

DEPARTMENT OF EDUCATION

PUBLIC NOTICE

The State Board of Education will hold its monthly meeting on Thursday, July 19, 2018 at 5:00 p.m. in the Townsend Building, Dover, Delaware.

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF MEDICAID AND MEDICAL ASSISTANCE

PUBLIC NOTICE

Medicaid Recovery Audit Contractors Program

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 Title XIX Medicaid State Plan regarding the Medicaid Recovery Audit Contractor (RAC) Program, specifically, to request an exception to the RAC contracting 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, Planning, Policy and Quality Unit, Division of Medicaid and Medical Assistance, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906, by email to Nicole.M.Cunningham@state.de.us, or by fax to 302-255-4413 by 4:30 p.m. on July 31, 2018. Please identify in the subject line: Medicaid Recovery Audit Contractors Program.

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

Temporary Assistance for Needy Families (TANF)

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) is proposing to amend the Division of Social Services Manual regarding Temporary Assistance for Needy Families (TANF), specifically, to revise the requirements of the Contract of Mutual Responsibility (CMR).

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, Policy and Quality Unit, Division of Medicaid and Medical Assistance, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906, by email to Nicole.M.Cunningham@state.de.us, or by fax to 302-255-4413 by 4:30 p.m. on July 31, 2018. Please identify in the subject line: Temporary Assistance for Needy Families (TANF).

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 FISH AND WILDLIFE

PUBLIC NOTICE

3507 Black Sea Bass Size Limit; Trip Limits, Seasons; Quotas

This action is to adopt provisions consistent with the federal measures proposed for the recreational Black Sea Bass fishery in compliance with Addendum XXX to the Atlantic States Marine Fisheries Commission's (ASMFC) Interstate Fishery Management Plan for Summer Flounder, Scup [and] Black Sea Bass. Specifically, the proposed action will eliminate Delaware's September 22 through October 21 closure and set the open season from May 15 through December 31 for the recreational Black Sea Bass fishery.

Black Sea Bass are cooperatively managed by the ASMFC and the Mid-Atlantic Fishery Management Council (MAFMC) through the joint Summer Flounder, Scup and Black Sea Bass Fishery Management Plan. The ASMFC and MAFMC jointly approved a coastwide 2018 recreational harvest limit (RHL) for Black Sea Bass of 3.66 million pounds.

Addendum XXX uses a combination of exploitable biomass information from the latest stock assessment and historical harvest to allocate the coastwise RHL between three regions. The ASMFC's Black Sea Bass Management Board approved measures that require the southern region states (Delaware to North Carolina) to implement recreational fishery management measures for Black Sea Bass consistent with those measures required for federal waters. The MAFMC's recommended federal measures for the recreational fishery include a 15-fish possession limit, a 12.5-inch minimum size limit and an open season from May 15 through December 31. These measures, when combined with measures being implemented in the other regions (Massachusetts through New York and New Jersey), are predicted to constrain recreational Black Sea Bass landings at or below the 2018 coastwise RHL.

The hearing record on the proposed amendments to 7 **DE Admin. Code** 3507 *Black Sea Bass Size Limit; Trip Limits, Seasons; Quotas* will open July 1, 2018. 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 amendments will be held in conjunction with a public hearing on proposed amendments to 7 **DE Admin. Code** 3511 *Summer Flounder Size Limits; Possession Limits; Season* on July 26, 2018 beginning at 6:00 PM in the DNREC Auditorium, located at the Richardson & Robbins Building, 89 Kings Highway, Dover, DE 19901. Public comments will be received until close of business Friday, August 10, 2018.

DIVISION OF FISH AND WILDLIFE

PUBLIC NOTICE

3511 Summer Flounder Size Limits; Possession Limits; Season

This action is to adopt a minimum recreational summer flounder size limit of 16.5 inches (formerly 17 inches), consistent with Addendum XXVIII to the Interstate Fishery Management Plan (FMP) for Summer Flounder, Scup, and Black Sea Bass. The Department previously amended 7 **DE Admin. Code** 3511 Summer Flounder Size Limits; Possession Limits; Season to accommodate this change through an emergency action (Secretary's Order 2018-F-0026) pursuant to 29 **Del.C.** §10119 and 7 **Del.C.** §903(h) to assure that Delaware's recreational summer flounder fishery resource avoided unnecessary hardship, benefited from a sustainable harvest liberalization and remained competitive with similar fishing resources in New Jersey, Maryland and Virginia.

The Atlantic States Marine Fisheries Commission (ASMFC) and Mid Atlantic Fisheries Management Council extended the regional approach to recreational summer flounder management outlined in Addendum XXVIII to the Interstate Fishery Management Plan (FMP) for Summer Flounder, Scup, and Black Sea Bass through 2018. Addendum XXVIII allows states or regions to develop measures that will achieve the coastwise recreational harvest limit (RHL) of 4.42 M pounds. Based on summer flounder stock status, states or regions may liberalize their 2017 recreational summer flounder regulations to allow for up to a 17% harvest increase in 2018.

By extending the provisions of Addendum XXVIII, Delaware continues to be grouped in a region (DelMarVa) with Maryland and Virginia. The DelMarVa region submitted an analysis to the ASMFC Summer Flounder Technical Committee for a four (4) fish possession limit, a 365-day season and a 16.5-inch minimum size limit that was estimated to result in 16.4% harvest increase. This proposed management strategy was approved by the ASMFC's Management Board.

