

# CALENDAR OF EVENTS/HEARING NOTICES

## CALENDAR

December 2024

### DELAWARE RIVER BASIN COMMISSION

#### PUBLIC NOTICE

The Commission's quarterly business meeting will be held on **Thursday, December 5, 2024**, commencing at 10:30 a.m. The business meeting will be held remotely. An agenda, along with details about the remote platform and how to attend, will be posted on the Commission's website, [www.drbc.gov](http://www.drbc.gov), at least ten (10) days prior to the meeting date.

For additional information, including a link to the live stream of this event, please visit the DRBC website at [www.drbc.gov](http://www.drbc.gov) or contact Patricia Hausler at [patricia.hausler@drbc.gov](mailto:patricia.hausler@drbc.gov).

Pamela M. Bush, J.D., M.R.P.  
Commission Secretary and Assistant General Counsel

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### DEPARTMENT OF EDUCATION

#### PUBLIC NOTICE

The State Board of Education meets monthly, generally at 5:00pm on the third Thursday of the month. These meetings are open to the public. The Board rotates locations of regular meetings among the three counties.

The State Board of Education provides information about meeting dates and times, materials, minutes, and audio recordings on its website:

<https://education.delaware.gov/community/governance/state-board-of-education/sbe-monthly-meetings/>

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### DEPARTMENT OF FINANCE

#### OFFICE OF THE STATE LOTTERY

#### PUBLIC NOTICE

#### 203 Video Lottery and Table Game Regulations

##### **A. Type of Regulatory Action Required**

Amendment to Existing Regulations

##### **B. Synopsis of Subject Matter of the Regulation**

The Delaware State Lottery will seek public comments on the issue of whether certain amendments to its current regulation should be adopted.

The proposed amendments are to subsections 7.15.1.2 and 7.15.6.1 in 10 **DE Admin. Code** 203.

The amendment to these subsections will remove the requirement to appear in-person at the Lottery office during regular business hours to enroll in the self-exclusion program.

Persons wishing to present their views regarding this matter may do so by submitting written comments by the close of business on or before January 2, 2025, at the offices of the Delaware State Lottery at 1575 McKee Road, Suite 102, Dover, DE 19904. A copy of these regulations is available at the Delaware State Lottery office at the same address above. Copies are also published online at the Register of Regulations website: <https://>

[regulations.delaware.gov/register/current\\_issue.shtml](https://regulations.delaware.gov/register/current_issue.shtml).

### **C. Summary of Proposal**

The proposed amendments to subsections 7.15.1.2 and 7.15.6.1 will remove the requirement of problem gamblers appearing in person to enroll themselves in (or remove themselves from) the Lottery's self-exclusion program - an integral part of our Responsible Gambling efforts. The requirement to appear in person at Lottery headquarters in Dover during business hours is a real hardship to those who need our assistance. We are working with Delaware Department of Technology and Information on a virtual option that maintains the necessary confidentiality controls while providing this service online.

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## **DEPARTMENT OF HEALTH AND SOCIAL SERVICES**

### **DIVISION OF MEDICAID AND MEDICAL ASSISTANCE**

#### **PUBLIC NOTICE**

#### **Nursing Facility Rates**

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the **Delaware Code**) and under the authority of 31 **Del.C.** §512, Delaware Health and Social Services ("Department") / Division of Medicaid and Medical Assistance (DHSS/DMMA) is proposing to amend Title XIX Medicaid State Plan Attachment 4.19-D page 19, specifically, to modify the rates for nursing facilities.

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, Planning and Policy Unit, Division of Medicaid and Medical Assistance, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906, by email to [DHSS\\_DMMA\\_Publiccomment@Delaware.gov](mailto:DHSS_DMMA_Publiccomment@Delaware.gov), or by fax to 302-255-4413 by 4:30 p.m. on December 31, 2024. Please identify in the subject line: Nursing Facility Rates

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.

