

DELAWARE MANUFACTURED HOME RELOCATION AUTHORITY

NOTICE OF PUBLIC HEARING

201 Delaware Manufactured Home Relocation Trust Fund Regulations

The Delaware Manufactured Home Relocation Authority (the "Authority") will hold a public hearing to discuss proposed amendments to the Authority's regulations relating to the administration of the Delaware Manufactured Home Relocation Trust Fund ("Trust Fund") established pursuant to 25 **Del.C.** §7012. The Authority was established by the Delaware Legislature pursuant to 25 **Del.C.** §7011. The primary purpose of the Authority is to: (a) provide financial assistance to manufactured homeowners who are tenants in a manufactured home community where the community owner changes the use of land or converts the manufactured home community to a condominium or cooperative community; and (b) to provide financial assistance to manufactured home community owners for the removal and/or disposal of non-relocatable or abandoned manufactured homes when there is a change in use or conversion.

Pursuant to its statutory authority, at the Authority's meeting on April 11, 2007, the Authority adopted a resolution proposing for adoption certain revisions to the existing regulations to be used for the administration of the Trust Fund. The proposed regulations approved at the April 11, 2007 meeting of the Authority and published herein will set the maximum payment available to a landlord for a single section home and a multi-section home that has been abandoned or that has been determined to be non-relocatable at \$500.00 and \$1,000.00 respectively.

The public hearing will be on Monday, December 10, 2007, beginning at 6:00 p.m. and ending at 7:30 p.m. in the Auditorium located at the offices of the Department of Natural Resources and Environmental Control, 89 Kings Highway, Dover, DE 19901.

Copies of the proposed regulations are available for review by contacting:

William A. Denman, Esquire
Parkowski, Guerke & Swayze, P.A.
116 W. Water Street
Dover, DE 19904
(302) 678-3262
Email: wdenman@pgslegal.com

Anyone wishing to present oral comments at this hearing should contact Mr. William A. Denman at (302) 678-3262 by Friday, December 7, 2007. Anyone wishing to submit written comments as a supplement to, or in lieu of oral testimony, should submit such comments by December 31, 2007 to:

William A. Denman, Esquire
Parkowski, Guerke & Swayze, P.A.
116 W. Water Street
Dover, DE 19904
(302) 678-3262
Email: wdenman@pgslegal.com

DEPARTMENT OF AGRICULTURE

HARNESS RACING COMMISSION

NOTICE OF PUBLIC HEARING

The Delaware Harness Racing Commission, pursuant to 3 **Del.C.** §10005, proposes to change its Rules 1, 5, 6, 7, and 8. The Commission will hold a public hearing on the proposed rule changes on December 11, 2007. Written comments should be sent to Hugh J. Gallagher, Administrator of Harness Racing, Department of Agriculture, 2320 S. DuPont Highway, Dover, DE 19901. Written comments will be accepted for thirty (30) days from the date of publication in the Register of Regulations on November 1, 2007.

The proposed changes are for the purpose of updating Rules 1, 6, 7, 8 and 10 to reflect current policies, practices and procedures. Copies are published online at the Register of Regulations website: <http://>

regulations.delaware.gov/services/current_issue.shtml. A copy is also available for inspection at the Racing Commission office.

DEPARTMENT OF EDUCATION

The State Board of Education will hold its monthly meeting on Thursday, November 15, 2007 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF PUBLIC HEALTH

4403 Free Standing Birthing Centers PUBLIC NOTICE

The Department Health and Social Services is proposing regulations which establish standards for regulation of the operation of Free Standing Birthing Centers. The regulations for Free Standing Birthing Centers apply to any program that provides prenatal, intrapartum and postpartum care for individuals with uncomplicated pregnancy, labor and vaginal birth and newborns during the recovery period. Services shall be provided by a licensed physician, certified nurse midwife or certified professional midwife and a registered nurse.

The Health Systems Protection Section, under the Division of Public Health, Department of Health and Social Services (DHSS), will hold a public hearing to discuss the proposed Delaware Regulations for Free Standing Birthing Centers. The regulations for Free Standing Birthing Centers apply to any program that provides prenatal, intrapartum and postpartum care for individuals with uncomplicated pregnancy, labor and vaginal birth and newborns during the recovery period. Services shall be provided by a licensed physician, certified nurse midwife or certified professional midwife and a registered nurse.

