

DELAWARE RIVER BASIN COMMISSION

PUBLIC NOTICE

The Delaware River Basin Commission will hold a public hearing and business meeting on Wednesday, December 10, 2008 beginning at 10:30 a.m. at the Commission's Office Building, 25 State Police Drive, West Trenton, New Jersey. For more information visit the DRBC web site at www.drbc.net or contact Pamela M. Bush, Esq., Commission Secretary and Assistant General Counsel, at 609-883-9500 extension 203.

DEPARTMENT OF AGRICULTURE

Harness Racing Commission

PUBLIC NOTICE

The Delaware Harness Racing Commission, pursuant to 3 **Del.C.** §10005, proposes to change its Rules 7 and 10. The Commission will hold a public hearing on the proposed rule changes on December 16, 2008. 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, 2008.

The proposed changes are for the purpose of updating Rules 7 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 Harness Racing Commission office.

PLEASE NOTE: The date of the Public Hearing has been changed from December 9th to December 16th.

DEPARTMENT OF EDUCATION

PUBLIC NOTICE

The State Board of Education will hold its monthly meeting on Thursday, December 18, 2008 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES

PUBLIC NOTICE

2100 Eligibility Criteria

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code) and under the authority of Title 29, 7903(10) and 7909A(e) of the Delaware Code, Delaware Health and Social Services (DHSS) / Division of Developmental Disabilities Services proposes to amend their criteria for establishing eligibility related to DDDS services.

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 Mary Anderson, DDDS, 101 Boyd Boulevard, 26351 Patriot's Way, Georgetown, DE 19947, or by fax to (302) 934-8707 **Division of Developmental Disabilities Services Eligibility Criteria Regulation** by December 31, 2008.

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

20700.6 Attendant Services Waiver

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the **Delaware Code**) 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 the Division of Social Services Manual (DSSM); specifically, repealing the rules of the Attendant Services Waiver 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 Sharon L. Summers, Planning & Policy Development Unit, Division of Medicaid and Medical Assistance, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906 or by fax to 302-255-4425 by December 31, 2008.

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

Court Appointed Special Advocate

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code) and under the authority of Title 31 of the Delaware Code, Chapter 5, Section 512, Delaware Health and Social Services (DHSS) / Division of Social Services is proposing to amend policies in the Division of Social Services Manual (DSSM) regarding the Court Appointed Special Advocate.

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 Sharon L. Summers, Policy, Program & Development Unit, Division of Social Services, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906 or by fax to (302) 255-4425 by December 31, 2008.

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

FOOD SUPPLEMENT PROGRAM

Countable Resources and Excluded Resources

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code) and under the authority of Title 31 of the Delaware Code, Chapter 5, Section 512, Delaware Health and Social Services (DHSS) / Division of Social Services is proposing to amend Food Supplement Program policies in the Division of Social Services Manual (DSSM) regarding *Countable Resources and Excluded Resources*.

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 Sharon L. Summers, Policy, Program & Development Unit, Division of Social Services, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906 or by fax to (302) 255-4425 by December 31, 2008.

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 STATE
Division of Professional Regulation
2930 Council on Real Estate Appraisers

PUBLIC NOTICE

Pursuant to 24 **Del.C.** §4006(a)(1), the Council on Real Estate Appraisers has proposed revisions to its rules and regulations.

A public hearing will be held on January 20, 2009 at 9:45 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 Council on Real Estate Appraisers, 861 Silver Lake Boulevard, Dover, Delaware 11904. Persons wishing to submit written comments may forward these to the Council at the above address. The final date to receive written comments will be at the public hearing.

The Council proposes amendments to Rule 2.5, which addresses the Council's continuing education audit. The Council will audit a minimum of 25% of the licensees during each renewal period. In addition, Rule 2.5.4 is added to expressly give the Board authority to conduct hearings and impose the full range of sanctions available under 24 **Del.C.** §4016 when licensees fail to comply with continuing education requirements.

Several Rules concerning the specific continuing education requirements are also revised. Rule 2.5.4.2 is amended to state that, beginning on November 1, 2009, during each renewal period, all licensees must complete **three** hours of education on Delaware Law, Rules and Regulations. Currently, only two hours of education in this subject matter are required. Rule 2.5.10 is amended to clarify that the requirement that 14 hours of education per licensure period must be taken in a traditional classroom setting begins November 1, 2009. The provision that the seven hour USPAP update course must be taken in a classroom is stricken. Rule 2.5.11 is revised to state that all courses must be approved by the Council to qualify as continuing education.

