

MACo 2022 LEGISLATIVE SESSION SNAPSHOT

RESULTS



24 COUNTIES, **1** VOICE

County jurisdictions direct ALL MACo positions through weekly meetings

www.mdcounties.org



METHODS

901



130
Policy Blog
Articles Written



& viewed by
69K
readers



Delivered
342
pieces of
testimony



260K
Twitter
Impressions

Participated in
560
Meetings



Secured Increased Funds
for Local Infrastructure



Ensured Funding Fairness
& County Role in Elections



Defended Local
Revenue Autonomy



Kept Environmental
Rules Smart & Effective



Supported Modern
EMS Delivery & Care

Introductions

Michael Sanderson, Executive Director, Maryland Association of Counties (MACo)

Laura Price, MACo President, Council Member, Talbot County

Upcoming Events:

Winter Conference-January 3-6, 2023



DLS Analyzes Police Oversight Regs

[D'Paul Nibber](#) / August 12, 2022 / [County News](#) / [Government Liability and Courts](#) / [Public Information and Ethics](#) / [Public Safety and Corrections](#)

The Maryland Department of Legislative Services (DLS) has reviewed and refined emergency police oversight regulations drafted by the Maryland Police Training and Standards Commission (PTSC).

DLS codified PTSC's emergency regulations regarding [PABs/ACCs](#) and the [uniform disciplinary matrix](#) into COMAR [12.04.09](#) and [12.04.10](#), respectively. Before the regulations can be finalized and officially published, the Joint Committee on Administrative, Executive & Legislative Review (AELR), an oversight body established by the Maryland General Assembly, will conduct a review to ensure said language does not violate legislative intent and offers procedural due process. PTSC has requested emergency status for its regulations beginning July 1, 2022, and ending December 27, 2022.



AELR's [procedures for emergency regulations](#) are as follows:

Emergency regulations, which bypass the normal public notice and comment period, remain in effect for a limited period of time – not to exceed 180 days – to meet exigent circumstances. Although emergency regulations are not published in the Maryland Register before adoption, notice of the committee's receipt of the regulation is posted on the MGA website. In addition, the agency submitting the request for adoption of emergency status must post the text of the regulations on the agency website within three business days of submission to the AELR committee.

If a member of the committee requests a public hearing on the emergency adoption of a regulation, the committee must hold the hearing. If no public hearing is requested, staff to the committee may poll on the emergency regulation as soon as 10 business days after receipt of the regulation. Approval by the committee is required for an emergency regulation to take effect.

As noted in previous [Conduit Street](#) coverage, PTSC's draft emergency regulations were initially issued on June 24, just before the July 1 effective date for several provisions included in the [Maryland Police Accountability Act of 2021](#). Among those provisions is a requirement that counties establish Police Accountability Boards (PABs), Administrative Charging Committees (ACCs), and trial boards. ACCs receive complaints of police misconduct and determine levels of discipline, whereas PABs and trial boards hear appeals of any recommended discipline.

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According to [DLS's analysis of COMAR 12.04.09](#), PTSC did not overstep its statutory authority or the legislature's intent in developing its regulations concerning ACCs and PABs. However, aside from "grammar and other technical corrections throughout the regulations to improve clarity and accuracy," DLS did highlight one legal issue presented by PTSC's regulations:

Regulation .06A provides a mediation process for nonviolent complaints from the public if the eligibility requirements under § 3-207(d) of the Public Safety Article are met and subject to the agreement of the complainant. This mediation process is an alternative to the formal PAB and ACC complaint process. The regulation does not conflict with the legislative intent to permit voluntary mediation in some circumstances. The commission, however, has not yet established a Police Complaint Mediation Program as directed by § 3-207(d)(3) of the Public Safety Article. Accordingly, the provisions concerning mediation in this regulation can have no effect until the commission promulgates mediation regulations that are consistent with the statutory framework.

In [DLS's analysis of COMAR 12.04.10](#), the agency cites another mediation-related legal issue:

Regulation .05I provides that '[a] law enforcement agency may operate a formal mediation program pursuant to Public Safety Article § 3-207(d) to the extent doing so is consistent with Title 3, Subtitle 1 of the Public Safety Article.' ...There is no scenario under which Regulation .05I may be given effect under § 3-207(d) because there is no formal mediation program operated by a law enforcement agency that is pursuant the statute. As previously mentioned, there is no statutory provision authorizing an individual law enforcement agency to establish and operate its own mediation program or nor is there language granting the commission the authority to empower law enforcement agencies to do so.

