

**DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF SOCIAL SERVICES**

1000 Administration

1000 DEFINITIONS

The following words and terms, when used in this regulation, will have the following meaning unless the context clearly indicates otherwise.

Civil rights	A civil right is an enforceable right or privilege, which if interfered with by another gives rise to an action for injury. Examples of civil rights are freedom of speech, press, assembly, the right to vote, freedom from involuntary servitude, and the right to equality in public places.
Civil Rights Coordinator	A Division of Social Services staff person who ensures that employees of the Division, who have direct contact with applicants and recipients, carry out the requirements of the Civil Rights Program. The Coordinator also maintains complete records of all complaints that are made and/or appeals and fair hearings that are requested on the grounds of discrimination.
Discrimination	The unlawful and intentional act of unfair treatment of a person based on race, color, ethnicity, sex (gender), sexual orientation, gender identity, religious creed, national origin, physical or mental disability, political beliefs, retaliation, limited English proficiency (LEP), and/or age.
Guardian ad litem	An individual appointed by the courts to represent the best interests of a minor child.
Law enforcement officer	Any official who has the authority to arrest individuals. Officials with arrest powers include police officers, constables, and in Delaware, parole and probation officers.
Limited English proficient	Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English may be limited English proficient.
Means tested programs	Programs that provide cash, benefits or services to people who meet a test of need based on income and assets

12 DE Reg. 453 (10/01/08)

16 DE Reg. 1191 (05/01/13)

20 DE Reg. 726 (03/01/17)

1001 RESERVED

16 DE Reg. 1191 (05/01/13)

1002 TREATING CLIENTS WITH COURTESY

31 Delaware Code §501

This policy applies to all Division of Social Services (DSS) and Division of Medicaid and Medical Assistance (DMMA) staff when providing services to individuals seeking or receiving services from the Division of Social Services.

DSS and DMMA staff will treat clients in a manner that is polite, helpful, and respectful of the dignity of each individual.

16 DE Reg. 1191 (05/01/13)

1003 KEEPING CLIENT INFORMATION CONFIDENTIAL

7 CFR 272.1(c); 45 CFR 205.50, 31 Del. Code §1101

This policy applies to all DSS and DMMA staff who have access to public assistance information and records.

1. Staff Safeguards Public Assistance Information

TITLE 16 HEALTH AND SAFETY DELAWARE ADMINISTRATIVE CODE

Public assistance information and records may be used only for purposes directly connected with the administration of public assistance programs. All information gathered about individuals or families for public assistance purposes is considered confidential and will be safeguarded by DSS and DMMA.

The Divisions will not release any information regarding an individual without the individual's written consent.

Exceptions:

1. DSS may give the address of a cash assistance recipient to a law enforcement agency in certain situations. See DSSM 1003.2.
2. DSS may give information about food benefit applicants and recipients to a law enforcement agency in certain situations. See DSSM 1003.2.1.
3. General information about expenditures, numbers of clients served, and other statistical information is a matter of public record and is available to any interested party.

12 DE Reg. 453 (10/01/08)

16 DE Reg. 1191 (05/01/13)

1003.1 RESERVED

16 DE Reg. 1191 (05/01/13)

1003.2 RELEASING CONFIDENTIAL TANF RECIPIENT INFORMATION

45 CFR 205.50 (a)(1)(v), PRWORA, 31 Del. Code §1101

This policy applies whenever a law enforcement agency requests confidential information about a TANF cash assistance recipient. Only the address of the recipient may be released.

1. Law Enforcement Officer Must Request Confidential Information

The address of a TANF recipient may be released to a law enforcement officer if the officer requests the information. The officer must tell the agency that the individual:

- A. Is fleeing to avoid prosecution
- B. Is a fleeing felon (or in the case of New Jersey is fleeing from conviction of a high misdemeanor)
- C. Is violating a condition of probation or parole or
- D. Has information that is necessary for the officer to conduct his or her official duties

2. Operations Administrator Releases Information

Only the Operations Administrator (OA) has the authority to release the address of a TANF cash assistance recipient to a law enforcement officer. The OA may delegate this authority to a designee.

