



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
MARGARET M. O'NEILL BUILDING
410 FEDERAL STREET, SUITE 1
DOVER, DE 19901

VOICE: (302) 739-3620
TTY/TDD: (302) 739-3699
FAX: (302) 739-6704

MEMORANDUM

DATE: December 28, 2010

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

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

RE: 14 DE Reg. 533 [DSS Prop. Child Care Subsidy Program Fee Waiver 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 *Child Care Subsidy Program* regulation published as 14 DE Reg. 533 in the December 1, 2010 issue of the Register of Regulations. Specifically, DSS is proposing to limit fee waiver to two (2) situations: 1) DFS referred families; and 2) teen parents attending high school or high school equivalent. SCPD has the following observations.

First, consistent with Secretary Landgraf's FY 12 budget presentation, there is ostensibly a shortfall in funds for the Child Care Subsidy Program since DHSS is requesting \$3 million as a door opener.

Second, the apparent effect of limiting fee waivers would be twofold: 1) deterring participation in the Child Care Subsidy Program by caretakers no longer eligible for fee waiver; and 2) increasing provider compensation since some currently exempt caregivers would be required to pay the fee to providers. Parenthetically, the fee can be significant. Although SCPD lacks a copy of the 2010-2011 scale, the attached 2008-2009 scale is instructive. See also 16 DE Admin Code 11004.7.1 which contains consistent regulatory table. A single parent with income at 100% of the federal poverty level would pay 21% of the costs of care.

Third, by deterring participation by some caregivers, DSS is undermining one of the Department's "top priorities", i.e., creating employment opportunities. See attached excerpt from Secretary's FY 12 budget presentation. The availability of child care is an important support for persons seeking employment.

Since the proposed regulation restricts fee waivers, SCPD cannot provide its endorsement. In addition, Council recommends that DSS add the following exceptions in the new regulation:

- “3. Homeless families as defined in §11003.7.2.” Such families would generally be extremely needy and without funds to pay fees.
- “4. Families seeking care of 13 to under 19 year old children physically or mentally incapable of caring for themselves.” See 16 DE Admin Code 11003 and 11003.7.8. Such children may be extremely needy and benefit from socialization within day care settings rather than isolation at home.

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

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

14reg533 dss-child care 12-28-10

CHILD DAY CARE PROGRAM

APPENDIX III

CHILD DAY CARE SLIDING FEE SCALE
EFFECTIVE OCTOBER 1, 2008

Income Limits Per Family Size

Family Size	Monthly Income
1	\$1,734
2	\$2,334
3	\$2,934
4	\$3,534
5	\$4,134
6	\$4,734
7	\$5,334
8	\$5,934
Each Additional Person	\$800

