

DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF MEDICAID AND MEDICAL ASSISTANCE
Statutory Authority: 31 Delaware Code, Section 512 (31 Del.C. §512)
16 DE Admin. Code 17000

FINAL

ORDER

Delaware Social Services Manual (DSSM) Section 17000

NATURE OF THE PROCEEDINGS:

Delaware Health and Social Services ("Department") / Division of Medicaid and Medical Assistance initiated proceedings to amend the Delaware Social Services Manual (DSSM) regarding section 17000, specifically, to update the table of contents. The Department's proceedings to amend its regulations were initiated pursuant to 29 Delaware Code Section 10114 and its authority as prescribed by 31 Delaware Code Section 512.

The following regulatory action is exempt from the Administrative Procedures Act in accordance with 29 Delaware Code, Ch. 101, §10113(b)(4), which exempts from the procedural requirements of the Administrative Procedures Act (APA) regulations for existing regulations to make non-substantive changes in existing regulations to alter style or form or to correct technical errors.

SUMMARY OF PROPOSAL

Purpose

The purpose of the amendment is to ensure consistency within the sections of the DSSM.

Effective for services provided on and after October 11, 2019 Delaware Health and Social Services/Division of Medicaid and Medical Assistance (DHSS/DMMA) proposes to amend Delaware Social Services Manual (DSSM) regarding section 17000, specifically, to remove the table of contents.

Background

Portals and websites provide the government with the opportunity to share details about operations, policy and practices. Information posted should be easy to access, clear and consistently formatted.

The Delaware Social Services Manual (DSSM) is part of Title 16 of the Delaware Administrative Code which is the official version of the regulation of the State of Delaware.

These are regulations used in determining eligibility for cash assistance, food benefits, medical assistance, and child subsidies. These are programs administered by the Division of Social Services (DSS) and the Division of Medicaid and Medical Assistance (DMMA).

Statutory Authority

31 Del.C. §512

Citation

29 Del.C. Ch. 101 §10113, Adoption of Regulations; Exemptions

Fiscal Impact Statement

There is no anticipated fiscal impact to the agency.

FINDINGS OF FACT:

The Department finds that the proposed changes as set forth in the August 2019 *Register of Regulations* should be adopted.

THEREFORE, IT IS ORDERED, that the proposed regulation to amend the Delaware Social Services Manual (DSSM) regarding section 17000, specifically, to remove the table of contents, is adopted and shall be final effective August 12, 2019.

6/25/19

Date of Signature

Kara Odom Walker, MD, MPH, MSHS, Secretary,
DHSS

17000 SSI Related Programs

~~17000 Family and Community Medical Assistance—SSI Related Programs~~

The following section describes the eligibility groups that are categorically related to the SSI program.

~~17100 SSI Beneficiaries~~

~~17110 Individuals Who Would Be SSI Beneficiaries Except for July, 1972 Increase in OASDI Benefits~~

~~17120 Recipients of Mandatory State Supplementary Payments~~

~~17130 1619 (b) Eligibles~~

~~17130.1 Eligibility Determination~~

~~17140 "Pickle Amendment"—Loss of SSI Benefits Due to COLA Increases~~

~~17140.1 Eligibility Determination~~

~~17140.2 Computation of COLA Disregard~~

~~17140.2.1 Computation of COLA Disregard for Pickles~~

~~17150 Widows/Widowers (Age 60-64)~~

~~17150.1 Eligibility Determination~~

~~17155 Widows/Widowers with Disabilities (Age 50-59)~~

~~17155.1 Eligibility Determination~~

~~17160 Adult Children with Disabilities~~

~~17160.1 Eligibility Determination~~

~~17170 Section 4913 Children with Disabilities~~

~~17200 Disabled Children—Program Renamed (See 25000 Section)~~

~~17300 Qualified Medicare Beneficiaries~~

~~17300.1 Application Process~~

~~17300.2 Medicare Entitlement~~

~~17300.3 Financial Eligibility~~

~~17300.3.1 COLA Disregard~~

~~17300.3.2 Income~~

~~17300.3.2.1 Excluded Income~~

~~17300.3.2.2 What is Not Income~~

~~17300.3.2.3 Gross Income~~

~~17300.3.2.4 Earned Income~~

~~17300.3.2.5 Unearned Income~~

~~17300.3.2.6 Income Computation~~

~~17300.4 Effective Date of Coverage~~

~~17300.4.1 Retroactive Coverage Precluded~~

~~17300.5 Benefits~~

~~17300.6 Redetermination of Eligibility~~

~~17300.7 Identification of Beneficiaries~~

~~17300.8 Payments to Providers~~

~~17400 Specified Low Income Medicare Beneficiaries~~

~~17400.1 Income Limits~~

~~17400.1 SLMB Income Limits~~

~~17400.1.1 COLA Disregard~~

~~17400.2 Retroactive Coverage~~

~~17400.3 Redetermination of Eligibility~~

~~17500 Qualifying Individuals~~

~~17510 Qualifying Individuals 1~~

- ~~17520 Qualifying Individuals 2~~
- ~~17530 COLA Disregard~~
- ~~17540 Retroactive Coverage~~
- ~~17550 Capped Allocation~~
- ~~17560 Redetermination of Eligibility~~
- ~~17700 Qualified and Disabled Working Individuals (QDWI)~~
 - ~~17700 Income Limits~~
 - ~~17700.1 Application Process~~
 - ~~17700.2 Medicare Beneficiary~~
 - ~~17700.3 Financial Eligibility~~
 - ~~17700.3.1 Income~~
 - ~~17700.4 Effective Date of Coverage~~
 - ~~17700.4.1 Retroactive Coverage~~
 - ~~17700.5 Redetermination of Eligibility~~
 - ~~No Retroactive eligibility~~
- ~~17800 Medical Assistance During Transition to Medicare~~
 - ~~17801 Status Eligibility~~
 - ~~17802 Financial Eligibility~~
 - ~~17803 Determination Eligibility~~
 - ~~17804 Income Standard~~
 - ~~17805 Payment Level~~

23 DE Reg. 127 (08/01/19) (Final)