16 DE Reg. 1191 (05/01/13)

1003.2.1 RELEASING CONFIDENTIAL FSP CLIENT INFORMATION

7 CFR 272.1(c)(1); PRWORA, 31 Del. Code §1101

This policy applies whenever a law enforcement agency makes a written request for confidential information about a food benefit applicant or recipient.

1. Only the Information Necessary to Comply With a Specific Written Request May Be Released

2. Operations Administrators May Release Information

Only the Operations Administrator (OA) has the authority to release information about a Food Supplement Program (FSP) applicant or recipient household to a law enforcement officer. The OA may delegate this authority to a designee.

3. Requests Must Meet Specific Criteria

The request must be in writing and include:

- A. The identity of the individual requesting the information.
- B. The individual's authority to request the information.
- C. The violation being investigated.
- D. The identity of the person on whom the information is requested.

4. Restrictions Apply to Information Released

DSS can release the following about a food benefit household member

- A. Address
- B. Social security number
- C. Photograph, if available
- D. Household member information that is useful and necessary in apprehending or investigating another household member who has fled to avoid felony prosecution or custody, or who has violated a condition of probation or parole.

5. DSS Will Terminate the Food Benefits on Proof of Legal Violations

If the law enforcement officer provides verification that a household member is fleeing to avoid prosecution or custody for a felony, or has violated a condition of probation or parole, DSS will terminate the member's participation.

16 DE Reg. 1191 (05/01/13)

1003.3 REPORTING CHILD ABUSE AND NEGLECT

45 CFR 205.50 (a)(1)(i)(G)

This policy applies to all DSS and DMMA staff. It applies any time a DSS or DMMA worker suspects a home is unsuitable because of abuse, neglect, or exploitation of a child.

The worker will make a report to the Division of Family Services whenever the worker suspects a home is unsuitable due to abuse, neglect, or exploitation of a child.

16 DE Reg. 1191 (05/01/13)

1003.4 RELEASING CONFIDENTIAL INFORMATION TO COURT APPOINTED SPECIAL ADVOCATES

31 Delaware Code §3610

This policy applies any time a Court Appointed Special Advocate (or guardian *ad litem*) requests information about a child and his parent or guardian and provides pertinent details of the reasons for the release of information.

DSS and DMMA staff will permit a Court Appointed Special Advocate (or guardian *ad litem*) to review and/or copy any records relating to the child and his or her parent or guardian. (The CASA does not have to have the consent of the child or the child's family.)

Any time information is released, staff will:

- A. Document pertinent details of the reasons for the release of information.
- B. Send written notification of this release to the last known address of the individual to whom the record refers.

16 DE Reg. 1191 (05/01/13)

1003.5 OTHER REASONS FOR RELEASING CONFIDENTIAL INFORMATION

45 CFR 205.50(a)(1)(i)(B) and (C); 7 CFR 272.1(c)

This policy applies any time persons or groups other than law enforcement or Court Appointed Special Advocates make a request for confidential information. It also applies if the information is being released for reasons other than reporting suspected abuse, neglect or exploitation of a child. This policy applies to DSS and DMMA staff.

1. Staff Release Information Needed in Connection with Public Assistance Programs

Staff may release public assistance program information if needed in connection with the administration of DHSS plans or programs for any of the following reasons:

- A. Investigations
- B. Prosecutions
- C. Criminal proceedings
- D. Civil proceedings

Exception: Staff will not release Food Supplement Program information if the request is for a civil proceeding.

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2. **Staff Release Information Needed to Administer Federal Means Tested Programs**
 Staff may release information if it is needed for the administration of any federal or federally assisted program.
 The program must provide assistance (in cash or in kind) or services directly to individuals on the basis of need.
 Staff must assure that the information will remain confidential and will be used only to pursue services for the individual. Other means-tested programs include the
 - A. Supplemental Security Income Program
 - B. School Lunch and Breakfast Program
 - C. Energy Assistance Program
 - D. Low Income Housing Program
3. **Staff May Release Information to Other Agencies**
 Staff will release information to other agencies only with written permission of the recipient. Examples of other agencies are Children & Families First, Catholic Social Services, Legal Aid, etc.
4. **Staff Release Information to Other Governmental Agencies**
 Lists of recipients may be released to other governmental agencies if the information will be used to perform services for DSS or DMMA and the agency can assure that the information will remain confidential.

