



Department of Human Resources
311 West Saratoga Street
Baltimore MD 21201

FIA ACTION TRANSMITTAL

Control Number:

02-28

Effective Date: January 1, 2002

Issuance Date: November 17, 2001

**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT
FAMILY INVESTMENT SUPERVISORS AND ELIGIBILITY STAFF**

**FROM: CHARLES E. HENRY, EXECUTIVE DIRECTOR, FIA
JOSEPH DAVIS, EXECUTIVE DIRECTOR, OOE, DHMH**

**RE: CHILD FROM A SANCTIONED ASSISTANCE UNIT LIVING WITH
ANOTHER CARETAKER RELATIVE**

PROGRAM AFFECTED: TEMPORARY CASH ASSISTANCE

ORIGINATING OFFICE: OFFICE OF POLICY, RESEARCH AND SYSTEMS

SUMMARY:

This is one of several action transmittals for Temporary Cash Assistance (TCA) that is being issued as the result of the adoption of new Family Investment Program (FIP) Code of Maryland Regulations (COMAR 07.03.03.01 - .26). Prior FIP regulations were repealed and new FIP regulations were adopted in November 2001.

Prior to the adoption of the new regulations, there were only two instances when a child from a sanctioned TCA assistance unit could be included in another TCA assistance unit. These include a child from a sanctioned unit:

- When another caretaker relative has obtained legal guardianship for the child;
and
- Who has been placed in the home of a caretaker relative by social services.

ACTION REQUIRED:

Local departments and advocates have brought to our attention that there are other reasons that children can be living with another caretaker relative. Therefore, the following instances are allowed to meet the needs of these caretaker relatives who have children living with them who previously resided in a TCA assistance unit that was sanctioned.

These children from a sanctioned TCA case may be included in another TCA assistance unit when:

- The current caretaker relative:
 - Provides documentation of seeking legal guardianship for the child, or
 - Has obtained legal guardianship for the child.
- The child has been:
 - Left (by the caretaker in the sanctioned case) in the care of another relative and that relative provides documentation that social services is in the process of placing the child in his or her home, or
 - Placed in the home of a caretaker relative by social services
- A child from a sanctioned unit is living in the home of another caretaker relative when the caretaker relative in the sanctioned assistance unit:
 - Is institutionalized; or
 - Has cured the sanction or is exempt and, if a new TCA application had been filed, the assistance unit would be eligible (see example below).
- **For the institutionalized caretaker relative**, the children's caretaker relatives in sanctioned TCA cases can be incarcerated or may have been institutionalized for mental or physical health reasons.
- **For the caretaker relative who has cured the sanction or is exempt**, the sanction no longer prevents the children from receiving TCA in another assistance unit.

Example: In July, Ms. Kane's TCA case is sanctioned for failure to meet work requirements. In August, Ms. Kane left her three children with her mother in Somerset County. In October, the grandmother applies for TCA for the children because she is not able to take care of them on her own. She states that her daughter, Ms. Kane, is working full time and living in Baltimore City.

Grandmother provides verification that Ms. Kane is working 40 hours a week at the Hyatt in Baltimore. Grandmother can receive TCA for the children. If Ms. Kane applied for TCA for her family, her full-time employment cures the sanction and exempts her from work requirements.

ACTION DUE:

January 1, 2002.

NARRATE ALL CASE ACTIVITY CAREFULLY:

Local departments must ensure that narration of case activity is clear, concise, and complete according to the action taken by the case manager. Good narration also supports the local department decision in the event of a fair hearing or selection of the case for Quality Control review.

INQUIRIES

Please direct policy questions to Edna McAbier, Bureau of Policy and Training, at 410.767.8805 or email emcabier@dhr.state.md.us.

c: FIA Management Staff
Constituent Services
Help Desk
CTF