

CALENDAR OF EVENTS/HEARING NOTICES

CALENDAR

January 2024

DELAWARE RIVER BASIN COMMISSION

PUBLIC NOTICE

The Delaware River Basin Commission will hold a public hearing on Wednesday, February 7, 2024, commencing at 1:30 p.m. The public hearing will be conducted remotely. The draft docket decisions and draft resolutions that will be subjects of the public hearing, along with details about the remote platform and how to attend, will be posted on the Commission's website, www.drbc.gov, at least ten (10) days prior to the meeting date.

The Commission's quarterly business meeting will be held on Wednesday, March 6, 2024, commencing at 10:30 a.m. The business meeting will be held remotely. An agenda will be posted on the Commission's website, www.drbc.gov, at least ten (10) days prior to the meeting date.

For additional information, including links to live streams of these events, please visit the DRBC website at www.drbc.gov or contact Patricia Hausler at patricia.hausler@drbc.gov.

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

DELAWARE STATE FIRE PREVENTION COMMISSION

PUBLIC NOTICE

709 Fire Service Standards

The Delaware State Fire Prevention Commission, pursuant to 16 **Del.C.** § 6604(1), proposes to revise regulation 709, by updating language and labels. The proposed regulations update language related to NFPA standards, requirements for new Fire/EMS stations, training requirements, and handling of fire fighter injury investigations.

The Board will accept written comments, which should be sent to Sherry Lambertson, Executive Specialist for the Delaware Fire Prevention Commission, Delaware Fire Service Center, 1463 Chestnut Grove Road, Dover, DE 19904. Written comments may also be sent by email to the following email address: fire.commission@delaware.gov. The Public Comment period will end on Friday, February 2, 2024.

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/>

DEPARTMENT OF FINANCE

OFFICE OF THE STATE LOTTERY

PUBLIC NOTICE

203 Video Lottery and Table Game Regulations

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

The proposed amendments are to subsections 4.6.1, 4.6.2, 4.7.1, 4.7.2, 4.13, 14.5.2, 14.5.3, and 14.6 in 10 **DE Admin. Code 203**.

The amendment to these subsections will give the Lottery authority to proceed with clearer requirements for the licensing of Gaming and Non-Gaming Vendors, as well as for rehires and transfers of licensed employees.

Persons wishing to present their views regarding this matter may do so by submitting written comments by the close of business on or before February 1, 2024, at the offices of the Delaware State Lottery, Attn: Jayne Gooden, 1575 McKee Road, Suite 102, Dover, DE 19904.

The proposed amendments to subsections 4.6.1, 4.6.2, 4.7.1, and 4.7.2 clarify the requirements of Non-Gaming Vendor License applicants regarding thresholds pertaining to amount vendors will be paid and by how many casinos. The proposed amendment to subsection 4.13 alleviates confusion about which key people are required to be licensed in association with the vendor license application. The proposed amendments to Section 14.0 clarify fingerprinting and background requirements of licensees who would like to return to or transfer to a licensed position.

OFFICE OF THE STATE LOTTERY
PUBLIC NOTICE
205 Delaware Charitable Video Lottery Regulations

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

The proposed amendment is to subsection 5.1.30.1 in 10 **DE Admin. Code 205**.

The amendment to subsection 5.1.30.1 would remove the annual requirement for Charitable Gaming Organizations (CGOs) to submit an affidavit of membership if that CGO does not wish to exceed the minimum number of allowable video lottery machines.

Persons wishing to present their views regarding this matter may do so by submitting written comments by the close of business on or before February 1, 2024, at the offices of the Delaware State Lottery, Attn: Jayne Gooden, 1575 McKee Road, Suite 102, Dover, DE 19904.

The amendment to these subsections will save the Charitable Gaming Organizations (CGO) and the Delaware Lottery a great deal of effort by removing the requirement of submitting an annual affidavit when the CGO is not seeking to operate more than the allowable ten (10) video lottery machines. The CGOs are operated almost entirely by volunteers; the affidavit is unnecessary in almost all cases and represents extra effort on the part of the volunteers. It also eliminates the effort required by the Lottery to assist this group in what is sometimes a confusing process for them.

DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF MEDICAID AND MEDICAL ASSISTANCE
PUBLIC NOTICE
Continuous Coverage for Children Enrolled in Medicaid

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 the Division of Social Services Manual (DSSM) 14800, 14810, 14810.1, 14810.2, 14820, 14820.1, 25100.1, and Title XIX Medicaid State Plan Continuous Eligibility for Children Reviewable Unit, specifically, to provide continuous eligibility to children Enrolled in Medicaid for a full 12-month period regardless of changes in circumstances with limited exceptions.

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, or by fax to 302-255-4413 by 4:30 p.m. on January 31,

2024. Please identify in the subject line: Continuous Coverage for Children Enrolled in Medicaid

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
OFFICE OF THE COMMISSIONER
PUBLIC NOTICE
611 Automobile Insurance Premium Refunds

The Department is proposing new Regulation 611 to require carriers to refund any unearned automobile insurance premium on a cancelled policy within 30 days of the date when the refund becomes due.

The Department does not plan to hold a public hearing on proposed new Regulation 611. The proposed new regulation appears below and may also be viewed at the Department of Insurance website at <http://insurance.delaware.gov/information/proposedregs/>.

Any person may file written comments, suggestions, briefs, and compilations of data or other materials concerning the proposed new regulation. Any written submission in response to this notice and relevant to the proposed regulation must be received by the Department of Insurance no later than 4:30 p.m. EST, the 2nd day of February 2024. Any such requests should be directed to:

Alisa Pritchard, Regulatory Specialist
Delaware Department of Insurance
1351 West North St., Ste. 101
Dover, DE 19904
(302) 674-7379
Email: DOI-Legal@delaware.gov

OFFICE OF THE COMMISSIONER
PUBLIC NOTICE
1004 Term and Universal Life Insurance Reserve Financing

The Department of Insurance hereby gives notice of proposed new Regulation 1004 relating to Term and Universal Life Reserve Financing. The proposed new Regulation implements the National Association of Insurance Commissioners Model Regulation #787, which establishes uniform, national standards governing reserve financing arrangements pertaining to life insurance policies with secondary guarantees and ensures that funds consisting of primary security and other security are held in the forms and amounts required. The Delaware Code authority for the new regulation is 18 **Del.C.** §§311 and 915.

The proposed regulation appears below and may also be viewed on the Department of Insurance website at <http://insurance.delaware.gov/information/proposedregs/>. The Department will not be holding a public hearing on the proposed regulation.

Any person may file written comments, suggestions, briefs, and compilations of data or other materials concerning the proposed regulation. Any written submission in response to this notice and relevant to the proposed regulation must be received by the Department of Insurance no later than 4:30 p.m. EDT, the 2nd day of February 2024 and should be directed to:

Alisa Pritchard, Regulatory Specialist
Delaware Department of Insurance
1351 West North Street, Suite 101
Dover, DE 19904
(302) 674-7379
Email: DOI-Legal@delaware.gov

DEPARTMENT OF LABOR

DIVISION OF PAID LEAVE

PUBLIC NOTICE

1401 Rules Defining and Regulating the Healthy Delaware Families Act, Family and Medical Leave Insurance Program and the Division of Paid Leave

In compliance with the State's Administrative Procedures Act (Title 29, Chapter 101 of the Delaware Code) and under the authority of 19 **Del.C.** §105, the Delaware Department of Labor ("Department") proposes to introduce supplemental regulations addressing coordination of benefits and notice requirements to its existing regulation, Division of Paid Leave. Additional definitional verbiage and grammatical edits are administrative in nature and serve in part to clarify the intent of the Division as enacted through these regulations.

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 regulations should direct them to the following address:

Christopher Counihan
Division Director, Division of Paid Leave
Delaware Department of Labor
4425 North Market Street, 4th Floor
Wilmington, DE 19802

Comments may also be directed via electronic mail to PFML@Delaware.gov. Any written submission in response to this notice and relevant to the proposed regulations must be received by the above contact at the Delaware Department of Labor no later than 4:00 p.m. EST, on February 1, 2024. The action concerning determination of whether to adopt the proposed regulations will be based upon consideration of the written comments and any other written materials filed by the public.