16 DE Reg. 1191 (05/01/13)

1004 SAFEGUARDING CASE RECORDS

45 CFR 205.50(a)(3)(ii)

This policy applies to all DSS and DMMA case records.

Case records are kept in locked file cabinets except when the files are in use. The records must be returned to the files before the office closes for the day. Electronic case records are maintained in a secure data system.

Records sent to another office may be sent in the custody of a Division employee or by Department messenger mail. DSS and DMMA records in electronic form are not transferred between offices.

16 DE Reg. 1191 (05/01/13)

1005 COMPILING AND SAVING CASE RECORD CONTENTS

45 CFR 92.42

This policy applies to all DSS and DMMA case records except medical records.

1. **Staff Collect Pertinent Case Information**
 Case records will contain all information necessary to determine eligibility or ineligibility for benefits or amount of benefits. Records will contain:
 - A. The date of application
 - B. Date and basis of the eligibility decision
 - C. Facts essential to determining initial and continuing eligibility
 - D. The basis for terminating or reducing assistance or services
 - E. Information regarding overpayments and claims
 - F. A copy of the Criminal Justice Report if the case was referred to the Department of Justice for prosecution.
2. **Division of Management Services Maintains Fiscal Records**
 The Division of Management (DMS) maintains an accounting system and supporting fiscal records adequate to assure that claims for federal funds are in accord with applicable federal requirements.
3. **Staff Save Case Records**
 Case records are kept for five or more years as follows:
 - A. Public Assistance records are kept for five years from the date of closure.
 - B. Records related to a pending audit are kept beyond the five years or until the completion of a successful audit, whichever is later.

- C. Records of non-expendable property which was purchased with federal grant funds are kept for five years after final disposition of the property.
 - D. Cases that are under investigation by the Department of Justice (DOJ) or that have outstanding overpayments will be retained for ten years and will remain intact until the investigation and subsequent legal action is complete or the overpayment is filed.
- 4. Staff Save Information About Uncollected Overpayments and DOJ Cases**
- Staff must never destroy information needed to substantiate outstanding overpayments. Cases with outstanding overpayments are kept intact until the overpayment is filed. Cases under investigation by the Department of Justice (DOJ) are kept intact until the investigation and subsequent legal action is complete.
- 5. Staff Purge Case Records**
- Any papers (forms or correspondence) in an active record which are more than four calendar years old may be destroyed on site with the permission of the unit supervisor who has possession of the record if those papers were scanned into the Document Imaging System.

Exception: Do not destroy records of permanent value, e.g., birth certificates, deeds, trusts, contracts, or other records of value.

16 DE Reg. 1191 (05/01/13)

1006 GUARANTEEING CIVIL RIGHTS AND NON-DISCRIMINATION

Title VI of the Civil Rights Acts of 1964, §504 of the Rehabilitation Act of 1973, 45 CFR Part 80, 84, 90, and 92; 7 CFR 272.6(a), 42 CFR §440.262

This policy applies to any person who inquires about, applies for or receives **any** services from Division of Social Services (DSS) or Division of Medicaid and Medical Assistance (DMMA). It includes the use of all DSS or DMMA physical facilities. For this policy, the terms DSS or DMMA include all other persons or organizations that perform services for either Division.

