

DELAWARE RIVER BASIN COMMISSION

PUBLIC NOTICE

The Delaware River Basin Commission will hold a public hearing on **Wednesday, February 15, 2017** beginning at 1:30 p.m. A business meeting will be held the following month on **Wednesday, March 15, 2017** beginning at 10:30 a.m. The hearing and meeting are open to the public and will be held at the Washington Crossing Historic Park Visitor Center, 1112 River Road, Washington Crossing, Pennsylvania. For more information, visit the DRBC web site at www.drbc.net or contact Pamela M. Bush, Commission Secretary and Assistant General Counsel, at 609-883-9500 extension 203 and pamela.bush@drbc.nj.gov.

DEPARTMENT OF EDUCATION

PUBLIC NOTICE

The State Board of Education will hold its monthly meeting on Thursday, February 16, 2017 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

Delaware Healthy Children Program State Plan – Health Services Initiative: Vision to Learn

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code), 42 CFR §447.205, 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 is proposing to amend the Title XXI Delaware Healthy Children Program State Plan regarding health service initiatives, specifically, *to increase access for low-income children to needed vision services and glasses.*

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, Policy and Quality Unit, Division of Medicaid and Medical Assistance, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906, Attention: Kimberly Xavier; by email to Kimberly.xavier@state.de.us; or by fax to 302-255-4425 by March 3, 2017. Please identify in the subject line: CHIP – Health Services Initiative: Vision to Learn.

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

Elderly and Disabled Waiver Provider Policy Manual

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code), 42 CFR §447.205, 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 Elderly and Disabled Waiver Provider Policy Manual, specifically, as it relates to Home and Community-Based Services Settings.

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, Policy and Quality Unit, Division of Medicaid and Medical Assistance, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906, Attention: Kimberly Xavier; by email to Kimberly.xavier@state.de.us; or by fax to 302-255-4425 by 4:30 PM on March 3, 2017. Please identify in the subject line: Elderly and Disabled Waiver Provider Policy Manual

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

Purchase of Care (POC) - Licensed Exempt Providers

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code), 42 CFR §447.205, 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 (DSS) proposes to amend the Delaware Social Services Manual (DSSM) regarding child care licensing requirements, specifically, to revise the definition of licensed exempt child care providers receiving Purchase of Care (POC) funding.

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, Policy and Quality Unit, Division of Medicaid and Medical Assistance, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906, Attention: Kimberly Xavier; by email to Kimberly.xavier@state.de.us; or by fax to 302-255-4425 by 4:30pm on March 3, 2017. Please identify in the subject line: Purchase of Care (POC) - Licensed Exempt Providers

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 NATURAL RESOURCES AND ENVIRONMENTAL CONTROL **DIVISION OF WASTE AND HAZARDOUS SUBSTANCES**

REGISTER NOTICE

1352 Aboveground Storage Tanks

The DNREC-Tank Management Section has revised the proposed amendments to Delaware Administrative Code 1352: Regulations Governing Aboveground Storage Tanks (AST Regulations) following a thorough review. The proposed amendments to the AST Regulations were published in the November 1, 2016 Delaware *Register of Regulations*. These revisions to the proposed amendments to the AST Regulations address sections and language inadvertently excluded by both DNREC and the Registrar. The revisions also include amendments by DNREC resulting from comments received at the public hearing held December 6, 2016 and throughout the initial public comment period which ended December 21, 2016.

The hearing record on the proposed amendments to 7 **DE Admin Code** Section 1352: Regulations Governing Aboveground Storage Tanks will be re-opened February 1, 2017 for a 30-day public comment period ending March 3, 2017. 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.

DEPARTMENT OF SAFETY AND HOMELAND SECURITY **DIVISION OF STATE POLICE**

1300 BOARD OF EXAMINERS OF PRIVATE INVESTIGATORS & PRIVATE SECURITY AGENCIES

PUBLIC NOTICE

Notice is hereby given that the Board of Examiners of Private Investigators and Private Security Agencies, in accordance with 24 **Del. C.** Ch. 13 proposes to repeal the following adopted rule in 24 **DE Admin. Code** 1300 Board of Examiners of Private Investigators and Private Security Agencies: Rule 2.0 – Use of Rifle and Shotgun. If you wish to view the complete Rule, contact Ms. Peggy Anderson at (302) 672-5304. Any persons wishing to present views may submit them in writing, by March 3, 2017, to Delaware State Police, Professional Licensing Section, P. O. Box 430, Dover, DE 19903. The Board will hold its quarterly meeting Monday, April 24, 2017, 9:30am, at the Tatnall Building, 150 Martin Luther King, Jr. Boulevard South, Room 112, Dover, DE.

