

DELAWARE RIVER BASIN COMMISSION
PUBLIC NOTICE

The Delaware River Basin Commission will hold a public hearing on Tuesday, September 9, 2014 beginning at 1:30 p.m. A conference session and business meeting will be held on the following day, Wednesday, September 10, 2014 beginning at 12:15 p.m. The hearing, conference session and meeting are open to the public and will be held at the Washington Crossing Historic Park Visitor Center, 1112 River Road, Washington Crossing, Pennsylvania. For more information, visit the DRBC web site at www.drbc.net or contact Pamela M. Bush, 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, September 18, 2014 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

DEPARTMENT OF FINANCE
OFFICE OF THE STATE LOTTERY
PUBLIC NOTICE
206 Internet Lottery Rules and Regulations

Delaware Department of Finance, Office of the State Lottery, pursuant to 29 **Delaware Code**, Section 4826(c) is proposing to amend Regulations for the Delaware Lottery 10 **DE Admin. Code** 206 section 13.2 and 13.3, Internet Lottery.

Delaware Department of Finance ("Department"), Office of the State Lottery, pursuant to 29 **Delaware Code**, Section 4826 (29 **Del.C.** §4826) is proposing amendments to 10 **DE Admin. Code** 206 Section 13.2 and 13.3.

These amendments will update Internet Lottery regulations related to anonymous play and play for free requirements.

Interested persons may submit comments in writing to Rebecca Goldsmith, Delaware Lottery Office, 1575 McKee Road, Suite 102, Dover, Delaware 19904.

The comment period will close on September 30, 2014.

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

Title XXI Delaware Healthy Children Program State Plan - Cost Sharing and Payment

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code), 42 CFR §447.205, 42 CFR §457.65 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 Title XXI Delaware Healthy Children Program State Plan and the Division of Social Services Manual (DSSM) regarding Cost Sharing and Payment, specifically, *Premium Requirements*.

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 September 30, 2014.

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
PUBLIC NOTICE

Diamond State Health Plan 1115 Demonstration Waiver Amendment – Promoting Optimal Mental Health for Individuals through Supports and Empowerment

In compliance with 42 U.S.C. §1315(d), 42 CFR Part 431, Subpart G, 42 CFR 447.205 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) notifies the public that it intends to submit an application to the Centers for Medicare and Medicaid Services (CMS) to amend the Diamond State Health Plan (DSHP) Section 1115 Demonstration Waiver to coordinate coverage of the new Home and Community-Based Services (HCBS) behavioral health program, identified as *PROMISE (Promoting Optimal Mental Health for Individuals through Supports and Empowerment)*.

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 September 30, 2014. Please identify in the subject line: Proposed Diamond State Health Plan 1115 Waiver Amendment Covering PROMISE.

As required by 42 CFR Part 431, Subpart G, the State agency is providing the following opportunities to the public to comment on the proposed waiver amendment in person. Three (3) public hearings are scheduled. The detailed information for each public hearing is shown below.

1. NEW CASTLE COUNTY

Tuesday, September 23, 2014

5:00 pm – 7:00 pm

Delaware State Police

Troop 2

Robert Paris Community Room

100 Lagrange Avenue

Newark, Delaware 19702

Phone: 302-834-2620 - main line

(Visitor parking is in the front of the building)

2. SUSSEX COUNTY

Wednesday, September 24, 2014

1:00 pm – 3:00 pm

Thurman Adams State Service Center

(Formerly, Georgetown State Service Center)

546 South Bedford Street

Georgetown, Delaware 19947

Phone: 302-856-5211 or 302-856-5574

(Visitor parking is designated by signs and is close to the entrance of the building)

3. KENT COUNTY

Thursday, September 25, 2014

10:00 am - 12 noon

Delaware Department of Transportation

Administration Center

800 Bay Road

Dover, Delaware 19901

Phone: 302-760-2000

(Visitor parking is in the front of the building)

The State will take verbal and written comments at the public hearings. The outcome of this process and the input provided will be summarized for CMS upon submission of the final application for a waiver amendment.

If you are unable to attend the public hearing in person, you may participate by teleconference. To participate via teleconference, on the date and time of the public hearing, call 1-877-366-0711 and enter passcode 95099070#.

If you require special assistance or auxiliary aids and/or services to participate in the public hearing (e.g., sign language or wheelchair accessibility), please call the following contact at least five (5) days prior to the hearing for arrangements:

Arlene Baal at (302) 255-9561

The prompt submission of requests helps to ensure the availability of qualified individuals and appropriate

accommodations in advance.

**DIVISION OF PUBLIC HEALTH
PUBLIC NOTICE
4454 Tanning Facilities Regulations**

Recently passed legislation, Senate Bill 94, adds to the current tanning bed restrictions a ban of all minors from using tanning devices in tanning facilities. It also mandates warning signs and statements in tanning facilities.