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### **DIVISION OF MEDICAID AND MEDICAL ASSISTANCE**

#### **PUBLIC NOTICE**

#### **School Based Services**

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the **Delaware Code**) and under the authority of 31 **Del.C.** §512, Delaware Health and Social Services ("Department") / Division of Medicaid and Medical Assistance (DHSS/DMMA) is proposing to amend Title XIX Medicaid State Plan Attachment 3.1-A page 2b Addendum, Attachment 3.1-A page 2c Addendum, Attachment 4.19-D page 19a, Attachment 4.19-D page 19d, and Attachment 4.19-D page 19e, specifically, to expand services provided in the school setting.

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, Planning and Policy Unit, Division of Medicaid and Medical Assistance, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906, by email to [DHSS\\_DMMA\\_Publiccomment@Delaware.gov](mailto:DHSS_DMMA_Publiccomment@Delaware.gov), or by fax to 302-255-4413 by 4:30 p.m. on December 31, 2024. Please identify in the subject line: School Based Services

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.

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### **DIVISION OF PUBLIC HEALTH**

#### **PUBLIC NOTICE**

## 4465 Delaware Radiation Control Regulations

Pursuant to 16 **Del.C.** §7406, the Department of Health and Social Services, Division of Public Health has the legal authority to promulgate regulations. The Division of Public Health is proposing revisions to the Delaware Radiation Control Regulation and intends to hold it open for public comment per Delaware law. The revisions include striking Part B, subsection 3.2, and amending Part F, the definition of "Licensed Practitioner".

Copies of the proposed regulations are available for review in the December 1, 2024, issue of the *Delaware Register of Regulations*, accessible online at: <http://regulations.delaware.gov> or by calling the Division of Public Health at (302) 744-4951.

Comments will be accepted until 4:30 p.m. on Thursday, January 2, 2025, in written form via email to [DHSS\\_DPH\\_regulations@delaware.gov](mailto:DHSS_DPH_regulations@delaware.gov), or by U.S. mail to the following address:

Vicki Schultes, Hearing Officer  
Division of Public Health  
417 Federal Street  
Dover, DE 19901

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## DIVISION OF PUBLIC HEALTH PUBLIC NOTICE 4466 Radiation Technologists/Technicians (Certification)

Pursuant to 16 **Del.C.** §7406, the Department of Health and Social Services, Division of Public Health has the legal authority to promulgate regulations. The Division of Public Health is proposing revisions to the Radiation Technologists/Technicians (Certification) Regulation and intends to hold it open for public comment per Delaware law. The revisions include:

- Amending the definition of "Licensed Practitioner"; and
- Deleting subsection 5.5 regarding legal titles and their scope of practice.

Copies of the proposed regulations are available for review in the December 1, 2024, issue of the *Delaware Register of Regulations*, accessible online at: <http://regulations.delaware.gov> or by calling the Division of Public Health at (302) 744-4951.

Comments will be accepted until 4:30 p.m. on Thursday, January 2, 2025, in written form via email to [DHSS\\_DPH\\_regulations@delaware.gov](mailto:DHSS_DPH_regulations@delaware.gov), or by U.S. mail to the following address:

Vicki Schultes, Hearing Officer  
Division of Public Health  
417 Federal Street  
Dover, DE 19901

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## DIVISION OF SOCIAL SERVICES PUBLIC NOTICE Adjusting Food Benefit EBT Accounts

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code) and under the authority of 31 **Del.C.** §512, Delaware Health and Social Services ("Department") / Division of Social Services (DHSS/DSS) is proposing to amend the Division of Social Services Manual (DSSM) to amend adjusting food benefit EBT accounts.

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, Division of Social Services (DSS), 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906, by email to [DHSS\\_DMMA\\_Publiccomment@Delaware.gov](mailto:DHSS_DMMA_Publiccomment@Delaware.gov), or by fax to 302-255-4413 by 4:30 p.m. on December 31, 2024. Please identify in the subject line: Adjusting Food Benefit EBT Accounts

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.

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**DIVISION OF SOCIAL SECURITY  
PUBLIC NOTICE  
Babies Born to Teen Parents**

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the **Delaware Code**) and under the authority of 31 **Del.C.** §512, Delaware Health and Social Services ("Department") / Division of Social Services (DHSS/DSS) is proposing to amend the Division of Social Services Manual (DSSM) to amend babies born to teen parents.