AELR's final approval will likely depend on the correction of each flagged issue. Regardless, county officials have voiced concerns that the regulations are not comprehensive and do not lend enough clarity to the police oversight process. For example, the standard of review, or whether one body must defer to another's findings, is left unsettled for PABs and trial boards.

Altogether, despite being primary stakeholders, counties have not played a meaningful role in developing PTSC's regulations, causing many officials to call for a more public and participatory process.



Here's How Districts Are Addressing COVID-19 this School Year

Brianna January / August 24, 2022 / Coronavirus / County News / Education

Only Prince George's County is requiring masking in all public schools to start the 2022-2023 school year, while testing and quarantine policies vary by district.

As students across Maryland return to in-person classrooms in the coming weeks, each school district seems to have a different approach to COVID-19 mitigation.

In late July, the Maryland State Department of Education (MSDE) released updated guidance to [Support Safe In-Person Operations for PreK-12 Schools](#). Individual school districts had to submit plans for the upcoming school year to the Department by August 15. MSDE says it will review the reopening plans every six months.



In light of varying levels of COVID-19 BA.5 variant transmission and [updated CDC guidance](#), each school district appears to be approaching the 2022-2023 school year with [different, cautiously optimistic policies](#). Notably, the updated CDC guidance de-emphasizes quarantining and distancing in schools, while continuing to ask those testing positive to remain out of school facilities for at least five days.

The *Baltimore Sun* [summarized](#) regional plans:

But in Baltimore and surrounding counties, schools won't require any kind of masks, at least not to start the school year. Most don't plan to screen for cases and won't send students home to quarantine, moves based on federal and state guidance that aim to keep more kids learning at their desks.

Here's how some districts are starting the school year

- In a last minute policy update in response to elevated positive cases, Prince George's County is requiring masking inside all public school facilities. Prior, the district said it would make masking voluntary;
- Baltimore City and most surrounding districts will not require masks to start the school year, however, Baltimore City is the only jurisdiction that plans to regularly screen randomly asymptomatic staff and students every-other-week (previously, the district did so weekly);
- Anne Arundel County, on the other hand, will not regularly test in-school, but will send sick kids and staff home;

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- Baltimore County schools will end a contact tracing and screening program after data collected last year “did not show a significant value,” and the county will only require masking after sick students return from a five-day isolation period;
- Howard County will not require masks nor provide testing in schools, and close contacts of a positive case can remain in-school regardless of vaccination status, but those who test positive will have to remain out sick for at least five days;
- Carroll County will not start the school year with required masking, but will consider changes to its policy on a “case-by-case basis” in consultation with the Carroll County Health Department; and
- Harford County school buildings will be mask-optional, but the district will provide diagnostic testing in all schools for students and staff who fall ill during the school day.

The *Baltimore Sun* noted that at least some decision making around COVID policies was influenced by cost:

At least some of the reductions of preventive measures were due to their costs. The Maryland Department of Health reports it has just \$8.8 million of its federal testing dollars left uncommitted out of \$182 million it was granted last year. Area school systems have until the end of September to apply for funding.

State education and health officials plan to distribute rapid tests to the schools that request them ahead of classes starting later this month.



Feds Increasing Rural Marylanders' Access to Drug Treatment

D'Paul Nibber / August 24, 2022 / [County News](#)

The [National Association of Counties \(NACo\)](#), U.S. Department of Justice [Bureau of Justice Assistance](#), the [Centers for Disease Control and Prevention](#), and the [State Justice Institute](#) have partnered for a new initiative, [Reaching Rural: Advancing Collaborative Solutions](#).



Reaching Rural is intended to develop “bold solutions to the persistent challenge of substance use and misuse in rural communities.” The program is open to individual health practitioners or cross-sector teams of justice and public safety practitioners, health practitioners, local government leaders, and community groups. Per [NACo](#), the program offers the following:

- *Travel and per diem costs to participate in an orientation, a field visit to observe the implementation of evidence-informed practices in a rural setting and a capstone session at the end of the 12-month initiative*
- *Monthly mentorship and guidance aimed toward your local needs*
- *Monthly assignments that help you apply core concepts to your local community or region*
- *Access to a diverse network of rural peers, innovative rural communities, and technical assistance providers; and*
- *Formal recognition for completing the planning initiative.*

NACo reports that between 1999 and 2015, overdose deaths increased 325 percent in rural counties. According to the [Opioid Operational Command Center \(OCCC\)](#), several rural Maryland counties have seen significant increases in substance use disorder-related fatalities since 2021, including Garrett (75%), Kent (100%), and Worcester (10%). The OCCC notes that “fentanyl continues to be the primary driver of overdose mortality in Maryland.”