On September 1, 2014, the Department of Health and Social Services, Division of Public Health, plans to publish proposed regulations which amend Title 16 of the Delaware Code relating to tanning facilities. Due to the extensive number of amendments the Division has concluded that the current 4454 State of Delaware Tanning Facilities Regulations should be repealed and replaced in their entirety with the proposed regulations being published and hold them out for public comment per Delaware law.

Copies of the proposed regulations are available for review in the September 1, 2014 edition of the *Delaware Register of Regulations*, accessible online at: <http://regulations.delaware.gov> or by calling the Health Systems Protection Section at 302-744-4705.

Any person who wishes to make written suggestions, testimony, briefs or other written materials concerning the proposed regulations must submit same to Deborah Harvey by Wednesday, October 1, 2014 at:

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

**DEPARTMENT OF INSURANCE
OFFICE OF THE COMMISSIONER
PUBLIC NOTICE
404 Derivative Instruments**

INSURANCE COMMISSIONER KAREN WELDIN STEWART hereby gives notice of proposed Department of Insurance Regulation 404 relating to Derivative Instruments. The docket number for this proposed regulation is 2401.

The proposed regulation sets standards for the prudent use of derivative instruments by domestic insurers. The Delaware Code authority for this proposed regulation is 18 **Del.C.** §§311 and 1333 and 29 **Del.C.** Ch. 101.

The Department of Insurance does not plan to hold a public hearing on the proposed regulation. The proposed regulation appears below and can also be viewed at the Delaware Insurance Commissioner's website at <http://www.delawareinsurance.gov/departments/documents/ProposedRegs/>.

Any person can 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. EST, Tuesday, September 30, 2014. Any such requests should be directed to:

Regulatory Specialist Rhonda West
Delaware Department of Insurance
841 Silver Lake Boulevard
Dover, DE 19904
Phone: (302) 674-7379
Fax: (302) 739-5566
Email: rhonda.west@state.de.us

**DEPARTMENT OF JUSTICE
FRAUD AND CONSUMER PROTECTION DIVISION
INVESTOR PROTECTION UNIT
PUBLIC NOTICE**

Rules and Regulations Pursuant to the Delaware Securities Act

In compliance with the State's Administrative Procedures Act (APA -Title 29, Chapter 101 of the Delaware Code) and section 73-102(b) of Title 6 of the Delaware Code, the Investor Protection Unit of the Delaware Department of Justice ("the Unit") hereby publishes notice of a proposed revision to the Rules and Regulations Pursuant to the Delaware Securities Act. The Unit hereby proposes numerous changes to the rules and regulations pertaining to administrative proceedings, Unit investigations, broker-dealers, investment advisers, securities registration, as well as a significant number of technical amendments.

Persons wishing to comment on the proposed revision may submit their comments in writing to:

Owen Lefkon
Investor Protection Director
Department of Justice, Investor Protection Unit
State Office Building, 5th Floor
820 N. French Street
Wilmington, DE 19801
Investor.Protection@state.de.us

The comment period on the proposed revision will be held open for a period of thirty days from the date of the publication of this notice in the Delaware *Register of Regulations*.

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL DIVISION OF WATERSHED STEWARDSHIP 5101 Sediment and Stormwater Regulations PUBLIC NOTICE

Sections 1.5, 1.7, 1.13, 1.14, 3.11, 4.1, 4.5, 5.1, 6.1 have been revised and definition of "functional equivalency" added to the regulations. These changes are made to clarify that the Technical Document that supports the regulations is guidance to be used as a reference for compliance and is not the only means of complying with the regulations. Functionally equivalent methods to those provided in the Technical Document may be considered on a case-by-case basis.

In addition, typographical errors have been addressed.

The Department of Natural Resources and Environmental Control (DNREC) Division of Watershed Stewardship will conduct a public hearing on proposed revisions **Regulation No. 5101 Sediment and Stormwater Regulations** to clarify that the Technical Document that supports the regulations is guidance to be used as a reference for compliance and is not the only means of complying with the regulations. Functionally equivalent methods to those provided in the Technical Document may be considered on a case-by-case basis.

The public hearing on this proposed revision of **Regulation No. 5101 Sediment and Stormwater Regulations** will be held Thursday, September 25, 2014, at 6:00 p.m. in the DNREC Auditorium, Richardson and Robbins Building, 89 Kings Highway, Dover, DE 19901.

The proposed regulation revisions may be inspected at the Department's Richardson and Robbins Building office located at 89 Kings Highway, Dover, DE 19901 or on the DNREC Division of Watershed Stewardship's Sediment and Stormwater Program website:

<http://www.dnrec.delaware.gov/swc/Drainage/Pages/Reg-Revisions-2014.aspx>

For additional information or any appointments to inspect the proposed regulation revisions at DNREC, please contact Elaine Webb, DNREC Sediment and Stormwater Program, 89 Kings Highway, Dover, DE 19901, (302) 739-9921, Elaine.Webb@state.de.us.