DEPARTMENT OF STATE **DIVISION OF PROFESSIONAL REGULATION** **100 BOARD OF CHARITABLE GAMING**

PUBLIC NOTICE

101 Regulations Governing Bingo

Pursuant to 28 **Del.C.** §1508(a)(2), the Delaware Board of Charitable Gaming has proposed revisions to its rules and regulations. The rules pertaining to bingo and instant bingo are modified to achieve consistency with recent statutory changes. A public hearing will be held on February 22, 2017 at 10:00 a.m. in the second floor conference room B of the

Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware, where members of the public can offer comments on the amendments to the rules and regulations. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Board of Charitable Gaming, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Board at the above address, "Attention: LaTonya Brown," in accordance with 29 **Del.C.** §10118(a).

DIVISION OF PROFESSIONAL REGULATION
1100 BOARD OF DENTISTRY AND DENTAL HYGIENE
PUBLIC NOTICE

The Delaware Board of Dentistry and Dental Hygiene, pursuant to 24 **Del.C.** §1106(a)(1), proposes to revise its regulations. The proposed amendments to regulation 8 adds regulatory provisions for inactive status pursuant to 24 **Del.C.** §1126(e). The proposed changes to Regulation 11 eliminates several crimes that are listed as substantially related to the practice of dentistry and dental hygiene, and the proposed addition of Regulation 13 adds provision for the practice of teledentistry pursuant to 24 **Del.C.** §1101(19).

The Board will hold a public hearing on the proposed rule change on March 16, 2017 at 3:00 PM, Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments should be sent to Meredith Hurley, Administrator of the Delaware Board of Dentistry and Dental Hygiene, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments will be accepted until April 2, 2017

DIVISION OF PROFESSIONAL REGULATION
1400 BOARD OF ELECTRICAL EXAMINERS
PUBLIC NOTICE

Pursuant to 24 **Del.C.** §1406(a)(1), the Delaware Board of Electrical Examiners has proposed revisions to its rules and regulations. The rules pertaining to crimes substantially related to the practice of electrical services are proposed to be amended.

A public hearing will be held on March 1, 2017 at 9:00 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 on the amendments to the rules and regulations. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Board of Electrical Examiners, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Board at the above address, "Attention: LaTonya Brown".

In accordance with 29 **Del.C.** §10118(a), the final date to receive written comments will be March 16, 2017, 15 days following the public hearing.

DIVISION OF PROFESSIONAL REGULATION
5100 BOARD OF COSMETOLOGY AND BARBERING
PUBLIC NOTICE

Pursuant to 24 **Del.C.** §5106(a)(1), the Board of Cosmetology and Barbering ("Board") has proposed revisions to its rules and regulations.

A public hearing will be held on February 27, 2017 at 9:00 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 Board of Cosmetology and Barbering, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Board, "Attention: Melanie Alexander," at the above address. Pursuant to 29 **Del.C.** §10118(a), the final date to receive written comments will be March 14, 2017, which is 15 days following the public hearing. The Board will deliberate on all of the public comments at its next regularly scheduled meeting, at which time the Board will decide whether to adopt the revisions as proposed.

The proposed revisions amend the requirements for temporary permits and apprenticeship licenses. Curricula is added for apprenticeships, for both cosmetologists and barbers, for the 3,000-hour program and the 1,500-hour merged program as set forth in 24 **Del.C.** §5107(a)(3)(c) and (f). Finally, the new Section 18.0 is amended to delete crimes not substantially related to the practice of the professions regulated by the Board thereby removing unnecessary barriers to licensure.

DIVISION OF PROFESSIONAL REGULATION
CONTROLLED SUBSTANCE ADVISORY COMMITTEE
PUBLIC NOTICE
Uniform Controlled Substances Act Regulations

Pursuant to 16 **Del.C.** §4731(a), the Delaware Secretary of State ("Secretary") proposes revisions to the Uniform Controlled Substance Act ("UCSA") rules and regulations. The proposed regulation is attached hereto as Exhibit A.

The Secretary has proposed revisions to Section 9.0 pertaining to the safe prescribing of opioid analgesics. Subsection 9.6 sets forth the requirements of the medical evaluation that must be performed by a practitioner before a subsequent prescription is issued. The new subsection 9.7 adds two exemptions to subsection 9.6. These exemptions permit continuity of care for acute pain while ensuring patient safety.

In addition, on December 15, 2016, the Secretary issued a Final Order adopting emergency regulations adding the synthetic opioid known as U-47700 to Schedule I. This Final Order was published in the Delaware *Register of Regulations* on January 1, 2017, Volume 20, Issue 7. Pursuant to the Administrative Procedure Act, the Secretary's Final Order will only be effective for a maximum of 120 days but may be renewed once for an additional period of sixty days. 29 **Del.C.** §10119(3). Therefore, the Secretary has proposed the addition of subsections 10.3.1 and 10.3.1.2 to the UCSA rules and regulations.

Any person who wishes to present written suggestions, testimony, briefs or other written materials concerning the proposed regulation should submit such comments no later than Friday, March 3, 2017 to:

Christine Mast, Administrative Specialist III
Office of Controlled Substances
Delaware Division of Professional Regulation
Cannon Building, Suite 203
861 Silver Lake Blvd.
Dover, Delaware 19904
Email: christine.mast@state.de.us
Fax: (302) 739-2711.