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, Division of Social Services (DSS), 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906, by email to [DHSS\\_DMMA\\_Publiccomment@Delaware.gov](mailto:DHSS_DMMA_Publiccomment@Delaware.gov), or by fax to 302-255-4413 by 4:30 p.m. on December 31, 2024. Please identify in the subject line: Babies Born to Teen Parents

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.

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**DEPARTMENT OF STATE  
DIVISION OF PROFESSIONAL REGULATION  
PUBLIC NOTICE**

**3700 Board of Examiners of Speech/Language Pathologists, Audiologists & Hearing Aid Dispensers**

The Delaware Board of Speech/Language Pathologists, Audiologists and Hearing Aid Dispensers ("Board"), pursuant to 24 **Del.C.** §3706(a)(1), proposes to amend its rules and regulations. The revisions implement SB No. 320, 152nd General Assembly, enacted September 19, 2024. SB No. 320 creates a licensure category for speech/language pathology assistants. The proposed amendments set forth re-quirements for licensure and supervision of speech/language pathology assistants.

The Board will hold a public hearing on the proposed regulation changes on January 21, 2025, at 2:00 p.m., virtually and in the Second Floor Conference Room B, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments should be sent to Jessica Lobaccaro, Administrative Specialist for the Delaware Board of Speech/Language Pathologists, Audiologists and Hearing Aid Dispensers, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904 or at [jessica.lobaccaro@delaware.gov](mailto:jessica.lobaccaro@delaware.gov). Written comments will be accepted until February 5, 2025 pursuant to 29 **Del.C.** § 10118(a).

The Board further has additional regulatory changes pending which were published in the October 1, 2024 *Register of Regulations*, Volume 28, Issue 4. These pending revisions include clarification of the licensure requirements for the professions regulated by the Board, elimination of the cap on the number of times that a hearing aid dispenser applicant may take the licensure examination, and amendment of the continuing education requirements to add two hours in ethics. The hearing will take place on November 19, 2024, and deliberations will be conducted on January 21, 2025.

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**DIVISION OF PROFESSIONAL REGULATION  
PUBLIC NOTICE**

### **3900 Board of Social Work Examiners**

Pursuant to 24 **Del.C.** §3906(a)(1), the Delaware Board of Social Work Examiners ("Board") has proposed revisions to its regulation. Subsection 2.2.1 has been revised to provide that there will be no limit to the number of times that an applicant may take the licensure examination. In addition, the revisions implement SB 314, 152nd General Assembly, which removed "supervision" from the scope of practice of a master's social worker and prohibits a master's social worker from providing supervision to a licensed clinical social worker applicant.

A public hearing will be held on January 13, 2025 at 9:00 a.m. in the second floor conference room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Board of Social Work Examiners, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Board at the above address or at [alison.warren@delaware.gov](mailto:alison.warren@delaware.gov).

In accordance with 29 **Del.C.** §10118(a), the final date to receive written comments will be January 28, 2025. The Board will deliberate on all public comments at its next regularly scheduled meeting.

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### **DIVISION OF PROFESSIONAL REGULATION PUBLIC NOTICE 4400 Delaware Manufactured Home Installation Board**

Pursuant to 24 **Del.C.** §4416(b)(1), the Delaware Manufactured Home Installation Board (the "Board") has the authority to promulgate rules and regulations that carry out the objectives of Chapter 44 of Title 24.

The proposed addition of subsection 5.4 provides that the Board proposes to accept a passing score on the United States Department of Housing and Urban Development's certification course final examination in lieu of the State's otherwise-designated examination. Proposed amendments to section 7.0 modify the process and requirements for entering and maintaining inactive licensure status. The other proposed amendments reflect corrections to embedded links and technical and style changes consistent with the *Delaware Administrative Code Drafting and Style Manual*.

The Board will hold a public hearing on the proposed regulation changes on January 13, 2025, at 9:00 a.m. in the second-floor conference room B of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Manufactured Home Installation Board, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Board at the above address or at [Maya.Echols@delaware.gov](mailto:Maya.Echols@delaware.gov).