The hearing record on the proposed changes to 7 **DE Admin. Code** 3511 *Summer Flounder Size Limits; Possession Limits; Season* will open July 1, 2018. 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 in conjunction with a public hearing on proposed amendments to 7 **DE Admin. Code** 3507 *Black Sea Bass Size Limit; Trip Limits, Seasons; Quotas* on July 26, 2018 beginning at 6:00 PM in the DNREC Auditorium, located at the Richardson & Robbins Building, 89 Kings Highway, Dover, DE 19901. Public comments will be received until close of business Friday, August 10, 2018.

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 revise its regulations. The proposed amendments, which were voted on in a Special Meeting by the COPT on May 23, 2018, seek to update, clarify and provide more detailed information regarding minimum training requirements, firearms training and qualifications for instructors.

The COPT will allow for the submission of written comments, suggestions, or other materials regarding the proposed rules to the Department of Safety and Homeland Security Attn: Christopher Klein, Public Safety Building Suite 220, P.O. BOX 818, Dover, Delaware 19903-0818 or e-mail Christopherm.klein@state.de.us. Any written submission in response to

this notice and the relevant proposed regulations must be received by the Department of Safety and Homeland Security no later than 4:30 p.m. (EST) on July 31, 2018. A copy of this regulation may be viewed online at the Registrar of Regulation's website, http://regulations.delaware.gov/services/current_issue.shtml.

DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION
300 BOARD OF ARCHITECTS
PUBLIC NOTICE

The Delaware Board of Architects, pursuant to 24 **Del.C.** §306(a)(1), proposes to revise its regulations in order to clarify the education requirements for applicants; change the name of the NCARB training program from Intern Development Program to Architectural Experience Program; clarify that the continuing education requirements apply to calendar years; and allow licensees to seek pre-approval of continuing education units.

The Board will hold a public hearing on the proposed regulation change on September 5, 2018 at 1:30 p.m., Second Floor Conference Room B, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments should be sent to Jennifer Witte, Administrative Specialist of the Delaware Board of Architects, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments will be accepted until September 20, 2018 pursuant to 29 **Del.C.** §10118(a).

DIVISION OF PROFESSIONAL REGULATION
3700 BOARD OF SPEECH/LANGUAGE PATHOLOGISTS, AUDIOLOGISTS AND HEARING AID DISPENSERS
PUBLIC NOTICE

Pursuant to 24 **Del.C.** §3706(a)(1), the Board of Speech/Language Pathologists, Audiologists and Hearing Aid Dispensers ("Board") has proposed revisions to its rules and regulations.

A public hearing will be held on August 21, 2018 at 2:00 p.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. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Board of Speech/Language Pathologists, Audiologists and Hearing Aid Dispensers, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Board at the above address or to karen.carn@state.de.us.

The Board's proposed amendments add a requirement that licensees must timely update their addresses with the Division of Professional Regulation. Licensure requirements for speech/language pathologists, pertaining to the clinical practicum and the clinical fellowship, are updated to be consistent with the American Speech-Language-Hearing Association's standards. The new Section 11.0 adds disclosure requirements in connection with the fitting and sale of hearing aids. Audiologists and hearing aid dispensers must notify the prospective purchaser of the operation and benefits of telecoil technology, which is used to increase access to telephones and communication with businesses and the community. Finally, the list of substantially related crimes has been revised to include updated drug offenses.

In accordance with 29 **Del.C.** §10118(a), the final date to receive written comments will be September 5, 2018, which is 15 days following the public hearing. The Board will deliberate on all of the public comment at its next regularly scheduled meeting, at which time it will determine whether to adopt the rules and regulations as proposed or make additional changes due to the public comment.

PUBLIC SERVICE COMMISSION
PUBLIC NOTICE

3008 Rules and Procedures to Implement the Renewable Energy Portfolio Standard (Opened August 23, 2005)

The Delaware Public Service Commission, in compliance with the Memorandum Opinion, issued December 30, 2016, in *Delaware Division of the Public Advocate v. Delaware Public Service Commission*, C.A. N15A-12-002 AML, and pursuant to 26 **Del.C.** §362(b), proposes to revise its regulations for the limited purpose of complying with the Memorandum Opinion, issued December 30, 2016, in *Delaware Division of the Public Advocate v. Delaware Public Service Commission*, C.A. N15A-12-002 AML; that is, specifically to promulgate regulations to amend 26 **DE Admin. Code** 3008-3.2.21 and related regulations as needed to specify the procedures for freezing the minimum cumulative solar photovoltaic and eligible energy resource requirements under 26 **Del.C.** §354(i) and (j).

You can review the proposed revised Rules in the July 2018 issue of the *Delaware Register of Regulations*. You can also review the Order and the proposed revised Rules in the PSC's electronic filing system DelaFile at <http://delafile.delaware.gov/> and for docket # input "Reg. 56." If you wish to obtain written copies of the Order and proposed

revised Rules, please contact the PSC at (302) 736-7500. Copies in excess of the first twenty pages are \$0.10 per page. Payment is expected prior to copying (if you wish the copies to be mailed) or at the time the copies are retrieved (if you retrieve them in person).

Written comments can be filed electronically in DelaFile at <http://delafile.delaware.gov/> by filling out the Public Comment Form located under Public Links. Written comments can also be mailed to Pamela Knotts, Public Service Commission, Cannon Building, 861 Silver Lake Blvd., Suite 100, Dover, DE 19904 or via email to pamela.knotts@state.de.us, with the subject line "Regulation Docket No. 56." Written comments will be accepted until Tuesday, July 31, 2018, pursuant to 29 **Del.C.** §10118(a).