The public hearing will be held on November 27, 2007 at 10:00 a.m. in the Felton-Farmington Room, located in the Delaware Department of Transportation Building, 800 Bay Road, Dover, Delaware.

Copies of the proposed regulations are available for review in the November 1, 2007, edition of the *Delaware Register of Regulations*, accessible online at: <http://regulations.delaware.gov> or by calling the Office of Health Facilities Licensing and Certification at (302) 995-8521.

Anyone wishing to present his or her oral comments at this hearing should contact Ms. Deborah Harvey at (302) 744-4700 by November 21, 2007. Anyone wishing to submit written comments as a supplement to or in lieu of oral testimony should submit such comments by November 30, 2007 to:

Deborah Harvey, Hearing Officer
Division of Public Health
417 Federal Street
Dover, DE 19901
Fax (302) 739-6659

DEPARTMENT OF INSURANCE

NOTICE OF PUBLIC HEARING

INSURANCE COMMISSIONER MATTHEW DENN hereby gives notice that a PUBLIC HEARING will be held on Tuesday December 4, 2007 at 1:30 p.m. in the Consumer Services Conference Room of the Delaware Department of Insurance, 841 Silver Lake Boulevard, Dover, Delaware. The hearing is to receive public comment in **Docket No. 2007-538**, proposed amendments to **Regulation 906** relating to **THE USE OF CREDIT SCORES IN IN SETTING INSURANCE PREMIUMS IN AUTOMOBILE, MOTORCYCLE, BOAT AND PERSONAL WATERCRAFT, SNOWMOBILES AND OTHER RECREATIONAL VEHICLES, HOMEOWNERS, MOBILE-HOMEOWNERS, MANUFACTURED HOMES AND NON-COMMERCIAL DWELLING FIRE INSURANCE FOR PERSONAL OR FAMILY PROTECTION.**

The purpose for proposing amendments to Regulation 906 is to comply with Delaware law and to prohibit insurance companies using consumer credit information in the setting of renewal premiums in insurance policies in areas noted above, except that consumers may request the use of credit information in renewals if such information would result in a reduction of premiums. The text of the proposed regulation is produced in the November 2007 edition of the *Delaware Register of Regulations*. The text can also be viewed at the Delaware Insurance Commissioner's website at: <http://www.state.de.us/Inscom/departments/documents/ProposedRegs/ProposedRegs.shtml>.

The hearing will be conducted in accordance with 18 **Del.C.** §311 and the Delaware Administrative Procedures Act, 29 **Del.C.** Chapter 101. Comments are being solicited from any interested party. Comments may be in writing or may be presented orally at the hearing. Written comments, testimony or other written materials concerning the proposed change to the regulation must be received by the Department of Insurance no later than 9:00 a.m., Tuesday December 4, 2007, and should be addressed to Regulatory Specialist Mitchell G. Crane, c/o Delaware Department of Insurance, 841 Silver Lake Boulevard, Dover, DE 19904, or sent by fax to 302.739.2021 or email to mitch.crane@state.de.us.

DEPARTMENT OF INSURANCE

PUBLIC NOTICE

INSURANCE COMMISSIONER MATTHEW DENN hereby gives notice of intent to adopt proposed Department of Insurance Regulation 1313 relating to arbitration of health disputes. The docket number for this proposed amendment is 539.

The purpose of the proposed regulation is to require health insurance carriers to submit to arbitration any dispute with a health care provider regarding reimbursement for an individual claim, procedure or service upon request by the health care provider. The text of the proposed amendment is reproduced in the November 2007 edition of the *Delaware Register of Regulations*. The text can also be viewed at the Delaware Insurance Commissioner's website at: <http://www.state.de.us/inscom/departments/documents/ProposedRegs/ProposedRegs.shtml>.

The Department of Insurance does not plan to hold a public hearing on the proposed changes. Any person can file written comments, suggestions, briefs, compilations of data or other materials concerning the proposed amendments. Any written submission in response to this notice and relevant to the proposed changes must be received by the Department of Insurance no later than 4:30 p.m., Monday December 3, 2007, and should be addressed to Mitchell G. Crane, Esquire, Delaware Department of Insurance, 841 Silver Lake Boulevard, Dover, DE 19904, or sent by fax to 302.739.2021 or email to mitch.crane@state.de.us.

