

## DEPARTMENT OF EDUCATION

### PUBLIC NOTICE

The State Board of Education will hold its monthly meeting on Thursday, January 19, 2017 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

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## DEPARTMENT OF HEALTH AND SOCIAL SERVICES

### DIVISION OF MEDICAID AND MEDICAL ASSISTANCE

#### PUBLIC NOTICE

#### Federally Qualified Health Centers - Long-Acting Reversible Contraceptives

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 proposing to amend the Title XIX Medicaid State Plan regarding Federally Qualified Health Care Centers, specifically, *to increase access to Long-Acting Reversible Contraceptives*.

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](mailto:Kimberly.Xavier@state.de.us); or by fax to 302-255-4425 by January 31, 2017. Please identify in the subject line: FQHC - LARC.

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

#### Nondiscrimination

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 proposing to amend the Title XIX Medicaid State Plan and Delaware Social Services Manual (DSSM) regarding nondiscrimination, specifically, *to modify language to be more inclusive and to ensure compliance with Federal Regulation*.

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](mailto:Kimberly.Xavier@state.de.us); or by fax to 302-255-4425 by January 31, 2017. Please identify in the subject line: Nondiscrimination.

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

#### 4102 School-Based Health Centers

The Division of Public Health, Department of Health and Social Services, is proposing revisions to the regulations governing School-Based Health Centers (4102). The purpose of the amendments is to make technical corrections to bring the regulations in line with recently revised statutes. On January 1, 2017, DPH plans to publish as proposed the amended regulations, and hold them out for public comment per Delaware law.

Copies of the proposed regulations are available for review in the January 1, 2017 edition of the Delaware *Register of Regulations*, accessible online at: <http://regulations.delaware.gov> or by calling the DPH at (302) 744-4951.

Any person who wishes to make written suggestions, testimony, briefs or other written materials concerning the proposed regulations must submit same to Jamie Mack by Friday, February 10, 2017, at:

Jamie Mack  
Division of Public Health  
417 Federal Street  
Dover, DE 19901  
Email: jamie.mack@state.de.us  
Phone: (302) 744-4951

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**DIVISION OF PUBLIC HEALTH**  
**PUBLIC NOTICE**

**4463 Licensing and Registration of Operators of Public Water Supply Systems**

On January 1, 2017, the Department of Health and Social Services, Division of Public Health, Office of Drinking Water, plans to publish revised Licensing and Registration of Operators of Public Water Supply Systems and hold them out for public comment per Delaware law.

The regulations have been revised to include changes necessary to update requirements for public water system operators to ensure that requirements for training, certification and licensure are in line with federal requirements and industry standards.

Any person who wishes to make written suggestions, testimony, briefs or other written materials concerning the proposed regulation should submit such comments by Friday, February 10, 2017 to:

Jamie Mack, Executive Assistant  
Office of the Director  
Delaware Division of Public Health  
Jesse Cooper Building  
417 Federal Street  
Dover, DE 19901  
Email: jamie.mack@state.de.us  
Fax: 302-739-3984

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**DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**

**DIVISION OF WATERSHED STEWARDSHIP**

**PUBLIC NOTICE**

**7401 Surface Water Quality Standards**

Update to table in section 4.5.7.1 to comply with USC Title 33 Chapter 26 Subchapter III Section 1313(i)(1)(B) in Federal Law. This update will modify bacteria water quality standards for the Atlantic Ocean from Cape Henlopen to the Delaware/Maryland state line.

The hearing record on the proposed changes to 7401 Surface Water Quality Standards Section 4.5.7.1 will be open January 2, 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. A public hearing on the proposed amendment will be held on February 23, 2017 beginning at 6:00 PM in the DNREC Auditorium, located at the Richardson & Robbins Building, 89 Kings Highway, Dover, DE 19901.

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**DEPARTMENT OF STATE**

**DIVISION OF PROFESSIONAL REGULATION**

**EXAMINING BOARD OF PHYSICAL THERAPISTS AND ATHLETIC TRAINERS**

**PUBLIC NOTICE**

**2600 Examining Board of Physical Therapists and Athletic Trainers**

Pursuant to 24 Del.C. §2604(a)(1), the Delaware Examining Board of Physical Therapists and Athletic Trainers ("Board") has proposed revisions to its rules and regulations.

A public hearing will be held on January 24, 2017 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 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 Examining Board of Physical Therapists and Athletic Trainers, 861 Silver Lake Boulevard, Dover, Delaware 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), the final date to receive written comments will be February 8, 2017 which is 15 days following the public hearing. The Board will deliberate on all of the public comment at its regularly scheduled meeting, at which time it will determine whether to adopt the rules and regulations as proposed or make additional changes due to the public comment.

