

**DEPARTMENT OF AGRICULTURE
THOROUGHBRED RACING COMMISSION
PUBLIC NOTICE
1001 Thoroughbred Racing Rules and Regulations**

The Thoroughbred Racing Commission proposes to amend its Regulations adopted in accordance with Title 3, Chapter 101. The purpose of the amended regulations is to amend Commission Regulation 8.8 relating to the Jockey Fee by adding a new regulation 8.8.3.

A copy of the proposed regulations is being published in the April 1, 2014 edition of the Delaware *Register of Regulations*. A copy is also on file in the office of the Thoroughbred Racing Commission, 777 Delaware Park Boulevard, Wilmington, Delaware 19804 and is available for inspection during regular office hours. Copies are also published online at the *Register of Regulations* website: http://regulations.delaware.gov/services/current_issue.shtml.

Interested parties may offer written comments on the proposed regulations or submit written suggestions, data, briefs or other materials to the Thoroughbred Racing Commission at the above address as to whether these proposed regulations should be adopted, rejected or modified. Pursuant to 29 Del.C. §10118(a), public comments must be received on or before May 1, 2014. Written materials submitted will be available for inspection at the above address.

**DEPARTMENT OF EDUCATION
PUBLIC NOTICE**

The State Board of Education will hold its monthly meeting on Thursday, April 17, 2014 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

**DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF MEDICAID AND MEDICAL ASSISTANCE
PUBLIC NOTICE**

1915(i) Home and Community-Based Services Waiver Renewal Application

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code), 42 CFR 447.205, 42 CFR 441.304 and under the authority of Title 31 of the Delaware Code, Chapter 5, Section 512, Delaware Health and Social Services (DHSS) / Division of Medicaid and Medical Assistance (DMMA) / Division of Developmental Disabilities Services (DDDS) is seeking public comments on the 1915(c) Home and Community-Based Services Waiver (HCBS) waiver renewal application.

Any person who wishes to make written suggestions, compilations of data, testimony, briefs or other written materials concerning the proposed new regulations must submit same to Sharon L. Summers, Planning & Policy Development Unit, Division of Medicaid and Medical Assistance, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906 or by fax to 302-255-4425 by April 30, 2014.

The action concerning the determination of whether to adopt the proposed regulation will be based upon the results of Department and Division staff analysis and the consideration of the comments and written materials filed by other interested persons.

**DIVISION OF MEDICAID AND MEDICAL ASSISTANCE
PUBLIC NOTICE
Medicaid Coverage of Prescribed Drugs**

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code) and under the authority of Title 31 of the Delaware Code, Chapter 5, Section 512, Delaware Health and Social Services (DHSS) / Division of Medicaid and Medical Assistance (DMMA) intends to submit a state plan amendment to the Centers for Medicare and Medicaid Services (CMS) regarding prescribed drug coverage, specifically, *changes to the coverage of barbiturates, benzodiazepines and agents used to promote smoking cessation*.

Any person who wishes to make written suggestions, compilations of data, testimony, briefs or other written materials concerning the proposed new regulations must submit same to Sharon L. Summers, Planning & Policy Development Unit, Division of Medicaid and Medical Assistance, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906 or by fax to 302-255-4425 by April 30, 2014.

The action concerning the determination of whether to adopt the proposed regulation will be based upon the results of Department and Division staff analysis and the consideration of the comments and written materials filed by other

interested persons.

**DIVISION OF PUBLIC HEALTH
PUBLIC NOTICE
4203 Cancer Treatment Program**

Health Promotion & Disease Prevention, Division of Public Health, Department of Health and Social Services (Department), has proposed amendments to the 4203 State of Delaware Cancer Treatment Program regulation.

The proposed regulation updates the technical, financial, and residency eligibility requirements for the Delaware Cancer Treatment program.

On April 1, 2014, the Department plans to publish proposed amendments to the 4203 State of Delaware Cancer Treatment Program regulation and hold them out for public comment per Delaware law.

Copies of the proposed regulation are available for review in the April 1, 2014 edition of the Delaware *Register of Regulations*, accessible online at: <http://regulations.delaware.gov> or by calling the Comprehensive Cancer Control Program at 302-744-1032.

