

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

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 delete the whipping rule currently found at rule 10.9.4 and then to adopt a new whipping rule as rule 14.18.2 that adds the words "excessive, abusive" to the text of the former whipping rule 10.9.4. Other regulations issued by the Thoroughbred Racing Commission are not affected by this proposal. The Thoroughbred Racing Commission is issuing these proposed regulations in accordance with Title 3 of the Delaware Code. This notice is issued pursuant to the requirements of Chapter 101 of Title 29 of the Delaware Code.

A copy of the proposed regulations is being published in the December 1, 2015 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 January 1, 2016. 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, December 17, 2015 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

DEPARTMENT OF INSURANCE
OFFICE OF THE COMMISSIONER
1409 Insurance Coverage for Telemedicine and Telehealth
PUBLIC NOTICE

INSURANCE COMMISSIONER KAREN WELDIN STEWART hereby gives notice of proposed Department of Insurance **Regulation 1409** relating to **Insurance Coverage for Telemedicine and Telehealth**. The docket number for this proposed regulation is 2988.

House Bill 69 as amended by House Amendment No. 1 and Senate Amendment No. 1 of the 148th General Assembly provides for the use of telemedicine and telehealth in Delaware as of January 1, 2016. The proposed regulation sets standards for the coverage of health care services provided through the use of telemedicine and telehealth. The Delaware Code authority for this proposed regulation is 18 **Del.C.** §§311, 3370 and 3571R; and 29 **Del.C.** Ch. 101.

The Department of Insurance does not plan to hold a public hearing on the proposed regulation. The proposed regulation appears below and can also be viewed at the Delaware Insurance Commissioner's website at <http://www.delawareinsurance.gov/departments/documents/ProposedRegs/>.

Any person can file written comments, suggestions, briefs, and compilations of data or other materials concerning the proposed regulation. Any written submission in response to this notice and relevant to the proposed regulation must be received by the Department of Insurance no later than 4:30 p.m. EST, Thursday, December 31, 2015. Any such requests should be directed to:

Regulatory Specialist Rhonda West
Delaware Department of Insurance
841 Silver Lake Boulevard
Dover, DE 19904
Phone: (302) 674-7379
Fax: (302) 739-5566
Email: rhonda.west@state.de.us

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL
DIVISION OF PARKS AND RECREATION
9201 Regulations Governing State Parks
PUBLIC NOTICE

As a result of the General Assembly passing and Governor Markell signing SB 114, changes to the Rules and Regulations are needed. The penalties for twenty three of the twenty eight sections of the Park Rules and Regulations have been changed to Environmental D violations. The remaining sections' penalty is unchanged. Other changes have been made to reflect updated Division policies and concerns.

The hearing record on the proposed changes to 7 **DE Admin. Code** 9201 Regulations Governing State Parks will be open December 1, 2015. Individuals may submit written comments regarding the proposed changes via e-mail to Lisa.Vest@state.de.us or via the USPS to Lisa Vest, Hearing Officer, DNREC, 89 Kings Highway, Dover, DE 19901 (302) 739-9042. A public hearing on the proposed amendment will be held on December 22, 2015 beginning at 6:00 PM at the DNREC Auditorium, 89 Kings Highway, Dover, DE, 19901. Please note that all comment submitted to the Department in this matter should be limited to the scope of this proposed regulatory promulgation, to wit: only regarding the proposed amendments to the aforementioned regulations found at 7 **DE Admin. Code** 9201.

DIVISION OF WATERSHED STEWARDSHIP
5101 Sediment and Stormwater Regulations
PUBLIC NOTICE

A Superior Court decision of October 7, 2015 invalidated the 2013 and 2014 version of the Delaware Sediment and Stormwater Regulations on procedural grounds because the accompanying Technical Document referenced by the regulations was not published in the State Register in accordance with Administrative Procedure Act requirements. This action is being taken to publish the Technical Document in the State Register as a separate document referenced in 5101 Sediment and Stormwater Regulations. Within the Technical Document, the Residential Construction Standard Plan section (3.01.1.1) has been updated.

The Department of Natural Resources and Environmental Control (DNREC) Division of Watershed Stewardship will conduct a public hearing on **Regulation No. 5101 Sediment and Stormwater Regulations**, incorporating the Technical Document by reference.

The public hearing for **Regulation No. 5101 Sediment and Stormwater Regulations** will be held Tuesday, January 5, 2016, at 6:00 p.m. in the DNREC Auditorium, Richardson and Robbins Building, 89 Kings Highway, Dover, DE 19901.

