

CALENDAR OF EVENTS/HEARING NOTICES

CALENDAR

June 2022

DELAWARE RIVER BASIN COMMISSION

PUBLIC NOTICE

The Delaware River Basin Commission will hold its quarterly business meeting on Wednesday, June 8, 2022 commencing at 10:30 a.m. The business meeting will be conducted both remotely and in person at the Chase Center on the Riverfront located at 815 Justison Street, Wilmington, DE, in the Center's Dravo Auditorium. Details about the remote platform, any Covid protocols for the in-person business meeting venue, and 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, please visit the DRBC website at www.drbc.gov or contact Patricia Hausler at patricia.hausler@drbc.gov.

DEPARTMENT OF AGRICULTURE

Thoroughbred Racing Commission

PUBLIC NOTICE

1001 Thoroughbred Racing Rules and Regulations

Summary

The Thoroughbred Racing Commission proposes to amend its Regulations adopted in accordance with Title 3, Chapter 101. The purpose of the proposed regulations is to amend Rule 15.11 to update references to incorporate the current version of Association of Racing Commissioner's (ARCI) Rules regarding laboratory testing and standards. 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.

Comments

A copy of the proposed regulations is being published in the June 1, 2022 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: https://regulations.delaware.gov/register/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 July 1, 2022. Written materials submitted will be available for inspection at the above address.

DEPARTMENT OF EDUCATION

PUBLIC NOTICE

The State Board of Education meets monthly. These meetings are open to the public. The Board rotates locations of regular meetings among the three counties.

Meeting information can be accessed via the public meeting calendar.

Meeting materials available on the State Board of Education's eBoard site (https://simbli.eboardsolutions.com/SB_Meetings/SB_MeetingListing.aspx?S=190001). (If you are having technical difficulties accessing the site, please try a different browser.)

The next meeting is scheduled for June 16, 2022.

Information regarding special meetings or Committee meetings of the State Board will be posted on the public meeting calendar.

Minutes from recent State Board of Education meetings can be found on the public meeting calendar.

Audio recordings are available after every Board meeting (<https://www.doe.k12.de.us/domain/225>).

Public meeting calendar: <https://publicmeetings.delaware.gov/#search?anyall=any&agencyid=22&startdateinclusive=2019-01-01>

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

Division of Health Care Quality

PUBLIC NOTICE

3220 Training and Qualifications for Certified Nursing Assistants

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code) and under the authority of Title 16 of the Delaware Code, Chapter 30A, Delaware Health and Social Services (DHSS) / Division of Health Care Quality (DHCQ) is proposing regulations governing Training and Qualifications for Certified Nursing Assistants.

Any person who wishes to make written suggestions, compilations of data, testimony, briefs or other written materials concerning the proposed regulatory amendments must submit same to, the Division of Health Care Quality, 263 Chapman Road, Cambridge Building, Suite 200, Newark, Delaware 19702, or by email to Corinna.Getchell@Delaware.gov or by fax to 302-421-7401 by 4:30 p.m. on July 1, 2022. Please identify in the subject line: Regulations Governing Training and Qualifications for Certified Nursing Assistants.

The action concerning the determination of whether to adopt the proposed regulations 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

Guardianship Fees

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 and the Division of Social Services Manual (DSSM) to allow Medicaid recipients institutionalized in long-term care facilities to retain an allowance of income to pay for guardianship costs.

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 Nicole.M.Cunningham@delaware.gov, or by fax to 302-255-4413 by 4:30 p.m. on July 1, 2022. Please identify in the subject line: Guardianship Fees - Post-Eligibility Protection of Income.

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

Incarcerated Individuals Medicaid Program

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 Division of Social Services Manual (DSSM) regarding the Incarcerated Individuals Medicaid Program.

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 Nicole.M.Cunningham@delaware.gov, or by fax to 302-255-4413 by 4:30 p.m. on July 1, 2022. Please identify in the subject line: Incarcerated Individuals Medicaid 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 Medicaid and Medical Assistance

PUBLIC NOTICE

Third Party Liability

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 third party liability.

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 Nicole.M.Cunningham@delaware.gov, or by fax to 302-255-4413 by 4:30 p.m. on July 1, 2022. Please identify in the subject line: Third Party Liability.

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

PUBLIC NOTICE

4455 Delaware Regulations Governing a Detailed Plumbing Code

Pursuant to 16 **Del.C** §122(3)(e) and § 7903, the Health Systems Protection Section, Division of Public Health, Department of Health and Social Services, is proposing revisions to the Delaware Regulations Governing a Detailed Plumbing Code. On June 1, 2022, the Division of Public Health plans to publish as "proposed" revisions to the Delaware Regulations Governing a Detailed Plumbing Code. The revisions include the adoption of the 2021 International Plumbing Code with amendments.

Copies of the proposed regulations are available for review in the June 1, 2022 edition of the *Delaware Register of Regulations*, accessible online at: <http://regulations.delaware.gov> or by calling the Division of Public Health at (302) 744-4951.

Any person who wishes to make written suggestions, testimony, briefs, or other written materials concerning the proposed regulations must submit them by Friday, July 1, 2022, at:

Division of Public Health
417 Federal Street
Dover, DE 19901
Email: DHSS_DPH_regulations@delaware.gov
Phone: (302) 744-4951

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) and (c), proposed to amend its regulations to add Mandatory Standards for Use of Body Worn Cameras (the "Mandatory Standards"). The proposed amendments, which were voted on during a public meeting of the COPT, on November 17, 2021, sought to add these mandatory standards to COPT's existing Regulation 801. The proposed amendments were published in the *Register Regulations* and provided for a public comment period through January 31, 2022. 25 **DE Reg.** 673 (01/01/22).

The COPT received public comments from the Delaware Department of Justice, the Governor's Advisory Council for Exceptional Citizens, and the State Council for Persons with Disabilities. Those comments were first considered by a COPT-appointed subcommittee and then by the full COPT at a public meeting held April 12, 2022. After considering the comments and the recommendations made by the subcommittee, COPT voted unanimously to further amend the regulations pertaining to the Mandatory Standards and to re-open a public comment period. These further amendments include (1) adding language to the definition of School Resource Officers; (2) adding additional considerations for such officers; (3) adding an additional circumstance allowing an officer not to activate a body worn camera; and (4) adding additional considerations of releasing body worn camera videos of use-of-force incidents involving death or serious bodily injury.

The COPT will allow for the submission of written comments, suggestions, or other materials regarding the proposed rules to the COPT Attn: Susan McNatt P.O. Box 430, Dover DE 19903 or e-mail susan.a.mcnatt@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 1, 2022. 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
1900 Board of Nursing

PUBLIC NOTICE

The Delaware Board of Nursing, pursuant to 24 **Del.C.** §1904(c), proposes to revise its regulations to clarify the process for APRNs to assign medication administration to medical assistants; to create regulations pertaining to the waiver of the state e-prescribing requirement; to add regulations pertaining to the closure of a nursing school; and clean up minor errors through the regulations.

The Board will hold a public hearing on the proposed regulation changes on July 13, 2022 at 9:00 a.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments should be sent to Dr. Pamela Zickafoose, Executive Director of the Delaware Board of Nursing, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments will be accepted until July 28, 2022 pursuant to 29 **Del.C.** §10118(a).
