



Governor's Advisory Council for Exceptional Citizens (GACEC) 516 West Loockerman St., Dover, DE 19904  
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March 24, 2023

Planning and Policy Unit  
Division of Medicaid and Medical Assistance  
1901 North DuPont Highway/P O Box 906  
New Castle, DE 19720-0906

**RE: 26 DE Reg. 754 DHSS/DMMA Daily Living Needs Allowance Regulations (March 1, 2023)**

To Whom It May Concern:

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed the Delaware Health and Social Services/Division of Medicaid and Medical Assistance (DHSS/DMMA) proposal to amend this regulation to clarify internal policies and procedures for calculating the Daily Needs Allowance for individuals participating in the Long Term Care Community Services (LTCCS) Program. The Patient Pay Calculation is a post-eligibility determination of how much a recipient must pay while receiving either Lifespan or LTCCS and is dependent on setting. A Daily Needs Allowance is calculated, and the amount deducted from income to establish the Patient Pay Amount. Council **supports** the proposed amendment; however, we would ask that DMMA clear up the ambiguity created by the language regarding wages being totally protected. Council could not be sure if the current language refers to individuals who are in residential and assisted living and is not applicable to individuals who are living in the community, whose total income is already deducted. The regulation would benefit from being amended for clarity.

Thank you for your time and consideration of our support and request to clear up ambiguity in the current language. Please feel free to contact Pam Weir or me should you have any questions on our comments.

Sincerely,

*Ann C Fisher*

Ann C. Fisher  
Chairperson

ACF: kpc