



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

DATE: April 25, 2011

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

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

RE: 14 DE Reg. 1078 [DSS Final (“Withdrawn”) Child Care Subsidy Program Fee Waiver Regulation]

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Health and Social Services/Division of Social Services’ (DSSs) notice of withdrawal regarding its proposed regulation relating to the *Child Care Subsidy Program* regulation which was originally published as 14 DE Reg. 533 in the December 1, 2010 issue of the Register of Regulations. The “final” regulation was published as 14 DE Reg. 1078 in the April 1, 2011 issue of the Register of Regulations.

SCPD commented on the proposed version of this regulation in a December 28, 2010 letter and declined to endorse the regulation. The Council noted that the effect of limiting fee waivers would be to deter participation in the Child Subsidy program while increasing provider compensation. In addition, SCPD observed that deterring program participation would undermine the DHSS priority of encouraging employment. Finally, if adopted, the Councils recommended authorizing waivers for homeless families and families caring for 13-18 year old children unable to care for themselves due to disability.

The Division has now withdrawn the regulation in its entirety and the existing scope of fee waivers will be maintained. SCPD truly appreciates that the Division considered the Council’s commentary.

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