

DEPARTMENT OF EDUCATION

PUBLIC NOTICE

The State Board of Education will hold its monthly meeting on Thursday, March 15, 2018 at 5:00 p.m. in the Townsend Building, Dover, Delaware.

DEPARTMENT OF INSURANCE

OFFICE OF THE COMMISSIONER

PUBLIC NOTICE

303 Supplement to Annual Statement of Property or Casualty Insurers

The Department of Insurance (Department) hereby gives notice of the proposed repeal of existing Regulation 303 Supplement to Annual Statement of Property or Casualty Insurers.

The underlying statute at 18 Del.C. §526A(a) requires as follows:

Each insurer licensed to write property or casualty insurance in this State, as a supplement to Schedule T of its annual statement, shall submit a report on a form furnished by the Commissioner showing its direct writings and experience, prior to reinsurance, in this State and the United States. All such writings and experience shall be required on a line-by-line basis both for the State and in total, and where appropriate, on a subline-by-subline basis.

However, the statute also provides that, "The Commissioner may waive, modify or defer the requirements of this section if he or she determines the information required under this section to be reported is not needed." See 18 Del.C. §526A(h).

Regulation 303 implements 18 Del.C. §526A by setting forth the information that is to be reported in the supplement to the statement that property and casualty insurers are required to file annually. The Department has determined that the information required by Regulation 303 is not needed, and has therefore determined to repeal Regulation 303, as permitted by 18 Del.C. §526A(h).

The Department does not plan to hold a public hearing on the proposed repeal. The text of the regulation to be repealed appears below and can also be viewed at the Department of Insurance website at <http://insurance.delaware.gov/information/proposedregs/>. The Department's docket number is DOI Docket No. 3711- 2018.

Any person may file written comments, suggestions, briefs, and compilations of data or other materials concerning the proposed amendment. Any written submission in response to this notice and relevant to the proposed new regulation must be received by the Department of Insurance no later than 4:30 p.m. EST, the 2nd day of April, 2018. Any such requests should be directed to:

Leslie W. Ledogar, Regulatory Specialist
DOI Docket No. 3711- 2018
Delaware Department of Insurance
841 Silver Lake Drive
Dover, DE 19904
(302) 674-7379
Email: Leslie.Ledogar@state.de.us

DEPARTMENT OF JUSTICE

VICTIMS' COMPENSATION ASSISTANCE PROGRAM ADVISORY COUNCIL

PUBLIC NOTICE

301 Victims' Compensation Assistance Program Rules and Regulations

The Department of Justice Victims' Compensation Assistance Program (VCAP) proposes to add Rule 24.5 to help provide the agency with the assurance that the victims it serves are receiving appropriate care by appropriately supervised therapists. The VCAP Advisory Council determined that this was an appropriate balance to ensure that all victims are able to access mental health services and that if those mental health services are provided by unlicensed therapists, that those individuals are sufficiently supervised. VCAP further proposes to add Rule 29.4 regarding victims who have Medicaid or Medicare benefits. If the victim's chosen provider is not paneled with Medicaid or Medicare, VCAP will only pay the provider at the rate that Medicaid or Medicare would pay. A payment at this rate shall be payment in full. The VCAP Advisory

Council determined that this enables VCAP to control costs and ensure that the victims it serves are able to see providers of their choice for their health or mental health care needs.

Interested persons may submit comments in writing to Andrea Godfrey, Deputy Chief of Staff, Delaware Department of Justice, 820 N. French St., 6th Floor, Wilmington, DE or andrea.godfrey@state.de.us. The comment period will close on April 2, 2018.

DEPARTMENT OF SAFETY AND HOMELAND SECURITY

DIVISION OF STATE POLICE

PUBLIC NOTICE

1300 Board of Examiners of Private Investigators & Private Security Agencies

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 rules in 24 **DE Admin. Code** 1300 Board of Examiners of Private Investigators and Private Security Agencies: Rule 3.0 Nightstick, PR24, Mace, Peppergas and Handcuffs; Rule 11.0 Personnel Rosters and Job Assignments. 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 April 2, 2018, to Delaware State Police, Professional Licensing Section, P. O. Box 430, Dover, DE 19903. The Board will hold its quarterly meeting Thursday, April 12, 2018, 10:00am, at the Tatnall Building, 150 Martin Luther King, Jr. Boulevard South, Room 112, Dover, DE.

