

December 27, 2017

Nicole M. Cunningham  
Planning, Policy & Quality Unit  
Division of Medicaid & Medical Assistance  
1901 N. DuPont Hwy.  
P.O. Box 906  
New Castle, DE 19720-0906

**RE: DSS Proposed Drug Conviction Bar on TANF Eligibility Regulation [21 DE Reg. 477  
(December 1, 2017)]**

Dear Ms. Cunningham:

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed the Delaware Health and Social Services/Division of Social Services (DSS) proposal to amend the Division of Social Services Manual in regard to removing the restriction against Temporary Assistance for Needy Families (TANF) program eligibility for persons convicted of a drug felony. Council **endorses** the proposed amendment.

The proposed regulation implements House Bill No. 11, which was enacted in 2017, by striking the DSS regulation which imposed the drug conviction eligibility ban. Council would like to note a concern over the difference between the House Bill No. 11 fiscal note (projecting \$33,810 10-month State funds impact in SFY18) and the regulation's fiscal impact of \$312,012 12-month State funds impact in FFY18). This difference is significant and it seems possible that the \$312,012 figure is inaccurate. Council suggests the DSS review the fiscal impact section of the regulation to determine the accuracy of the \$312,012 figure.

Thank you for your consideration of our endorsement and observations. Please contact me or Wendy Strauss at the GACEC office if you have any questions.

Sincerely,

Dafne A. Carnright  
Chairperson

DAC:kpc