Any person who wishes to make written suggestions, testimony, briefs or other written materials concerning the proposed regulation must submit same to Deborah Harvey by 4:30 p.m. on Wednesday, April 30, 2014 at:

Deborah Harvey
Division of Public Health
417 Federal Street
Dover, DE 19901
Email: Deborah.Harvey@state.de.us
Phone: (302) 744-4700

**DIVISION OF PUBLIC HEALTH
PUBLIC NOTICE
4468 Delivery of Hospice Services**

The Office of Health Facilities Licensing and Certification, Health Systems Protection Section, Division of Public Health, Department of Health and Social Services, has proposed amendments to the State of Delaware 4468 Delivery of Hospice Services regulation.

Senate Bill 119, signed into law in June 2013, requires the Department of Health and Social Services to establish and implement uniform protocol for all hospice programs operating in Delaware for the safe disposal of unused medication upon the death or discharge of an in-home hospice patient. The proposed amendments add to the existing regulation a section 6.5.5 and an Appendix A: *Protocol Regarding the Safe Disposal of Unused Prescription Medication Following the Death of an In-Home Hospice Patient*.

On April 1, 2014, the Department plans to publish proposed amendments to the 4468 Delivery of Hospice Services regulation and hold them out for public comment per Delaware law.

Copies of the proposed regulation are available for review in the April 1, 2014 edition of the Delaware *Register of Regulations*, accessible online at: <http://regulations.delaware.gov> or by calling the Office of Health Facilities Licensing and Certification at (302) 283-7220.

Any person who wishes to make written suggestions, testimony, briefs or other written materials concerning the proposed regulations must submit same to Deborah Harvey by 4:30 p.m. on Wednesday, April 30, 2014 at:

Deborah Harvey
Division of Public Health
417 Federal Street
Dover, DE 19901
Email: Deborah.Harvey@state.de.us
Phone: (302) 744-4700

**DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL
DIVISION OF WATER
REGISTER NOTICE
7401 Surface Water Quality Standards**

The amended Surface Water Quality Standards presented here are the result of a review of the Standards that started with Start Action Notice #2013-32 in 2013. Department staff reviewed factors affecting human health criteria, Environmental Protection Agency (EPA) documents, staff recommendations, and documents related to site-specific criteria for the tidal Murderkill River. A markup of proposed amendments to the Surface Water Quality Standards was prepared for the Register. A public hearing is scheduled for 5:00 PM, April 29, 2014 in the DNREC Auditorium, with comments accepted until May 16, 2014. To ensure compliance with the Clean Water Act and EPA regulations, the State of Delaware, in accordance with 7 Del.C. §6010, will amend the State of Delaware Surface Water Quality Standards.

A public hearing is scheduled for 5:00 PM, on April 29, 2014 in the DNREC Auditorium, with public comments accepted until May 16, 2014.

Additional information, copies of the regulation and supporting documents are available on the internet at this URL: <http://www.dnrec.state.de.us/DNREC2000/Divisions/Water/WaterQuality/Standards.htm>. To request a copy of the proposed revisions to the regulations please contact David Wolanski, Watershed Assessment and Management Section at (302) 739-9939 or by email at david.wolanski@state.de.us.

The procedures for adopting regulations are established in 7 Del.C. §6006 and 29 Del.C. Chapter 101. Inquiries regarding comments should be directed to Robert Haynes at (302) 739-9039. Written comments should be addressed to: David Wolanski, Watershed Assessment and Management Section, Silver Lake Plaza-Suite 220, 820 Silver Lake Blvd, Dover, DE 19904-2464. Electronic versions of comments are preferred; please e-mail comments to David Wolanski at david.wolanski@state.de.us.

**DIVISION OF WATERSHED STEWARDSHIP
REGISTER NOTICE
7408 TMDLs for Nutrients for the Murderkill River Watershed**

The Department of Natural Resources and Environmental Control (DNREC) plans to conduct a Public Hearing regarding proposed amendments to the Total Maximum Daily Loads (TMDLs) Regulation for nutrients and oxygen consuming materials for the Murderkill River Watershed, which was promulgated in June of 2005. A TMDL sets a limit on the amount of a pollutant that can be discharged into a waterbody and still meet water quality standards. TMDLs are composed of Waste Load Allocations (WLAs) for point source discharges, Load Allocations (LAs) for nonpoint sources, and a Margin of Safety (MOS) to account for uncertainties.

Since promulgation of the 2005 Murderkill River TMDLs, a multi-year monitoring, research, and modeling study of Murderkill River Watershed by DNREC and other cooperating agencies and institutions resulted in proposing scientifically-based, site-specific dissolved oxygen criteria for the tidal Murderkill River. This proposed amendment of the 2005 TMDLs is to comply with this new site-specific dissolved oxygen criteria for the tidal Murderkill River.

