

**DEPARTMENT OF ADMINISTRATIVE SERVICES**  
**DIVISION OF PROFESSIONAL REGULATION**  
**BOARD OF DENTAL EXAMINERS**

**Notice of Public Hearing**

The Delaware Board of Dental Examiners in accordance with 24 **Del.C.** §1106(1) has proposed changes to its rules and regulations as mandated by Senate Bill # 229 (74 **Del. Laws** c. 262) to identify crimes that are substantially related to the provision of dentistry and dental hygiene. The change also clarifies who is eligible to take the practical (clinical) examination in dentistry or dental hygiene.

A public hearing will be held Thursday, March 10, 2005 in the second floor conference room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware where members of the public can offer comments. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Board of Dental Examiners, 861 Silver Lake Boulevard, Cannon Building, Suite 203, Dover, DE 19904. Persons wishing to submit written comments may forward these to the Board at the above address. The final date to receive written comments will be at the public hearing.

The Board will consider promulgating the proposed regulations at its regularly scheduled meeting following the public hearing.

**DIVISION OF PROFESSIONAL REGULATION**  
**BOARD OF PHYSICAL THERAPISTS AND ATHLETIC TRAINERS**

**Notice of Rescheduled Public Hearing**

The Delaware Examining Board of Physical Therapists and Athletic Trainers in accordance with 24 **Del.C.** §2604(1) has proposed changes to its rules and regulations as mandated by SB 229. The proposal identifies crimes that are substantially related to the practice of physical therapy and athletic training. The full text of the proposed regulation was published in the *Register of Regulations*, Vol. 8, Issue 6, on December 1, 2004.

The public hearing originally scheduled for January 18, 2005 at 6:30 p.m. has been rescheduled to March 15, 2005 at 6:30 p.m. The public hearing will be held in the second floor Conference Room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware where members of the public can offer comments. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Examining Board of Physical Therapists and Athletic Trainers, 861 Silver Lake Blvd., Cannon Building, Suite 203, Dover, DE 19904. Persons wishing to submit written comments may forward these to the Board at the above address. The final date to receive written comments will be at the public hearing.

The Board will consider promulgating the proposed regulations at its regularly scheduled meeting following the public hearing.

**DIVISION OF PROFESSIONAL REGULATION**  
**BOARD OF OCCUPATIONAL THERAPISTS**

**Notice of Public Hearing**

The State Board of Occupational Therapy Practice in accordance with 24 **Del.C.** §2006(b) has proposed changes to its rules and regulations as mandated by SB 229. The proposal identifies crimes that are substantially related to the practice of occupational therapy.

A public hearing was held on November 17, 2004 after which the Board decided to review its propose. A revised list of related crimes was developed on January 12, 2005 which includes deletions, additions and clarifications that are substantive. Changes from the proposal originally published in the Register of Regulations on October 1, 2004 are noted.

A second public hearing will be held on March 16, 2005 at 4:30 p.m. in the second floor conference room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware where members of the public can offer comments. Anyone

wishing to receive a copy of the proposed rules and regulations may obtain a copy from the State Board of Occupational Therapy Practice, 861 Silver Lake Blvd, Cannon Building, Suite 203, Dover DE 19904. Persons wishing to submit written comments may forward these to the Board at the above address. The final date to receive written comments will be at the public hearing.

The Board will consider promulgating the proposed regulations at its regularly scheduled meeting following the public hearing.

**DIVISION OF PROFESSIONAL REGULATION  
BOARD OF EXAMINERS OF PSYCHOLOGISTS**

**Notice of Rescheduled Public Hearing**

The Delaware Board of Examiners of Psychologists in accordance with 24 Del.C. §3506(a)(1) has proposed changes to its rules and regulations as mandated by SB 229. The proposal identifies crimes that are substantially related to the provision of psychology services. The full text of the proposed regulation was published in the *Register of Regulations*, Vol. 8, Issue 6, on December 1, 2004.

The public hearing originally scheduled for January 3, 2005 at 9:30 a.m. has been rescheduled to March 7, 2005 at 9:30 a.m. The public hearing will be held in the second floor conference room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware where members of the public can offer comments. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Board of Examiners of Psychologists, 861 Silver Lake Blvd, Cannon Building, Suite 203, Dover DE 19904. Persons wishing to submit written comments may forward these to the Board at the above address. The final date to receive written comments will be at the public hearing.

The Board will consider promulgating the proposed regulations at its regularly scheduled meeting following the public hearing.

**DEPARTMENT OF EDUCATION**

The State Board of Education will hold its monthly meeting on Thursday, February 17, 2005 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

**DEPARTMENT OF FINANCE  
DIVISION OF REVENUE**

**PUBLIC NOTICE**

**Tobacco Quarterly Escrow Installments and Certification Pursuant To 29 Del.C. Ch. 60d**

The Division of Revenue proposes to adopt the following regulation concerning **Tobacco Quarterly Escrow Installments and Certification Pursuant To 29 Del.c. Ch. 60d**. Written comments or other written materials concerning the proposed regulation must be received by the Division of Revenue no later than 4:30 p.m., Tuesday, March 15, 2005, and should be addressed to Deputy Attorney General Drue Chichi, Esquire, c/o Department of Finance, Division of Revenue, 820 North French Street, Wilmington, DE 19899-8911 or sent by fax to (302) 577-8202 or Email to [drue.chichi@state.de.us](mailto:drue.chichi@state.de.us).

