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Title 07 DEPARTMENT OF HUMAN RESOURCES

Subtitle 07 CHILD SUPPORT ENFORCEMENT ADMINISTRATION

07.07.04 Establishment of Paternity

Authority: Family Law Article, §§5-1005—5-1048 and 10-301—10-359, Annotated Code of Maryland
(Agency Note: Federal Regulatory Reference — 45 CFR §§302.31 and 303.5)

Notice of Proposed Action

[12-318-P]

The Secretary of Human Resources proposes to amend Regulation .04 under **COMAR 07.07.04 Establishment of Paternity**.

Statement of Purpose

The purpose of this action is to require that laboratories authorized to conduct paternity testing for the Child Support Enforcement Administration provide documentation establishing that the laboratory is qualified to perform DNA analysis and is accredited by the American Association of Blood Banks' Parentage Testing Committee. DNA analysis is the preferred method of establishing paternity and the Administration has exclusively used laboratories that perform DNA analysis for many years.

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

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 Andrea Shuck, Acting Regulations Coordinator, Department of Human Resources, Office of Government, Corp. and Comm. Affairs, 311 W. Saratoga Street, Room 270, Baltimore, MD 21201-3521, or call 410-767-2149, or email to AShuck@dhr.state.md.us, or fax to 410-333-0637. Comments will be accepted through December 17, 2012. A public hearing has not been scheduled.

.04 Paternity Testing Laboratories.

A.—B. (text unchanged)

C. A laboratory's application shall include:

(1) (text unchanged)

(2) [The classes of paternity tests that the laboratory can provide] *Documentation that the laboratory is qualified to perform DNA analysis*; and

(3) (text unchanged)

D. Except as provided in §E of this regulation, a laboratory included on the list shall be accredited by [one or more of] the following:

(1) American Association of Blood Banks' Parentage Testing Committee;

(2) American Society for Histocompatibility and Immunogenetics; or

(3) American Society of Crime Laboratory Directors].

E. (text unchanged)

F. The Administration's list of laboratories shall [specify the classes of paternity determination tests which the laboratory is] *be* qualified to perform[, including, but not limited to:

- (1) Red cell antigens;
- (2) Human leukocyte antigen;
- (3) Serum protein;
- (4) Red cell enzymes; and
- (5)] DNA analysis.

G.—I. (text unchanged)

THEODORE DALLAS
Secretary of Human Resources