



STATE OF DELAWARE  
STATE COUNCIL FOR PERSONS WITH DISABILITIES  
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MEMORANDUM

DATE: November 2, 2012

TO: Ms. Sharon L. Summers, DMMA  
Planning & Policy Development Unit

FROM: Daniese McMullin-Powell, Chairperson  
State Council for Persons with Disabilities

RE: 16 DE Reg. 426 [DSS Final Emergency Assistance Reg.]  
16 DE Reg. 319 [DSS Final Child Subsidy Program Technical Eligibility Reg.]

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Health and Social Services/Division of Social Services (DSS) final regulations regarding its emergency assistance program [16 DE Reg. 426 (10/1/12)] and child care subsidy program [16 DE Reg. 319 (9/1/12)]. SCPD commented on the proposed version of 16 DE Reg. 426 in August 2012 and a proposed version of 16 DE Reg. 319 in July 2012. The Division of Social Services has now adopted final regulations incorporating some amendments prompted by the commentary. SCPD appreciates that the Division considered our comments, but has the following observations.

Regarding both regulations, SCPD observed that there were many instances in which punctuation had been omitted. The Council recommended inclusion of appropriate punctuation. DSS responded in the October 1, 2012 Register of Regulations as follows:

DSS uses the Gregg Reference Manual for style and punctuation guidance. The punctuation used in the proposed regulation is consistent with the Gregg manual.

This is the same rationale for omitting punctuation cited by DSS in the September 1, 2012 Register of Regulations in connection with its Final Child Subsidy Program Technical Eligibility Regulation [16 DE Reg. 319 (9/1/12)].

This is an "odd" response for the following reasons:

A. The Delaware Administrative Code Drafting & Style Manual [hereinafter "Delaware Manual"] which can be downloaded at <http://regulations.delaware.gov/documents/drafting&stylemanual.pdf> is the preferred reference guide for publication of regulations, not the "Gregg Reference Manual".

B. The illustrations of regulations in the Delaware Manual uniformly use punctuation. See, e.g., §6.2.3.

C. The Delaware Manual recites that “(r)egulations should be uniform in style and language conventions and be drafted in a clear and concise manner...” At p. 2. All of the DSS regulations surrounding the new §11003 use commas, semicolons, periods, and standard punctuation. It is not “uniform” to have 1 “outlier” regulation which is devoid of punctuation within an extensive set of regulations with punctuation.

SCPD is sharing this information for your consideration so the Division does not adopt an on-going practice of omitting punctuation in prospective regulations.

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding our observations on the final regulations.

cc: Ms. Elaine Archangelo  
Ms. Deborah Gottschalk  
Mr. Brian Hartman, Esq.  
Governor’s Advisory Council for Exceptional Citizens  
Developmental Disabilities Council

16reg426 dss-final emergency assistance 11-1-12