

**DELAWARE RIVER BASIN COMMISSION**  
**PUBLIC NOTICE**

The Delaware River Basin Commission will hold a public hearing and business meeting on Wednesday, December 5, 2012 beginning at 11:00 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](http://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**  
**501 Harness Racing Rules and Regulations**

The Delaware Harness Racing Commission, pursuant to 3 **Del.C.** §10005, proposes to change its Rule 6.6.6.3, 6.6.6.4, 6.6.6.9, 6.6.6.11, 6.6.6.12.1, 6.6.6.12.2, 6.6.6.12.3 & 6.6.6.12.4. The Commission will hold a public hearing on the proposed rule changes on December 11, 2012, at Dover Downs, Dover, DE 19901. 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, 2012.

The proposed changes are for the purpose of updating Rule 6 and reflect current policies, practices and procedures. Copies are published online at the *Register of Regulations* website: [http://regulations.delaware.gov/services/current\\_issue.shtml](http://regulations.delaware.gov/services/current_issue.shtml)

A copy is also available for inspection at the Harness Racing Commission office.

**DEPARTMENT OF EDUCATION**  
**PUBLIC NOTICE**

The State Board of Education will hold its monthly meeting on Thursday, December 20, 2012 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

**DEPARTMENT OF HEALTH AND SOCIAL SERVICES**  
**DIVISION OF LONG TERM CARE RESIDENTS PROTECTION**  
**PUBLIC NOTICE**  
**3201 Skilled and Intermediate Care Nursing Facilities**

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 of the **Delaware Code**, Section 7903(10), Delaware Health and Social Services (DHSS) / Division of Long Term Care Residents Protection is proposing to amend Regulation 3201, Skilled and Intermediate Care Nursing Facilities by delineating what information must be contained in the plan, establishes a uniform format for the plan and requires that each facility have two staff members who have completed FEMA's Incident Command System training.

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 Thomas Murray, Deputy Director, Division of Long Term Care Resident Protection, 3 Mill Road, Suite 308, Wilmington, Delaware 19806 by December 31, 2012.

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 LONG TERM CARE RESIDENTS PROTECTION**  
**PUBLIC NOTICE**  
**3210 Nursing Homes Admitting Pediatric Residents**

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 of the **Delaware Code**, Section 7903(10), Delaware Health and Social Services (DHSS) / Division of Long Term Care Residents Protection is proposing to amend Regulation 3210, Nursing Homes Admitting

Pediatric Residents by delineating what information must be contained in the plan, establishes a uniform format for the plan and requires that each facility have two staff members who have completed FEMA's Incident Command System training.

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 Thomas Murray, Deputy Director, Division of Long Term Care Resident Protection, 3 Mill Road, Suite 308, Wilmington, Delaware 19806 by December 31, 2012.

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 LONG TERM CARE RESIDENTS PROTECTION  
PUBLIC NOTICE  
3225 Assisted Living Facilities**

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 of the **Delaware Code**, Section 7903(10), Delaware Health and Social Services (DHSS) / Division of Long Term Care Residents Protection is proposing to amend Regulation 3225, Assisted Living Facilities by delineating what information must be contained in the plan, establishes a uniform format for the plan and requires that each facility have two staff members who have completed FEMA's Incident Command System training.

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 Thomas Murray, Deputy Director, Division of Long Term Care Resident Protection, 3 Mill Road, Suite 308, Wilmington, Delaware 19806 by December 31, 2012.

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  
Reimbursement Methodologies for Inpatient Psychiatric Hospital Services  
and Outpatient Hospital Services**

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 Title XIX Medicaid State Plan regarding the *Reimbursement Methodologies for Inpatient Psychiatric Hospital Services and Outpatient Hospital 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 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, 2012.

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  
School-Based Health Centers**

House Bill 303, signed into law on June 26, 2012, adds School-Based Health Centers to Title 18 of Delaware Code. The Department of Health and Social Services is proposing regulations for School-Based Health Centers.

On December 1, 2012, the Family Health Systems section, under the Division of Public Health, Department of Health and Social Services, plans to publish proposed regulations governing the State of Delaware School-Based Health Centers and hold them out for public comment per Delaware law.

Copies of the proposed regulations are available for review in the December 1, 2012 edition of the Delaware Register of Regulations, accessible online at: <http://regulations.delaware.gov> or by calling the Family Health Systems Section at (302) 744-4821.

Any person who wishes to submit suggestions, briefs or other written materials concerning the proposed regulations must submit same to Deborah Harvey by December 31, 2012 at:

Deborah Harvey  
Division of Public Health  
417 Federal Street

Dover, DE 19901  
Email: Deborah.Harvey@state.de.us  
Phone: (302) 744-4700  
Fax (302) 739-6659

**DIVISION OF SOCIAL SERVICES**  
**PUBLIC NOTICE**  
**Child Care Subsidy Program Proposed Phase-out Of Purchase Of Care Plus**

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 provides public notice regarding the Child Care Subsidy Program, specifically, *Purchase of Care Plus*.

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, 2012.

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**  
**Case Administration Provisions**

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 Case Administration, specifically, *Arranging Interpreter and Translation Services for Non-English Speaking Clients* and *Arranging Services for Clients with Hearing Impairments*.

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, 2012.

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**  
**General Information and Identification Cards**

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 Food Supplement Program regarding *General Information and Identification Cards*.

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, 2012.

