

## MEMORANDUM

DATE: June 23, 2009

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

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

RE: 12 DE Reg. 1502 (DSS Proposed Food Supplement Program Regulation)

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Health and Social Services/Division of Social Services' (DSSs) proposal to amend its Food Supplement Program regulation in the following contexts: utility expenses; liquid resources and loans; continuing shelter charges; household size; and verification subsequent to initial certification. The regulation was published as 12 DE Reg. 1502 in the June 1, 2009 issue of the Register of Regulations. Council endorses the proposed regulation since it relaxes verification burdens on households, and has the following observations.

Utility Expenses: For background, SCPD is attaching a USDA summary of the standard utility allowance ("SUA") and chart reflecting Delaware's SUA compared to other states. According to the USDA, the SUAs are used in place of actual utility costs to calculate a household's total shelter costs. Utility costs include electric, gas/fuel, water, sewer, trash, and telephone. The proposed "utility expenses" regulation appears to be consistent with other DSS standards, including 16 DE Admin Code 9060.

Liquid Resources & Loans: A shelter cost deduction is available for loan repayments on a mobile home or mortgage payments. The proposed regulation removes a verification requirement which is not mandatory under federal guidelines.

Continuing Shelter Charge: A deduction is available for continuing charges of shelter such as condo fees and rent. See 16 DE Admin Code 9060F. Under the proposed regulation, verification would not be required during recertification.

Household Size: The proposed regulation removes a requirement of verification of household size. The criteria for a household [16 DE Admin Code 9013] are somewhat flexible.

Verification Subsequent to Initial Certification: The proposed regulation relaxes verification standards at recertification, focusing on new or changed expenses as juxtaposed to updated verification of unchanged expenses.

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding our observations on the proposed regulation.

cc: Ms. Elaine Archangelo  
Mr. Brian Hartman, Esq.  
Governor's Advisory Council for Exceptional Citizens  
Developmental Disabilities Council

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