

COMAR 14.35.20

Hearings by the MHBE Board of Trustees

**Presented by
Nicole Quigley, Assistant Attorney General**

Background

This is a continuation of the modifications to the Exchange's Regulations following updates to Chapter 10 - Producer Hearings.

Updates to Chapter 10 included:

- Delegating Producer Appeals hearings to OAH.
- Removing hearing procedures from the chapter since OAH has their own hearing procedures.

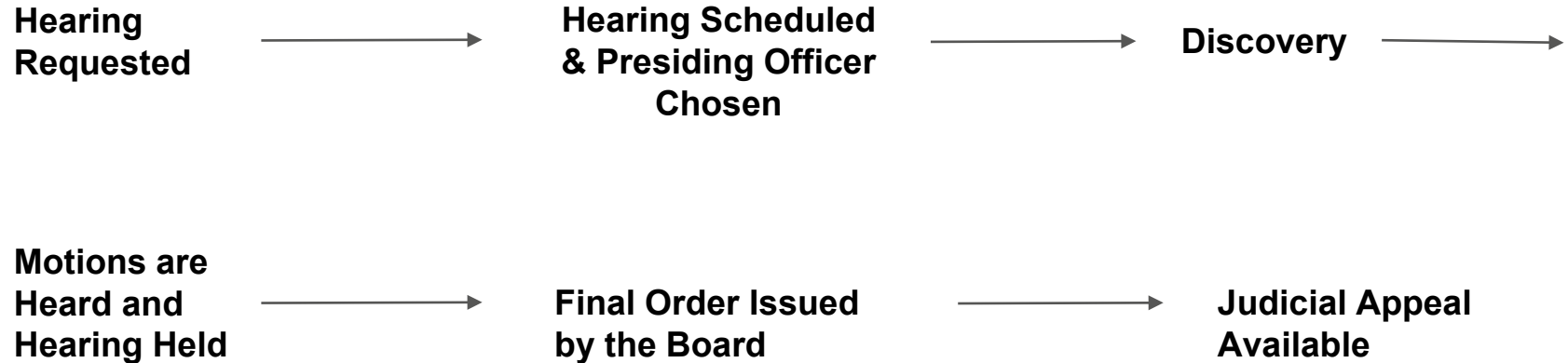
Finalizing MHBE's Regulations

- Re-insert hearing procedures into the Exchange's regulations for all other hearings retained by the board to preside over.

For Example:

- Appeals of procurement bid protests
 - Contested cases in which the Board had revoked delegation authority
- Ensure compliance with the Administrative Procedures Act (APA).

Broad Review of the Process



Some Minor Changes

- Appeals of procurement bid protests follow different rules and a different timeline.
- Hearings to be audio-recorded.
- Correspondence addressed to the Board Secretary rather than OAH.

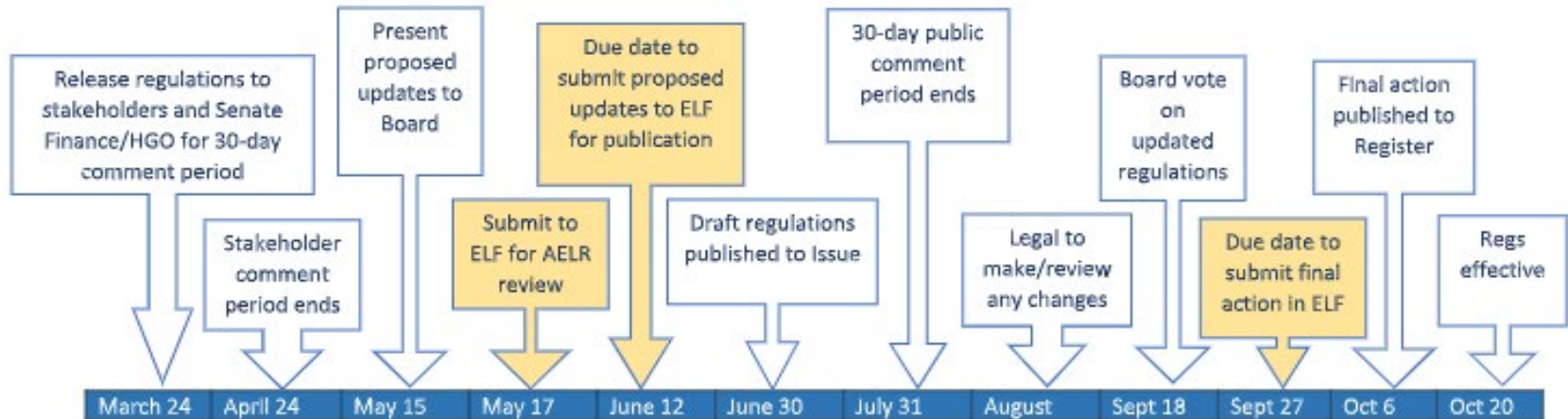
Frequency?

The Board has not yet had to oversee an appeals hearing, so it is anticipated that they will be exceedingly rare.

Next Steps:

Should the Board vote to approve the Policy Committee's recommendations:

- Regulations submitted to AELR Committee, and published in the Maryland Register.
- Review any comments or proposed changes.
- A final version presented to the Board.



Questions/Discussion

Motion

I move to [approve/defer] the proposed addition of Chapter 20 to the Exchange's regulations to COMAR, [as presented/as amended], to be codified as COMAR 14.35.20, and authorize MHBE to submit the proposed regulations to the Administrative, Executive and Legislative Review Committee and for publication in the Maryland Register.