Pursuant to the new Rule 2.5.13, a hardship provision is added, which will give the Council discretion to grant an extension for completion of continuing education in certain specified circumstances.

Finally, Rule 4.2.4 is amended for greater clarity. This Rule provides that, for a certain period of time, a licensee who has been sanctioned by the Council is prohibited from supervising trainees. The revisions clarify the parameters of this prohibition and add an exemption for licensees who were sanctioned prior to July 1, 2009.

The proposed amendments strengthen continuing education standards. Further, pursuant to the revisions, the Council will be given the authority to impose a full range of sanctions on licensees who do not comply with continuing education requirements. The Rule prohibiting licensees with disciplinary histories from supervising trainees is clarified. Therefore, the proposed revisions will serve to protect the public from unsafe practices and enhance practitioner competence.

The Council will consider promulgating the proposed regulations at its regularly scheduled meeting following the public hearing.

Division of Professional Regulation
3300 Board of Veterinary Medicine
PUBLIC NOTICE

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

A public hearing will be held on January 13, 2009 at 1:15 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 11904. Persons wishing to submit written comments may forward these to the Board at the above address. The final date to receive written comments will be at the public hearing.

The Board proposes amendments to Rules 9.0 and 14.0, which address continuing education requirements for veterinarians and veterinary technicians. Provisions are added which expressly give the Board authority to conduct hearings and impose sanctions regarding licensees' failure to comply with continuing education requirements. In addition, the proposed amendments provide for proration of continuing education requirements based on the period of licensure.

The Board proposes several revisions to Rule 11.0, concerning qualifications for licensure by examination as a veterinary technician. Rule 11.1.2 is amended to clarify that an applicant, who has not graduated from an AVMA-accredited program, may qualify to take the examination, based on educational and/or experiential alternatives, only until October 2013. Further, qualifying practical experience must be related to animal care and handling under the direct supervision of a licensed veterinarian.

Finally, the Board proposes revisions to correct various typographical errors.

The proposed amendments will expressly give the Board authority to sanction licensees who do not comply with continuing education requirements. The amendments also clarify the standards for licensure for veterinary technicians. Therefore, the proposed revisions will serve to protect the public from unsafe practices and enhance practitioner competence.

The Board will consider promulgating the proposed regulations at its regularly scheduled meeting following the public hearing.

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 has proposed revisions to its rules and regulations.

A public hearing will be held on January 5, 2009 at 9:15 a.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 Clinical Social Work Examiners, 861 Silver Lake Boulevard, Dover, Delaware 11904. Persons wishing to submit written comments may forward these to the Board at the above address. The final date to receive written comments will be at the public hearing.

The Board proposes amendments to Rule 4.0, which addresses professional supervision. Section 3907(a)(1) of Title 24 of the Delaware Code provides that applicants for licensure must have experience "under professional supervision acceptable to the Board." Rule 4.0 is designed to clarify this statutory provision.

Rule 4.1, which specifically defines "professional supervision acceptable to the Board," is amended to provide clear and objective standards for a supervisory relationship. The revised Rule follows the principles set forth in the Association of Social Work Boards' Model Social Work Practice Act.

Rule 4.1.1 is added to address the circumstance where an applicant is unable to locate a licensed clinical social worker to provide supervision. The amendment requires the applicant to provide documentation that a licensed clinical social worker was, in fact, "not available."

Rule 4.2 is added to provide that applicants for licensure may not simultaneously supervise one another. This amendment will prohibit supervisory relationships that may be compromised by conflicts of interest. The amendments will strengthen and clarify the requirements for supervisory relationships. Therefore, the proposed revisions will serve to protect the public from unsafe practices and enhance practitioner competence.

The Board will consider promulgating the proposed regulations at its regularly scheduled meeting following the public hearing.

DEPARTMENT OF TRANSPORTATION
Division of Motor Vehicles
PUBLIC NOTICE

The Delaware Division of Motor Vehicles gives notice of intent to adopt proposed Division of Motor Vehicles Regulation 2213, which replaces current Regulation 2213, relating to the issuance of non-commercial driver licenses and emergency vehicle operators documents. This regulation incorporates changes due to the passage of Senate Bill 208 during the 144th General Assembly.

Any person who wishes to make written suggestions, briefs or other written materials concerning this proposed regulation must submit the same to Scott Vien, Chief of Driver Services, Delaware Division of Motor Vehicles, P.O. Box 698, Dover, Delaware 19903 or by fax to (302) 739-2602 by December 31, 2008.

12 DE Reg. 931 (12/01/08)
