

DEPARTMENT OF EDUCATION
PUBLIC NOTICE

The State Board of Education will hold its monthly meeting on Thursday, September 15, 2016 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

DEPARTMENT OF INSURANCE
OFFICE OF THE COMMISSIONER
PUBLIC NOTICE**304 Standards and Commissioner's Authority for Companies Deemed to be in Hazardous Financial Condition**

INSURANCE COMMISSIONER KAREN WELDIN STEWART hereby gives notice of proposed Department of Insurance Regulation 304 relating to Standards and Commissioner's Authority for Companies Deemed to be in Hazardous Financial Condition [Formerly Regulation 70]. The docket number for this proposed regulation is 3214.

The proposed amended regulation will bring the current regulation in compliance with the National Association of Insurance Commissioners (NAIC Model Regulation 385, as revised 2008). Model Reg. 385 is needed for accreditation purposes and provides additional standards for consideration by the Insurance Commissioner to determine whether the continued operation of any insurer might be deemed to be hazardous to its policyholders, creditors or the general public. The proposed amendments give the Insurance Commissioner additional authority to issue an order requiring companies deemed to be in hazardous financial condition to take corrective action. These amendments should not pose additional burdens on insurers. The Delaware Code authority for this proposed amended regulation is 18 **Del.C.** §§311, 519, 520, 5901 and 5905; and 29 **Del.C.** Ch. 101.

The Department of Insurance does not plan to hold a public hearing on the proposed amended regulation. The proposed amended 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 amended regulation. Any written submission in response to this notice and relevant to the proposed amended regulation must be received by the Department of Insurance no later than 4:30 p.m. EST, Monday, October 3, 2016. 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

OFFICE OF THE COMMISSIONER
PUBLIC NOTICE**1214 Senior Protection in Annuity Transactions**

INSURANCE COMMISSIONER KAREN WELDIN STEWART hereby gives notice of proposed amended Department of Insurance Regulation 1214 relating to Senior Protection in Annuity Transactions. The docket number for this proposed regulation is 3213.

The proposed amended regulation will bring the current regulation in compliance with the National Association of Insurance Commissioners (NAIC) Model Regulation for Suitability in Annuity Transaction (NAIC Model Reg. 275, as revised December 2010). NAIC Model Reg. 275 requires insurers and producers to establish a system to

supervise recommendations made in the marketing and sale of annuities, regardless of age (which standards are also consistent with the standards imposed by the Financial Industry Regulatory Authority (FINRA)). This proposed amended regulation is good for consumers and should not pose additional burdens on agents as they should already be doing this. The Delaware Code authority for this proposed amended regulation is 18 **Del.C.** §§311, 2304, and 2312; and 29 **Del.C.** Ch. 101.

The Department of Insurance does not plan to hold a public hearing on the proposed amended regulation. The proposed amended 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 amended regulation. Any written submission in response to this notice and relevant to the proposed amended regulation must be received by the Department of Insurance no later than 4:30 p.m. EST, Monday, October 3, 2016. Any such requests should be directed to:

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OFFICE OF THE COMMISSIONER
PUBLIC NOTICE

1313 Arbitration of Health Insurance Disputes Between Carriers and Providers

INSURANCE COMMISSIONER KAREN WELDIN STEWART hereby gives notice of proposed Department of Insurance **Regulation 1313** relating to **Arbitration of Health Insurance Disputes Between Carriers and Providers**. The docket number for this proposed regulation is 3253.

The proposed amended regulation amends the current regulation to make the current arbitration provisions applicable to arbitrations conducted pursuant to 18 **Del.C.** §§3371 and 3571S. The Delaware Code authority for this proposed regulation is 18 **Del.C.** §§311, 333, 3371, and 3571S; 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, Monday, October 3, 2016. Any such requests should be directed to:

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OFFICE OF THE COMMISSIONER
PUBLIC NOTICE
1317 Network Disclosure and Transparency

INSURANCE COMMISSIONER KAREN WELDIN STEWART hereby gives notice of proposed Department of Insurance Regulation 1317 relating to Network Disclosure and Transparency. The docket number for this proposed regulation is 3252.

The proposed regulation establishes the standards for the form and content of network disclosures that are required to be made by out-of-network providers and the written consent that must be obtained by such a provider prior to balance billing an insured. The proposed regulation also requires health insurers to maintain and publish accurate, complete and up-to-date provider directories and to make those directories easily accessible to covered persons. The Delaware Code authority for this proposed regulation is 18 **Del.C.** §§3371 and 3571S; 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 amended regulation. Any written submission in response to this notice and relevant to the proposed amended regulation must be received by the Department of Insurance no later than 4:30 p.m. EST, Monday, October 3, 2016. Any such requests should be directed to:

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DEPARTMENT OF SAFETY AND HOMELAND SECURITY
DIVISION OF STATE POLICE
1300 BOARD OF EXAMINERS OF PRIVATE INVESTIGATORS & PRIVATE SECURITY AGENCIES
PUBLIC NOTICE

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 the following adopted rule in 24 **DE Admin. Code** 1300 Board of Examiners of Private Investigators and Private Security Agencies: Rule 1.0 - Firearms Policy - clarifies the waiver of the 40 hour course, changing of weapons and makes firearms licenses valid for only one year; and Rule 4.0 - Training Requirements - clarifying the issue of an individual that violates the academic integrity while testing for the training and re-structures the mandatory training. 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 October 3, 2016, to Delaware State Police, Professional Licensing, P.O. Box 430, Dover, DE 19903. The Board will hold its quarterly meeting Wednesday, October 19, 2016, 10:00am, at the Tatnall Building, 150 Martin Luther King, Jr. Boulevard South, Room 112, Dover, DE.

