

DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF SOCIAL SERVICES

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

FINAL

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

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) regarding Delaware's General Assistance Program. The Department's proceedings to amend its regulations were initiated pursuant to 29 Delaware Code Section 10114 and its authority as prescribed by 31 Delaware Code Section 512.

The Department published its notice of proposed regulation changes pursuant to 29 Delaware Code Section 10115 in the February 2010 *Delaware Register of Regulations*, requiring written materials and suggestions from the public concerning the proposed regulations to be produced by March 2, 2010 at which time the Department would receive information, factual evidence and public comment to the said proposed changes to the regulations.

Summary of Proposed Changes

As a reminder, 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.

Summary of Comments Received with Agency Response

No public comments were received by the promulgating agency.

Findings of Fact:

The Department finds that the proposed changes as set forth in the February 2010 Register of Regulations should be adopted.

THEREFORE, IT IS ORDERED, that the proposed regulation to amend the Division of Social Services Manual (DSSM) regarding *Determining Time Limits for General Assistance Recipients and Standard of Need/Payment Standard - GA* is adopted and shall be final effective April 10, 2010.

Rita M. Landgraf, Secretary, DHSS

DSS FINAL ORDER REGULATIONS #10-15

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. 1333 (04/01/10)

(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.