



STATE OF DELAWARE  
**STATE COUNCIL FOR PERSONS WITH DISABILITIES**  
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The Honorable John Carney,  
Governor

John McNeal, Director  
SCPD

## MEMORANDUM

DATE: March 27, 2023

TO: All Members of the Delaware State Senate  
and House of Representatives

FROM: Mr. Benjamin Shrader, Chairperson   
State Council for Persons with Disabilities

RE: SB 58 (Purchase of Care Co-Pays)

The State Council for Persons with Disabilities (SCPD) has reviewed SB 58 which is a childcare subsidy program providing financial assistance to eligible families who need help paying for childcare.

SCPD has the following observations:

- The Delaware Department of Health and Social Services (DHSS), Division of Social Services (DSS) administers the childcare subsidy program.<sup>1</sup> The Purchase of Care (POC) Program provides support for early childhood and after school education for children of eligible families. POC Program families can use the subsidy and choose from a wide range of childcare providers. In order to participate in the POC Program, parents and children have to meet

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<sup>1</sup> The regulations for the Child Care Subsidy Program are found at 16 *DE Admin. Code* 11001 *et seq.* and the DHSS Child Care Subsidy Program Policy Manual. The Child Care Subsidy Program “means the program that provides financial support to eligible Delaware families who need assistance paying for child care. The program also assists families who are having difficulty locating care for their children, including children who need care during non-traditional hours, children who are English language learners, and children who have special needs.” *DE Reg* 11002.9.

eligibility guidelines,<sup>2</sup> and parents may also have to pay a co-payment directly to the childcare provider.<sup>3</sup>

- During the COVID-19 pandemic and public health emergency, DSS waived copayments and found the program to be “successful in stabilizing families and providing early learning program for Delaware’s needy families and children.”<sup>4</sup> This bill would make the changes permanent and eliminate copays for families earning less than two hundred percent (200%) of the federal poverty line (FPL). In ensuring childcare for preschool-age children, and after-school, parents will be able to work and/or pursue training to rejoin the workforce.
- The bill would reimburse childcare providers up to fifteen (15) days per month for each child of eligible families that is absent from and does not attend the day care. Reimbursing childcare providers who accept POC when the child is absent from day care up to the prescribed limits, will provide some financial security to the provider.

**SCPD endorses this legislation.**

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

cc: Ms. Laura Waterland, Esq.  
Governor’s Advisory Council for Exceptional Citizens  
Developmental Disabilities Council

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<sup>2</sup> The eligibility guidelines are found at *DE Reg* 11002.4(1); 11002.4(2); and 11003 to 11003.10. To be eligible, a child must be “[u]nder 13 years of age or 13 through 18 years of age and physically or mentally incapable of self-care as determined by a medical professional.” *DE Reg* 11002.4(1).

<sup>3</sup> The criteria that DDS uses to determine copayments are found at *DE Reg* 11004.7.

<sup>4</sup> <https://legis.delaware.gov/BillDetail?LegislationId=130033>