Interested parties shall submit comments in writing on the proposed regulation revisions by the end of the comment period, October 10, 2014, to Elaine Webb and/or statements and testimony may be presented either orally or in writing at the September 25, 2014 public hearing. It is requested that those interested in presenting statements at the public hearing register in advance and that written statements and comments be addressed to:

Elaine Webb
DNREC – Sediment and Stormwater Program
89 Kings Highway
Dover, DE 19901

DEPARTMENT OF SAFETY AND HOMELAND SECURITY
OFFICE OF THE ALCOHOLIC BEVERAGE CONTROL COMMISSIONER
PUBLIC NOTICE
Alcoholic Beverage Control Regulations

The Office of the Alcoholic Beverage Control Commissioner intends to amend Title 4 of the Delaware Administrative Code by revising the existing regulations to reflect the current regulatory environment. These amendments will update the regulations to control the manner of the sale of alcoholic beverages to protect the public safety and insure that the sales are in the best interest of the public.

Persons wishing to present their views regarding this matter may do so at public hearings to be held in each county. The hearings will be held as follows:

- Wednesday, September 24, 2014 at 10:00 a.m. in the third floor conference room of the Carvel Building, 820 N. French Street, Wilmington, DE;
- Tuesday, September 30, 2014 at 1:00 p.m. in the DNREC auditorium, 89 Kings Highway, Dover, DE; or
- Wednesday, October 1, 2014 at 2:00 p.m. in the Sussex County Council Chambers, Administrative Building, The Circle, Georgetown, DE.

Written comments will be accepted until close of business on October 20, 2014. Written comments should be submitted to Lauren Shinault, Regulation Review, Office of the Alcoholic Beverage Control Commissioner, Carvel Building 3rd Floor, 820 N. French Street, Wilmington, Delaware 19801. A copy of these regulations may be viewed at the above address.

OFFICE OF THE ALCOHOLIC BEVERAGE CONTROL COMMISSIONER
PUBLIC NOTICE
1407 A Rule Pertaining to Movie Theaters

The Office of the Alcoholic Beverage Control Commissioner intends to amend Title 4 of the Delaware Administrative Code by adding a new regulation governing the dispensing and consumption of alcoholic liquors in movie theaters. This regulatory addition is required due to passage of House Bill 299, which was effective on July 15, 2014. The legislation required the Commissioner to promulgate such rules and regulations with respect to the enforcement, including procedures to prevent the consumption of alcohol in movie theaters by those under 21 years old, or furtherance of the objectives and provisions of the legislation as the Commissioner may deem necessary.

Persons wishing to present their views regarding this matter may do so at public hearings to be held in each county. The hearings will be held as follows:

- Wednesday, September 24, 2014 at 10:00 a.m. in the third floor conference room of the Carvel Building, 820 N. French Street, Wilmington, DE;
- Tuesday, September 30, 2014 at 1:00 p.m. in the DNREC auditorium, 89 Kings Highway, Dover, DE; or
- Wednesday, October 1, 2014 at 2:00 p.m. in the Sussex County Council Chambers, Administrative Building, The Circle, Georgetown, DE.

Written comments will be accepted until close of business on October 20, 2014. Written comments should be submitted to Lauren Shinault, Regulation Review, Office of the Alcoholic Beverage Control Commissioner, Carvel Building 3rd Floor, 820 N. French Street, Wilmington, Delaware 19801. A copy of these regulations may be viewed at the above address.

DIVISION OF STATE POLICE
1300 BOARD OF EXAMINERS OF PRIVATE INVESTIGATORS & PRIVATE SECURITY AGENCIES
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 24 Del.C. Ch. 13 proposes to amend Rule 4.0 - Training Requirements - requiring all instructors to take the class and pass the test; Rule 6.0 - Criminal Offenses - gives Professional Licensing Section the authority to deny applicants; Rule 10.0 - Uniforms, Patches, Badges, Seals, Vehicular Markings - general housekeeping. 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 September 30, 2014, to Delaware State Police, Professional Licensing, P.O. Box 430, Dover, DE 19903

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 pertaining to firm ownership are amended to clarify that all non-licensee owners of firms must be individuals and must be active participants in the firm.

A public hearing will be held on October 15, 2014 at 9:00 a.m. in the second floor conference room B 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 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 October 31, 2014 in accordance with 29 **Del.C.** §10118(a).

DIVISION OF PROFESSIONAL REGULATION
BOARD OF CHIROPRACTIC
PUBLIC NOTICE
700 Board of Chiropractic

The Delaware Board of Chiropractic, pursuant to 24 **Del.C.** §706(a)(1), proposes to revise its regulations. The proposed regulation further refines the practice of chiropractic and provides for electronic attestation.

The Board will hold a public hearing on the rule change on October 2, 2014 at 8:30 a.m., in the Second Floor Conference Room B, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments should be sent to LaTonya Brown, Administrator of the Board of Chiropractic, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, DE 19904.