- 1. Division Director Ensures Rights are Upheld**
- The DSS or DMMA Director, acting through administrative staff, coordinates the Division's Civil Rights Program. The Director ensures all staff comply with the requirements of the program. The Director ensures that all aspects of the program are understood and implemented by staff members. The Director ensures that all individuals asking about, applying for or receiving DSS or DMMA services are freely informed of their rights of protection against discrimination and their right to complain in any case of discrimination.
- 2. Staff Development and Training Unit Emphasizes Civil Rights**
- The Staff Development and Training Unit emphasizes the role of the Civil Rights Program in all services provided to individuals, especially as it relates to the rights and privileges of each individual. The Staff Development and Training Program emphasizes that all applicants and recipients, and all persons receiving any care or services from or through the Division, will not be subject to discrimination of any kind on the grounds of race, color, national origin, sex, sexual orientation, gender identity, religious creed, age, disability, political beliefs, limited English proficiency (LEP), and/or retaliation.
- 3. Staff Protect Civil Rights**
- DSS and DMMA staff protect the civil rights of persons asking about, applying for or receiving any Division service.
- 4. Staff Do Not Discriminate**
- Staff do not discriminate against any person on the grounds of race, color, national origin, age, sex, sexual orientation, gender identity, disability, political beliefs, religious creed, retaliation, or any other form of discrimination.

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DSS and DMMA do not directly or indirectly (through contracts or other arrangements) on the grounds of race, color, national origin, age, sex, sexual orientation, gender identity, disability, political beliefs, religious creed, and/or retaliation:

- A. Deny any person a DSS or DMMA service.
- B. Subject any person to segregation or separate treatment in any matter related to his or her receipt of services.
- C. Restrict any person's use of privileges enjoyed by others receiving Division services.
- D. Treat any person differently from others in determining if that person satisfies any condition of eligibility that all persons must meet in order to qualify for services.

16 DE Reg. 1191 (05/01/13)

20 DE Reg. 726 (03/01/17)

1006.1 ENSURING NON-DISCRIMINATION IN THE PROVISION OF SERVICES

Title VI of the Civil Rights Acts of 1964, §504 of the Rehabilitation Act of 1973, 45 CFR Part 80, 84, 90, and 92; 7 CFR 272.6(a); 42 CFR §440.262

This policy applies when any person inquires about, applies for, or receives services from the Division of Social Services (DSS) or the Division of Medicaid and Medical Assistance (DMMA) or a person or organization under contract with DSS or DMMA.

- 1. All Classes of People May Participate in any DSS or DMMA Program**
- 2. DSS and DMMA Do Not Discriminate**

Neither the Division nor its contractors will discriminate against any person because of race, color, national origin, sex, sexual orientation, gender identity, religious creed, age, disability, political beliefs, limited English proficiency (LEP), and/or retaliation.

DSS and DMMA will not discriminate:

- A. In the type of services provided.
- B. Against any class of people.
- C. Regardless of the class of people to which services will be provided.
- D. Regardless of the situation in which services will be provided.

16 DE Reg. 1191 (05/01/13)

20 DE Reg. 726 (03/01/17)

1006.2 RESERVED

16 DE Reg. 1191 (05/01/13)

1006.3 PROVIDING CIVIL RIGHTS INFORMATION

Title VI of the Civil Rights Acts of 1964, Section 504 of the Rehabilitation Act of 1973, 45 CFR Part 80 7 CFR 272.6(b)

This policy applies to any individual who seeks or receives services or information from the Division of Social Services (DSS) or the Division of Medicaid and Medical Assistance (DMMA).

- 1. Staff Provide Information on Non-Discrimination**

Staff will provide information about non-discrimination statutes and policies within ten days of request. (The information can be found at DSSM 1006.6 and DSSM 1006.1.)

Staff will advise individuals how to file a discrimination complaint (as per DSSM 1007) if they wish to file one.

Staff will provide individuals with our online civil rights complaint form if the individual wishes to make a civil rights complaint.

- 2. Staff Provide Information on Fair Hearings and Civil Rights**

Staff will give all applicants a copy of Form 113, Information on Fair Hearings and Civil Rights.

- 3. DSS and DMMA Publicize the FSP Complaint Procedures**

All offices will display the non-discrimination poster provided by FNS. The Division will also publicize the FSP complaint procedures.

