

DEPARTMENT OF EDUCATION

PUBLIC NOTICE

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

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF MEDICAID AND MEDICAL ASSISTANCE

PUBLIC NOTICE

Chiropractors' Services

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code), 42 CFR §447.205, 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 Medical and other types of Remedial Care, specifically, *to establish coverage and reimbursement methodologies for chiropractors' 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, Planning, Policy and Quality Unit, Division of Medicaid and Medical Assistance, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906, by email to Kimberly.Xavier@state.de.us, or by fax to 302-255-4425 by January 2, 2017. Please identify in the subject line: Chiropractors' Services.

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

Purchase of Care (POC) - Licensed Exempt Providers

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code), 42 CFR §447.205, 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 (DSS) proposes to amend the Delaware Social Services Manual (DSSM) regarding child care licensing requirements, specifically, *to revise the definition of licensed exempt child care providers receiving Purchase of Care (POC) funding*.

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, Policy and Quality Unit, Division of Medicaid and Medical Assistance, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906, Attention: Kimberly Xavier; by email to Kimberly.Xavier@state.de.us; or by fax to 302-255-4425 by 4:30pm on January 2, 2017. Please identify in the subject line: Purchase of Care (POC) - Licensed Exempt Providers

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

Title XXI Delaware Healthy Children Program State Plan - Premium Requirements

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code), 42 CFR §447.205, 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) proposed to amend the Title XXI Delaware Healthy Children Program State Plan and the Division of Social Services Manual (DSSM) regarding Cost Sharing and Payment, specifically, *Premium Requirements*.

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, Policy and Quality Unit, Division of Medicaid and Medical Assistance, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906, Attention: Kimberly

Xavier; by email to Kimberly.Xavier@state.de.us, or by fax to 302-255-4425 by 4:30 pm on January 2, 2017. Please identify in the subject line: CHIP Premium Requirements.

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 INSURANCE

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.** §§3370A and 3571S; and 29 **Del.C.** Ch. 101.

Proposed Regulation 1317 was initially published in the Delaware *Register of Regulations* on September 1, 2016. Following the initial publication, the Department has changed the Delaware Code references for §3371 to §3370A; modified Section 1.0 and subsections 3.1, 3.4, 4.1, 4.3, and 6.3; inserted a new Section 5.0; renumbered original Sections 5.0, 6.0, 7.0, and 8.0; modified Appendix 1, paragraph 6; and added a new Appendix 2, in response to certain comments received, and is re-publishing the proposed Regulation 1317 on December 1, 2016, as modified.

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, Tuesday, January 3, 2017. 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

DEPARTMENT OF SAFETY AND HOMELAND SECURITY

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 9.0 - Electronic Control Device (ECD) - national standards have changed and this device is now called a "Conducted Electrical Weapon (CEW)". 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 January 2, 2017, to Delaware State Police, Professional Licensing Section, P.O. Box 430, Dover, DE 19903. The Board will hold its quarterly meeting Thursday, February 23, 2017, 10:00am, at the Tatnall Building, 150 Martin Luther King, Jr. Boulevard South, Room 112, Dover, DE.

DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

100 Board of Accountancy
PUBLIC NOTICE

Pursuant to 24 **Del.C.** §105(a)(1), the Delaware Board of Accountancy has proposed revisions to its rules and regulations. The rules are designed to implement the revised Accountancy statute.

A public hearing will be held on January 18, 2017 at 9:00 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 on the amendments to the rules and regulations. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Board of Accountancy, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Board at the above address. Written comments will be accepted until February 2, 2017 in accordance with 29 **Del.C.** §10118(a).

DIVISION OF PROFESSIONAL REGULATION
2000 Board Of Occupational Therapy Practice
PUBLIC NOTICE

Pursuant to 24 **Del.C.** §2006(a)(1), the Delaware Board of Occupational Therapy Practice has proposed revisions to its rules and regulations. The rules pertaining to renewal of an expired license are amended and a new proposed regulation addressing telehealth has been developed in response to comments received after a previous proposal published June, 1, 2016 and a July 20, 2016 public hearing thereon.

A public hearing will be held on January 4, 2017 at 4:30 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 on the amendments to the rules and regulations. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Board of Occupational Therapy Practice, 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).

OFFICE OF THE STATE BANK COMMISSIONER
PUBLIC NOTICE

Notice of Proposed Amendment to Regulations:

1103 Instructions for Preparation of Franchise Tax

1104 Estimated Franchise Tax Report

1105 Final Franchise Tax Report

1106 Instructions for Preparation of Franchise Tax for Federal Savings Banks Not Headquartered in this State but Maintaining Branches in this State

1107 Estimated Franchise Tax Report Federal Savings Banks Not Headquartered in Delaware

1108 Final Franchise Tax Report Federal Savings Banks Not Headquartered in Delaware

1109 Instructions for Calculation of Employment Tax Credits

1110 Instructions for Preparation of Franchise Tax for Resulting Branches in this State of Out-of-State Banks

1111 Estimated Franchise Tax Report for Resulting Branches in this State of Out-of-State Banks

1112 Final Franchise Tax Report for Resulting Branches in this State of Out-of-State Banks

1114 Alternative Franchise Tax

of the State Bank Commissioner

The State Bank Commissioner proposes to amend 11 bank franchise tax Regulations. The proposed amendments are technical: removing references to former regulation numbers; correcting a few spelling, word and punctuation errors; minor renumbering of instruction subsections and tax form lines; adding instruction subsections, and lines on tax forms, to cover other applicable tax credits; revising provisions for delayed filing of final tax reports to conform to call report late filing dates permitted by the Federal Financial Institutions Examination Council (FFIEC); clarifying instructions for direction of tax payments; conforming Regulation 1109 (Instructions for Calculation of Employment Tax Credits) and Form B to reflect the 10-year extension of the current credit through 2031; and deleting provisions in Regulations 1110, 1111 and 1112 about the previous resulting branch imputed capital addback, which was deleted from the Code. None of these proposed amendments are substantially likely to impose additional costs or burdens upon individuals and/or small businesses. Other Regulations issued by the State Bank Commissioner are not affected by this proposal. The State Bank Commissioner is issuing these proposed amended Regulations in accordance with Title 5 of the Delaware Code. This Notice is issued pursuant to the requirements of Title 29 of the Delaware Code, Chapter 11, Subchapter III, Chapter 101, Subchapter II, and

Chapter 104, Sections 10404A(b)(1) and 10404B(b)(1).

