

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF SOCIAL SERVICES

Statutory Authority: 31 Delaware Code, Section 503(c) (31 **Del.C.** §503(c))
16 **DE Admin. Code** 3034

PROPOSED

PUBLIC NOTICE

3034 General Assistance Time Limits

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 General Assistance, specifically, *General Assistance Time Limits*.

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 October 31, 2012.

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 PROPOSAL

The proposal described below amends policies in the Division of Social Services Manual (DSSM) regarding General Assistance, specifically, *General Assistance Time Limits*.

Statutory Authority

31 **Del.C.** §503(c), *Eligibility for Assistance; General Assistance*

General Assistance

General Assistance is a State-funded program designed to provide cash assistance to families and unemployable individuals who meet the financial eligibility requirements of the program and who do not qualify for federally funded programs, such as Temporary Assistance for Needy Families (TANF) or Social Security benefits.

Summary of Proposed Change

DSSM 3034, ~~General Assistance Time Limits~~ RESERVED: The agency had created a twenty-four (24) month limit for the receipt of General Assistance, effective February 1, 2010. This rule has not been implemented and is being repealed. The Division of Social Services (DSS) had implemented a 24-month time limit for the receipt of General Assistance (GA). Many recipients if not most of the GA caseload are destitute and have no access to other cash resources to meet basic needs. Given the unavailability of other resources, the vulnerability of the population in the program, and the relative stabilization of the General Assistance caseload, DSS is repealing the 24-month time limit.

DSS PROPOSED REPEAL REGULATION #12-44

REVISION:

3034 ~~General Assistance Time Limits~~ RESERVED

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. 1333 (04/01/10)

16 DE Reg. 378 (10/01/12) (Prop.)