

# DEPARTMENT OF HEALTH AND SOCIAL SERVICES

## DIVISION OF SOCIAL SERVICES

Statutory Authority: 31 Delaware Code, Section 512 (31 **Del.C.** §512)  
16 **DE Admin. Code** 11003.2.1

### PROPOSED

### PUBLIC NOTICE

#### Child Care Subsidy Program

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the **Delaware Code**) and under the authority of Title 31 of the **Delaware Code**, Chapter 5, Section 512, Delaware Health and Social Services (DHSS) / Division of Social Services is proposing to amend policies in the Division of Social Services Manual (DSSM) regarding the Child Care Subsidy Program, specifically, *Sanctioning TANF and Transitional Work Program Recipients*.

Any person who wishes to make written suggestions, compilations of data, testimony, briefs or other written materials concerning the proposed new regulations must submit same to Sharon L. Summers, Policy, Program & Development Unit, Division of Social Services, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906 or by fax to (302) 255-4425 by April 30, 2011.

The action concerning the determination of whether to adopt the proposed regulation will be based upon the results of Department and Division staff analysis and the consideration of the comments and written materials filed by other interested persons.

#### SUMMARY OF PROPOSED CHANGE

The proposal described below amends policies in the Division of Social Services Manual (DSSM) regarding the Child Care Subsidy Program, specifically, *Sanctioning TANF and Transitional Work Program Recipients*.

#### Statutory Authority

45 CFR §98.20, *A child's eligibility for child care services*

#### Summary of Proposed Change

**DSSM 11003.2.1, ~~TANF and Transitional Work Program Sanctions~~ *Sanctioning TANF and Transitional Work Program Recipients***: This rule revision restricts TANF and Transitional Work Program (TWP) recipients to self-arranged care when cooperating to cure a second TANF or TWP sanction. An additional change is proposed to rename this section to better describe its content.

#### DSS PROPOSED REGULATION #11-10

#### REVISIONS:

#### **11003.2.1 ~~TANF and Transitional Work Program Sanctions~~ *Sanctioning TANF and Transitional Work Program Recipients***

Recipients who fail without good cause to meet requirements for the TANF Employment and Training or Transitional Work Program are sanctioned.

When TANF recipients receive a full family sanction or fail without good cause to comply with the Transitional Work Program (TWP), they lose their TANF Child Care. This means their child care case will ~~be closed~~ close. In order to regain TANF Child Care, recipients must work to cure the sanction, ~~meaning they must cooperate~~ by cooperating with their TANF or TWP requirements.

Clients curing their TANF sanction may be eligible for child care under Presumptive Child Care Services (DSSM 11004.8).

Clients working to cure their TANF and/or TWP sanctions may only use self arranged care. Clients may choose any child care option beginning the month after the sanction is cured.

See 11003.2.1 TANF & Transitional Work Program - History

See 11003.7.8 Special Needs

See 3017.1 Transitional Work Program

**14 DE Reg. 1008 (04/01/11) (Prop.)**

