

B. On request for shielding, the Secretary shall provide the following forms to the participant:

(1) Notice of ACP Participation in accordance with [Family Law Article, §4-529(c)(1), and] State Government Article, §7-311(c)(1), Annotated Code of Maryland; and

(2) (text unchanged)

C.—E. (text unchanged)

F. A participant *or any agent of the participant* shall submit a copy of any Real Property ACP Notice submitted under Real Property Article, §3-115(b), Annotated Code of Maryland.

G. If a participant intends to request the shielding of real property records, the participant *or any agent of the participant* may not submit any instrument for recordation electronically.

H. A participant *or any agent of the participant* shall use a separate Real Property ACP Notice for each property in which the participant acquires an ownership interest.

**.22 Authorized Disclosure for Title Examination.**

A.—C. (text unchanged)

D. The Secretary shall approve a properly completed request under Real Property Article, §§3-118, Annotated Code of Maryland, if:

(1) The Secretary confirms that the property subject to the title examination is the property identified in the Real Property ACP Notice of a current participant; [and]

(2) The Secretary determines that the request is for the purpose of performing a bona fide title examination[.]; *and*

(3) *The Secretary determines that the request is by a current participant for the participant's own real property records as identified in the Real Property ACP Notice.*

JOHN C. WOBENSMITH  
Secretary of State

**Title 08**  
**DEPARTMENT OF NATURAL**  
**RESOURCES**

**Subtitle 18 BOATING—SPEED LIMITS**  
**and OPERATION OF VESSELS**

**08.18.14 Middle Creek**

Authority: Natural Resources Article, §8-704, Annotated Code of Maryland

**Notice of Proposed Action**

[21-143-P]

The Secretary of Natural Resources proposes to amend Regulation **.05** under **COMAR 08.18.14 Middle River**.

**Statement of Purpose**

The purpose of this action is to change the speed limit in the Frog Mortar Creek and Stansbury Creek area from 6 knots on Saturdays, Sundays, and State holidays all year to a speed limit of 6 knots on Saturdays, Sundays, and State holidays during the boating season.

Many years ago, a request was made to change the speed limit for the areas described as Frog Mortar Creek and Stansbury Creek, tributaries of Middle River. The change was discussed with the public and the Boat Act Advisory Committee (BAAC) and the Department agreed that a change needed to be made in the area. A proposal for the Middle River was completed in 2013, but the specific change for Frog Mortar Creek and Stansbury Creek was overlooked.

The speed limits for Middle River are located in the Code of Maryland Regulations (COMAR) 08.18.14. Each regulation in Chapter 14 describes a part of Middle River. Upper Middle River is described in Regulation .03 and, as written, includes Frog Mortar Creek and Stansbury Creek. The creeks are currently described in Regulation .05. The speed limit was changed for the larger area described in Regulation .03, but not for the creeks described in Regulation .05. Since the requirements were located in different regulations, they were overlooked when making changes. By removing the speed zone described in Regulation .05, the speed limit described in Regulation .03 will apply to those creeks.

The change is consistent with the recommendation from the BAAC regarding speed limits on Saturdays, Sundays, and State holidays. The BAAC has recommended that any speed limit that is considered for Saturday, Sunday, and State holidays be limited to during the boating season, not in place year round. Their recommendation is based on the idea that boat traffic on any weekday in the summer would be similar to any boat traffic on the winter weekends.

**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 Middle River Regulations, Regulatory Staff, Department of Natural Resources Fishing & Boating Services, 580 Taylor Avenue, E-4, Annapolis, MD 21401, or call 410-260-8417, or email to [boatingregpubliccomment.dnr@maryland.gov](mailto:boatingregpubliccomment.dnr@maryland.gov). Comments will be accepted through October 25, 2021. A public hearing has not been scheduled.

**.05 Frog Mortar Creek [and Stansbury Creek].**

[A. Frog Mortar Creek and Stansbury Creek encompass the area upstream of a line beginning at Wilson Point at or near Lat. 39° 18.485' N., Long. 76° 24.500' W., then running 89° (True) to Galloway Point, at or near Lat. 39° 18.488' N., Long. 76° 24.148' W. This area has a 6-knot speed limit Saturdays, Sundays, and State holidays, all year.]

[B.] A. Prohibited Area.

(1) *Area.* All of the waters of Frog Mortar Creek north and west (shoreward) of a line beginning at a point on the shore of Martin State Airport, at or near Lat. 39° 19.110' N., Long. 76° 24.208' W., then running 133° (True) to a point, at or near Lat. 39° 19.092' N., Long. 76° 24.183' W., then running 180° (True) to a point, at or near Lat. 39° 19.058' N., Long. 76° 24.183' W., then running 226° (True) to a point on the shore of the airport.

(2) *Vessels may not enter the area described in §A(1) of this regulation.*

[C.] B. Exclusion Area. [All masted vessels and/or any obstacle that extends more than 19 feet above mean sea level are prohibited in addition to anchoring or mooring of any kind.]