In accordance with 29 **Del.C.** §10118(a), the final date to receive written comments will be January 28, 2025. The Board will deliberate on the public comments at its next regularly scheduled meeting thereafter.

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### **DIVISION OF SMALL BUSINESS PUBLIC NOTICE The Delaware Grocery Initiative**

In compliance with the State's Administrative Procedures Act (Title 29, Chapter 101 of the Delaware Code) and under the authority of 29 **Del.C.** §8705A, the Division of Small Business ("Division") proposes to promulgate new regulations regarding criteria and procedures governing The Delaware Grocery Initiative.

In accordance with 29 **Del.C.** §10116, persons wishing to submit written comments, suggestions, briefs, and compilations of data or other written materials concerning the proposed modifications should direct them to the following address:

Business Finance Unit  
Division of Small Business  
99 Kings Highway  
Dover, DE 19901

Comments may also be directed via electronic mail to [business\\_finance@delaware.gov](mailto:business_finance@delaware.gov). Any written submission in response to this notice and relevant to the proposed rules must be received by the above contact at the Division of Small Business no later than 4 p.m. EST, January 3, 2025.

The action concerning determination of whether to adopt the proposed regulations will be based upon the Division's consideration of the written comments and any other written materials filed by the public.

**Statutory Authority 29 Del.C. §8705A.**

29 Del.C. §8705A enables the Division of Small Business to establish and promulgate such rules and regulations governing the administration and operation of the Division as may be deemed necessary by the Director and which are not inconsistent with the laws of the State of Delaware.

**Background**

Senate Substitute No.1 for Senate Bill No. 254 of the 152nd General Assembly created the Delaware Grocery Initiative (the "Initiative"). The purpose of the Initiative is to expand access to healthy foods in food deserts in Delaware and areas at risk of becoming food deserts in Delaware by providing grants and other forms of financial assistance to an eligible food resource, nonprofit food resource, local governmental unit food resource, or specialty grocer. The Initiative will be administered by the Division of Small Business, a division within the Department of State. 29 Del.C. §8703A.

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**PUBLIC SERVICE COMMISSION  
PUBLIC NOTICE  
3012 Rules for Regulation of Net Metering**

IN THE MATTER OF THE ADOPTION OF  
RULES AND REGULATIONS TO  
IMPLEMENT THE PROVISIONS OF *TITLE*  
*26 §1014* OF THE DELAWARE CODE  
RELATING TO NET METERING  
(OPENED OCTOBER 25, 2023)

PSC REGULATION DOCKET NO. 65

The Delaware Public Service Commission ("Commission" or "PSC") proposes to issue amendments to the regulations governing its regulation of net energy metering, which is currently codified in the *Rules for Regulation of Net Metering*, at 26 **DE Admin. Code** 3012. In summary, the Commission proposes to amend the regulations to comply with the requirements set forth by Senate Bill 298, Senate Bill 54 and Senate Bill 111 codified at 26 **Del.C.** §§209(a)(1), 1014(d) & 1014(e).

You can review the proposed regulations in the December 2024 issue of the *Delaware Register of Regulations*. You can also review the Commission Order and the proposed regulations in the PSC's electronic filing system, Delafile, located at <http://delafile.delaware.gov/> (for docket #, input "Reg. 65"). If you wish to obtain written copies of the Order and proposed regulations, please contact the PSC at (302)736-7500. Copies in excess of the first twenty (20) pages are \$0.25 per page. Payment is expected prior to copying (if you wish the copies to be mailed) or at the time the copies are retrieved (if you retrieve them in person).

Pursuant to 29 **Del.C.** §10118(a), written comments on the proposed regulations will be accepted until January 2, 2025. Comments should be submitted via email to [PSC@delaware.gov](mailto:PSC@delaware.gov) with the subject line "Regulation Docket No. 65" or mailed to: Crystal Beenick, Public Service Commission, Cannon Building, 861 Silver Lake Blvd., Suite 100, Dover, DE 19904.

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