

CALENDAR OF EVENTS/HEARING NOTICES

CALENDAR

June 2023

DELAWARE RIVER BASIN COMMISSION

PUBLIC NOTICE

The Commission's quarterly business meeting will be held in person on Wednesday, June 7, 2023 commencing at 1:00 p.m. at Rutgers University - Camden, Campus Center, 326 Penn Street, Camden, NJ 08102. 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 a link to the live stream of this event, please visit the DRBC website at www.drbc.gov or contact Patricia Hausler at patricia.hausler@drbc.gov.

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

DIVISION OF REVENUE

PUBLIC NOTICE

Regulation Governing Tax Refund Offset and Lottery Winnings Intercept Programs

In accordance with 30 **Del.C.** §545(c), the Delaware Department of Finance, through its Division of Revenue ("Revenue"), is proposing regulations governing the tax refund offset and lottery winnings intercept programs authorized under 30 **Del.C.** §545.

Members of the public may receive a copy of the proposed regulations at no charge by sending a letter via U.S. mail, or by emailing or calling, the following Revenue contact person:

Donna Owens
820 N. French St., Eighth Floor
Wilmington, Delaware 19801
Donna.owens@delaware.gov
(302) 577-8682

Members of the public may present written comments on the proposed regulations by submitting such comments to Donna Owens as provided above. Written comments must be received on or before July 1, 2023.

The Director of Revenue and the Director of the State Lottery Office are required under 30 **Del.C.** §545 to take certain steps to collect debts owed to State agencies by a taxpayer (owed a refund) or a lottery winner. The proposed regulations impose certification and other requirements on State agencies that refer debts for collection under the tax refund offset and lottery winnings intercept programs and establish procedures for Revenue, Lottery and state agencies to follow in connection with the programs. The regulations require, among other things, notice and opportunity for an administrative hearing prior to offsetting against a state tax refund and notice of intercepted lottery winnings.

OFFICE OF THE STATE LOTTERY
PUBLIC NOTICE
203 Video Lottery and Table Game Regulations

Pursuant to 29 **Del.C.** §4805, the Delaware Lottery Office proposes amendments to subsections 20.6 and 21.7 in 10 **DE Admin. Code** 203. The first proposed amendment is to subsection 20.6 and would remove subsection 20.6.3.2 entirely. The second proposed amendment is to subsection 21.7 and would remove the verbiage requiring a Delaware State Lottery representative to be present in the count room to observe the casinos' daily table game counts.

Persons wishing to present their views regarding this matter may do so by submitting written comments by the close of business on or before July 5, 2023 at the offices of the Delaware State Lottery at 1575 McKee Road, Suite 102, Dover, DE 19904. A copy of these regulations is available from the above address or may be viewed at the Delaware State Lottery office at the same address.

The regulations currently require that a Delaware State Lottery Representative be present during each casino's daily table games count. The proposed amendments to subsections 20.6 and 21.7 seek to remove certain requirements relating to those counts as unnecessary and inconsistent with industry standard. By deleting subsection 20.6.3.2, Delaware State Lottery will no longer be required to control one of the two keys needed for the performance of the daily table games drop box count. The revision to subsection 21.7 maintains the requirement that empty drop boxes be shown to surveillance and count team members but eliminates the requirement that they also be shown to a Delaware State Lottery representative.

DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF MEDICAID AND MEDICAL ASSISTANCE
PUBLIC NOTICE
2023 Quality Strategy

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 Diamond State Health Plan Medicaid Managed Care Strategy, regarding 2023 Quality Strategy, specifically, to serve as a roadmap for Delaware on our contracted health plans and assessing the quality of care that beneficiaries receive while setting forth measurable goals and targets for improvement.

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 July 3, 2023. Please identify in the subject line: 2023 Quality Strategy.

DIVISION OF MEDICAID AND MEDICAL ASSISTANCE
PUBLIC NOTICE
Temporary Extension to COVID-19 Disaster Relief Co-pay & Premium Provisions

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 Title XIX Medicaid State Plan regarding the Temporary Extension to COVID-19 Disaster Relief Co-pay & Premium Provisions, specifically, to request that an extension for co-pays and premiums to be waived.