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

### **DIVISION OF SOCIAL SERVICES**

#### **Notice of Public Hearing**

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 107, Delaware Health and Social Services (DHSS) / Division of Social Services is proposing to amend the policy of the Food Stamp Program in the Division of Social Services Manual (DSSM) as it relates to joint application processing.

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, Policy, Program & Development Unit, Division of Social Services, P.O. Box 906, New Castle, Delaware 19720-0906 by March 2, 2005.

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 INSURANCE**

#### **Notice Of Public Hearing**

INSURANCE COMMISSIONER MATTHEW DENN hereby gives notice that a PUBLIC HEARING will be held on Thursday, March 3, 2005 at 10:00 a.m. in will be held on Thursday, March 3, 2005 at 10:00 a.m. in Room 112 of the Tatnall Building, William Penn St., Dover, Delaware. The hearing is to consider amending Regulation 1310 relating to Standards for Prompt, Fair and Equitable Settlement of Claims for Health Care Services.

The purpose for amending Regulation 1310 is to speed resolution of health care providers' claims and simplify the current process for resolution of those claims. The proposed amendments provide for a 30 day time period for insurers to process all clean claims and limits the number of times an insurer can request additional information from a provider. The proposed amendment also redefines a clean claim and changes the penalty provisions for violations of the regulation. The hearing officer shall also consider any non-substantive technical changes that may presented at the time of the hearing.

The hearing will be conducted in accordance with 18 **Del.C.** §311 and the Delaware Administrative Procedures Act, 29 **Del.C.** Chapter 101. Comments are being solicited from any interested party. Comments may be in writing or may be presented orally at the hearing. Written comments, testimony or other written materials concerning the proposed change to the regulation must be received by the Department of Insurance no later than 4:30 p.m., Monday March 2, 2005, and should be addressed to Deputy Attorney General Michael J. Rich, c/o Delaware Department of Insurance, 841 Silver Lake Boulevard, Dover, DE 19904, or sent by fax to 302.739.5566 or email to [michael.rich@state.de.us](mailto:michael.rich@state.de.us).

## **DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**

### **DIVISION OF FISH AND WILDLIFE**

#### **Notice of Public Hearing**

##### **Title Of The Regulations:**

Tidal Finfish Regulations

##### **Brief Synopsis of the Subject, Substance and Issues:**

The coast wide requirements for recreational black sea bass fishermen, as mandated by the Atlantic States Marine Fisheries Commission's Fishery Management Plan (FMP), in 2005 are a 12.0 inch minimum size length with a 25 fish creel

limit and no closed season. Delaware currently has a twelve (12) inch minimum size limit, a 25 fish creel limit and a closed season during September 8 through September 21 and December 1 through December 31. It is proposed to amend Tidal Finfish Regulation No. 3507 to eliminate the current closed season in order to be in compliance with the Atlantic States Marine Fisheries Commission's FMP.

The Summer Flounder Fishery Management Plan (FMP) details the annual process that the Summer Flounder Fishery Management Board, the Mid-Atlantic Management Council and the National Marine Fisheries Service are to use to establish conservation equivalency for the recreational summer flounder fishery. These agencies agreed that the states would implement conservationally equivalent measures rather than a coastwide management program for summer flounder in 2005. Delaware is obligated to cap the summer flounder recreational harvest at 150,000 fish for 2005. This is 29,000 more fish than were estimated to have been landed in 2004. Given that over one million marine recreational fishing trips occur annually in Delaware and that the 2000 year class of summer flounder was reported to be above average thus suggesting that more fish may be available for harvest in 2005; it is inadvisable to significantly alter the management measures that were in place for 2004. However, landings information suggests that by increasing the season to adjust for the eight percent increase in the harvest cap projected landings will continue to remain below the 2005 limit. As such, it is proposed that the eight management options that were presented for the 2004 fishing season, which included size ranges from 16 inches to 17.5 inches and creel limits ranging from 4 fish to 7 fish, and a variety of seasonal closures be presented again for public review and comment. Options one through six, which have seasonal closures, are being adjusted to include additional days in order to compensate for the eight percent increase in the harvest cap. The adopted management approach for 2004 included a 17.5 inch minimum size, and 4 fish creel limit. It is anticipated that the minimum size limit of 17.5 inches will once again be an effective restraining factor in 2005.

**Notice Of Public Comment:**

Individuals may present their comments or request additional information by contacting the Fisheries Section, Division of Fish and Wildlife, 89 Kings Highway, Dover, DE 19901, (302) 739-3441. A public hearing on these proposed amendments will be held on February 24, 2005 at 7:30 PM in the DNREC Auditorium, 89 Kings Highway, Dover, DE 19901. The record will remain open for written comments until 4:30 PM, March 4, 2005.

**Prepared By:**

Richard Cole, (302) 739-4782, January 10, 2005

**DEPARTMENT OF TRANSPORTATION  
DIVISION OF MOTOR VEHICLES**

**Notice of Public Comment Period**

Notice is hereby given that the Department of Transportation, Division of Motor Vehicles, in accordance with 21 Del.C. 83 proposes changes to the current chapter to the Rules and Regulations Governing the Licensing of Commercial Motor Vehicle Training Schools and Instructors for those schools offering motorcycle training titled Motorcycle Rider Education Courses Provider Requirements.

The public comment period will be open until March 2, 2005. Any persons wishing to present views may submit them in writing, by March 2, 2005, to Coordinator Delaware Motorcycle Rider Education Program, P.O. Box 698, Dover, DE 19903