

DEPARTMENT OF EDUCATION

PUBLIC NOTICE

The State Board of Education will hold its monthly meeting on Thursday, July 21, 2016 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

Medical Care and Other Types of Remedial Care - Behavioral Interventions to Treat Autism Spectrum Disorder

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 Delaware Title XIX Medicaid State Plan regarding Medical Care and Other Types of Remedial Care, specifically, *to establish coverage and reimbursement for treatment services for Medicaid recipients up to age twenty-one (21) years of age who have a diagnosis of Autism Spectrum Disorder.*

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 Kimberly Xavier, by email: Kimberly.xavier@state.de.us, by mail: 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: 302-255-4425 by August 1, 2016. Please identify in the subject line: Behavioral Interventions to Treat Autism Spectrum Disorder.

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 AIR QUALITY

PUBLIC NOTICE

1141 Limiting Emissions of Volatile Organic Compounds from Consumer and Commercial Products

To bring Delaware's rule up-to-date with the most current Ozone Transport Commission (OTC) model rule for regulation of the volatile organic compound (VOC) content of architectural and industrial maintenance (AIM) coatings to aid in meeting ground-level ozone national ambient air quality standards. The OTC model rule was developed by a team composed of environmental personnel from a number of OTC states and is based upon the 2007 Suggested Control Measure (SCM) which amended the California Air Resources Board (CARB) 2000 AIM SCM, the ultimate basis of the first Delaware AIM rule in 2002. CARB has a long history of regulating architectural coatings starting in 1977 and amended their rule four times over the years. The EPA developed a national rule in 1998, but the CARB SCM remains the most stringent architectural coating rule and is used by the OTC states, and other states with ground-level ozone attainment problems. CARB has performed significant scientific studies and held many stakeholder meetings to ensure product categories were correctly identified and that VOC content targets specified were attainable. Based upon CARB experience, this rule revision will yield approximately one ton per day of VOC reductions in Delaware.

There will be a public hearing on this proposed amendment on Tuesday July 26, 2016 beginning at 6pm in the Dover DAQ offices at State Street Commons, 100 West Water Street, Suite 6A, Dover, DE 19904. Interested parties may submit comments in writing to David Fees, Division of Air Quality, State Street Commons, 100 West Water Street Suite 6A Dover, DE 19904 and/or statements and testimony may be presented either orally or in writing at the public hearing.

DIVISION OF WATER

PUBLIC NOTICE

7102 Regulations Governing Underground Injection Control

The DNREC Division of Water had scheduled a Public Hearing for the State of Delaware Regulations Governing Underground Injection Control for Thursday, July 14, 2016, at 6:00 pm. This Public Hearing has been postponed to ~~Thursday, July 28, 2016, at 6:00 pm~~ and will be held in the DNREC Auditorium, located at the Richardson & Robbins Building, 89 Kings Highway, Dover, DE 19901. ***NOTE: Hearing is postponed to be rescheduled at a later date***

DEPARTMENT OF SAFETY AND HOMELAND SECURITY
DIVISION OF STATE POLICE
5500 BAIL ENFORCEMENT AGENTS
PUBLIC NOTICE

Notice is hereby given that the Board of Examiners of Bail Enforcement Agents, in accordance with 24 **Del.C.** Ch. 55 proposes to amend the following adopted rules: Rule 6.0 - Training Requirements for Issuance of a License, allows the Board to approve a training/testing facility for the initial classroom training; Rule 7.0 - Continuing Education and Training, allows the Board to approve a training/testing facility for the continuing education; Rule 8.0 - Apprehension Procedures, mandates the BEA to call the 911 dispatch center when clearing an address. If you wish to view the complete Rules, contact Ms. Peggy Anderson at (302) 672-5304. Any persons wishing to present views may submit them in writing, by August 1, 2016, to Delaware State Police, Professional Licensing Section, P. O. Box 430, Dover, DE 19903. The Board will hold its quarterly meeting Thursday, August 25, 2016, 10:00am, at the Tatnall Building, 150 Martin Luther King, Jr. Boulevard South, Room 112, Dover, DE.

