

## ADMINISTRATIVE OFFICES OF THE COURTS

### CHILD PLACEMENT REVIEW BOARD

#### PUBLIC NOTICE

#### Regulations Governing the Ivyane D.F. Davis Scholarship

The State of Delaware's Child Placement Review Board is submitting regulations regarding the administration of the Ivyane Davis D.F. Memorial Scholarship. This Scholarship was established by the General Assembly in June 1989 to provide scholarships for post-secondary education to Delaware residents who have been in foster care in this State. The fund is authorized by Delaware Code, Title 14, Chapter 34; it is the intent and purpose of the General Assembly to provide scholarships in memory of Ivyane D. F. Davis who died February 7, 1989, to deserving Delaware residents who have been placed under foster care in Delaware. This Scholarship is administered by the Child Placement Review Board. The administration of this fund includes monitoring the academic progress of all students as well as a yearly interview and requirement to report expenditures as part of the Child Placement Review Board's Annual Report. This is the first time regulations for this fund have been submitted and was a recommendation from the Joint Sunset Committee in 2012.

There will be no Public Hearing regarding these regulations but Public Comments can be sent, by mail or email to:

Julia M. Pearce

Child Placement Review Board

820 North French Street, 1<sup>st</sup> Floor

Wilmington, DE 19801

Email: [Julia.Pearce@state.de.us](mailto:Julia.Pearce@state.de.us)

Public comments will be accepted until June 15<sup>th</sup>, 2015.

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## DEPARTMENT OF AGRICULTURE

### THOROUGHBRED RACING COMMISSION

#### PUBLIC NOTICE

#### 1001 Thoroughbred Racing Rules and Regulations

The Thoroughbred Racing Commission proposes to amend its Regulations adopted in accordance with Title 3, Chapter 101. The purpose of the amended regulations is to adopt the ARCI rule relating to summary suspensions and stays and to amend Commission Regulation 19.6 relating to Continuances. Other regulations issued by the Thoroughbred Racing Commission are not affected by this proposal. The Thoroughbred Racing Commission is issuing these proposed regulations in accordance with Title 3 of the Delaware Code. This notice is issued pursuant to the requirements of Chapter 101 of Title 29 of the Delaware Code.

A copy of the proposed regulations is being published in the May 1, 2015 edition of the Delaware *Register of Regulations*. A copy is also on file in the office of the Thoroughbred Racing Commission, 777 Delaware Park Boulevard, Wilmington, Delaware 19804 and is available for inspection during regular office hours. Copies are also published online at the *Register of Regulations* website: [http://regulations.delaware.gov/services/current\\_issue.shtml](http://regulations.delaware.gov/services/current_issue.shtml).

Interested parties may offer written comments on the proposed regulations or submit written suggestions, data, briefs or other materials to the Thoroughbred Racing Commission at the above address as to whether these proposed regulations should be adopted, rejected or modified. Pursuant to 29 Del.C. §10118(a), public comments must be received on or before June 1, 2015. Written materials submitted will be available for inspection at the above address.

On or after June 1, 2015, following review of the public comment, the Thoroughbred Racing Commission will determine whether to amend its regulations by adopting the proposed new rule 18.1.5 relating to summary suspensions, new rule 19.2.2 relating to stays and amended rule 19.6 relating to continuances or make additional changes because of the public comments received.

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## DEPARTMENT OF EDUCATION

#### PUBLIC NOTICE

The State Board of Education will hold its monthly meeting on Thursday, May 21, 2015 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

## **Medicaid Reimbursement for Prescription Drugs – Multi-State Purchasing Pool Supplemental Drug Rebate Agreement**

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code), 42 U.S.C., §1902(a)(13)(A) of the Social Security Act, 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 the *Multi-State Purchasing Pool Supplemental Rebate Agreement (SRA)* for pharmaceutical products specifically, *to include Medicaid Managed Care Organization (MCO) utilization for accrual of supplemental rebates.*

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, 2015.

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**

#### **4455 Delaware Regulations Governing a Detailed Plumbing Code**

The Office of Engineering, Health Systems Protection Section, Division of Public Health, Department of Health and Social Services, is proposing to adopt the 2015 Delaware Plumbing Code. The purpose of the amendments is to update the requirements so that they are in concert with current plumbing standard. Due to the extensive number of amendments the current regulations will be repealed and replaced in their entirety with the proposed regulations being published. On May 1, 2015, the Division plans to publish as proposed the amended regulations specified below, and hold them out for public comment per Delaware law.

A public hearing will be held on Friday, May 29, 2015 at 3:00 p.m. in the Conference Room, located in the Office of Engineering at the Edgehill Shopping Center 43 South DuPont Hwy, Dover, Delaware.