(1) *Area.* All of the waters of Frog Mortar Creek north and west (shoreward) of a line beginning at a point on the shore of Martin State Airport, at or near Lat. 39° 19.188' N., Long. 76° 24.160' W., then running 136° (True) to a point, at or near Lat. 39° 19.162' N., Long. 76° 24.127' W., then running 225° (True) to a point, at or near Lat. 39° 19.112' N., Long. 76° 24.192' W., then running 129° (True)

to a point, at or near Lat. 39° 19.085' N., Long. 76° 24.150' W., then running 224° (True) to a point, at or near Lat. 39° 19.058' N., Long. 76° 24.183' W., then running 0° (True) to a point, at or near Lat. 39° 19.092' N., Long. 76° 24.183' W., then running 313° (True) to a point on the shore of the airport, at or near Lat. 39° 19.110' N., Long. 76° 24.208' W.

(2) *The following are prohibited in the area described in §B(1) of this regulation:*

- (a) *All masted vessels;*
- (b) *Any obstacle that extends more than 19 feet above mean sea level;*
- (c) *Anchoring; or*
- (d) *Mooring of any kind.*

JEANNIE HADDAWAY-RICCIO  
Secretary of Natural Resources

# Title 10

## MARYLAND DEPARTMENT OF HEALTH

### Subtitle 25 MARYLAND HEALTH CARE COMMISSION

#### 10.25.05 Data Release

*Authority: Health-General Article, §§19-103(c)(3), 19-109(a)(1) and (7) and (b)(5), 19-133(d), and 19-134, Annotated Code of Maryland*

#### Notice of Proposed Action

[21-139-P]

The Maryland Health Care Commission proposes to repeal existing Regulations .01—.05 under **COMAR 10.25.05 Small Group Market Data Collection** and adopt new Regulations .01—.14 under a new chapter, **COMAR 10.25.05 Data Release**. This action was considered at an open meeting held on June 17, 2021, a notice of which was given through publication in the Maryland Register, in accordance with General Provisions Article, §3-302(c), Annotated Code of Maryland.

#### Statement of Purpose

The purpose of this action is to repeal existing Regulations .01—.05 under COMAR 10.25.05 Small Group Market Data Collection in its entirety and adopt new Regulations .01—.14 under COMAR 10.25.05 Data Release. The entire existing chapter of COMAR 10.25.05 is being repealed because it is now obsolete, as the Commission no longer collects enrollment and premium information from participating carriers in Maryland’s small group insurance market since the enactment of the Affordable Care Act and the establishment of the Maryland Health Benefit Exchange, which now regulates that market. The new regulations governing data release will be inserted as a new COMAR 10.25.05 that will replace the repealed and removed Small Group Market Data Collection regulations currently occupying COMAR 10.25.05. The new data release regulations broaden the scope of permissible uses of Maryland Medical Care Data Base (MCDB) data through an expanded and updated data release process. The expansion will allow the Commission to offer standard, limited, and custom data sets with the capabilities for linkage to other data sources safely and securely and broaden the potential data recipients to include individuals, governmental, and nongovernmental entities. In addition, the new data release regulations will better align the review standards for requests for release of Medicaid data with those for privately insured

data. Finally, the new regulations will provide for the implementation of a new data fee structure and improve the transparency and efficiency of the overall application review and approval process.

#### Comparison to Federal Standards

There is a corresponding federal standard to this proposed action, but the proposed action is not more restrictive or stringent.

#### Estimate of Economic Impact

**I. Summary of Economic Impact.** The proposed action has an economic impact. These new regulations provide requirements for the private and secure creation, exchange and use of data files from the Commission’s MCDB to approved data recipients. The initial economic impact on certain entities is expected to be moderate; however, ensuring a safe and secure exchange and use of these data files builds trust in the data release process and is essential to ensure that the potential for any data breach is eliminated.

II. Types of Economic Impact.	Revenue (R+/R-)	Expenditure (E+/E-)	Magnitude
A. On issuing agency: Maryland Health Care Commission			Within Budget
B. On other State agencies:			Moderate
C. On local governments:	NONE		
	Benefit (+) Cost (-)		Magnitude
D. On regulated industries or trade groups:			
(1)	(+)		Moderate
(2)	(-)		Moderate
E. On other industries or trade groups:		NONE	
F. Direct and indirect effects on public:	(+)		Moderate

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

A. The Maryland Health Care Commission (MHCC) is the State agency responsible for claims data collection from payors and other reporting entities in Maryland and for making that data available to qualified data recipients to facilitate uses of data that are in the public interest. The chapter requires MHCC to monitor compliance with the regulations. The MHCC can support this chapter using current staff within the MHCC’s budget.

B. Other State agencies do not collect these claims data files, as defined in COMAR 10.25.06, nor do they release these files to approved data recipients, as defined in this chapter; as such, there is no impact on State agencies.

C. Local governments do not collect these claims data files, as defined in COMAR 10.25.06, nor do they release these files to approved data recipients, as defined in this chapter; as such, there is no impact on local governments.

D(1). The regulations are essential to ensuring the privacy, confidentiality, and secure transfer of particularly sensitive patient information encrypted in these data files. The regulations ensure