

MEMORANDUM

DATE: March 26, 2009

TO: Ms. Sharon L. Summers, DSS
Policy, Program & Development Unit

FROM: Daniese McMullin-Powell, Chairperson
State Council for Persons with Disabilities

RE: 12 DE Reg. 1225 [DSS Final Food Supp. Program Household Cooperation Reg.]

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Health and Social Services/Division of Social Services' (DSS) final regulation related to household cooperation in the Food Supplement Program. The regulation was published as 12 DE Reg. 1225 in the March 1, 2009 issue of the Register of Regulations. SCPD commented on the proposed version of this regulation in January 2009 and certainly appreciates that DSS has now adopted a final regulation incorporating all changes recommended by the Council.

First, SCPD endorsed a standard according the benefit of the doubt to beneficiaries in assessing the reasons for non-cooperation. DSS acknowledged the endorsement.

Second, SCPD identified a grammatical error and offered a corrective amendment. DSS adopted the amendment.

Third, SCPD noted that the regulation would benefit from numerical subparts. DSS agreed and incorporated subparts for ease of reference.

Fourth, SCPD recommended that DSS consider amending the last two sentences in the regulation for clarity. DSS agreed and significantly amended the provision.

Again, thank you for adopting amendments consistent with Council recommendations

cc: The Honorable Susan DelPesco
Mr. Brian Hartman, Esq.