Copies of the proposed regulations are available for review in the May 1, 2015 edition of the Delaware *Register of Regulations*, accessible online at: <http://regulations.delaware.gov/default.shtml> or by calling the Office of Engineering at (302) 741-8640.

Any person who wishes to make written suggestions, testimony, briefs or other written materials concerning the proposed regulations must submit same to Doug Lodge P.E., the Division of Public Health by Friday, June 5, 2015 at:

Doug Lodge P.E.

Division of Public Health

Office of Engineering

43 South DuPont Hwy

Dover, DE 19901

Email: [doug.lodge@state.de.us](mailto:doug.lodge@state.de.us)

Phone: (302) 741-8640

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### **DIVISION OF PUBLIC HEALTH AUTHORITY ON RADIATION PROTECTION PUBLIC NOTICE**

#### **Delaware Radiation Control Regulations:**

#### **4465 Part D Standards for Protection Against Radiation**

#### **4465 Part J Notices, Instructions and Reports to Workers, Inspections**

The Authority on Radiation Protection (ARP), with the Office of Radiation Control, Health Systems Protection Section, Division of Public Health, Department of Health and Social Services, is proposing revisions to two sets of Delaware Radiation Control Regulations. The purpose of the amendments is to update the requirements so that they are in concert with current healthcare standards and to align them more closely with current state administrative code and federal requirements. On May 1, 2015, the ARP plans to publish as proposed the amended regulations specified below, and hold them out for public comment per Delaware law.

The Authority on Radiation Protection (ARP), with the Office of Radiation Control, Health Systems Protection Section,

Division of Public Health, Department of Health and Social Services, will hold a public hearing to discuss the proposed Delaware Radiation Control Regulations. Due to the extensive number of amendments the ARP has concluded that these two sets of current regulations should be repealed and replaced in their entirety with the proposed regulations being published.

DE Admin Code No.	Current Delaware Citation	Title
4465	Part D	Standards for Protection Against Radiation
4465	Part J	Notices, Instructions and Reports to Workers; Inspections

The public hearing will be held on Wednesday, May 27, 2015 at 2:30 p.m. in the Third Floor Conference Room, located in the Jesse Cooper Building, 417 Federal Street, Dover, Delaware.

Copies of the proposed regulations are available for review in the May 1, 2015 edition of the Delaware *Register of Regulations*, accessible online at: <http://regulations.delaware.gov/default.shtml> or by calling the Office of Radiation Control at (302) 744-4546.

Any person who wishes to make written suggestions, testimony, briefs or other written materials concerning the proposed regulations must submit same to Frieda Fisher-Tyler by Monday, June 8, 2015 at:

Frieda Fisher-Tyler  
Division of Public Health  
417 Federal Street  
Dover, DE 19901  
Email: [Frieda.Fisher-Tyler@state.de.us](mailto:Frieda.Fisher-Tyler@state.de.us)  
Phone: (302) 744-4546

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**DEPARTMENT OF LABOR**  
**DIVISION OF UNEMPLOYMENT INSURANCE**  
**PUBLIC NOTICE**  
**1202 Unemployment Insurance Regulations**

The Delaware Department of Labor, Division of Unemployment Insurance proposes this regulation in accordance with Section 3302(17) of Title 19 of the **Delaware Code** to establish procedures for submitting and processing claims for partial unemployment insurance.

The Delaware Department of Labor, Division of Unemployment Insurance solicits written comments from the public concerning the proposed regulation. Any such comments should be submitted to the Director of the Division of Unemployment Insurance, Thomas H. Ellis, by mail to: Delaware Division of Unemployment Insurance, P.O. Box 9950, Wilmington, DE 19809-0950, or by email to: [Thomas.Ellis@state.de.us](mailto:Thomas.Ellis@state.de.us). Written comments must be received by Mr. Ellis on or before **June 1, 2015** to be considered prior to the adoption of the proposed regulation. Copies of the proposed regulation are available upon request.

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**DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**  
**DIVISION OF FISH AND WILDLIFE**  
**PUBLIC NOTICE**  
**3700 Shellfish**

The purpose of this action is to provide Delaware's licensed knobbed conch, *Busycon carica*, dredgers with access to this resource similar to that of their New Jersey counterparts.

The Department received a request from the commercial shellfishing sector to align Delaware's knobbed conch management measures with those measures presently in place in the State of New Jersey. New Jersey's conch dredge landings are an authorized by-catch of their blue crab dredge fishery. The New Jersey conch fishery is constrained by a five-inch minimum size limit with a five month season from November 15 through April 15 and a cap of 93 dredge licenses. Delaware's directed knobbed conch fishery is presently constrained by a six-inch minimum size limit (3.5-inch minimum whorl diameter) with no closed season and delayed entry to the fishery. The lower minimum size limit in New Jersey poses a potential economic disadvantage to Delaware conch harvesters fishing the shared waterbody of Delaware Bay.

