

CALENDAR OF EVENTS/HEARING NOTICES

CALENDAR

March 2022

DELAWARE RIVER BASIN COMMISSION

PUBLIC NOTICE

The Delaware River Basin Commission held its quarterly public hearing on Wednesday, February 9, 2022. The hearing was held virtually. Please check the Commission's website, www.drbc.gov, for details regarding the draft docket decisions that were the subjects of the public hearing. The Commission's quarterly business meeting will be held virtually on **Wednesday, March 9, 2022**, beginning at **10:30 a.m.** Please check the Commission's website, www.drbc.gov, for details about the meeting format and how to attend. 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

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 13.1.3 to change the existing open claiming rule. 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 March 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: 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 April 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 March 17, 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 Medicaid and Medical Assistance

PUBLIC NOTICE

Retroactive Coverage

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 Retroactive Coverage, specifically, to revise policy incorporating retroactive eligibility changes.

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 March 31, 2022. Please identify in the subject line: Retroactive Coverage.

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 Substance Abuse and Mental Health

PUBLIC NOTICE 6003 DUI Programs

In compliance with the *Administrative Procedures Act* (29 **Del.C.** Ch. 101) and under the authority of 21 **Del.C.** §4177D, the State of Delaware Department of Health and Social Service's Division of Substance Abuse and Mental Health ("the Division") is proposing to amend 16 **DE Admin. Code** 6003 regulations governing driving under the influence programs ("DUI programs").

A person may make suggestions or provide compilations of data, testimony, briefs, or other materials concerning the Division's proposal by written submission to the Community Behavioral Health Bureau, Division of Substance Abuse and Mental Health. The Division will receive submissions made before 4:30 p.m. on April 1, 2022, by mail to 1901 North DuPont Highway, New Castle, DE 19720-0906, by fax to (302) 255-4427, and by email to joe.aronson@delaware.gov. Please identify in the subject line: 6003 DUI Regulations.

The Division's determination to adopt this proposal will include analysis and consideration of submissions received.

DEPARTMENT OF INSURANCE

Office of the Commissioner

PUBLIC NOTICE

1322 Requirements for Mandatory Minimum Payment Innovations in Health Insurance

On January 1, 2022, the Delaware Department of Insurance (the Department) published its proposed new Regulation 1322 Requirements for Mandatory Minimum Payment Innovations in Health Insurance (Proposal 1). See 25 DE Reg. 684 (01/01/22). The purpose of the proposed new regulation is to implement Senate Substitute 1 for Senate Bill 120 (SS1 for SB 120), which expanded the regulatory authority of Department's Office of Value Based Health Care Delivery (OVBHCD) as described in Proposal 1.

Proposal 2, revised as appropriate in response to the public comments received on Proposal 1, appears below and may also be viewed on the Department's website at <http://insurance.delaware.gov/information/proposedregs/>. The Department will not be holding a public hearing on Proposal 2.

Any person may file written comments, suggestions, briefs, and compilations of data or other materials concerning Proposal 2. Any written submission in response to this notice and relevant to the proposed amendments must be received by the Department of Insurance no later than 4:30 p.m. EDT, the 31st day of March 2022 and should be directed to:

Regulatory Specialist
Delaware Department of Insurance
1351 West North Street, Suite 101
Dover, DE 19904
(302) 674-7300
Email: DOI-Legal@delaware.gov

Office of the Commissioner

PUBLIC NOTICE

1801 Insurance Holding Company System Regulation With Reporting Forms and Instructions

Requirements for insurance holding company system registration are promulgated in 18 **Del.C.** Ch. 50 (the Act). Regulations to implement the Act are codified at 18 **DE Admin. Code** 1801.

On January 27, 2022, the Delaware General Assembly passed amendments to the Act to designate two additional categories of documents filed under the Act as subject to confidential treatment under the law and to incorporate changes adopted by the National Association of Insurance Commissioners (NAIC) related to affiliated transactions for insurers in receivership. See House Bill No. 272 (151st General Assembly). HB 272 was signed by the Governor on February 7, 2022. The adopted changes to the model law were developed to address the continuation of essential services by affiliates of insurers in receivership, as well as the receiver's access to data and records held by affiliates but belonging to the insurer.

Accordingly, the Department is now proposing to amend Regulation 1801 to comport the regulation with the Act. Specifically, the Department is updating Section 19.0 concerning transactions subject to prior notice and adding new Section 21.0 concerning requirements for Group Capital Calculation.

The text of the proposed amendments appears below and can also be viewed at the Delaware Insurance Commissioner's website at <http://insurance.delaware.gov/information/proposedregs/>. The Department does not plan to hold a public hearing on the proposed regulation.