Copies of the proposed amended Regulations are being published in the December 1, 2016 edition of the *Delaware Register of Regulations*. Copies are also on file in the Office of the State Bank Commissioner, 555 E. Loockerman Street, Suite 210, Dover, DE 19901 and are available for inspection during regular office hours. Copies are available upon request.

Interested parties may offer comments on the proposed amended Regulations or submit written suggestions, data, briefs or other materials to the Office of the State Bank Commissioner at the above address as to whether the proposed amended Regulations should be adopted, rejected or modified. Pursuant to 29 **Del.C.** §10118(a), public comments must be received on or before January 4, 2017. Written materials submitted will be available for inspection at the above address.

On or after January 4, 2017, following review of the public comment, the State Bank Commissioner will determine whether to adopt the proposed amended Regulations, or make additional changes because of the public comments received.

PUBLIC SERVICE COMMISSION

PUBLIC NOTICE

3001 Rules for Certification and Regulation of Electric Suppliers

TO: ALL ELECTRIC SUPPLIERS, ELECTRIC UTILITIES, RETAIL ELECTRIC CUSTOMERS AND OTHER INTERESTED PERSONS

In 1999 the Delaware Public Service Commission ("PSC") has promulgated certain regulations pertaining to certification of electric suppliers in 26 *Del. Admin. C.* §3001, now entitled "Rules for Certification and Regulation of Electric Suppliers ("Supplier Rules"). The PSC has revised the Supplier Regulations several times since then.

The PSC now proposes to revise the Supplier Regulations again. The purpose of the proposed revisions are to ensure electric choice for customers is more competitive and in compliance with the terms of the settlement agreement entered into by the parties in PSC Docket No. 10-2; to provide additional protection for customers; to require electric suppliers to include additional details regarding the rates, terms, and conditions of service in their offers to customers to provide electric supply services; to clarify sections of the Supplier Regulations; and to make the certification process for electric suppliers more uniform.

The PSC is soliciting comments, suggestions, and compilations of data, briefs, or other written materials about the proposed revisions to its Supplier Regulations. If you wish to file any such materials, you should file them using the Commission's DelaFile docketing and file management system on or before **January 25, 2017**. You may also submit an original and ten copies of such written materials with the PSC on or before **January 25, 2017** at the following address:

Public Service Commission
861 Silver Lake Boulevard
Cannon Building, Suite 100
Dover, Delaware, 19904
Attn: Regulation Docket No. 49

If possible, you should accompany such written comments with an electronic version of the submission. Such electronic copy may be filed on a copy-capable CD-ROM or sent as an attachment to an e-mail addressed to psc@state.de.us; include "Reg. Doc. 49" as the subject of the email. The Commission encourages the public to submit written comments on or before **January 25, 2017**.

The PSC will conduct a public hearing on the proposed regulations on **January 10, 2017 at 1:00 P.M.** at the PSC's office at the address set forth above.

You may review PSC Order No. 8981 (November 15, 2016) (the "Order") and the proposed revised Supplier Regulations in the December 2016 issue of the *Delaware Register of Regulations*. You may also review the Order and the proposed revised Supplier Regulations by going to DelaFile (<http://delafile.delaware.gov>), the Commission's docketing and file management system, and by searching for REG. 49.

Any materials submitted in connection with the proposed revised Supplier Rules will be available for public inspection and copying (to the extent they are "public records" under the Freedom of Information Act, 29 **Del.C.** §10002(g)) at the PSC's Dover office identified above during normal business hours. The fee for copying is \$.10 per page, after the first 20 pages. If you wish to request copies of documents in this matter, please submit a Freedom of Information Act ("FOIA") Request Form. This form may be found at <http://smu.portal.delaware.gov/cgi-bin/mail.php?foia-request&subj=DOS>. There is also a link to the FOIA Request Form on the PSC's website, <http://depssc.delaware.gov/default.shtml>. The PSC will respond to your request in accordance with the Freedom of Information Act, 29 **Del.C.** ch. 100. The Regulations may also be reviewed by appointment at the office of the Public Advocate, 820 N. French Street, 4th Floor, Carvel State Office Building, Wilmington, DE 19801, or 29 South State Street, Dover, Delaware 19901. Please call either (302) 577-5077 or (302) 241-2555 to arrange for a time to review the documents at either of those locations. The Regulations will also be

available on the PSC's website: <http://depsec.delaware.gov/electric.shtml>.

Any individual with disabilities who wishes to review submissions or to participate in this docket should contact the PSC to discuss any auxiliary aids or services to facilitate such review or participation. Such contact may be in person, in writing, by telephone, e-mail, or by other means.

If you have questions about this matter, you may call the PSC at 1-800-282-8574 (toll-free in Delaware) or 302-736-7500 (voice and text telephone). You may also send questions regarding this matter by e-mail addressed to psc@state.de.us; please include "Reg. Doc. 49" as the subject of the email.