MEMORANDUM

DATE: May 30, 2013

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

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

RE: 16 DE Reg. 1143 [DSS Proposed Food Supplement Program Time Limit Regulation]

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Health and Social Services/Division of Social Services' (DSS) proposal to amend its Food Supplement Program regulation in the context of time limits for "Able-bodied adults without dependents". The proposed regulation was published as 16 DE Reg. 61143 in the May 1, 2013 issue of the Register of Regulations.

The rationale is "to make the rules easier to understand and follow", to add a federal citation, and to change the name of the section to more accurately reflect the content of the policy. The revised regulation generally conforms to the federal regulation, 7 C.F.R. §273.24. The federal regulation implements a federal law limiting receipt of "food stamp" benefits to 3 months in a 36-month period for "able-bodied adults without dependents" (ABAWDs) who are not working or who are not exempt.

SCPD endorses the proposed regulation subject to consideration of a minor revision to §9018.2, Section 4, as follows:

> Good cause includes circumstances beyond the individual's control, such as, but not limited to: ...

This would clarify that the subsequent list is illustrative only and more closely conforms to the analogous federal standard, 7 C.F.R. §273.24(b)(2).

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

cc: Ms. Elaine Archangelo
        Mr. Brian Hartman, Esq.
        Governor's Advisory Council for Exceptional Citizens
        Developmental Disabilities Council
16reg1143 dss-food sup program time limit 5-30-13