



STATE OF DELAWARE  
**STATE COUNCIL FOR PERSONS WITH DISABILITIES**  
Margaret M. O'Neill Bldg., Third Floor, Suite 1  
410 Federal Street  
Dover, Delaware 19901  
302-739-3621

The Honorable John Carney,  
Governor

John McNeal, Director  
SCPD

**MEMORANDUM**

DATE: March 22, 2024  
TO: Rep. Valerie Longhurst  
FROM: Benjamin Shrader, Chairperson  
State Council for Persons with Disabilities  
RE: House Substitute 1 for House Bill 5 (March 1, 2024)

The State Council for Persons with Disabilities (SCPD) has reviewed the proposed amendments to Chapter 5, Title 31 of the Delaware Code relating to Medicaid-reimbursement for school-based services.

**The SCPD supports these changes with the following comments/requests:**

- Given the breadth of school-based services currently available under the State Plan, **the SCPD believes this bill must apply to all school-based services** allowable under Medicaid and not just behavioral health services, **such as school health services and assistive technology**;
- **The SCPD questions whether consideration should be given to adding provisions for outreach for enrollment purposes** within schools and whether any directives need to be given to the Delaware Department of Education in assisting DHSS with this expansion;
- **The SCPD would further suggest revision** of the current § 501 which describes the legislative intent of the State Public Assistance Code and includes the following concerning and troublesome language: “It is further declared to be the legislative intent that public assistance be administered, to the extent practicable, in such a way that . . . both parents are held responsible for supporting and parenting their children; recipients are not encouraged to have additional children while receiving public assistance; and the

formation and maintenance of two-parent families is encouraged and teenage pregnancy is discouraged.”

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. Marissa Band, Esquire CLASI, DLP  
Governor’s Advisory Council for Exceptional Citizens  
Developmental Disabilities Council