

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

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

**PROPOSED**

**PUBLIC NOTICE**

**Food Stamp Program 9044.1 Newly-Certified Households**

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 Food Stamp Program policies in the Division of Social Services Manual (DSSM) regarding newly-certified households.

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 July 31, 2008.

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 proposed change described below amends the Food Stamp Program policies in the Division of Social Services Manual (DSSM) regarding newly-certified households.

**Statutory Authority**

7 CFR §274.2, *Providing Benefits to Participants*

**Summary of Proposed Changes**

**DSSM 9044.1, *Newly-Certified Households***: Remove language references to the old issuance method of mailing benefits and replacing with Electronic Benefit Transfer (EBT) processing language.

**DMMA PROPOSED REGULATION #08-22**

**REVISION:**

**9044 Providing Benefits to Participants**

[274.2]

DSS is responsible for the timely and accurate issuance of benefits to certified eligible households. Assist those households comprised of elderly or disabled members which have difficulty reaching issuance offices, and households which do not reside in a permanent dwelling or a fixed mailing address by finding authorized representatives to act on their behalf or by other appropriate means.

**9044.1 Newly-Certified Households**

All newly certified households, except those that are given expedited service, must be given an opportunity to participate no later than thirty (30) calendar days following the date the application was filed. An opportunity to participate consists of providing households with access to their benefits, ~~or having issuance facilities open and available for the households to obtain their benefits. Benefits must be mailed in time to assure that they are received, but before the 30-day standard expires.~~ A household has not been provided an opportunity to participate within the 30-day standard if the benefits are mailed on the 29th or 30th day. Neither has an opportunity to participate been provided if the benefits are issued on the 28th day, but no issuance facility is open on the 30th day not posted to their EBT account by the 30<sup>th</sup> day.

**12 DE Reg. 22 (07/01/08) (Prop.)**