

DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF SOCIAL SERVICES
Statutory Authority: 31 Delaware Code, Section 512 (31 Del.C. §512)

PROPOSED

PUBLIC NOTICE

Child Care Subsidy Program

Determining Income Eligibility

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, *Determining Income Eligibility*.

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 June 30, 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 the Child Care Subsidy Program, specifically, *Determining Income Eligibility*.

Statutory Authority

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

Summary of Proposed Changes

DSSM 11003.6, ~~Income Limits~~ *Determining Income Eligibility*: The name of the section is being changed to more accurately indicate the content of the policy. This policy section is reformatted and clarifying language is also provided to make the rules easier to understand and follow. Specifically, this regulatory action adds the statement that families that are referred by and active with the Delaware Division of Family Services (DFS) are exempt from the income requirements. This exemption has long been in practice and is also found in DSSM 11003.9.2. The applicable federal citation is also added to the policy section.

DSS PROPOSED REGULATION #12-24

REVISION:

11003.6 Income ~~Limits~~ *Determining Income Eligibility*

45 CFR 98.20

~~To be eligible for child care services, a family is to have gross income equal to or less than 200 percent of the current federal poverty level for a family of equal size. This income requirement typically applies to all income eligible child care programs. Refer to the most current Cost of Living Adjustment Administrative Notice for current rates.~~

This policy applies to applicants for and recipients of child care assistance.

1. Gross Income Is Capped

Gross monthly income must be equal to or less than 200% of the Federal Poverty Limit for the family size.

2. Income Requirement

The income requirement applies to all income eligible child care programs.

<u>Exception: Families referred by and active with the Division of Family Services do not have to meet the income limit.</u>
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