

# 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** 11003.2.1

### PROPOSED

#### 11003.2.1 Sanctioning TANF and Transitional Work Program Recipients

### PUBLIC NOTICE

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 the Child Care Subsidy Program, specifically, *Sanctioning TANF and Transitional Work Program Recipients*.

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 proposed change described below amends Child Care Subsidy Program policies in the Division of Social Services Manual (DSSM) regarding *TANF and Transitional Work Program Sanctions*.

#### Statutory Authority

45 CFR §98.20, *A child's eligibility for child care services*

#### Summary of Proposed Change

**DSSM 11003.2.1, *TANF and Transitional Work Program Sanctions*:** The policy on TANF Sanctions includes sanctions that may be applied as a result of noncompliance with the Transitional Work Program (TWP). The Division of Social Services (DSS) proposes to remove policy language that addresses the requirements for clients who are working to cure a second or subsequent TANF and/or TWP sanction. These requirements have not been implemented operationally. The Division may reconsider for future rulemaking once these provisions can be supported by the Delaware Client Information System (DCIS), Delaware's integrated eligibility system.

#### DSS PROPOSED REGULATION #12-45

#### REVISIONS:

#### 11003.2.1 Sanctioning TANF and Transitional Work Program Recipients

Recipients who fail without good cause to meet requirements for the TANF Employment and Training or Transitional Work Program are sanctioned.

When TANF recipients receive a full family sanction or fail without good cause to comply with the Transitional Work Program (TWP), they lose their TANF Child Care. This means their child care case will close. In order to regain TANF Child Care, recipients must work to cure the sanction by cooperating with their TANF or TWP requirements.

Clients curing their TANF sanction may be eligible for child care under Presumptive Child Care Services (DSSM 11004.8).

~~Clients working to cure a second or subsequent TANF and/or TWP sanction may only use self arranged care. Clients may choose any child care option beginning the month after the sanction is cured.~~

~~[NOTE: Clients must use self arranged care each time they are sanctioned. This requirement applies until they cooperate with their TANF or TWP requirements for 12 consecutive months.]~~

~~See 11003.2.1 TANF & Transitional Work Program - History~~

~~See 11003.7.8 Special Needs~~

~~See 3017.1 Transitional Work Program~~

**13 DE Reg. 1337 (04/01/10)**

**14 DE Reg. 1373 (06/01/11)**

