



MURIEL BOWSER
MAYOR

September 25, 2024

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Ave. NW, Suite 504
Washington, DC 20004

Dear Chairman Mendelson:

Enclosed for consideration and adoption by the Council of the District of Columbia is the "Grandparent Caregivers Eligibility Determination Rules Approval Resolution of 2024" along with an accompanying draft Notice of Final Rulemaking for the Grandparent Caregivers Pilot Program.

The rules are being submitted to the Council for its approval in accordance with section 106 of the Grandparent Caregivers Pilot Program Establishment Act of 2005, effective March 8, 2006 (D.C. Law 16-69; D.C. Official Code § 4-251.06).

The rules will amend Chapter 68 of Title 29 of the District of Columbia Municipal Regulations by eliminating the requirement that a grandparent caregiver obtain a Temporary Assistance for Needy Families (TANF) eligibility determination before applying for a subsidy under the Grandparent Caregivers Pilot Program.


I urge the Council to take prompt and favorable action on the enclosed resolution.

Sincerely,

A handwritten signature in black ink that reads "Muriel Bowser". The signature is stylized and cursive.

Muriel Bowser

Enclosures


Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To approve a proposed final rulemaking amending Chapter 68 of Title 29 of the District of Columbia Municipal Regulations, regarding the Grandparent Caregivers Pilot Program.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Grandparent Caregivers Eligibility Determination Rules Approval Resolution of 2024”.

Sec. 2. Pursuant to section 106 of the Grandparent Caregivers Pilot Program Establishment Act of 2005, effective March 8, 2006 (D.C. Law 16-69; D.C. Official Code § 4-251.06), the Council approves the proposed final rulemaking of the Director of the Child and Family Services Agency to amend section 6802.1 of Chapter 68 (Grandparent Caregivers Pilot Program Subsidies) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations regarding the Grandparent Caregivers Pilot Program, which was transmitted to the Council by the Mayor on September 25, 2024, and a notice of proposed rulemaking for which was published in the District of Columbia Register on May 31, 2024, at 71 DCR 6500.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, the Director of the Child and Family Services Agency, and the Administrator of the Office of Documents and Administrative Issuances.

32 Sec. 4. Fiscal impact statement.

33 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal
34 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
35 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

36 Sec. 5. Effective date.

37 This resolution shall take effect immediately.

CHILD AND FAMILY SERVICES AGENCY

NOTICE OF PROPOSED RULEMAKING

The Director of the Child and Family Services Agency, pursuant to the authority set forth in sections 102 and 106 of the Grandparent Caregivers Pilot Program Establishment Act of 2005, effective March 8, 2006 (D.C. Law 16-69; D.C. Official Code §§ 4-251.02, 4-251.06) (“Act”), and Mayor’s Order 2006-38, dated March 20, 2006, hereby gives notice of his intent to adopt the following amendments to Chapter 68 (Grandparent Caregivers Pilot Program Subsidies) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (“DCMR”) in not less than thirty (30) days after the date of publication of this notice in the *District of Columbia Register*, and following the review by the Council of the District of Columbia (“Council”) as required by section 106 of the Act. Pursuant to that section, the proposed rules will be transmitted to the Council and will be deemed approved upon the Council’s approval of the rules by resolution or the expiration of the Council’s thirty (30) day review period, whichever occurs first.

The proposed amendment eliminates the requirement that an applicant to the Grandparent Caregivers Pilot Program receive a Temporary Assistance for Needy Families (“TANF”) determination for the child for whom the applicant is the primary caregiver as a condition of eligibility to receive a subsidy through the program. CFSA anticipates that eliminating this requirement will reduce the time it takes for applicants to submit a completed application and receive a subsidy if eligible and approved. Applicants will still be required to have applied for TANF benefits for the child as a condition of eligibility.

Title 29, PUBLIC WELFARE, of the DCMR is amended as follows:

Chapter 68, GRANDPARENT CAREGIVERS PILOT PROGRAM SUBSIDIES, is amended as follows:

Subsection 6802.1(i) is amended to read as follows:

- (i) The applicant has applied for Temporary Assistance for Needy Families (TANF) benefits for the child through the Department of Human Services;

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing within thirty (30) days after the date of publication of this notice in the *District of Columbia Register*. Comments should be filed with Nina Jones, General Counsel, Child and Family Services Agency, by mail or hand delivery to 200 I Street, SE Washington, DC 20003 or by email to nina.jones@dc.gov or online at www.dcregs.dc.gov. Copies of these proposed rules may be obtained without charge at the address above or online at www.dcregs.dc.gov.