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 July 3, 2023. Please identify in the subject line: Temporary Extension to COVID-19 Disaster Relief Co-pay & Premium Provisions.

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
Delaware's SNAP EBT System**

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 Social Services (DHSS/DSS) is proposing to amend the Division of Social Services Manual (DSSM) to define Delaware's EBT system and EBT card responsibilities for the Supplemental Nutrition Assistance Program (SNAP).

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, Division of Social Services (DSS), 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 July 1, 2023. Please identify in the subject line: Delaware's SNAP EBT System

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 SUBSTANCE ABUSE AND MENTAL HEALTH
PUBLIC NOTICE
6002 Credentialing Mental Health Screeners and Payment for Voluntary Admissions**

In compliance with the *Administrative Procedures Act* (29 **Del.C.** Ch. 101) and under the authority of 16 **Del.C.** § 5004, the State of Delaware Department of Health and Social Service's Division of Substance Abuse and Mental Health ("the Division") is proposing amending regulations governing credentialed mental health screeners ("screeners").

A person may make suggestions or provide compilations of data, testimony, briefs, or other materials concerning the Division's proposal by written submission to the Division of Substance Abuse and Mental Health. The Division will receive submissions made before 4:30 p.m. on July 3, 2023, by mail to 1901 North DuPont Highway, New Castle, DE 19720-0906, by fax to (302) 255-4427, and by email to joe.aronson@delaware.gov. Please identify in the subject line: 6002 Credentialed Mental Health Screeners.

The Division's determination to adopt this proposal will include analysis and consideration of submissions received.

**DEPARTMENT OF INSURANCE
OFFICE OF THE COMMISSIONER
PUBLIC NOTICE
1316 Arbitration of Health Insurance Disputes Between Carriers And Non-Network Providers of Emergency Care Services**

Regulation 1316 implements 18 **Del.C.** §§3349 and 3565 by setting forth regulations pertaining to the arbitration of health insurance disputes between carriers and non-network providers of emergency care services. The purpose of the proposed amendment is to eliminate the need for carriers to provide the Department with a quarterly list of exempt plan numbers by deleting subsection 3.15 of this regulation.

The Department is also taking the opportunity of this proposal to make grammatical and formatting edits throughout the regulation.

The proposed amendments appear 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 amendments.

Any person may file written comments, suggestions, briefs, and compilations of data or other materials concerning the proposed amendments to the regulation. Any written submission in response to this notice and relevant to the proposed amendments must be received by the Department of Insurance no later than 4:30 p.m. EST, the 1st day of July 2023. Any such requests and any questions concerning connecting to the public hearing should be directed to:

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

**OFFICE OF THE COMMISSIONER
PUBLIC NOTICE**

2102 Termination of Coverage for Policies of Commercial Governmental and Professional Liability Insurance [Formerly Regulation 54]

The Department of Insurance hereby gives notice of a proposal to repeal Regulation 2102, Termination of Coverage for Policies of Commercial Governmental and Professional Liability Insurance. Regulation 2102 was enacted on May 9, 1986 and expired by operation of law effective November 5, 1986. As such, the Insurance Commissioner finds it necessary to repeal Regulation 2102.

The proposed regulation appears below and may also be viewed at 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 1st day of July, 2023 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 SAFETY AND HOMELAND SECURITY

**DELAWARE COUNCIL ON POLICE TRAINING
PUBLIC NOTICE**

801 Regulations of the Delaware Council on Police Training

The Council on Police Training (COPT), pursuant to 11 Del. C. 8404 (a)(14), proposes to amend 801 Regulations of the Delaware Council on Police Training. The proposed amendments, which were voted on during a public meeting of the COPT on April 11, 2023, seek to modify COPT's minimum qualifications for police instructors.

The COPT will allow for the submission of written comments, suggestions, or other materials regarding the

proposed rules to the COPT Attn: Lacey Neeld, P.O. Box 430, Dover DE 19903 or e-mail lacey.neeld@delaware.gov. Any written submission in response to this notice and the relevant proposed regulations must be received by the COPT no later than 4:30 p.m. (EST) on July 3, 2023. A copy of this regulation may be viewed online at the Registrar of Regulation's website, http://regulations.delaware.gov/services/current_issue.shtml.