16 DE Reg. 1191 (05/01/13)

1006.4 ASSURING COMPLIANCE IN AREA OPERATIONS

Title VI of the Civil Rights Acts of 1964, §504 of the Rehabilitation Act of 1973, 45 CFR Part 80, 84, 90, and 92; 7 CFR 272.6(a); 42 CFR §440.262

This policy applies to all Division of Social Services (DSS) or Division of Medicaid and Medical Assistance (DMMA) staff and vendors/contractors any time a service is provided to an applicant or recipient.

1. Management Assures Compliance by Staff and Vendor/Contractors

Staff are instructed by Management, during training and the normal course of work activity, to be alert to instances of discrimination.

Vendors and contractors are notified in their contract that all services provided on behalf of DSS must be provided without discrimination on account of race, color, national origin, sex, sexual orientation, gender identity, religious creed, age, disability, political beliefs, limited English proficiency (LEP), and/or retaliation. They are also notified that payment will not be made unless such services are provided without discrimination.

2. Staff Report Discrimination

If staff notice any instances of discrimination, staff will make a full written report to the Director via his or her Supervisor and the Civil Rights Coordinator.

3. Civil Rights Coordinator Maintains Records of Complaints

The Civil Rights Coordinator maintains complete records of all complaints that are made on the grounds of discrimination. He also maintains complete records of all appeals and fair hearings that are requested on the grounds of discrimination.

16 DE Reg. 1191 (05/01/13)

20 DE Reg. 726 (03/01/17)

1006.5 REPORTING CIVIL RIGHTS PROGRAM ACTIVITIES

45 CFR Part 80; 7 CFR 272.6(a)

This policy applies any time a person, group, or agency makes a complaint alleging a civil rights violation.

1. Civil Rights Coordinator Reports on Civil Rights Activities

The Civil Rights Coordinator will prepare and submit required reports on all aspects of the Civil Rights Program, including:

- A. Complaints of discrimination received
- B. Appeals to the Division
- C. Appeals to the Department of Health and Human Services
- D. Verification of discrimination
- E. Action taken and the results

2. Reports of FSP Complaints are Sent to FNS

All complaints of discrimination in the Food Supplement Program processed at the State level must be sent to FNS within 90 days of the date DSS receives the complaint.

The report must contain the following information if available to the Division:

- A. Name, address, and telephone number of the person alleging discrimination.
- B. Reason for the alleged discrimination.
- C. Nature and date of the incident or action that led the person to allege discrimination.
- D. Names and addresses of persons who may have knowledge of the discriminatory act(s).

3. Civil Rights Information is Made Available Upon Request

Upon request, the Civil Rights Coordinator provides:

- A. Correspondence between DSS and other agencies.
- B. Communications on Civil Rights issues.
- C. Access to records and facilities (to representatives of the Department of Health and Human Services) for purposes of verifying compliance with the Civil Rights Act and Department of Health and Human Services Regulations.

16 DE Reg. 1191 (05/01/13)

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1006.6 PUBLICIZING THE CIVIL RIGHTS PROGRAM

Title VI of the Civil Rights Acts of 1964, §504 of the Rehabilitation Act of 1973, 45 CFR Part 80, 84, 90, and 92; 7 CFR 272.6(a); 42 CFR §440.262

This policy applies when publicizing information about the Division of Social Services' (DSS') Civil Rights Program.

DSS Informs the Public of the Civil Rights Program

The DSS Civil Rights policy is available on the State website at www.dhss.delaware.gov/dss. The agency also displays posters in all its offices notifying all persons that assistance and services are provided to all eligible persons without regard to race, color, national origin, sex, sexual orientation, gender identity, age, religious creed, disability, political beliefs, limited English proficiency (LEP), and/or retaliation.

The Director will provide speakers from the administrative staff of the Department to any organization interested in learning more about the Civil Rights Program.