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**DIVISION OF PROFESSIONAL REGULATION**  
**2700 BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS**  
**PUBLIC NOTICE**

The Delaware Board of Professional Land Surveyors, in accordance with 24 **Del.C.** §2706(a)(1), has proposed revisions to its rules and regulations. The proposed revisions to the Rules and Regulations are intended to eliminate references to the continuing education ethics requirement and revise the list of crimes substantially related to the practice of land surveying. The Board will hold a public hearing on the proposed rule changes on February 16, 2017 at 8:30 a.m., 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 Professional Land Surveyors, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904.

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**DIVISION OF PROFESSIONAL REGULATION**  
**3100 BOARD OF FUNERAL SERVICES**  
**PUBLIC NOTICE**

Pursuant to 24 **Del.C.** §3105(a)(1), the Delaware Board of Funeral Services has proposed revisions to its rules and regulations. The rules pertaining to funeral establishment requirements and crimes substantially related to the practice of funeral services are amended.

A public hearing will be held on March 28, 2017 at 10 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 Funeral Services, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Board, c/o Meredith Hurley, at the above address in accordance with 29 **Del.C.** §10118(a).

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**DIVISION OF PROFESSIONAL REGULATION**  
**3600 BOARD OF GEOLOGISTS**  
**PUBLIC NOTICE**

Pursuant to 24 **Del.C.** §3606(a)(1), the Board of Geologists has proposed revisions to its rules and regulations.

A public hearing will be held on February 10, 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. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Board of Geologists, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Board at the above address. Pursuant to 29 **Del.C.** §10118(a), the final date to receive written comments will be February 27, 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 Board's proposed revisions include a new Section 7.1.1.1 which will allow an applicant to take the Fundamentals of Geology ("FG") examination during that applicant's final semester in an accredited geosciences program leading to a degree. The examination is given just twice a year, in March and October. This change will enable the applicant to take the FG examination in March rather than waiting until October. The applicant will still be required to meet all other requirements for licensure, including passing the Practice of Geology examination. The results of the FG examination will be disclosed to the applicant after the final transcript is received. In addition, the list of automatically approved continuing education course providers, in Section 6.10, is amended to add the Pennsylvania Council of Professional Geologists. Finally, Section 6.10.54 is stricken to eliminate Board discretion to add providers to that list. Licensees will still have the option of seeking specific course approval from the Board.

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**DIVISION OF PROFESSIONAL REGULATION**

**5300 BOARD OF MASSAGE AND BODYWORK**  
**PUBLIC NOTICE**

Pursuant to 24 **Del.C.** §5306(a)(1), the Board of Massage and Bodywork ("Board") has proposed revisions to its rules and regulations.

A public hearing will be held on February 16, 2017 at 1:30 p.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. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Board of Massage and Bodywork, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Board at the above address. Pursuant to 29 **Del.C.** § 10118(a), the final date to receive written comments will be March 3, 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 Board has proposed the addition of a definition of "school or approved program" of massage and bodywork and has included specific requirements for documentation of education. These proposed changes will address the widespread problem of applicants presenting invalid and falsified diplomas and school records. The continuing education requirements have been clarified and language has been added to state that a licensee's failure to provide an updated address to the Division of Professional Regulation will not excuse that licensee from discipline for continuing education violations. The new Section 13.0 has been amended to remove crimes not related to the practice of massage and bodywork and thereby eliminate unjustified obstacles to licensure. Finally, various rules and regulations have been modified for clarity and consistency.

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**DEPARTMENT OF TRANSPORTATION**  
**DIVISION OF MOTOR VEHICLES**  
**PUBLIC NOTICE**

**2217 Driver License and Identification Card Application Procedures for Delaware Compliant and Delaware Non-Compliant Identification Documents**

The Delaware Department of Transportation, Division of Motor Vehicles (the "DMV") hereby gives notice of intent to update the Driver License and Identification Card Application Procedures for Delaware Compliant and Delaware Non-Compliant Identification Documents regulation to meet Delaware State Law and Federal Regulation changes.

This proposal adds the use of the State Pointer Exchange System (SPEXS) electronic verification system definition and procedures into the regulation.

The DMV will take written comments on these proposed revisions to Section 2217 of title 2, Delaware Administrative Code, from January 3, 2017 through February 3, 2017.

The public may submit their comments to Kami Beers, Chief of Driver Services, Delaware Division of Motor Vehicles, P.O. Box 698, Dover, Delaware 19903, or by fax to (302) 739-4750 Attn: Kami Beers.