DIVISION OF STATE POLICE
2400 BOARD OF EXAMINERS OF CONSTABLES
PUBLIC NOTICE

Notice is hereby given that the Board of Examiners of Constables, in accordance with 10 **Del.C.** Ch. 27

proposes to amend the following adopted rules in 24 **DE Admin. Code** 2400 Constables: Rule 1.0 – Licensing – clarifies who is exempt from the Academy and MMPI or PAI and who is not; Rule 5.0 – Firearms Policy – clarifies the waiver of the 40 hour course, changing of weapons and makes firearms licenses valid for only one year; 9.0 – Minimum Training Standards and In-Service Training – removed DTCC as the sole entity to teach the courses. 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 October 3, 2016, to Delaware State Police, Professional Licensing Section, P. O. Box 430, Dover, DE 19903. The Board will hold a meeting in December 2016, at the Tatnall Building, 150 Martin L. King, Jr. Boulevard South, Room 112, Dover, DE.

DIVISION OF STATE POLICE
5500 BAIL ENFORCEMENT AGENTS
PUBLIC NOTICE

Notice is hereby given that the Board of Examiners of Bail Enforcement Agents, in accordance with 24 **Del.C.** Ch. 55 proposes to amend the following adopted rule in 24 **DE Admin. Code** 5500 Bail Enforcement Agents: Rule 4.0 – Firearms Policy – clarifies the waiver of the 40 hour course, changing of weapons and makes firearms licenses valid for only one year. If you wish to view the complete Rule, contact Ms. Peggy Anderson at (302) 672-5304. Any persons wishing to present views may submit them in writing, by October 3, 2016, to Delaware State Police, Professional Licensing Section, P.O. Box 430, Dover, DE 19903. The Board will hold its quarterly meeting Tuesday, November 15, 2016, 10:00am, at the Tatnall Building, 150 Martin Luther King, Jr. Boulevard South, Room 112, Dover, DE.

DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION
3300 BOARD OF VETERINARY MEDICINE
PUBLIC NOTICE

Pursuant to 24 **Del.C.** §3306(a)(1), the Board of Veterinary Medicine ("Board") has proposed revisions to its rules and regulations.

A public hearing will be held on October 11, 2016 at 1:00 p.m. in the second floor conference room A 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 Veterinary Medicine, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Board at the above address. Pursuant to 29 **Del.C.** §10118(a), the final date to receive written comments will be October 26, 2016, which is 15 days following the public hearing. The Board will deliberate on all of the public comments at its next regularly scheduled meeting, at which time the Board will decide whether to adopt the revisions as proposed.

The Board proposes a new Section 2.0 to address euthanasia of animals held in shelter, as set forth in 16 **Del.C.** §3004F. Other Sections are revised accordingly to accommodate the specific legal requirements pertaining to shelter animals. The Board also proposes requiring proof of continuing education hours for individuals who do not apply for licensure within the two-year period following examination. In addition, various Sections are amended to clarify the requirements for license renewal, reinstatement and inactive status. Typographical errors are corrected and the rules and regulations are re-numbered to accommodate the new Section 2.0.

A public hearing on proposed revisions was originally scheduled for April 12, 2016. However, prior to the hearing, the Board decided to revise the rules and regulations further. The Board therefore withdrew the rules and regulations published in the March 1, 2016 *Register of Regulations*, Volume 19, Issue 9.

The revised rules and regulations were published in the May 1, 2016 *Register of Regulations*, Volume 19, Issue 11. However, due to formatting errors in the marked-up submission, the rules and regulations will be published again with an October 11, 2016 hearing. There are no new revisions, other than correction of the formatting errors noted herein.

DIVISION OF PROFESSIONAL REGULATION
3900 BOARD OF CLINICAL SOCIAL WORK EXAMINERS
PUBLIC NOTICE

Pursuant to 24 **Del.C.** §3906(a)(1), the Board of Clinical Social Work Examiners ("Board") proposes revisions to its rules and regulations.

On May 1, 2016, proposed revisions to the rules and regulations were published in the Delaware *Register of Regulations*, Vol. 19, Issue 11. Specifically, Subsection 9.3.9, pertaining to computer and internet technology, was stricken, and a new Section 10.0 was added to implement standards for the practice of clinical social work through telehealth. New Subsections 7.3.4 and 7.3.5 were added to clarify the continuing education audit process, including hearings and disciplinary sanctions. Finally, certain technical revisions addressed inconsistencies in the regulations.

A public hearing was held on June 20, 2016, before the Board, and the public comment period for written comment was held open for another 15 days. The Board deliberated on the evidence submitted at its meeting on July 18, 2016. Based on those deliberations, the Board made substantive revisions to the proposed rules and regulations. Therefore, the Board strikes the rules and regulations as proposed in the May 1, 2016 *Register of Regulations* and proposes revised rules and regulations attached hereto as Exhibit A.

A public hearing will be held on October 17, 2016 at 9:00 a.m. in the second floor conference room A 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 Clinical Social Work Examiners, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Board at the above address.

In accordance with 29 **Del.C.** §10118(a), the final date to receive written comments will be November 1, 2016, 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.