16 DE Reg. 1191 (05/01/13)

20 DE Reg. 726 (03/01/17)

1006.7 RESERVED

16 DE Reg. 1191 (05/01/13)

1007 MAKING CIVIL RIGHTS COMPLAINTS

Title VI of the Civil Rights Acts of 1964, §504 of the Rehabilitation Act of 1973, 45 CFR Part 80, 84, 90, and 92; 7 CFR 272.6(a); 42 CFR §440.262

This policy applies to any person, group or agency inquiring about, applying for or receiving any Division of Social Services (DSS) or Division of Medicaid and Medical Assistance (DMMA) provided service who believes he or she has been the victim of discrimination based on of race, color, national origin, sex, sexual orientation, gender identity, religious creed, age, disability, political beliefs, limited English proficiency (LEP), and/or retaliation.

1. Complaints Must be Written

Persons must submit the complaint in writing within 180 days of the alleged discriminatory act. They may also file an appeal and ask for a fair hearing if not satisfied with a decision of the Division. See DSSM 5000.

2. Complaints Contain Specific Information

Exception: Complaints involving the Food Supplement Program are also accepted verbally. However, the complaint must be reduced to writing for record keeping purposes.

A. Cash, Medical, and Child Care Assistance Complaints must describe:

Complaints must describe:

1. The kind of discrimination alleged (e.g., race, color, etc.)
2. When and where the discrimination took place
3. Any important facts and circumstances connected with the alleged discrimination

The complaint must be signed by the person making the complaint.

B. Food Benefit Assistance Complaints

Complaints must contain:

1. The name, address, and telephone number of the person alleging discrimination.
2. The name and location of the office or organization accused of the discriminatory practice.
3. The nature of the incident or acts which resulted in the allegation.
4. The date(s) of the incident.
5. The names of persons who have knowledge of the alleged discriminatory acts.
6. The type of alleged discrimination (e.g., race, color, etc.).

16 DE Reg. 1191 (05/01/13)

20 DE Reg. 726 (03/01/17)

1007.1 RESERVED

16 DE Reg. 1191 (05/01/13)

1007.2 RESERVED

16 DE Reg. 1191 (05/01/13)

1007.3 ROUTING CIVIL RIGHTS COMPLAINTS

Title VI of the Civil Rights Acts of 1964, §504 of the Rehabilitation Act of 1973, 45 CFR Part 80, 84, 90, and 92; 7 CFR 272.6(a); 42 CFR §440.262

This policy applies any time a complaint is filed against the Division of Social Services (DSS) and/or Division of Medicaid and Medical Assistance (DMMA) alleging discrimination on account of race, color, national origin, sex, sexual orientation, gender identity, religious creed, age, disability, political beliefs, limited English proficiency (LEP), and/or retaliation.

1. Civil Rights Coordinator Routes Complaints

The Civil Rights Coordinator will study and evaluate all complaints alleging discrimination and route them to the appropriate official.

When a complaint is received the Coordinator will forward:

- A. Food Supplement complaints to the Regional Office of the United States Department of Agriculture.
- B. Medicaid complaints to the Secretary of the Department of Health and Human Services (DHSS).
- C. All other DSS complaints to the Division Director.
- D. All other DMMA complaints to the Division Director.

16 DE Reg. 1191 (05/01/13)

20 DE Reg. 726 (03/01/17)

1007.4 KEEPING RECORDS OF CIVIL RIGHTS COMPLAINTS

Title VI of the Civil Rights Acts of 1964, §504 of the Rehabilitation Act of 1973, 45 CFR Part 80, 84, 90, and 92; 7 CFR 272.6(a); 42 CFR §440.262

This policy applies to all complaints of discrimination based on race, color, national origin, sex, sexual orientation, gender identity, religious creed, age, disability, political beliefs, limited English proficiency (LEP), and/or retaliation.

The Civil Rights Coordinator keeps records of all civil rights complaints received by the Division of Social Services (DSS). Records of civil rights complaints will show:

- A. Action(s) taken on the complaint.
- B. Any investigation conducted.
- C. Findings.
- D. Any subsequent action.

16 DE Reg. 1191 (05/01/13)

20 DE Reg. 726 (03/01/17)

1007.5 KEEPING THE IDENTITY OF COMPLAINANTS CONFIDENTIAL

7 CFR 272.1(c); 45 CFR 205.50

This policy applies to any individual or group who files a complaint with the Division of Social Services or the Division of Medicaid and Medical Assistance.