The Reaching Rural application is available [here](#) and is open until September 30, 2022, at 5:00 PM ET. Participation is limited to up to 20 individual practitioners and up to 10 cross-sector teams.



White House Breaks Down Inflation Reduction Act's Impact on Marylanders' Health

[D'Paul Nibber](#) / August 24, 2022 / [County Budgets](#) / [County News](#) / [Employee Benefits and Relations](#) / [Health and Human Services](#) / [NACo and Federal Issues](#) / [News You Can Use](#)

On August 18th, the White House released a set of state fact sheets, including one for Maryland, detailing how healthcare costs will lower due to the Inflation Reduction Act of 2022's passage.

According to its [fact sheet](#), the White House anticipates cheaper prescription drug costs, lower health insurance premiums, and increased health insurance coverage in Maryland. As a result of the Act's passage, older adults and persons with disabilities across Maryland will overwhelmingly benefit due to its Medicare-specific provisions. Moreover, many of the policies outlined in the Inflation Reduction Act fact sheet apply across the country:



- Reduced prescription drug costs for Medicare recipients through the federal government's ability to negotiate high-cost prescription drug prices
- Slowed prescription drug price increases by requiring companies to pay Medicare a rebate if they increase drug prices faster than inflation

In some instances, the Act's provisions will have a tangible impact on Marylanders:

- Medicare Part D's out-of-pocket catastrophic drug costs are capped at \$2,000, assisting 21,000 Maryland Medicare beneficiaries
- Medicare beneficiaries will pay no more than \$35 for insulin, impacting 48,000 Marylanders as of 2020
- "Extra Help," a Medicare Part D low-income/low asset subsidy, will expand to include 7,700 Marylanders
- 153,000 individuals receiving their healthcare through Maryland Health Connection, Maryland's Affordable Care Act health insurance marketplace, will continue to receive added subsidies first made available through the American Rescue Plan Act (ARPA)
- An additional 38,000 Marylanders will be able to access plans through Maryland Health Connection subsidies

The Act's focus on high prescription drug costs and insulin mirrors similar priorities introduced in the Maryland General Assembly. This year, the General Assembly heard a bill in each chamber capping insulin co-pay costs, [Senate Bill 353](#)/[House Bill 1355](#). Had they been enacted, the [Department of Legislative Services](#) predicted local governments would have absorbed additional costs for more comprehensive insulin coverage. In 2019, the General Assembly established the first-of-its-kind [Prescription Drug Affordability Board](#) to manage increasing prescription drug costs.

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Live From #MACoCon: SAS Talks Tech Tools for Tomorrow's Counties

Kevin Kinnally / August 26, 2022 / Feature / Information Technology / Summer Conference

SAS— the leader in business analytics software and services and the largest independent vendor in the business intelligence market — talks about how counties can use advanced analytics, machine learning, and artificial intelligence to solve complex problems, build trust, and be more efficient.



Conduit Street Podcast

Live From #MACoCon: SAS Talks Tech Tools for Tomorrow's Counties



August 25, 2022 Maryland Association of Counties



Counties can't rely on yesterday's approaches to solve tomorrow's problems. The core mission of local government is to serve residents, ensuring the safety and well-being of all people. Innovation is necessary to accomplish this today. With advanced analytics, including artificial intelligence and machine learning, counties can put data to work, improving outcomes for residents.

At the MACo Summer Conference Podcast Spotlight session, SAS Global Government Strategic Advisor Jennifer Robinson joined Kevin Kinnally and Michael Sanderson for a live recording of the *Conduit Street Podcast*. Learn how SAS supports counties in achieving better customer service, increasing constituent engagement, enhancing public safety and community trust, fostering economic growth, and more.

Thanks to **SAS** for sponsoring this session!

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Learn more about **MACo's Summer Conference**:

- [Full Program](#)
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- [Conduit Street Blog Coverage](#)

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