**DELAWARE COUNCIL ON POLICE TRAINING
PUBLIC NOTICE
803 COPT Firearms Instructors Standards and Requirements**

The Council on Police Training (COPT), pursuant to 11 Del. C. 8404 (a)(14), proposes to amend 803 COPT Firearms Instructors Standards and Requirements. The proposed amendments, which were voted on during a public meeting of the COPT on April 11, 2023, seek to modify regulations concerning COPT firearms and master firearms instructors qualifications.

The COPT will allow for the submission of written comments, suggestions, or other materials regarding the proposed rules to the COPT Attn: Lacey Neeld, P.O. Box 430, Dover DE 19903 or e-mail lacey.neeld@delaware.gov. Any written submission in response to this notice and the relevant proposed regulations must be received by the COPT no later than 4:30 p.m. (EST) on July 3, 2023. A copy of this regulation may be viewed online at the Registrar of Regulation's website, http://regulations.delaware.gov/services/current_issue.shtml.

**DIVISION OF STATE POLICE
State Bureau of Identification
PUBLIC NOTICE
2400 Board of Examiners of Constables**

Purpose: In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code) and under the authority of Title 24 of the Delaware Code, Chapter 56, Section 5604(1), the Constable Board of Examiners proposes to adopt regulations to allow the provisional grant of a constable license by the State Bureau of Identification pending approval by the Board

Written Comments: The Delaware Department of Safety and Homeland Security, State Bureau of Identification will receive written comments, suggestions, briefs or other written material until the close of business, 4:30 p.m., July 3, 2023. Written comments shall be submitted via e-mail to Frank.Kaleta@delaware.gov or via the USPS to Frank Kaleta, 600 South Bay Rd. Suite 1, Dover DE 19901.

**OFFICE OF THE ALCOHOLIC BEVERAGE CONTROL COMMISSIONER
PUBLIC NOTICE
Rule 202 (Formerly Rule 19) A Rule Defining the Words Hotel, Motel, Restaurant and Dinner Theater**

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 on-premise licensees, specifically seating in restaurants licensed by the OABCC.

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 4:00 p.m. EST, July 1, 2023.

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**

1200 General Establishment Employment

Rule 1201 (Formerly Rule 7) A Rule Requiring Persons Between the Ages of 16 and 18 to Secure a Work Permit to be Employed by an On-Premises Licensee

Rule 1202 (Formerly Rule 7.1) Employment of Persons Who Have Reached the Age of 18 Years in Package Stores

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 on-premise and retail licensees, specifically employment requirements.

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 4:00 p.m. EST, July 1, 2023.

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 STATE
DIVISION OF PROFESSIONAL REGULATION
PUBLIC NOTICE
100 Board of Accountancy**

Pursuant to 24 **Del.C.** §105(a)(1), the Delaware Board of Accountancy has proposed revisions to its rules and regulations. The rules are designed to revise what constitutes acceptable continuing education and the acceptable timeframe for successful completion of all parts of the Exam.

A public hearing is scheduled for July 19 2023 at 9:00 a.m. in the second floor conference room B of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware. A public hearing will occur at the Board's meeting on July 19, 2023, where members of the public can offer comments on the proposed 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 Accountancy, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Board at the above address. Written comments will be accepted until

August 4, 2023 in accordance with 29 **Del.C.** §10118(a).

**DIVISION OF PROFESSIONAL REGULATION
PUBLIC NOTICE**

1800 Board of Plumbing, Heating, Ventilation, Air Conditioning and Refrigeration Examiners

Pursuant to 24 **Del.C.** §1806(a)(2), the Delaware Board of Plumbing, Heating, Ventilation, Air Conditioning and Refrigeration Examiners has proposed revisions to its rules and regulations. The rules proposed establish a continuing education requirement. A public hearing is scheduled for July 11, 2023 at 8:30 p.m. in the second floor conference room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware and possibly via virtual technology where members of the public can offer comments on the proposed amendments to the rules and regulations. This proposed amendment is offered in place of a previous proposal that was published in the Register at Vol. 26, Issue 9 because the new proposal is substantively different than the original submission. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Board of Plumbing, Heating, Ventilation, Air Conditioning and Refrigeration Examiners, 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). Written public comments will be accepted until July 26, 2023.