DEPARTMENT OF JUSTICE

FRAUD AND CONSUMER PROTECTION UNIT

NOTICE OF PUBLIC HEARING

102 Debt Management Services

The Attorney General in accordance with 6 **Del.C.** §2432(h) has proposed to adopt changes in the rules and regulations implementing the Delaware Uniform Debt Management Act in 6 **Del.C.** Chapter 24A as amended by HB 164.

The rules change the insurance requirement and eliminate the need for an overdraft notification agreement. In addition, the rules clarify the exception for individuals in an attorney-client relationship in Regulation 2.2.1. Provisions regarding fees payable to providers of debt settlement services are addressed in Regulation 4.2.11.

Since the Delaware Act was based on the uniform act developed by the National Conference of Commissioners on Uniform State Laws (NCCUSL), the Comments to the uniform act have been used to provide clarification of the Delaware law. See, for example, Regulation 11.6 that clarifies that interest on a trust account belongs to the individuals who provide the deposits and not to the provider and Regulation 6.7 that clarifies advertising. Comments to the NCCUSL uniform act that were considered in these proposals are indicated in italics

after the regulations. These are not intended to become part of the final regulations but rather to provide background. The NCCUSL final draft and Comments can be found for reference at <http://www.law.upenn.edu/bll/archives/ulc/ucdc/2005Final.htm>

A public hearing will be held at 9:00 A.M. on Monday, December 10, 2007 in the Attorney General's conference on the 6th floor of the Carvel State Office Building, 820 N. French Street, Wilmington, De 19801, 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 Consumer Protection Unit of the Department of Justice at Carvel State Office Building, 5th floor, 820 N. French Street, Wilmington, DE 19801. Persons wishing to submit written comments may forward these to the Director of the Consumer Protection Unit at the above address. The final date to receive written comments will be at the public hearing.

DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION
2500 Board of Pharmacy
NOTICE OF PUBLIC HEARING

The Delaware Board of Pharmacy, in accordance with 24 **Del.C.** §2509, proposes amendments to its regulation section 1.0. Specifically, the proposed addition to **1.0 Pharmacist Licensure Requirements** sets the period within which a pharmacist license or pharmacy permit may be renewed after its expiration. The proposal also sets the requirements for late renewal, including mandatory audit of all late-renewed pharmacist licenses to verify compliance with the continuing education renewal requirement. Other grammatical, typographic, or stylistic changes are also included.

A public hearing is scheduled for Wednesday, January 16, 2008, at 10:00 a.m. in the second floor Conference Room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, DE 19904.

Members of the public may offer verbal comments on the proposal at the hearing. Written comments must be submitted to the Board care of Judy Letterman at the above address. Written comments may be submitted until the public hearing begins. Anyone wishing to obtain a copy of the proposal or to make comments at the public hearing should contact Judy Letterman at the above address or by calling (302) 744-4504.

The Board will consider promulgating the proposed changes immediately following the public hearing.

DIVISION OF PROFESSIONAL REGULATION
3000 Board of Professional Counselors of Mental Health and Chemical Dependency Professionals
NOTICE OF PUBLIC HEARING

The Delaware Board of Mental Health and Chemical Dependency Professionals, in accordance with 24 **Del.C.** §3006(a)(1), proposes amendments to its regulations in section **4.0 Licensure for Chemical Dependency Professionals**. By these amendments, the Board establishes the regulations governing the licensure of Chemical Dependency Professionals.

Other minor changes are also included that affect various sections of the regulations. As well, grammatical, typographic, and stylistic changes are included throughout the regulations.

A public hearing is scheduled for Wednesday, January 23, 2008, at 12:00 p.m. in the second floor Conference Room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, DE 19904.

Members of the public may offer verbal comments on the proposal at the hearing. Written comments must be submitted to the Board care of Timothy E. Oswell at the above address. Written comments may be submitted until the public hearing begins. Anyone wishing to obtain a copy of the proposal or to make comments at the public hearing should contact Timothy E. Oswell at the above address or by calling (302) 744-4530.

The Board will consider promulgating the proposed changes immediately following the public hearing.