

DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF SOCIAL SERVICES
Statutory Authority: 31 Delaware Code,
Section 512 (31 Del.C. §512)

ORDER

FINAL

9068.1 Certification Period Length

Nature Of The Proceedings

Delaware Health and Social Services (“Department”) / Division of Social Services initiated proceedings to amend the Division of Social Services Manual (DSSM) as it relates to the Food Stamp Program. The Department’s proceedings to amend its regulations were initiated pursuant to 29 **Del.C.** §10114 and its authority as prescribed by 31 **Del.C.** §512.

The Department published its notice of proposed regulation changes pursuant to 29 **Del.C.** §10115 in the May 2004 Delaware Register of Regulations, requiring written materials and suggestions from the public concerning the proposed regulations to be produced by May 31, 2004 at which time the Department would receive information, factual evidence and public comment to the said proposed changes to the regulations.

Summary Of Proposed Change

Citations

7 CFR 273.10(f) – Certification Periods

7 CFR 273.12(a)(1)(vii) – Household Responsibility to Report

In October 2003, DSS expanded simplified reporting to all households except households where all members are elderly or disabled without earned income. Simplified reporting means those household only have to report when their monthly gross income exceeds 130% of the Federal Poverty Level (FPL) for the household size. Households are given that amount when they are approved. Households subject to simplified reporting must have a certification period of six-months. Households, where all members are elderly or disabled without earned income, can be given a 12-month certification period. These households are called change reporters and must report changes when the household becomes aware of the change. To support simplified reporting, which has helped lower our food stamp error rate, the DCIS system was programmed to give households based on their circumstances either a six or twelve month certification period. Policy under 9068 is being changed to reflect that change.

Summary Of Comments Received With Agency Response

DSS thanks the Delaware Developmental Disabilities Council (DDDC) and the State Council for Persons with Disabilities (SCPD) for the following endorsement: Most families are assigned a 6-month certification and only need to report if monthly gross income exceeds 130% of the Federal Poverty Level. The regulation allows families whose members are exclusively “elderly or disabled” a 12-month certification period. Longer certification periods are generally correlated with less paperwork for families. DDDC and SCPD endorse the concept of the regulation.

Findings Of Fact

The Department finds that the proposed changes as set forth in the May 2004 Register of Regulations should be adopted.

THEREFORE, IT IS ORDERED, that the proposed regulation to amend the Food Stamp Program regarding the Certification Period Length is adopted and shall be final effective July 10, 2004.

Vincent P. Meconi,
Secretary, Department of Health
and Social Services

Date of Signature 6.15.2004

REVISIONS:

9068.1 Certification Period Length

DSS will assign the longest certification period possible according to each household's circumstances.

~~Households should be assigned certification periods of at least 6 months, unless the household's circumstances are unstable or the household contains an ABAWD.~~

~~Households with unstable circumstances, such as households with zero net income, and households with an ABAWD member should be assigned shorter certification periods but not less than 3 months.~~

~~Only assign 1-2 month certification periods when it appears likely that the household will become ineligible for food stamps in the near future.~~

Households subject to change reporting where all members are elderly or disabled and have no earned income will be assigned a 12-month certification period.

Households subject to simplified reporting will be assigned a 6-month certification period. A shorter certification period of no less than 4 months can be assigned on a case-by-case basis if the household's circumstances warrant it.

2 DE Reg. 2271 (6/1/1999)

8 DE Reg. 113 (7/1/04)