DEPARTMENT OF STATE
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 re-propose revisions to its regulations. The proposed amendments to Sections 4.0 and subsection 4.1 seek to clarify that the statutory requirement set forth at 24 **Del.C.** §1122(a)(1) requiring dental candidates to have "received a degree in dentistry from an accredited dental college or university accredited by the Commission on Dental Accreditation of the American Dental Association" may obtain such a degree through either a pre-doctoral dental education program or a post-doctoral dental program of at least 24 months in any specialty that includes a clinical component. The proposed changes at regulation 12.2.28 seeks to clarify that fee-splitting is a basis for discipline of a Delaware dentist or dental hygienist.

The Board originally held public hearing on the proposed rule change on March 17, 2016. As a result of the submission of public comments, the Board will hold a second hearing in regard to this re-proposal on August 17, 2016 at 3:00 PM, Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments should be sent to Jennifer Witte, 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 September 1, 2016.

Division of Professional Regulation
3000 BOARD OF PROFESSIONAL COUNSELORS OF MENTAL HEALTH AND CHEMICAL DEPENDENCY
PROFESSIONALS
PUBLIC NOTICE

The Delaware Board of Mental Health and Chemical Dependency Professionals, pursuant to 24 **Del.C.** §3006(a)(1), proposes to revise its regulations. The proposed amendments to the regulations seek to eliminate confusing provisions related to acceptable continuing education credits and amend the list of crimes substantially related to the practice of counseling.

The Board will hold a public hearing on the proposed rule change on August 24, 2016 at 12:00 p.m., in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments should be sent to Urainer Marrow, Administrator of the Delaware Board of Mental Health and Chemical Dependency Professionals, Cannon Building, 861 Silver Lake Blvd, Dover, DE 19904. Written comments will be accepted until September 8, 2016.

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

Pursuant to 16 **Del.C.** §4731, the Delaware Secretary of State ("Secretary") proposes revisions to the Uniform

Controlled Substance Act ("UCSA") rules and regulations.

On July 1, 2015, proposed revisions to the rules and regulations were published in the Delaware *Register of Regulations*, Vol. 19, Issue 1. Specifically, Section 9.0 was added to provide requirements for the prescribing of opiates in order to address potential prescription drug overdose, abuse and diversion. A public hearing was held on July 29, 2015 before the Controlled Substance Advisory Committee ("Committee"). The Committee deliberated on the evidence presented at its meeting on September 23, 2015 and recommended certain revisions to the Secretary. The Secretary considered both the evidence presented and the Committee's recommendations.

Based on that review, the Secretary struck the version of Section 9.0 published in the *Register of Regulations* on July 1, 2015 and proposed a revised Section 9.0, which was published in the Delaware *Register of Regulations* on May 1, 2016, Volume 19, Issue 11. The Secretary solicited written comments from the public regarding the proposed rules and regulations allowing the period of time for such submissions to remain open for the 30 days mandated by 29 Del.C. § 10118(a).

Based on those written comments, the Secretary has made further revisions to the rules and regulations, which are attached hereto as Exhibit A.

Any person who wishes to present written suggestions, testimony, briefs or other written materials concerning the proposed rules and regulations should submit such comments no later than Monday, August 1, 2016 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.

DEPARTMENT OF TRANSPORTATION

DIVISION OF TRANSPORTATION SOLUTIONS

PUBLIC NOTICE

2405 Oversize/Overweight Hauling Permit Policy and Procedures Manual

Pursuant to the authority provided by 21 Del.C. §4504, the Delaware Department of Transportation (DelDOT), adopted the Oversize/Overweight Hauling Permit Policy and Procedures Manual.

The Department, through its Division of Transportation Solutions, seeks to adopt general revisions to its existing regulation, the Oversize/Overweight Hauling Permit Policy and Procedures Manual, to address procedural changes. These collective changes are administrative in nature and serve in part to clarify the intent of the Department as enacted through these regulations.

DelDOT will take written comments on these proposed general revisions to Section 2405 of Title 2, Delaware Administrative Code, from July 1, 2016 through August 1, 2016. The public may submit their comments to:

Adam Weiser, P.E., PTOE, Safety Programs Manager, Traffic Section
(Adam.Weiser@state.de.us) or in writing to his attention,
Division of Transportation Solutions
Traffic Safety Section
Delaware Department of Transportation
169 Brick Store Landing Road
Smyrna, DE 19977