



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: July 14, 2010

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

FROM: Daniese McMullin-Powell, ^{DMP/EIT} Chairperson
State Council for Persons with Disabilities

RE: 14 DE Reg. 8 DSS [Proposed Child Care Subsidy Program Income Regulation]

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Health and Social Services/Division of Social Services (DSS's) proposal to amend its income eligibility standards for the Child Care Subsidy Program. The proposed regulation was published as 14 DE Reg. 8 in the July 1, 2010 issue of the Register of Regulations. SCPD has the following technical observations.

First, §11003.9.1A refers to "social security pensions". Section 11003.9.1 refers to (capitalized) "Social Security pensions". DSS may wish to substitute "Social Security income" in both contexts similar to its reference to "Supplemental Security Income" in the latter section. Otherwise, the reference would appear to cover Social Security retirement benefits but not Title II SSDI benefits.

Second, §11003.9.1 lists "disregarded income which includes the following subpart:

7. The value of USDA donated foods and Food Stamp Act of 1964 as amended;

This provision remains unchanged from the current regulation. However, the reference to the Food Stamp Act literally makes no sense (e.g. the value of the Food Stamp Act of 1964 is disregarded). SCPD suspects some words are missing.

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

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