1. Staff Will Safeguard the Identity of any Person Making a Complaint.

Exception: The identity of a complainant may be disclosed if necessary to take care of the complaint.

16 DE Reg. 1191 (05/01/13)

1007.6 MAKING COMPLAINTS

TITLE 16 HEALTH AND SAFETY
DELAWARE ADMINISTRATIVE CODE

This policy applies to any person, group or agency applying for or receiving any DSS or DMMA service who wishes to file a complaint. It does not apply to complaints based on discriminatory practices or complaints that may be pursued through a fair hearing.

1. Applicants and Recipients May File Complaints

- A. Complaints must be in writing and filed within 30 days of the alleged action or inaction.
- B. Complaints must be filed with the Customer Relations Manager.
- C. The 30 day time limit may be extended by the Customer Relations Manager for good cause.

2. Customer Relations Manager Processes Complaints

The Customer Relations Manager will review the complaint, take appropriate action, and respond to the complainant on the disposition of the complaint.

16 DE Reg. 1191 (05/01/13)

1008 PROVIDING POLICY INFORMATION

45 CFR 205.70

This policy applies to all policy manuals and other policy information issued by the Division of Social Services (DSS) or the Division of Medicaid and Medical Assistance (DMMA).

1. Policy Information is Available for Inspection

Policy information includes:

- A. Rules and regulations governing eligibility.
- B. The need for and the amount of assistance granted by DSS or DMMA.
- C. Recipients' rights and responsibilities.
- D. All services offered by DSS or DMMA.

A current copy of the policy manuals and other policy material is kept at the State Office and at each local office. The policy information is available for inspection upon request during regular hours of agency operation. **Policy information is also available on line at <http://regulations.delaware.gov/AdminCode/title16/>.**

2. State Office Provides Copies of Policy Information

A current copy of the policy manuals and other policy material is available without charge to Public Libraries and to individuals or other agencies who request the material if they:

- A. Are accessible to the recipient population they serve.
- B. Accept responsibility for filing all amendments and changes forwarded by the Division.

3. Staff Make Copies of Policy Information for Fair Hearings**A. Fair Hearings:**

If requested, staff will make copies of specific policy material for an applicant, recipient, or his representative to determine whether a fair hearing should be requested or to prepare for a fair hearing. There is no cost for these copies.

B. Other Reasons:

If requested, staff will make copies of the policy manual and other policy material for any individual who requests such material. The individual is charged by the page for the copies at the current Division established rate for photo copies. The first 20 pages of standard-sized, black and white copies are free of charge.

16 DE Reg. 1191 (05/01/13)

1009 Arranging Interpreter and Translation Services for Limited English Proficient Individuals

This policy applies to individuals who have limited English proficiency and require the services of an interpreter or translator to provide information to, or receive information from DSS.

DSS Workers Arrange for Interpreter Services

DSS provides interpreter services to limited English proficient individuals who need an interpreter. The receptionist will identify the need for services when the individual arrives at the office. Bilingual staff or a contracted vendor will provide the services. A listing of contracted vendors is available in the Interpreter and Translation Services Administrative Notice.

DSS Workers Arrange for Translation Services

DSS translates forms and documents into languages common in Delaware. This includes translating an application for our customers. The DSS Worker will send requests for document or form translation to the DSS Policy Unit. See the Interpreter and Translation Services Administrative Notice.

16 DE Reg. 869 (02/01/13)

1010 Arranging Services for Individuals with Hearing Impairments

This policy applies to individuals who have a hearing impairment and require auxiliary aids or services to provide information to, or receive information from DSS.

DSS Supervisors Arrange for Sign Language Interpreters

DSS provides sign language interpreters or other auxiliary aids for individuals who have a hearing impairment. The receptionist will identify the need for services or auxiliary aids when the individual arrives at the office. Use of these services or auxiliary aids must be approved by the Supervisor.

A contracted vendor will provide the individual with effective communication services. A listing of contracted vendors is available in the Interpreter and Translation Services Administrative Notice.

16 DE Reg. 869 (02/01/13)