DIVISION OF STATE POLICE

PUBLIC NOTICE

2400 Board of Examiners of Constables

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 Board of Examiners of Constables: Rule 1.0 Licensing; Rule 6.0 Baton, Nightstick, PR24, Chemical Spray, and Handcuffs; Rule 8.0 Canine; Rule 9.0 Minimum Training Standards and In-Service 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 April 2, 2018, to Delaware State Police, Professional Licensing Section, P. O. Box 430, Dover, DE 19903. The Board will hold a meeting Thursday, May 24, 2018, at the Tatnall Building, 150 Martin L. King, Jr. Boulevard South, Room 112, Dover, DE.

DIVISION OF STATE POLICE

PUBLIC NOTICE

5500 Bail Enforcement Agents

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 rules in 24 **DE Admin. Code** 5500 Bail Enforcement Agents: Rule 5.0 Baton, Nightstick, PR24, Chemical Spray, and Handcuffs. 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 April 2, 2018, to Delaware State Police, Professional Licensing Section, P. O. Box 430, Dover, DE 19903. The Board will hold its quarterly meeting Thursday, May 17, 2018, 10:00am, at the Tatnall Building, 150 Martin Luther King, Jr. Boulevard South, Room 112, Dover, DE.

DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

1700 BOARD OF MEDICAL LICENSURE AND DISCIPLINE

PUBLIC NOTICE

The Delaware Board of Medical Licensure and Discipline, pursuant to 24 **Del.C.** §§1713(a)(12) & 1769D, proposes to revise its regulations adding a new regulation clarifying the language in the Medical Practice Act pertaining to telemedicine and telehealth. Written comments should be sent to Devashree Brittingham, Executive Director of the Delaware Board of Medical Licensure and Discipline, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments will be accepted until April 2, 2018.

DIVISION OF PROFESSIONAL REGULATION
1770 RESPIRATORY CARE PRACTICE ADVISORY COUNCIL
PUBLIC NOTICE

Pursuant to 24 **Del.C.** § 1775(c), the Respiratory Care Practice Advisory Council ("the Council") of the Board of Medical Licensure and Discipline has proposed revisions to its regulations. Section 9.0 has been revised to clarify and streamline the licensure application process. A new Section 10.0 adds a "Duty to Update Address" requirement for all licensees. Subsection 10.2 is stricken as it is encompassed by the new Section 10.0.

A public hearing will be held on April 11, 2018 at 3:00 p.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 Delaware Respiratory Care Practice Advisory Council, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Council at the above address. Pursuant to 29 **Del.C.** §10118(a), the final date to receive written comments will be April 26, 2018. The Council will deliberate on the proposed revisions at its next regularly scheduled meeting.

DIVISION OF PROFESSIONAL REGULATION
1795 MIDWIFERY ADVISORY COUNCIL
PUBLIC NOTICE

The Midwifery Advisory Council, pursuant to 24 **Del.C.** §1799HH(c), proposes to adopt the following regulation governing the practice of midwifery in the State of Delaware. The new regulation establishes that records requested must be provided within 30 days from the closure of the record or the assembly of a complete record.

The Council will hold a public hearing on the proposed regulation change on April 16, 2018 at 10:00 a.m., Second Floor, Conference Room B, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments should be sent to Devashree Brittingham, Executive Director of the Delaware Midwifery Advisory Council, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments will be accepted until May 2, 2018 pursuant to 29 **Del.C.** §10118(a).

DIVISION OF PROFESSIONAL REGULATION
2100 BOARD OF EXAMINERS IN OPTOMETRY
PUBLIC NOTICE

The Delaware Board of Examiners in Optometry, pursuant to 24 **Del.C.** §2104(a)(1), proposes to revise its regulations. The proposed regulations seek to clarify and provide more detailed information regarding the use of telehealth services for the provision of optometry services.