This proposed action will amend the 2005 Murderkill River TMDLs Regulation. DNREC will work with Kent County Government and other parties to implement the requirements of the amended TMDLs.

The Public Hearing on proposed amendments to the 2005 Murderkill River Watershed TMDLs Regulation will be held at 5:00 p.m., Tuesday, April 29, 2014, in the DNREC Auditorium, 89 Kings Highway, Dover, Delaware.

Please send written comments to Hassan Mirsajadi, Watershed Assessment and Management Section, Division of Watershed Stewardship, Department of Natural Resources and Environmental Control, 820 Silver Lake Boulevard, Suite 220, Dover, DE 19904-2464, (302) 739-9939, facsimile: (302) 739-6140, email: (Hassan.Mirsajadi@state.de.us). All written comments must be received by May 16, 2014. Electronic submission is preferred.

Copies of the Proposed amendments to the 2005 Murderkill River TMDL Regulation and other related technical support documents are available on the Department's website at <http://www.dnrec.delaware.gov/swc/wa/Pages/WatershedAssessmentTMDLs.aspx> or by contacting Hassan Mirsajadi, Watershed Assessment and Management Section, Division of Watershed Stewardship, Department of Natural Resources and Environmental Control, 820 Silver Lake Boulevard, Suite 220, Dover, DE 19904-2464, (302) 739-9939, facsimile: (302) 739-6140.

**DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION
PUBLIC NOTICE
1000 Board of Pilot Commissioners**

The Delaware Board of Pilot Commissioners, pursuant to 23 Del.C. §102(1), proposes to revise regulation 11.2 by striking it in its entirety and revise Section 6.0 by removing the 120 limitation on annual physicals. The purpose for the removal of subsection 11.2 is that vessels of the size required to be piloted by this rule are no longer calling at the port, making compliance with this regulation difficult and unnecessary. The purpose for the removal of the 120 limitation on annual physicals in regulation 6.0 is that the current constrictions of private health insurance often limit annual physicals to

one per year, and this limitation is making compliance with insurance requirements difficult to impossible.

The Board will hold a public hearing on the proposed regulation change on May 16, 2014 at 1:00 p.m., Second Floor Conference Room B, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments should be sent to Margaret Strauss, Board Liaison for the Delaware Board of Pilot Commissioners, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments will be accepted until June 2, 2014 pursuant to 29 **Del.C.** §10118(a).

**DIVISION OF PROFESSIONAL REGULATION
PUBLIC NOTICE
4100 Board of Home Inspectors**

The Delaware Board of Home Inspectors, pursuant to 24 **Del.C.** §4106(a)(1), proposes to amend its rules and regulations. The proposed regulation changes address two separate issues. The first is a change to regulation 4.0 which would enable applicants with five years of experience or who have completed 250 home inspections to obtain a license despite not being eligible as an endorsement candidate. Currently, such candidates must become trainee registrants before obtaining a home inspection license. The second proposed change relates to regulation 18.0 regarding standards of practice. The proposed changes would reflect recent changes to the American Society of Home Inspectors standards of practice so as to allow the practice of home inspection in Delaware to remain consistent with surrounding states.

The Board will hold a public hearing on the proposed regulation change on May 13, 2014 at 9:00 a.m., Second Floor Conference Room B, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments should be sent to Amanda McAtee, Administrative Specialist of the Delaware Board of Architects, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments will be accepted until May 28, 2014 pursuant to 29 **Del.C.** §10118(a). The Board will deliberate on the proposed changes at its regularly scheduled meeting on June 10, 2014 at 9:30 a.m.

**DIVISION OF PROFESSIONAL REGULATION
PUBLIC NOTICE
5200 Board of Examiners of Nursing Home Administrators**

The Delaware Board of Examiners of Nursing Home Administrators, pursuant to 24 **Del.C.** §5206(1), proposes to revise its regulations. The proposed revisions to the regulations would mandate that AIT registrants take additional training in preparation for the National Association of Long Term Care Administrator Boards and the practice of nursing home administration. The Board has always strongly recommended that applicants take the course and now recommends that the course become mandatory pursuant to 24 **Del.C.** §5209(a)(1).

The Board will hold a public hearing on the proposed rule change on May 13, 2014 at 1:00 p.m., in the Second Floor Conference Room B, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments should be sent to Sheryl Paquette, Administrator of the Delaware Board of Nursing Home Administrators, Cannon Building, 861 Silver Lake Blvd, Suite 203, Dover, DE 19904.