Any person may file written comments, suggestions, briefs, and compilations of data or other materials concerning the proposed amendment. 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, 31st day of March 2022. Any such response should be directed to:

Regulatory Specialist
Delaware Department of Insurance
1351 W. North St., Suite 101
Dover, 19904
(302) 674-7300
Email: Doi-Legal@delaware.gov

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

Division of Watershed Stewardship

PUBLIC NOTICE

7401 Surface Water Quality Standards

A virtual public hearing (Docket # 2021-R-WS-0015) will be held on Wednesday, April 20, 2022 beginning at 6 p.m. The web link to the virtual hearing can be accessed through the DNREC Public Hearings site at <https://de.gov/dnrehearings>. If prompted for a password, please use RegAmend7401. To access the audio-only portion of the virtual hearing, dial 1-408-418-9388 and enter event code 2332 836 9040. Closed-captioning is available by request if made at least 7 days before the event.

Those wishing to offer verbal comments during DNREC virtual public hearings must pre-register no later than noon on the date of the virtual hearing at <https://de.gov/dnrecomments> or by telephone at 302-739-9295.

The proposed amendments may be inspected online starting March 1, 2022 at http://regulations.delaware.gov/services/current_issue.shtml or in-person, by appointment only, by contacting David Wolanski by phone at 302-739-9939 or by email at David.Wolanski@Delaware.Gov.

The Department will accept public comment through the close of business on Thursday, May 5th, 2022. Comments will be accepted in written form via email to DNRECHearingComments@delaware.gov, or by using the online form at <https://de.gov/dnrecomments>, or by U.S. mail to the following address:

Lisa Vest, Hearing Officer

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. §§2014 and 8404(a)(14), proposes to amend its regulations to add mandatory standards relating to electronic recordings of custodial interrogations, as required by 11 Del. C. § 2014. The COPT also proposes to add another section to Regulation 801 pertaining to qualification standards for the use of less lethal weapons and ammunition. The proposed amendments, which were voted on during a public meeting of the COPT, on January 11, 2022, seek to add these two new sections to COPT's existing Regulation 801.

The COPT will allow for the submission of written comments, suggestions, or other materials regarding the proposed regulatory amendments. Submissions should be sent to the COPT Attn: Susan McNatt P.O. Box 430, Dover DE 19903 or by 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 March 31, 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

2900 Real Estate Commission

PUBLIC NOTICE

Pursuant to 24 **Del.C.** §2906(a)(1), the Delaware Real Estate Commission ("Commission") has proposed revisions to its Rules and Regulations pertaining to advertising and posting of permanent office signs.

A public hearing will be held on April 14, 2022 at 9:00 a.m. in the second floor conference room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Real Estate Commission, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Commission at the above address or at sandra.wagner@delaware.gov.

In accordance with 29 **Del.C.** §10118(a), the final date to receive written comments will be April 29, 2022. The Commission will deliberate on all of the public comments at its next regularly scheduled meeting.

Division of Professional Regulation

3000 Board of Professional Counselors of Mental Health and Chemical Dependency

Professionals

PUBLIC NOTICE

The Delaware Board of Mental Health and Chemical Dependency Professionals, pursuant to 24 *Del. C.* § 3006(a)(1), proposes to revise its regulations. The proposed amendments to the regulations seek to add a requirement that of the 40 CEs that are required upon renewal, three must be in ethics and three must be in cultural inclusion, equity, and diversity.

The Board will hold a public hearing on the proposed rule change on April 27, 2022 at 12:00 p.m., either telephonically if the meeting is held virtually or in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904 if the meeting is in-person. Written comments should be sent to Randall Clack, Administrator of the Delaware Board of Mental Health and Chemical Dependency Professionals, Cannon Building, 861 Silver Lake Blvd, Dover, DE 19904. Written comments will be accepted until May 12, 2022.

Division of Professional Regulation
4100 Board of Home Inspectors
PUBLIC NOTICE

The Delaware Board of Home Inspectors, pursuant to 24 *Del. C.* § 4106(a)(1), proposes to amend its rules and regulations. The proposed regulation change requires any home inspector or home inspector trainee applicant who has previously held a Delaware license to complete at least 40 continuing education credits in accordance with Regulation 16 in the two years leading up to the time the applicant submits the application.

The Board will hold a public hearing on the proposed regulation change on May 10, 2022 at 9:00 a.m., either telephonically or in the Second Floor Conference Room B, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments should be sent to the Delaware Board of Home Inspectors, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments will be accepted until May 25, 2022 pursuant to 29 *Del. C.* § 10118(a).