The Board will hold a public hearing on the proposed rule change on April 12, 2018 at 4:30 p.m., in the Second Floor Conference Room B, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments should be sent to Lisa Smith, Administrator of the Delaware Board of Examiners in Optometry, Cannon Building, 861 Silver Lake Blvd, Dover, DE 19904. Written comments will be accepted until April 27, 2018.

DIVISION OF PROFESSIONAL REGULATION
CONTROLLED SUBSTANCE ADVISORY COMMITTEE
PUBLIC NOTICE
Uniform Controlled Substances Act Regulations

Pursuant to 16 **Del.C.** §4731, the Delaware Controlled Substance Advisory Committee ("Committee") has proposed revisions to its rules and regulations. Section 1.0 addresses the composition and operation of the Committee. This Section has been revised to state that Committee members may serve up to three terms of three years each. Further proposed changes specify that Committee officers may serve for up to two one year terms, and all Committee members are appointed by the Secretary of State. Subsection 1.7, pertaining to quorum, currently provides that in disciplinary matters, at least one member of the quorum must be from the same profession as the practitioner who is the subject of the proceeding. This requirement can pose significant difficulties in hearing disciplinary matters in the event that a Committee member has a conflict requiring recusal. In that scenario, the Committee may be precluded from taking action with the result that a registrant who has violated laws and regulations pertaining to controlled substances may be insulated from discipline. The

Committee has proposed that Section 1.7 be revised to remove this problematic language.

A public hearing will be held on March 28, 2018 at 9:00 a.m., Buena Vista Conference Center, 661 South DuPont Highway, New Castle, DE 19720. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Controlled Substance Advisory Committee, 861 Silver Lake Boulevard, Dover, Delaware 19904. Written comments should be sent to Christine Mast, Administrative Specialist for the Committee, 861 Silver Lake Boulevard, Dover, Delaware 19904. In accordance with 29 **Del.C.** §10118(a), the final date to receive written comments will be April 12, 2018, which is 15 days following the public hearing. The Committee will deliberate on the proposed revisions at its next regularly scheduled meeting.

DEPARTMENT OF TRANSPORTATION

DIVISION OF PLANNING AND POLICY

PUBLIC NOTICE

2309 Development Coordination Manual

Pursuant to the authority provided by 17 **Del.C.** §§132(e), 507, and 508, as well as 29 **Del.C.** §8404(8), the Delaware Department of Transportation (DelDOT) adopted the Development Coordination Manual.

The Department, through its Division of Planning and Public Policy, seeks to adopt general revisions to its existing regulations, the Development Coordination Manual, to address procedural changes, add or modify technical requirements and clarify and amend design criteria. These collective changes are both technical and administrative in nature and serve in part to clarify the intent of the Department as enacted through these regulations.

DelDOT will take written comments on these proposed general revisions to Section 2309 of Title 2, Delaware Administrative Code, from March 1, 2018 through April 2, 2018. The public may submit their comments to:

Marc Côté, P.E., Assistant Director, Planning Development Coordination via email

(Marc.Cote@state.de.us) or in writing to his attention,

Division of Planning

Delaware Department of Transportation

P.O. Box 778

Dover, DE 19903

DIVISION OF TRANSPORTATION SOLUTIONS

PUBLIC NOTICE

2402 Delaware Manual on Uniform Traffic Control Devices

Under Title 17 of the **Delaware Code**, Sections 134 and 141, as well as 21 **Delaware Code** Chapter 41, the Delaware Department of Transportation (DelDOT), adopted a Delaware version of the Federal Manual on Uniform Traffic Control Devices (MUTCD). The Department has now drafted revisions to the Delaware MUTCD. A description of the proposed changes accompanies this notice.

The Department will take written comments on the draft changes to the Delaware MUTCD from March 1, 2018 through April 2, 2018. Copies of the Draft Delaware MUTCD Revisions can be obtained by reviewing or downloading a PDF copy at the following web address: <http://regulations.delaware.gov/>

Questions or comments regarding these proposed changes should be directed to: Mark Luszcz, P.E., PTOE, Chief Traffic Engineer, Traffic Section, Division of Transportation Solutions, Delaware Department of Transportation 169 Brick Store Landing Road Smyrna, DE 19977 (302) 659-4062 (telephone) (302) 653-2859 (fax) mark.luszcz@state.de.us