

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF SOCIAL SERVICES

Statutory Authority: 31 Delaware Code, Section 512 (31 Del.C. §512)
16 DE Admin. Code 9055

PROPOSED

PUBLIC NOTICE

Food Supplement Program

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code), 42 CFR §447.205, and under the authority of Title 31 of the Delaware Code, Chapter 5, Section 512, Delaware Health and Social Services (DHSS) is proposing to amend the Division of Social Services Manual regarding the Food Supplement Program, specifically, *to define household income*.

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, Planning, Policy and Quality Unit, Division of Medicaid and Medical Assistance, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906, by email to Nicole.M.Cunningham@delaware.gov, or by fax to 302-255-4413 by 4:30 p.m. on April 1, 2019. Please identify in the subject line: Food Supplement Program.

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 purpose of this notice is to advise the public that Delaware Health and Social Services (DHSS)/Division of Social Services (DSS) is proposing to amend Division of Social Services Manual regarding the Food Supplement Program, specifically, *to define household income*.

Statutory Authority

7 CFR 273.9 (b)

Background

The policy has been amended to more clearly define household income and income reporting requirements for the Food Supplement Program.

Summary of Proposal

Purpose

This policy defines household income for the Food Supplement Program.

Summary of Proposed Changes

Effective for services provided on and after May 11, 2019 Delaware Health and Social Services/Division of Social Services proposes to amend section 9055 of the Division of Social Service Manual.

Public Notice

In accordance with the *federal* public notice requirements established at Section 1902(a)(13)(A) of the Social Security Act and 42 CFR 447.205 and the state public notice requirements of Title 29, Chapter 101 of the Delaware Code, Delaware Health and Social Services (DHSS) gives public notice and provides an open comment period for thirty (30) days to allow all stakeholders an opportunity to provide input on the proposed regulation. Comments must be received by 4:30 p.m. on April 1, 2019.

Fiscal Impact

This is an existing policy that defines a program component. There is no fiscal impact associated with this policy.

POLICY – AMENDMENT

Delaware Department of Health and Social Services
Division of Social Services
Policy and Program Development Unit

9055 ~~Definition of~~ Defining Household Income

~~[273.9(b)]~~

~~Household income means all income from whatever source, excluding only the exceptions listed at DSSM 9058 and DSSM 9059.~~

7 CFR 273.9 (b)

DSS must consider household income when determining food benefit eligibility.

- 1. Household income means the combined income of all members of a food benefit household from all sources, excluding only the exceptions listed in DSSM 9058 and DSSM 9059.**
- 2. DSS requires applicants and participants of the Food Supplement Program to report household income from all sources, including both earned and unearned income.**

22 DE Reg. 740 (03/01/19) (Prop.)