



Department of Human Resources  
311 W. Saratoga St.  
Baltimore, MD. 21201-3521

## FIA ACTION TRANSMITTAL

Issuance Date: IMMEDIATELY

Effective Date: October 1, 1996

Control Number: FIA/OPA 97-13

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

**FROM: KEVIN MAHON, EXECUTIVE DIRECTOR, FIA** 

**RE: ASSISTANCE UNIT COMPOSITION**

**PROGRAM AFFECTED: TEMPORARY CASH ASSISTANCE (TCA)**

**ORIGINATING OFFICE: OPA/ DIVISION OF PROGRAM POLICY AND  
REGULATION**

### BACKGROUND INFORMATION:

The Family Investment Program (FIP) provides assistance to families with children while preparing program participants for independence. Assistance, under this program, consists of services and cash assistance to eligible individuals, as well as work experience. FIP reflects a major shift in emphasis: from dependence on income maintenance programs to a Temporary Cash Assistance (TCA) program leading to independence. Both parents are expected to contribute to the support of their children. Temporary Cash Assistance (TCA) is available only as a last resort.

### NEW POLICY:

The FIP Assistance Unit (AU) includes all of the following individuals living in the same household:

- A parent and all eligible children, including a child age 19 who is still attending school and is expected to graduate in the calendar year
- A parent or child of a minor parent
- A pregnant woman with no other children, provided that the child:
  - ▶ if born and living with her would be eligible,
  - ▶ is expected to be born in the month of first payment or within the following 3-month period, and

- meets all need and eligibility requirements.
- Minor siblings

The assistance unit may include the following persons:

- A needy caretaker relative other than a parent
- A child from a sanctioned unit when another caretaker relative has obtained legal custody or legal guardianship of the child
- A child from a sanctioned unit who has been placed in the home of a caretaker relative by social services.

### **Excluded Persons**

The assistance unit **may not** include the following persons:

- A stepparent with no minor children in the home
- An SSI (Supplemental Security Income) recipient
- A child age 16 or older who is not a full-time student, and who failed to comply with work requirements without good cause
- An illegal or undocumented immigrant or an immigrant (except for a Cuban or Haitian entrant) granted lawful temporary resident status under the provisions of Public Law (P.L.) 99-603
- Someone who fails to meet technical factors of eligibility, such as failure to provide a Social Security number or to apply for one

### **Relationship**

Relationship does not need to be verified. The customer's statement that the child is related by blood or marriage is sufficient. If other related children enter the home of a non-parent, they can be added to the existing unit or excluded, but a separate unit cannot be formed with the same relative acting in place of the parent.

### **Minor Parent**

Special conditions apply when the customer is a minor who is pregnant or an unmarried parent:

1. The minor must reside in the household of the minor's parent, legal guardian, or other adult relative in order to receive assistance, unless

- the minor has no living parent or legal guardian whose whereabouts is known
  - the living parent or legal guardian will not allow the minor to reside in the household
  - living in the living parent's or legal guardian's household would jeopardize the physical or emotional health or safety of the minor who is pregnant or an unmarried parent
  - the pregnant or unmarried minor parent lived apart from the minor's parent or legal guardian at least 1 year prior to the application for assistance
  - the minor who is pregnant or an unmarried parent resides in an adult-supervised supportive living arrangement
2. The parent, legal guardian, or the adult supervisor in a supportive living arrangement must be the authorized representative for the minor who is an unmarried parent or pregnant.

### **Stepparent**

A stepparent who has no minor child cannot be included in the Assistance Unit.

A stepparent who shares a common child with the customer must be included in the unit.

The stepparent is a member of the Assistance Unit only when there are natural/adopted children of the stepparent in the AU. In all other instances, any income the stepparent has is tested against 50% of the poverty level and the stepparent is not a member of the AU. A separate action transmittal addresses the new policy governing the treatment of stepparent income under FIP.

### **Child-Specific Benefit**

Direct cash assistance may not be paid for a child in the assistance unit who is born to a member of the assistance unit 10 months or more after the date of application for cash assistance. In this circumstance, the assistance unit receives an incremental benefit that is the increase in the Temporary Cash Assistance that would have been paid on behalf of the child, but reduced by countable income. This child-specific benefit must be paid to a third party affiliated with a religious or non-profit organization or to a restricted account.

Child support received on behalf of this child is a countable resource only with respect to the child-specific benefit; however, all income of the assistance unit's members is a countable resource with respect to the child-specific benefit before it is a resource to the assistance unit's cash assistance.

The child-specific benefit is not applicable when any of the following conditions apply:

- The birth of a dependent child is the result of verified rape or incest
- The child is the first-born of a minor in the unit

- Another caretaker relative has obtained legal custody or legal guardianship of the child
- The child is placed in the home of a caretaker relative by the local department of social services

The child who is subject to the child-specific benefit limitations for cash assistance is treated as an assistance unit member for all other purposes, such as for Medical Assistance, the Food Stamp program and child care services.

The child-specific benefit is discussed in greater detail in a separate Action Transmittal.

### **Sanctions for Non-Compliance**

When an individual is found to be not in compliance with program requirements, the entire assistance unit is ineligible. A determination of non-cooperation without good cause or adequate reason will result in ineligibility of the entire assistance unit until the household cooperates. All individuals in the assistance unit are sanctioned, except a child when it is placed with another caretaker relative by SSA or another caretaker relative has obtained legal custody of the child.

When a family is sanctioned and a new member enters the household, the new member is also not eligible until the sanction is cured.

A separate Action Transmittal addresses the new policy governing sanctions.

**ACTION REQUIRED: Beginning October 1, 1996, apply the new policy governing composition of the FIP Assistance Unit.**

**ACTION REQUIRED OF: All Local Departments**

**ACTION DUE DATE: October 1, 1996.**

**Questions may be directed to Yvonne Batson at (410) 767-7333, Annette Smith at (410) 767-7574, Kay Finegan at (410) 767-7939, or Sue Woolford at 767-7190.**

**KM/yb**

**cc: FIA Management Staff  
Constituent Services**