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

DIVISION OF FISH AND WILDLIFE

PUBLIC NOTICE

3505 Striped Bass Commercial Fishing Seasons; Quotas; Tagging and Reporting Requirements.

This action is being proposed to modify the spring anchor gill net season by adding two weeks in February and eliminating two weeks in April and May to better synchronize the spring anchor gill net season with the availability of and market for Striped Bass. This action was recommended in a unanimous motion by the Advisory Council on Tidal Finfisheries at its September 19, 2023 meeting.

The hearing record on the proposed changes to 7 **DE Admin. Code** 3505 will be open January 1, 2024. The virtual public hearing will be held on Tuesday, January 30, 2024, beginning at 6:00 p.m. The web link to the virtual hearing can be accessed through the DNREC Public Hearings site at <https://dnrec.alpha.delaware.gov/public-hearings/>. If prompted, use Meeting ID: 836 4525 0188 Passcode: 607330. To access the audio-only portion of the virtual hearing, dial (305) 224-1968 and enter the Meeting ID and Passcode noted above. Closed captioning is available in over 20 languages, including English and Spanish, to attendees via the Zoom platform utilized for all DNREC Public Hearings.

Those wishing to offer verbal comments during DNREC virtual public hearings must pre-register no later than noon on the date of the virtual hearing. The designated page for this Pre-Registration process can be found here: <https://dnrec.alpha.delaware.gov/public-hearings/comments/registration/>

The proposed amendments may be inspected online starting January 1, 2024 at <https://>

regulations.delaware.gov/services/current_issue.shtml, or in-person, by appointment only, by contacting John Clark by phone at 302-739-9914 or by email at John.Clark@delaware.gov.

Public comments will be received until close of business Wednesday, February 14, 2024. Comments will be accepted in written form via email to DNRECHearingComments@delaware.gov, or by using the online form at <https://de.gov/dnrecomments>, or by U.S. mail to the following address:

Theresa Smith, Hearing Officer
DNREC - Office of the Secretary
89 Kings Highway, Dover, DE 19901

PREPARED BY:

John H. Clark

Email: John.Clark@delaware.gov

Phone: (302)739-9914

DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION
Board of Pharmacy
PUBLIC NOTICE
2500 Board of Pharmacy

Pursuant to 24 **Del.C.** §2506(a)(1), the Delaware Board of Pharmacy ("Board") has proposed revisions to its Rules and Regulations. Subsections 5.1.5.1 and 5.1.5.2 have been amended to add an effective date of 6 months after the effective date of the regulation. Subsection 5.1.5.2 has been revised to state that the required written agreement must be between the dispensing pharmacy and the ordering physician or facility. Currently, subsection 5.1.5.2 states that the agreement must be between the pharmacist and physician or facility.

A public hearing will be held on February 21, 2024 at 9:30 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 Pharmacy, 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 sarah.siok@delaware.gov.

In accordance with 29 **Del.C.** §10118(a), the final date to receive written comments will be **March 7, 2024**. The Board will deliberate on all of the public comments at its regularly scheduled meeting.

Division of Professional Regulation
BOARD OF FUNERAL SERVICES
PUBLIC NOTICE
3100 Board of Funeral Services

Pursuant to 24 **Del.C.** §3105(a)(1), the Delaware Board of Funeral Services ("Board") has proposed revisions to its Rules and Regulations. The proposed amendments would clarify subsections that relate to the Board's inspection program created pursuant to 24 **Del.C.** §3105(a)(15) and provide discretion for the Board to allow additional extensions for the time allowed to complete internships. The other proposed amendments reflect 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 23, 2024, at 10:00 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 Board of Funeral Services, 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 Michelle.Loper@delaware.gov.

In accordance with 29 **Del.C.** §10118(a), the final date to receive written comments will be February 7, 2024. The Board will deliberate on all public comments at its next regularly scheduled meeting.

