



STATE OF DELAWARE  
STATE COUNCIL FOR PERSONS WITH DISABILITIES  
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**MEMORANDUM**

DATE: November 30, 2010

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

FROM: Daniese McMullin-Powell, <sup>Dmp/kir</sup>Chairperson  
State Council for Persons with Disabilities

RE: 14 DE Reg. 363 [DMMA Proposed Citizenship, Alienage Regulations]

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Health and Social Services/Division of Medicaid and Medical Assistance's (DMMA's) proposal to amend its *Citizenship and Alienage* regulation published as 14 DE Reg. 363 in the November, 1, 2010 issue of the Register of Regulations. As background, in April 2010, SCPD endorsed (subject to one amendment) a DMMA regulation extending Medicaid and CHIP coverage to some classes of pregnant women and children based on a change in federal law. DMMA then adopted the regulation in June with the recommended amendment. [13 DE Reg. 1540 (June 1, 2010)] CMS subsequently issued guidance via the State Health Official Letter #10-006 (July 1, 2010). The guidance includes a model State Plan amendment. DMMA is now revising the regulation adopted in June to conform to the latest guidance. DMMA has also submitted a revised State Plan amendment to CMS based on the model.

SCPD endorses the proposed amendment since the original regulation expanded health care coverage while diverting some beneficiaries from a State-funded program to federally-subsidized programs, and since the technical revisions are designed to conform to federal guidance. .

Thank you for your consideration and please contact SCPD if you have any questions or comments.

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