The Department agrees that parity with New Jersey's management measures is desirable; however, complete alignment (season dates and license cap) with the New Jersey by-catch fishery does not serve the best interest of Delaware's directed conch dredge fishery. Therefore, the Department proposes to adopt a five-inch minimum size limit (3-

inch minimum whorl diameter) with a five month open season from January 15 through June 15. The proposed minimum size limit will provide economic parity with New Jersey and the implementation of a five month harvest season is expected to constrain harvest without unduly jeopardizing the sustainability of the resource. The number of active licenses in the Delaware conch dredge fishery (17 in 2014), does not warrant additional licensing restrictions at this time.

The hearing record on the proposed changes to 7 **DE Admin. Code** §§3710, 3711 and 3712 pertaining to knobbed conch will be open May 1, 2015. 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 May 28, 2015 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 SAFETY AND HOMELAND SECURITY**  
**DIVISION OF STATE POLICE**

**PUBLIC NOTICE**

**1300 BOARD OF EXAMINERS OF PRIVATE INVESTIGATORS & PRIVATE SECURITY AGENCIES**

Notice is hereby given that the Board of Examiners of Private Investigators and Private Security Agencies, in accordance with Del. Code Title 24 Chapter 13 proposes to amend Rule 1.0 – Firearms Policy – clarifying the initial course of instruction, the re-qualifications and making provisions for armored car guards; Rule 6.0 – Criminal Offenses – gives the Director the authority to take action when necessary and changes the title names to match the Delaware Code changes; Rule 9.0 – Qualified Manager/License Holder – clarifies what agencies the Delaware manager may work for and gives the minimum law enforcement experience requirement; Rule 11.0 – Personnel Rosters and Job Assignments – requires the private investigative agencies to submit rosters every three months as listed and requires everyone to submit a roster even if there are no employees working in Delaware. 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 May 31, 2015, to Delaware State Police, Professional Licensing, P.O. Box 430, Dover, DE 19903. The Board will hold its quarterly hearings Thursday, July 9, 2015, 10:00am, at the Tatnall Building, 150 Martin Luther King, Jr. Boulevard South, Room 112, Dover, DE.

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**DEPARTMENT OF STATE**  
**DIVISION OF PROFESSIONAL REGULATION**

**PUBLIC NOTICE**

**1100 BOARD OF DENTISTRY AND DENTAL HYGIENE**

The Delaware Board of Dentistry and Dental Hygiene, pursuant to 24 **Del.C.** §1106(a)(1), proposes to revise its regulations. The proposed amendments to the regulations seek to clarify the bases and procedures for appeals to the dental and dental hygiene clinical examinations.

The Board will hold a public hearing on the proposed rule change on June 18, 2015 at 3:00 PM, Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments should be sent to Flora Peer, 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 August 3, 2015.

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**DIVISION OF PROFESSIONAL REGULATION**

**PUBLIC NOTICE**

**1400 BOARD OF ELECTRICAL EXAMINERS**

Pursuant to 24 **Del.C.** §1406(a)(1), the Delaware Board of Electrical Examiners has proposed revisions to its rules and regulations. The rules pertaining to liability insurance, continuing education audits, inactive status, homeowner's permits, and exceptions to the license requirement are proposed to be amended.

A public hearing will be held on June 3, 2015 at 9:00 a.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 Board of Electrical 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), the final date to receive written comments will be 15 days following the public hearing.

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# DEPARTMENT OF TRANSPORTATION

## DIVISION OF PLANNING AND POLICY

### PUBLIC NOTICE

#### 2309 Standards and Regulations for Subdivision Streets and State Highway Access

As authorized under 17 **Del.C.** §§132(e), 507, 508, and 29 **Del.C.** §8404(8), inter alia, the Delaware Department of Transportation, ("DelDOT"), through its Division of Planning and Public Policy, seeks to adopt general revisions to its existing regulations regarding development coordination.

The current regulations were enacted in March of 2015. The proposed regulations address some sections of the manual that were inadvertently changed during final adoption as well as proposed regulations that address procedural changes in the way we do business, and the addition of clarifying language. The changes take into account the issues and concerns identified and addressed as needing amendment by not only DelDOT staff, but also the end users of the current regulations.

DelDOT will take written comments on these proposed general revisions to Section 2309 of title 2, Delaware Administrative Code, from May 1, 2015 through May 31, 2015. The public may submit their comments to:

Marc Coté, P.E., Assistant Director, Planning Development Coordination via email ([Marc.Cote@state.de.us](mailto:Marc.Cote@state.de.us)) or in writing to his attention:

Division of Planning  
Delaware Department of Transportation  
P.O. Box 778  
Dover, DE 19903

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