Division of Professional Regulation
BOARD OF SOCIAL WORK EXAMINERS
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 rules and regulations. In particular, the proposed amendments change the requirements for direct supervision to specify that supervision may be through 100% live video conferencing at the discretion of the supervisor. The Code of Ethics is also revised to expand the prohibition against discrimination to include gender identity and gender expression and to state that all licensees must comply with the Code of Ethics adopted by the National Association of Social Workers. Telehealth requirements are revised to exempt individuals practicing through a Delaware interstate telehealth registration from the prerequisite that the individual hold a Delaware license. Language pertaining to licensure by grandfathering is stricken because the grandfathering window has closed. Finally, revisions have been made to ensure compliance with style requirements.

A public hearing will be held on January 22, 2024 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 jessica.lobaccaro@delaware.gov.

In accordance with 29 **Del.C.** §10118(a), the final date to receive written comments will be February 6, 2024. The Board will deliberate on all of the public comments at its regularly scheduled meeting.

OFFICE OF THE ALCOHOLIC BEVERAGE CONTROL COMMISSIONER
PUBLIC NOTICE
Rule 601 (Formerly Rule 35.1) Gathering Licenses

In compliance with the State's Administrative Procedures Act (Title 29, Chapter 101 of the Delaware Code) and under the authority of 4 **Del.C.** §304, the Delaware Alcoholic Beverage Control Commissioner proposes to update its rules related to gathering licenses issued by the Office of the Alcoholic Beverage Control Commissioner.

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 regulations should direct them to the following address:

Doug Denison
Deputy Commissioner
Office of the Delaware Alcoholic Beverage Control Commissioner
820 N. French St., 10th Floor
Wilmington, DE 19801

Comments may also be directed via electronic mail to OABCCrulescomments@delaware.gov. Any written submission in response to this notice and relevant to the proposed regulations must be received by the Delaware Alcoholic Beverage Control Commissioner no later than 4:00 p.m. EST, January 31, 2024.

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

OFFICE OF THE ALCOHOLIC BEVERAGE CONTROL COMMISSIONER
PUBLIC NOTICE
Rule 701 (Formerly Rule 51) A Rule Requiring the Biennial Renewal of Wholesale, Retail, and Annual

Gathering Licenses
Rule 702 (formerly Rule 51.1) A Rule Requiring the Biennial Renewal of Supplier's Licenses

In compliance with the State's Administrative Procedures Act (Title 29, Chapter 101 of the Delaware Code) and under the authority of 4 **Del.C.** §304, the Delaware Alcoholic Beverage Control Commissioner proposes to update its rules related to biennial renewal of liquor licenses for wholesale, retail, gatherings, and suppliers.

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 regulations should direct them to the following address:

Doug Denison
Deputy Commissioner
Office of the Delaware Alcoholic Beverage Control Commissioner
820 N. French St., 10th Floor
Wilmington, DE 19801

Comments may also be directed via electronic mail to OABCCrulescomments@delaware.gov. Any written submission in response to this notice and relevant to the proposed regulations must be received by the Delaware Alcoholic Beverage Control Commissioner no later than 4:00 p.m. EST, January 31, 2024.

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

OFFICE OF THE ALCOHOLIC BEVERAGE CONTROL COMMISSIONER
PUBLIC NOTICE
Rule 1008 (Formerly Rule 19.1) Bottle Clubs - Licensing and Operation

In compliance with the State's Administrative Procedures Act (Title 29, Chapter 101 of the Delaware Code) and under the authority of 4 **Del.C.** §304, the Delaware Alcoholic Beverage Control Commissioner proposes updates to 4 **DE Admin. Code** 1008, governing the standards of a restaurant and bottle club, specifically concerning the ability for bottle club licensees to provide bartending service, and to align the dining/bar seat ratio with licensed restaurants.

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 regulations should direct them to the following address:

Doug Denison
Deputy Commissioner
Office of the Delaware Alcoholic Beverage Control Commissioner
820 N. French St., 3rd Floor
Wilmington, DE 19801

Comments may also be directed via electronic mail to OABCCrulescomments@delaware.gov. Any written submission in response to this notice and relevant to the proposed regulations must be received by the Delaware Alcoholic Beverage Control Commissioner no later than 4 p.m. on January 31, 2024.

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