

**MEMORANDUM**

DATE: September 29, 2009

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

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

RE: 13 DE Reg. 378 [DSS Proposed TANF & GA Resource Limit Regulations]

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 resource limits for the Temporary Assistance to Needy Families (TANF) and General Assistance (GA) programs. The proposed regulations were published as 13 DE Reg. 378 in the September 1, 2009 issue of the Register of Regulations. SCPD has the following observations.

First, DSS proposes to significantly increase the countable resource cap for the TANF program from \$1,000 to \$10,000. The rationale is to allow “TANF participants to accumulate assets thus improving their ability to maintain self-sufficiency at times of financial crisis/hardship and to decrease the likelihood of returning to the TANF program”. At 379. This rationale for expanding resource limits is consistent with SCPD December 19, 2008 commentary on Food Supplement Program regulations published at 12 DE Reg. 744 (December 1, 2008). In commenting on proposed expanded resource standards for the Food Supplement Program, the Council attached a publication containing the following rationale for expanding resource caps:

On a bipartisan basis, policymakers agree that asset development is important to helping low-income Americans transition out of poverty. Accumulating assets allows low-income individuals to mitigate material hardships during periods of unemployment or illness, suffer less of a decline in their living standard during retirement, or make investments in their own education or housing that increase their financial stability.

Second, DSS proposes to disregard the value of automobiles owned by members of the assistance household for both the TANF and GA programs. This is in contrast to the current standards which only exclude a percentage of the equity value of 1 automobile.

SCPD endorses the proposed regulations subject to the following two caveats.

A. If not well defined elsewhere in its regulations, DSS should consider adding a definition of “automobile”. For example, is a truck or motorcycle included within the scope of an “automobile” for purposes of the resource regulation?

B. DSS is deleting the following sentence: “Farm vehicles that are used to produce income are excluded from consideration as a resource.” DSS should consider retaining this sentence. A tractor, backhoe, or other vehicle used in farming may not be considered an “automobile”. Therefore, it would be preferable to maintain the separate exclusion.

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

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

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