

DELAWARE RIVER BASIN COMMISSION
PUBLIC NOTICE

The Delaware River Basin Commission will hold a public hearing and business meeting on Wednesday, May 11, 2011 beginning at 11:00 a.m. The meeting location could not be confirmed as of the deadline for this notice. For more information, including the meeting location, visit the DRBC web site at www.drbc.net or contact Pamela M. Bush, Esq., Commission Secretary and Assistant General Counsel, at 609-883-9500 extension 203.

DEPARTMENT OF EDUCATION
PUBLIC NOTICE

The State Board of Education will hold its monthly meeting on Thursday, May 19, 2011 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF LONG TERM CARE RESIDENTS PROTECTION
3201 Skilled and Intermediate Care Nursing Facilities
PUBLIC NOTICE

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the **Delaware Code**) and under the authority of Title 29 of the **Delaware Code**, Section 7903(10), Delaware Health and Social Services (DHSS) / Division of Long Term Care Residents Protection is proposing to amend policies for tuberculin testing and the filing of the results thereof for residents and employees of skilled and intermediate care nursing facilities.

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 Susan DelPesco, Director, Division of Long Term Care Residents Protection, 3 Mill Road, Suite 308, Wilmington, DE 19806 or by fax to (302) 577-7291 by Monday, May 2, 2011.

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.

The proposal amends policies regarding Long Term Care Residents Protection to require tuberculin testing and maintenance of the results thereof for residents and employees of skilled and intermediate care nursing facilities. In addition to updating the regulation it permits the regulation to adapt with changes to, the Centers for Disease Control requirements.

DIVISION OF LONG TERM CARE RESIDENTS PROTECTION
3225 Assisted Living Facilities (Formerly Regulation No. 63)
PUBLIC NOTICE

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code) and under the authority of Title 29 of the Delaware Code, Section 7903(10), Delaware Health and Social Services (DHSS) / Division of Long Term Care Residents Protection is proposing to amend Regulation 3225, Assisted Living Facilities, Section 9.0, Infection Control, governing the tuberculin testing for employees and newly admitted residents to mirror and adapt with changes to the Centers for Disease Control requirements, as well as to make some minor technical changes to other regulations.

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 Susan DelPesco, Director, Division of Long Term Care Residents Protection, 3 Mill Road, Suite 308, Wilmington, DE 19806 or by fax to (302) 577-7291 by Monday, May 2, 2011.

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
Title XIX Medicaid State Plan Program Integrity
PUBLIC NOTICE

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the **Delaware Code**) 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 amending the Title XIX Medicaid State Plan and the Division of Social Services Manual (DSSM) regarding Program Integrity, specifically, *prohibition on payments to institutions or entities located outside of the United States*.

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 Sharon L. Summers, 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 to 302-255-4425 by May 31, 2011.

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
Estate Recovery
PUBLIC NOTICE

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the **Delaware Code**) 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 amending the Title XIX Medicaid State Plan and the Division of Social Services Manual (DSSM) regarding *Estate Recovery*.

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 Sharon L. Summers, 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 to 302-255-4425 by May 31, 2011.

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 PUBLIC HEALTH
4304 Pre-Hospital Advanced Care Directive
PUBLIC NOTICE

The Division of Public Health, under the Department of Health & Social Services, is proposing regulations which amend Title 16 of the Delaware Code relating to Pre-Hospital Advanced Care Directives. There is a need to address the recognition of Pre-Hospital Advanced Care Directives in conjunction with Advanced Care Directives as provided for in 16 **Del.C.** Ch. 25, in the pre-hospital emergency environment. These regulations require the use of a specific form of individual identification that can be readily recognized and verified during a pre-hospital emergency. The regulations also detail the legislated immunity for certified providers honoring this order. On May 1, 2011, the Division plans to publish the proposed 4304 Pre-Hospital Advanced Care Directives and hold them out for public comment per Delaware law.

Copies of the proposed regulations are available for review in the May 1, 2011 edition of the *Delaware Register of Regulations*, accessible online at: <http://regulations.delaware.gov> or by calling the Office of Emergency Medical Services at (302) 223-1350.

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 Deborah Harvey by Tuesday, May 31, 2011 at:

Deborah Harvey
Division of Public Health
417 Federal Street
Dover, DE 19901
Email: Deborah.Harvey@state.de.us
Phone: (302) 744-4700
Fax: (302) 739-6659.

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
Child Care Subsidy Program
PUBLIC NOTICE

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the **Delaware Code**) 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 is proposing to amend Child Care Subsidy Program policies in the Division of Social Services Manual (DSSM) regarding *Cooperating with Child Support*.

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 Sharon L. Summers, Policy, Program & Development Unit, Division of Social Services, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906 or by fax to (302) 255-4425 by May 31, 2011.

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 AND WASTE MANAGEMENT
1124 Control of Volatile Organic Compound Emissions
PUBLIC NOTICE

Amendments to Regulation 1124 "Control of Volatile Organic Compounds", Section 12.0, "Surface Coating of Plastic Parts"; Section 19.0, "Coating of Metal Furniture"; Section 20.0, "Coating of Large Appliances"; Section 22.0, "Coating of Miscellaneous Metal Parts".

The Department proposes to revise Sections 12.0, 19.0, 20.0 and 22.0 of 7 **DE Admin. Code** 1124 to specifically state that an alternative coating method that is demonstrated to be capable of achieving a transfer efficiency equal to or better than HVLP spray requires approval by EPA as well as by the Department. This requirement was requested by EPA. In addition some minor typos will be corrected.

There will be a hearing on these proposed amendments on Monday, May 23, 2011 beginning at 6pm in the Richardson & Robbins Building Auditorium. Interested parties may submit comments in writing to Gene M. Pettingill, Division of Air Quality, 715 Grantham Lane, New Castle, DE 19720 and/or statements and testimony may be presented either orally or in writing at the public hearing.

DIVISION OF AIR AND WASTE MANAGEMENT
1125 Requirements for Preconstruction Review
PUBLIC NOTICE

The Department proposes to revise Section 1.9 "Definitions"; Section 2.0 "Emission Offset Provisions (EOP)"; and Section 3.0 "Prevention of Significant Deterioration of Air Quality" of 7 **DE Admin. Code** 1125 Requirements for Preconstruction Review, to conform to the requirements of the EPA PM_{2.5} new source review permitting program as shown in 73 FR 28321 and 75 FR 64864.

There will be a hearing on these proposed amendments on Monday May 23, 2011 beginning at 6pm in the auditorium of the Richardson and Robbins Building located at 89 King's Highway, Dover, Delaware 19901 Interested parties may submit comments in writing to Gene M. Pettingill, Division of Air Quality, 715 Grantham Lane, New Castle, DE 19720 and/or statements and testimony may be presented either orally or in writing at the public hearing.

DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION
1400 Board of Electrical Examiners
PUBLIC NOTICE

The Delaware Board of Electrical Examiners pursuant to 24 **Del.C.** §1406 (a)(1) proposes to revise their rules and regulations. The proposed revisions to the rules are an attempt to enforce the prohibition against practicing electrical

services without a license. The proposed revisions would make it a crime substantially related to the practice of Electrical Services to practice electrical work without a license.

The Board will hold a public hearing on the proposed rule change on June 1, 2011 at 9:00 a.m., 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 Electrical Examiners, Cannon Building, 861 Silver Lake Blvd., Dover DE 19904.

14 DE Reg. 1253 (05/01/11)