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**  
**Child Care Subsidy Program**  
**Provider Reimbursement**

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 Child Care Subsidy Program, specifically, *Provider Reimbursement*.

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, 2012.

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  
6002 Credentialing Mental Health Screeners and Payment for Voluntary Admissions**

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 51, Delaware Health and Social Services (DHSS) / Division of Substance Abuse and Mental Health is proposing regulations for credentialing mental health screeners and paying for voluntary admissions to privately operated psychiatric hospitals.

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 Susan C. Sargent, USDOJ Settlement Project Director, Division of Substance Abuse and Mental Health, 1901 North DuPont Highway, New Castle, Delaware 19720 or by fax to (302) 255-4428 by December 31, 2012.

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  
PUBLIC NOTICE  
1700 Board of Medical Licensure and Discipline**

The Delaware Board of Medical Licensure and Discipline ("Board"), in accordance with 24 **Del.C.** §1713(a)(12), has proposed amendments to its rules and regulations. Although the Board has updated various regulations over the years, other regulations remained outdated and/or inconsistent with changes to the law. As a result the Board established a Committee of its members to conduct a comprehensive review of the regulations. These amendments remove those outdated and inconsistent provisions and update the Board's substantially related crime regulation to include new crimes that have been added since the list was originally enacted and to revisit some of the existing crimes on the list in view of changes to the law related to the Board's authority to grant waivers of disqualification related to criminal convictions.

The Board will hold a public hearing on January 8, 2013 at 4:00 p.m. in the second floor conference room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware where members of the public may offer comments on the amendments to the regulations. Anyone wishing to receive a copy of the proposed amendments may obtain a copy from the Delaware Board of Medical Licensure and Discipline, 861 Silver Lake Blvd, Cannon Building, Suite 203, Dover DE 19904. Persons wishing to submit written comments may forward the written comments to the Board at the above address. In accordance with 29 **Del.C.** §100118(a) final date to receive written comments will be January 24, 2013 which is 15 days following the public hearing. The Board will deliberate on all of the public comment at its regularly scheduled meeting on February 5, 2013 at 3:00 p.m., at which time it will determine whether to adopt the regulation as proposed or make additional changes due to the public comment.

**OFFICE OF THE STATE BANKING COMMISSIONER  
PUBLIC NOTICE  
1109 Instructions for Calculation of Employment Tax Credits (5 Del.C. §1105)**

IT IS HEREBY ORDERED on this 8th day of November, 2012, that Regulation 1109, Instructions for Calculation of Employment Tax Credits, is amended to make it consistent with changes in Section 1105 of Title 5 of the Delaware Code under 78 **Del. Laws** Ch. 72. A copy of the amendments to Regulation 1109 is attached hereto and

incorporated herein by reference, with deleted language struck through and added language underlined. The amendments are being adopted to conform that Regulation to provisions of 78 **Del. Laws** Ch. 72 which amended the basic law for Regulation 1109. The amendments do not otherwise alter the substance of Regulation 1109, the remaining provisions of which are not affected by these amendments.

The effective date of the amendments is January 1, 2013. The amendments are adopted by the State Bank Commissioner in accordance with Title 5, and pursuant to the requirements of Chapter 11 and Section 10113(b) of Title 29 of the Delaware Code. A copy of this order and the amendments to Regulation 1109 are to be filed with the Registrar of Regulations.

Robert A. Glen, State Bank Commissioner

**DEPARTMENT OF TRANSPORTATION**  
**DIVISION OF PLANNING AND POLICY**  
**PUBLIC NOTICE**  
**2309 Standards and Regulations for Subdivision Streets and State Highway Access**  
**Background**

In the August 2012 *Register of Regulations*, DelDOT advertised proposed changes to Section 1.5 and Chapter 2 of their Standards and Regulations for Subdivision Streets and State Highway Access for public comment. They held public hearings on them on September 13, 17 and 20, 2012, and continued to receive public comments through October 20, 2012. DelDOT has prepared a table of the comments received and their responses thereto. It is available at [insert URL].

In response to some of the comments received, DelDOT is proposing further changes to their regulations. Some of those differ substantively from the existing regulations and the changes previously proposed. Accordingly, DelDOT is now advertising the proposed changes again, to allow a further opportunity for public comment. They will accept comments through January 15, 2013.

While it is not proposed as part of the regulations, DelDOT proposes the following implementation process:

1. Changes to when a Traffic Impact Study (TIS) or Traffic Operational Analysis (TOA) may or shall be required, will be effective ten days from adoption for any development for DelDOT has not issued a Letter of No Objection.
2. Changes to the required content of a TIS or TOA will be effective immediately on adoption for any such effort for which a scoping meeting has not been held or a scope of work issued.
3. Changes relating to mitigation measures will be effective immediately on adoption for any such effort for which a scoping meeting has not been held or a scope of work issued.
4. Changes relating to Transportation Improvement Districts (TIDs) will be effective immediately on adoption.
5. Changes relating to the Traffic Signal Revolving Fund will be effective immediately on adoption for any development for which DelDOT has not specified a contribution to be paid with regard to the Fund.

Any requests for copies of the proposed Regulations, or any questions or comments regarding this document should be directed to:

Shailen P. Bhatt, Secretary  
Delaware Department of Transportation  
P.O. Box 778  
Dover, DE 19903  
(302) 760-2303 (telephone)  
(302) 739-2895 (fax)  
shailen.bhatt@state.de.us