

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF SOCIAL SERVICES

Statutory Authority: 31 Delaware Code, Section 512 (31 Del.C. §512)

PROPOSED

PUBLIC NOTICE

DSSM: 3034 General Assistance Time Limits; 4007.1 Standards of Need/Payment Standard - GA

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 Delaware's General Assistance Program.

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 Tuesday, March 2, 2010.

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 CHANGES

The proposal described below amends policies in the Division of Social Services Manual (DSSM) regarding Delaware's General Assistance Program. The proposed change also adds new policy language to the Technical Eligibility for Cash Assistance section.

Statutory Authority

31 Del.C. §503, Eligibility for Assistance; Amount; Method of Payment; and,
31 Del.C. §505, Categories of Assistance

Summary of Proposed Changes

DSSM 3034.1, Determining Time Limits for General Assistance Recipients and DSSM 4007.1, Standards of Need/Payment Standard - GA: The Division of Social Services (DSS) is making several changes to General Assistance (GA) policy to ensure that the limited funds available to the program may be used to provide assistance for the duration of the State fiscal year and is distributed to the neediest recipients.

Specifically, the proposed rule changes:

- 1) Takes the GA Payment Standard and Standard of Need amounts out of the DSS policy manual.
- 2) Creates a rule requiring annual notification by Administrative Notice of the GA Standard of Need and Payment Standard. Creates a rule requiring an administrative notice at least 30 days prior to a change in the Payment Standard and Standard of Need
- 3) Establishes policy allowing separate Payment Standards and Standards of Need for adults and children receiving GA.
- 4) Creates a 24 month time limit for adult recipients of GA after January 31, 2010.

DSS PROPOSED REGULATIONS #10-01

NEW:

3034 General Assistance Time Limits

3034.1 Determining Time Limits for General Assistance Recipients:

This policy applies to General Assistance recipients who are 18 years old and older.

1. Effective to February 1, 2010 General Assistance is a time limited program for adult recipients.

2. After January 31, 2010 adults may only receive GA for up to 24 months.

Exception: GA recipients who have applied for SSI and whose SSI determination is pending may continue to receive GA past the 24 month time limit.

13 DE Reg. 1032 (02/01/10) (Prop.)

(Break In Continuity of Sections)

REVISION:

4007.1 Standards of Need/Payment Standard - GA

Number in Budget	Basic Personal Needs, Including Shelter and Utilities
1	\$123.00
2	166.00
3	224.00
4	263.00
5	324.00
6	371.00
7	416.00

This policy applies to all General Assistance applicants and recipients.

1. The Payment Standard is equal to the Standard of Need.

2. The Division of Social Services determines the Standard of Need.

3. The Division of Social Services may establish different Standards of Need for children and adults.

4. The Division of Social Services will issue an administrative notice detailing Standard of Need changes at least 30 days prior to an implementation of a Standard of Need change.

5. The Division of Social Services will issue an administrative notice annually detailing the current Standard of Need.