administration within the individual’s job description who is required to provide safety and security-related services as a part of the individual’s regular job duties.]

(i) Employed by a local school system, either as salaried or contractual employees, to provide safety or security-related services at a public school; or

(ii) Assigned to a public school, whose job description includes safety or security related services as part of the individual’s primary duties.

(c) School security employee does not include:

(i) A school resource officer; [or]

(ii) Local law enforcement providing supplemental coverage to local school systems[.];

(iii) An employee of the school system not assigned to work in an individual public school as part of their duties; or

(iv) A school administrator.

**.02 School Safety Coordinator Certification.**

A. The Center shall certify a school safety coordinator upon completion of the following training:

(1) The [MCSS model] Center’s curriculum for [school resource officers and school security employees as set forth in Education Article, §7-1508, Annotated Code of Maryland; and] school safety coordinators and any annual updates;

(2) The National Incident Management System, Incident Command System, independent study courses 100, 200, 700, and 800[.]; and

(3) Federal Emergency Management Agency (FEMA) independent study course, Multi-Hazard Emergency Planning for Schools.

B. Supplemental Instruction

(1)—(3) (text unchanged)

[C.] (4) A school safety coordinator shall submit certificates of completion to the Center within 30 days of completion of the coursework.

**.03 School Resource Officers and School Security Employees [Certification] Training.**

A. A school resource officer [working in a Maryland public school] or school security employee shall complete the Center’s [40-hour] model curriculum [or an approved local training by September 1, 2019], as required under Education Article, §7-1508, Annotated Code of Maryland.

[B. A school security employee working in a Maryland public school shall complete the Center’s 40-hour model curriculum or an approved local training by September 1, 2019.

C. A school resource officer or school security employee working in a Maryland public school who provides documentation to the Center demonstrating that the individual received the 40-hour training course offered by the National Association of School Resource Officers on or after September 1, 2017, shall complete the Center’s 16-hour comparative compliance curriculum prior to September 1, 2019.

D. A school resource officer or school security employee who is hired to work in a Maryland public school on or after September 1, 2019, or on or after September 1 annually thereafter, shall have until the beginning of the next academic year to complete the required training set forth in this subsection.

E. A school resource officer or school security employee who is hired to work in a Maryland public school on or after September 1, 2019, or on or after September 1 annually thereafter, who provides documentation to the Center demonstrating that the individual received the 40-hour training course offered by the National Association of School Resource Officers on or after September 1, 2017, shall complete the Center’s 16-hour comparative compliance curriculum prior to the beginning of the next academic year to complete the required training set forth in this subsection.]

B. A school resource officer or school security employee assigned or hired after the start of the school year will register and complete the model curriculum prior to the next school year and may begin work in a school:

(1) Following notification to the Center; and

(2) Following completion of the preliminary curriculum prescribed by the Center.

C. School resource officers and school security employees shall complete additional hours of training annually in content areas approved by the Center, including:

(1) Updated legislative and regulatory changes affecting the work of school resource officers and school security employees;

(2) Expanded training in existing content areas;

(3) Any training identified or approved by the Center; or

(4) Any other mandates under State, federal, or local law.

D. Each year, the local school superintendent shall certify to the Center’s Executive Director that school security employees assigned to the jurisdiction’s schools have completed the training required under this chapter.

KATE BRYAN  
Executive Director

## Subtitle 40 MARYLAND CENTER FOR SCHOOL SAFETY

### 14.40.05 Critical, Life-Threatening Incidents

Authority: Education Article, §§7-1503(g) and 7-1510(g), Annotated Code of Maryland

#### Notice of Proposed Action

[23-152-P]

The Maryland Center for School Safety proposes to amend Regulations .03 and .04 under COMAR 14.40.05 Critical, Life-Threatening Incidents.

#### Statement of Purpose

The purpose of this action is to publish amendments to existing regulations in accordance with Education Article, §7-1510(g), Annotated Code of Maryland.

#### 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 Kate Bryan, Executive Director, Maryland Center for School Safety (MCSS), 7125 Ambassador Road, Windsor Mill, MD 21244, or call 410-281-2335, or email to admin.mcass@maryland.gov. Comments will be accepted through August 28, 2023. A public hearing has not been scheduled.

#### .03 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) Critical, life-threatening incident means an event [in which conduct occurred causing death or which resulted in serious bodily injury to one or more individuals, or which may be charged as a threat of mass violence under Criminal Law Article, §3-1001, Annotated Code of Maryland.] *which:*

(a) *Results in an individual being charged with a threat of mass violence directed at a school under Criminal Law Article, §3-1001, Annotated Code of Maryland;*

(b) *Meets the criteria for a threat of mass violence but does not result in criminal charges due to the age limitation under Courts and Judicial Proceedings Article, §3-8A-03(f), Annotated Code of Maryland; or*

(c) *Occurs on school grounds and:*

(i) *Results in death or serious bodily injury; or*

(ii) *Requires activation of a school's emergency plans and substantially disrupts the normal or orderly operation of a school.*

(2) School grounds means:

(a) The [physical plant] *premises* where the school is located and operated, including all buildings, physical structures, and real property owned or leased by the local school system for the operation of a school; [and]

(b) School transportation vehicles either owned by or contracted for by the local school system for the purposes of [pupil] *student transportation*.; *and*

(c) *Locations used for school sponsored activities or approved by the school or school system for attendance of students as part of a field trip*

(3) *"Serious bodily injury" means an injury inflicted on another individual that results in:*

(a) *A substantial risk of death;*

(b) *Extreme physical pain;*

(c) *Protracted and obvious disfigurement; or*

(d) *Protracted loss or impairment of the function of a bodily member, organ, or mental faculty in accordance with 18 U.S.C. §1365(h)(3).*

#### .04 Notification.

A. A local school system experiencing a critical, life-threatening incident shall notify [MCSS] *the Center* of the incident as soon as practicable, but no later than 24 hours after the local school system [learns of the incident] *knew or should have known that this was a critical, life-threatening incident or received notice that the individual was charged under Criminal Law Article, §3-1001, Annotated Code of Maryland.*

B. *The local school system or the Center will determine when an incident substantially disrupts the orderly operation of a school.*

[B.] C. (text unchanged)

D. *The after-action meeting participants shall include:*

(1) *Center staff;*

(2) *School safety coordinator;*

(3) *Representatives from the school or school system involved in the response to or recovery from the incident; and*

(4) *Representatives from responding agencies.*

[C.] E. The local school system shall file the report required by Education Article, §7-1510(g)(2)(iii), Annotated Code of Maryland, [within 60 days of the completion of the after-action meeting set forth in §B of this regulation] *as soon as practicable following completion of the after-action meeting set forth in §C of this regulation, but no later than 100 days after the occurrence of the incident.*

F. *The after-action report shall be submitted on a form developed by the Center and address:*

(1) *The scope of the incident;*

(2) *The response to the incident;*

(3) *Lessons learned by the local school system from the incident response and recovery; and*

(4) *Any other information identified by the Center as necessary in order to adequately assess the incident.*

G. *The Center shall file the report required under Education Article, §7-1510(g)(3), Annotated Code of Maryland:*

(1) *Within 45 days of receiving the report from the local school system; or*

(2) *Within 45 days of the expiration of the filing deadline set forth at §E of this regulation.*

H. *The Center shall develop guidelines for local school systems to complete reports required by this regulation.*

KATE BRYAN  
Executive Director