

DEPARTMENT OF AGRICULTURE
Division of Animal Health and Food Products Inspection

PUBLIC NOTICE

304 Exotic Animal Regulations

The Delaware Department of Agriculture repropose these regulations in accordance with the General Assembly's mandate to enforce Chapter 72 of Title 3 of the **Delaware Code** and to specify the means by which citizens of the State of Delaware may obtain a permit from the Delaware Department of Agriculture to possess, sell, or exhibit, exotic animals within the state.

These proposed regulations will be considered at a public hearing scheduled for February 20, 2009 at 10:00 a.m. at the Department of Agriculture Building, Conference Room 1.

The Delaware Department of Agriculture solicits written comments from the public concerning these proposed regulations. Any such comments should be submitted to the Assistant State Veterinarian, Caroline Hughes, VMD, at Delaware Department of Agriculture, 2320 S. DuPont Highway, Dover, DE 19901 on or before March 2, 2009. Copies of the proposed regulations are available on request.

DEPARTMENT OF EDUCATION

PUBLIC NOTICE

The State Board of Education will hold its monthly meeting on Thursday, February 19, 2009 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

15120.2 Financial Eligibility

Self-Employment Income

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 & Medical Assistance is proposing to amend policies in the Division of Social Services Manual (DSSM) to comply with the CMS-approved Medicaid state plan amendment regarding the use of a self-employment standard deduction to determine eligibility.

Any person who wishes to make written suggestions, compilations of data, testimony, briefs or other written materials concerning the proposed regulations must submit same to Sharon L. Summers, Policy, 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 March 4, 2009.

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

Family Planning

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) / is proposing to amend the Division of Social Services Manual (DSSM) regarding the eligibility requirements for Family Planning.

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 March 4, 2009.

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 SOCIAL SERVICES

PUBLIC NOTICE

FOOD SUPPLEMENT PROGRAM

9008 Residency

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 Social Services is proposing to amend Food Supplement Program policies in the Division of Social Services Manual (DSSM) regarding *Residency*.

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 and Development Unit, Division of Social Services, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906 or by fax to (302) 255-4425 by March 4, 2009.

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 SOCIAL SERVICES

PUBLIC NOTICE

FOOD SUPPLEMENT PROGRAM

Anticipating Expenses, Calculating Net Income and Benefit Levels and Mass Changes

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 Social Services is proposing to amend Food Supplement Program policies in the Division of Social Services Manual (DSSM) regarding Anticipating Expenses, Calculating Net Income and Benefit Level, and Mass Changes.

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, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906 or by fax to (302) 255-4425 by March 4, 2009.

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
1700 BOARD OF MEDICAL PRACTICE
PUBLIC NOTICE

The Delaware Board of Medical Practice in accordance with 24 **Del.C.** §1713(a)(12) has proposed changes to its rules and regulations as mandated by HB 236 (codified at 24 **Del.C.** §1761). The proposal creates a new regulation establishing a schedule of the maximum fees that may be charged by a physician when a patient requests a copy of their records to be transferred to another physician and/or wishes to obtain a copy of their own medical records directly from the physician.

A public hearing will be held on March 3, 2009 at 3:00 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 Delaware Board of Medical 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
PUBLIC NOTICE
2930 Council on Real Estate Appraisers

Pursuant to 24 **Del.C.** §4006(a)(1), the Council on Real Estate Appraisers has proposed revisions to its rules and regulations.

The public hearing has been rescheduled for March 17, 2009 at 9:45 a.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 Council on Real Estate Appraisers, 861 Silver Lake Boulevard, Dover, Delaware 11904. Persons wishing to submit written comments may forward these to the Council at the above address. The final date to receive written comments will be at the public hearing.

The Council proposes amendments to Rule 2.5, which addresses the Council's continuing education audit. The Council will audit a minimum of 25% of the licensees during each renewal period. In addition, Rule 2.5.4 is added to expressly give the Board authority to conduct hearings and impose the full range of sanctions available under 24 **Del.C.** §4016 when licensees fail to comply with continuing education requirements.

Several Rules concerning the specific continuing education requirements are also revised. Rule 2.5.4.2 is amended to state that, beginning on November 1, 2009, during each renewal period, all licensees must complete

three hours of education on Delaware Law, Rules and Regulations. Currently, only two hours of education in this subject matter are required. Rule 2.5.10 is amended to clarify that the requirement that 14 hours of education per licensure period must be taken in a traditional classroom setting begins November 1, 2009. The provision that the seven hour USPAP update course must be taken in a classroom is stricken. Rule 2.5.11 is revised to state that all courses must be approved by the Council to qualify as continuing education.

Pursuant to the new Rule 2.5.13, a hardship provision is added, which will give the Council discretion to grant an extension for completion of continuing education in certain specified circumstances.

Finally, Rule 4.2.4 is amended for greater clarity. This Rule provides that, for a certain period of time, a licensee who has been sanctioned by the Council is prohibited from supervising trainees. The revisions clarify the parameters of this prohibition and add an exemption for licensees who were sanctioned prior to July 1, 2009.

The proposed amendments strengthen continuing education standards. Further, pursuant to the revisions, the Council will be given the authority to impose a full range of sanctions on licensees who do not comply with continuing education requirements. The Rule prohibiting licensees with disciplinary histories from supervising trainees is clarified. Therefore, the proposed revisions will serve to protect the public from unsafe practices and enhance practitioner competence.

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

12 DE Reg. 1119 (02/01/09)