CHILD AND FAMILY SERVICES AGENCY

NOTICE OF FINAL RULEMAKING

as submitted to the Council for its approval pursuant to section 106 of the Grandparent Caregivers Pilot Program Establishment Act of 2005, effective March 8, 2006 (D.C. Law 16-69; D.C. Official Code § 4-251.06)

The Director of the Child and Family Services Agency, pursuant to the authority set forth in sections 102 and 106 of the Grandparent Caregivers Pilot Program Establishment Act of 2005, effective March 8, 2006 (D.C. Law 16-69; D.C. Official Code §§ 4-251.02, 4-251.06) (“Act”), and Mayor’s Order 2006-38, dated March 20, 2006, hereby gives notice of his adoption of the following amendment to Chapter 68 (Grandparent Caregivers Pilot Program Subsidies) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (“DCMR”).

The amendment eliminates the requirement that an applicant to the Grandparent Caregivers Pilot Program receive a Temporary Assistance for Needy Families (“TANF”) determination for the child for whom the applicant is the primary caregiver as a condition of eligibility to receive a subsidy through the program. CFSA anticipates that eliminating this requirement will reduce the time it takes for applicants to submit a completed application and receive a subsidy if eligible and approved. Applicants will still be required to have applied for TANF benefits for the child as a condition of eligibility.

A Notice of Proposed Rulemaking was published in the District of Columbia Register on May 31, 2024, at 71 DCR 6500. No comments were received. A proposed final rulemaking was transmitted to the Council for its approval in accordance with section 106 of the Grandparent Caregivers Pilot Program Establishment Act of 2005, effective March 8, 2006 (D.C. Law 16-69; D.C. Official Code § 4-251.06), pursuant to the Grandparent Caregivers Eligibility Determination Rules Approval Resolution of 2024, introduced on ----- (Proposed Res. 25----). The resolution was deemed approved by the Council on -----, 2024.

The Director of the Child and Family Services Agency adopted this rule as final on [date]. No changes were made to the text of the rule as proposed.

The rule shall become effective on the date of publication of this notice in the *District of Columbia Register*.

Title 29, PUBLIC WELFARE, of the DCMR is amended as follows:

Chapter 68, GRANDPARENT CAREGIVERS PILOT PROGRAM SUBSIDIES, is amended as follows:

Subsection 6802.1(i) is amended to read as follows:

- (i) The applicant has applied for Temporary Assistance for Needy Families (TANF) benefits for the child through the Department of Human Services;


Government of the District of Columbia
Office of the Chief Financial Officer



Glen Lee
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Glen Lee
Chief Financial Officer 

DATE: June 28, 2024

SUBJECT: Fiscal Impact Statement – Grandparent Caregivers Eligibility
Determination Rules Approval Resolution of 2024

REFERENCE: Draft Resolution as provided to the Office of Revenue Analysis on May
22, 2024

Conclusion

Funds are sufficient in the proposed fiscal year 2025 through fiscal year 2028 budget and financial plan to implement the resolution.

Background

Under current regulations, an applicant to the Child and Family Services Administration Grandparent Caregivers Pilot Program¹ (“Program”) must obtain a Temporary Assistance for Needy Families (TANF) eligibility determination for the child at the time of application to the Program.

The resolution approves a proposed rulemaking² eliminating this requirement. However, applicants will still be required to apply for TANF as a condition of ongoing Program eligibility.

Financial Plan Impact

Funds are sufficient in the proposed fiscal year 2025 through fiscal year 2028 budget and financial plan to implement the resolution. Program spending cannot exceed budgeted levels. The rule change will allow new participants to begin receiving benefits earlier, but it is not expected to change overall

¹ D.C. Official Code § 4-251.02.

² 29 DCMR 6802.1 Grandparent Caregivers Pilot Program Subsidies Proposed Rulemaking, May 17, 2024.

The Honorable Phil Mendelson

FIS: "Grandparent Caregivers Eligibility Determination Rules Approval Resolution of 2024", Draft resolution as provided to the Office of Revenue Analysis on May 22, 2024.

participation. It is possible a determination for TANF could be denied after a Program applicant has begun receiving benefits, but it is expected this will be a rare circumstance.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE ATTORNEY GENERAL



Legal Counsel Division

MEMORANDUM

TO: Tomás Talamante
Director
Office of Policy and Legislative Affairs

FROM: Megan D. Browder
Deputy Attorney General
Legal Counsel Division

DATE: July 23, 2024

RE: Grandparent Caregivers Eligibility Determination Rules Approval Resolution of 2024
(AE-24-349)

This is to Certify that the Office of the Attorney General has reviewed the legislation entitled the “Grandparent Caregivers Eligibility Determination Rules Approval Resolution of 2024” and determined that it is legally sufficient. If you have any questions, please do not hesitate to call me at (202) 724-5524.

A handwritten signature in black ink that reads "Megan D. Browder". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Megan D. Browder