



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

DATE: April 26, 2010

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

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

RE: 13 DE Reg. 1279 [Proposed Child Care Subsidy Program Review/Redetermination]

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 Child Care Subsidy Program polices regarding eligibility reviews and redeterminations. The proposed regulation was published as 13 DE Reg. 1279 in the April 1, 2010 issue of the Register of Regulations. SCPD has the following observations and recommendation.

The changes generally favor beneficiaries. Once approved, eligibility continues for 12 months in the absence of a material change in circumstances. The categorical requirement of an in-person annual face-to-face review is deleted. Six month interim reports from beneficiaries are only required for "child care/food benefit cases", not families eligible due to TANF participation.

SCPD has one recommended amendment. The regulation being deleted contained the following requirement: "Do not allow an authorization to end without first ensuring the parents/caretakers were given timely and adequate notice." This concept is absent from the proposed regulation. It should be reinstated. Otherwise, the regulation literally directs workers to automatically "close the child care case" based on any of several occurrences (e.g. child moves; parent does not cooperate; parent fails to submit 6 month report). Advance notice would be required by 16 DE Admin Code Part 5000, §5301.

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

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