The proposed regulation and referenced Technical Document may be inspected on the DNREC Division of Watershed Stewardship's Sediment and Stormwater Program website: <http://www.dnrec.delaware.gov/swc/Pages/SedimentStormwater.aspx>

For additional information or any appointments to inspect the proposed regulation revisions at DNREC, please contact Elaine Webb, DNREC Sediment and Stormwater Program, 89 Kings Highway, Dover, DE 19901, (302) 739-9921, Elaine.Webb@state.de.us.

Interested parties shall submit comments in writing on the proposed regulation revisions by the end of the comment period, as designated by the hearing officer at this hearing, to Elaine Webb and/or statements and testimony may be presented either orally or in writing at the January 5, 2016 public hearing. It is requested that those interested in presenting statements at the public hearing register in advance and that written statements and comments be addressed to:

Elaine Webb
DNREC – Sediment and Stormwater Program
89 Kings Highway
Dover, DE 19901

DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES
DIVISION OF PREVENTION AND BEHAVIORAL HEALTH SERVICES
Qualifications for Juvenile Mental Health Screeners
PUBLIC NOTICE

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code), and under the authority of Title 29 of the Delaware Code, Chapter 90, §9005, (7), the Department of Services for Children, Youth and Their Families (DSCYF) / Division of Prevention and Behavioral Health Services (DPBHS) is proposing to create qualification for Juvenile Mental Health Screeners.

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 Stephen Perales, Office of the Director, Division of Prevention and Behavioral Health Services, 1825 Faulkland Road, Wilmington, DE 19805-1195 or by fax to 302-622-4475 by December 31, 2015. Please identify in the subject line: Qualifications for Juvenile Mental Health Screeners.

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.

DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION
5200 BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS
PUBLIC NOTICE

The Delaware Board of Examiners of Nursing Home Administrators, pursuant to 24 **Del.C.** §5206(1), proposes to revise its regulations. The Board will hold a public hearing on the proposed rule change on March 8, 2016 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 Flora Peer, Administrator of the Delaware Board of Nursing Home Administrators, Cannon Building, 861 Silver Lake Blvd, Suite 203, Dover, DE 19904.

Persons wishing to submit written comments may forward these to the Board at the above address in accordance with 29 **Del.C.** §10118(a).

DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
Pedestrian Accessibility Standards
PUBLIC NOTICE

The DeIDOT Pedestrian Accessibility Standards for Facilities in the Public Right of Way or "DeIDOT Pedestrian Standards" combines into one document the requirements, guidelines and best practices for accessible pedestrian facilities in the public transportation right of way as identified by the:

- Americans with Disabilities Act of 1990 or ADA; (<http://www.ada.gov/>)
- ADA Standards for Transportation Facilities 2006 or 2006 Standards adopted by the US Department of Transportation; (www.dot.gov/accessibility)
- Draft Public Right of Way Accessibility Guidelines or PROWAG 2011 developed by the US Access Board; (<http://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way/proposed-rights-of-way-guidelines>)
- Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way or PROWAG Supplement 2013; Shared Use Paths; <http://www.access-board.gov/guidelines-and-standards/streets-sidewalks/shared-use-paths>. The 2013 PROWAG Supplement includes unchanged PROWAG 2011 guidance as well as revised PROWAG 2011 guidance and new guidance on a variety of pedestrian system features.
- US Department of Justice or DOJ; (<http://www.justice.gov/>), and
- US Department of Transportation or USDOT; (<http://www.dot.gov/>).

The standards provided in this document, in concert with the Delaware Manual on Uniform Traffic Control Devices or DE MUTCD, (http://deldot.gov/information/pubs_forms/manuals/de_mutcd/) are intended to assist all public and private sector transportation planners and engineers in the effort to achieve a more consistent approach to planning, design, construction and maintenance of accessible pedestrian facilities in the public transportation right of way. The Pedestrian Accessibility Standards for Facilities in the Public Right of Way have been developed to meet the spirit and intent of the legislation as well as the regulatory requirements and guidance of ADA, DOJ and USDOT as of the date of this publication. The primary reference documents used are the 2006 US DOT Standards with citations noted as numbers (e.g., 101.1) and the US Access Board's 2011 and 2013 PROWAG with citations noted as numbers preceded by R (e.g., R101.1).

Please send any comments no later than December 31, 2015 to the attention of:

Jim Pappas
Assistant Director
Office of Performance Management
Delaware Department of Transportation

800 Bay Road
Dover, DE 19903
james.pappas@state.de.us