

# DEPARTMENT OF HEALTH AND SOCIAL SERVICES

## DIVISION OF SOCIAL SERVICES

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

### PROPOSED

### PUBLIC NOTICE

#### DSSM: 11003.2.1, TANF and Transitional Work Program Sanctions

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

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 March 2, 2010.

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 CHANGE

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 §98.14, *Plan process*

#### Summary of Proposed Change

**DSSM 11003.2.1, *TANF and Transitional Work Program Sanctions*:** The policy on TANF Sanctions is updated to include sanctions that may be applied as a result of noncompliance with the Transitional Work Program. It also corrects policy to indicate that TANF E&T sanctions are full family sanctions which close the case.

#### DSS PROPOSED REGULATION #10-04

#### REVISION:

#### 11003.2.1 TANF and Transitional Work Program Sanctions

~~See Administrative Notice: A-7-99 Child Care Issues-~~

~~Recipients who fail without good cause to meet requirements for the TANF Employment and Training or Transitional Work Program are sanctioned. A sanction means that the recipient's needs are not considered in determining the family's need for assistance and the recipient loses her/his share of the TANF grant.~~

~~When these TANF recipients receive a full family sanctions, or fail to comply with the Transitional Work Program (TWP), they lose their TANF Child Care. This means their child care case will be closed. In order to retain TANF Child Care, the recipients will have to must cure the sanction, meaning they will have to must cooperate with their TANF or TWP requirements, or they will have to become exempt.~~

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

13 DE Reg. 1048 (02/01/10) (Prop.)