PERCENT OF COST OF CARE PAID BY PARENTS

MONTHLY INCOME RANGE

INCOME POVERTY RANGE	MONTHLY INCOME RANGE																			
	0%-38%	38%-45%	45%-55%	55%-65%	65%-75%	75%-85%	85%-95%	95%-100%	100%-105%	105%-115%	115%-120%	120%-125%	125%-135%	135%-145%	145%-155%	155%-180%	180%-170%	170%-180%	180%-190%	190%-200%
FAMILY SIZE	1%	5%	7%	8%	10%	12%	14%	16%	21%	23%	25%	30%	32%	44%	46%	48%	50%	60%	70%	80%
1	\$0.00 \$312.00	\$312.01 \$390.00	\$390.01 \$477.00	\$477.01 \$584.00	\$584.01 \$650.00	\$650.01 \$737.00	\$737.01 \$824.00	\$824.01 \$867.00	\$867.01 \$910.00	\$910.01 \$997.00	\$997.01 \$1,040.00	\$1,040.01 \$1,084.00	\$1,084.01 \$1,170.00	\$1,170.01 \$1,257.00	\$1,257.01 \$1,344.00	\$1,344.01 \$1,387.00	\$1,387.01 \$1,474.00	\$1,474.01 \$1,561.00	\$1,561.01 \$1,647.00	\$1,647.01 \$1,734.00
2	\$0.00 \$420.00	\$420.01 \$525.00	\$525.01 \$642.00	\$642.01 \$759.00	\$759.01 \$875.00	\$875.01 \$992.00	\$992.01 \$1,109.00	\$1,109.01 \$1,167.00	\$1,167.01 \$1,225.00	\$1,225.01 \$1,342.00	\$1,342.01 \$1,400.00	\$1,400.01 \$1,459.00	\$1,459.01 \$1,575.00	\$1,575.01 \$1,692.00	\$1,692.01 \$1,808.00	\$1,808.01 \$1,867.00	\$1,867.01 \$1,984.00	\$1,984.01 \$2,101.00	\$2,101.01 \$2,217.00	\$2,217.01 \$2,334.00
3	\$0.00 \$528.00	\$528.01 \$660.00	\$660.01 \$807.00	\$807.01 \$954.00	\$954.01 \$1,100.00	\$1,100.01 \$1,247.00	\$1,247.01 \$1,394.00	\$1,394.01 \$1,487.00	\$1,487.01 \$1,540.00	\$1,540.01 \$1,687.00	\$1,687.01 \$1,760.00	\$1,760.01 \$1,834.00	\$1,834.01 \$1,980.00	\$1,980.01 \$2,127.00	\$2,127.01 \$2,274.00	\$2,274.01 \$2,347.00	\$2,347.01 \$2,494.00	\$2,494.01 \$2,641.00	\$2,641.01 \$2,787.00	\$2,787.01 \$2,934.00
4	\$0.00 \$636.00	\$636.01 \$795.00	\$795.01 \$972.00	\$972.01 \$1,149.00	\$1,149.01 \$1,325.00	\$1,325.01 \$1,502.00	\$1,502.01 \$1,679.00	\$1,679.01 \$1,767.00	\$1,767.01 \$1,855.00	\$1,855.01 \$2,032.00	\$2,032.01 \$2,120.00	\$2,120.01 \$2,209.00	\$2,209.01 \$2,385.00	\$2,385.01 \$2,562.00	\$2,562.01 \$2,739.00	\$2,739.01 \$2,827.00	\$2,827.01 \$3,004.00	\$3,004.01 \$3,181.00	\$3,181.01 \$3,357.00	\$3,357.01 \$3,534.00
6	\$0.00 \$744.00	\$744.01 \$930.00	\$930.01 \$1,137.00	\$1,137.01 \$1,344.00	\$1,344.01 \$1,550.00	\$1,550.01 \$1,757.00	\$1,757.01 \$1,964.00	\$1,964.01 \$2,067.00	\$2,067.01 \$2,170.00	\$2,170.01 \$2,377.00	\$2,377.01 \$2,480.00	\$2,480.01 \$2,584.00	\$2,584.01 \$2,790.00	\$2,790.01 \$2,997.00	\$2,997.01 \$3,203.00	\$3,203.01 \$3,307.00	\$3,307.01 \$3,514.00	\$3,514.01 \$3,721.00	\$3,721.01 \$3,827.00	\$3,827.01 \$4,134.00
8	\$0.00 \$852.00	\$852.01 \$1,065.00	\$1,065.01 \$1,302.00	\$1,302.01 \$1,539.00	\$1,539.01 \$1,775.00	\$1,775.01 \$2,012.00	\$2,012.01 \$2,249.00	\$2,249.01 \$2,367.00	\$2,367.01 \$2,485.00	\$2,485.01 \$2,722.00	\$2,722.01 \$2,840.00	\$2,840.01 \$2,959.00	\$2,959.01 \$3,195.00	\$3,195.01 \$3,432.00	\$3,432.01 \$3,669.00	\$3,669.01 \$3,787.00	\$3,787.01 \$4,024.00	\$4,024.01 \$4,261.00	\$4,261.01 \$4,497.00	\$4,497.01 \$4,734.00
7	\$0.00 \$880.00	\$880.01 \$1,200.00	\$1,200.01 \$1,467.00	\$1,467.01 \$1,734.00	\$1,734.01 \$2,000.00	\$2,000.01 \$2,267.00	\$2,267.01 \$2,534.00	\$2,534.01 \$2,667.00	\$2,667.01 \$2,800.00	\$2,800.01 \$3,067.00	\$3,067.01 \$3,200.00	\$3,200.01 \$3,334.00	\$3,334.01 \$3,600.00	\$3,600.01 \$3,867.00	\$3,867.01 \$4,134.00	\$4,134.01 \$4,267.00	\$4,267.01 \$4,534.00	\$4,534.01 \$4,801.00	\$4,801.01 \$5,067.00	\$5,067.01 \$5,334.00
8	\$0.00 \$1,068.00	\$1,068.01 \$1,335.00	\$1,335.01 \$1,632.00	\$1,632.01 \$1,929.00	\$1,929.01 \$2,225.00	\$2,225.01 \$2,522.00	\$2,522.01 \$2,819.00	\$2,819.01 \$2,967.00	\$2,967.01 \$3,115.00	\$3,115.01 \$3,412.00	\$3,412.01 \$3,560.00	\$3,560.01 \$3,709.00	\$3,709.01 \$4,005.00	\$4,005.01 \$4,302.00	\$4,302.01 \$4,598.00	\$4,598.01 \$4,747.00	\$4,747.01 \$5,044.00	\$5,044.01 \$5,341.00	\$5,341.01 \$5,637.00	\$5,637.01 \$5,934.00



Delaware Health and Social Services

Top Priorities

- Consolidate financial services management in all divisions under one umbrella/ DHSS unit
- Use technology and human resources to maximize efficiency, productivity and service delivery
- Create employment opportunities, enhance education and promote a more efficient government
- Maximize federal and state funding to help Delaware residents achieve maximum independence

Delaware Health and Social Services