

Department of Social and Health Services

Olympia, Washington

**EAZ Manual**

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Category Treatment

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**Summary** WAC 388-408-0015 Who must be in my assistance unit? WAC 388-408-0025 When can I choose who is in my TANF or SFA assistance unit? WAC 388-408-0060 Who is in my assistance unit for Aged, Blind, or Disabled (ABD) cash assistance?

See below for edited text:

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## Clarifying Information - [WAC 388-408-0015](#)

### 1. **Home-monitored clients for TANF/SFA:**

A client that lives in the home but is under home monitoring or home detention ordered by the courts or the Department of Corrections is living in the home. We do not consider them as inmates of a public institution. Clients that live in a public institution aren't eligible for TANF under [WAC 388-400-0005](#).

### 2. **How a child's adoption affects the relationship between a child and their siblings:**

Adoption ends the legal relationship between biological siblings.

**EXAMPLE** Doug and Wendy have legally adopted their 12-year-old grandchild Tom. They have taken in Tom's little sister Lisa, but haven't adopted her. Doug and Wendy want TANF for Lisa as non-needy caretaker relatives. Because his grandparents legally adopted Tom, we do not recognize Tom and Lisa as having a legal relationship as siblings.

**NOTE:** If Doug and Wendy wanted assistance for both Tom and Lisa, the four of them would all be in the same AU as required under [WAC 388-408-0030](#).

**3. How a child's adoption affects the relationship between a child and their biological parent(s):**

1. Adoption ends the legal relationship between a child and the biological parents.

**EXAMPLE** Grandparents have legally adopted their grandchild. The biological mother has since moved into the household. The biological mother would like to apply for TANF for herself and the child excluding the adoptive parents in the AU. Because the child's grandparents have legally adopted him or her, we do not recognize the biological mother and child as having a legal relationship.

**4. When a pregnant minor or minor parent lives with their parents:**

It doesn't change who we include in the AU if a pregnant or minor parent who lives with their parent gets married, starts military service, or gets emancipated by court order.

**5. How we apply the AU rules in some common situations:**

~~1. A non-needy grandmother applies for assistance for one grandchild. She cares for that child's half-sister, but doesn't want assistance for her because the child's father pays \$250 child support each month. We can't exclude the half-sister from the AU because of her relationship to the other child.~~

~~2.1.~~ A married woman applies for assistance for herself and her two children from a previous marriage. She lives with her husband. She has a child in common with her husband and he has a child by a previous marriage. She doesn't want assistance for her husband, his child, or the common child. We must include all of the children in the AU because the ~~common child is a half-sibling to her children and his child. The father~~ husband must be included ~~because as~~ he is the natural father of two of the kids and the stepfather of the other two.

~~3.2.~~ A grandmother applies for cash assistance for her grandchild as a non-needy relative. The minor parent of the grandchild lives in the home as well. Since you can't separate a child from their parent that lives in the home, we must include the minor parent in the AU. In this case, we would include the minor parent and allocate the income of their parent to the AU.

## Worker Responsibilities - [WAC 388-408-0025](#)

**1. Parent or caretaker relative of a child that gets SSI:**

In order to decide if an AU member is eligible for TANF, count a child who gets SSI as an "eligible child" even though the child isn't eligible for TANF. Don't include the SSI child's income, resources, or needs when you determine the AU's eligibility and grant amount. If the

parent of an SSI child asks for assistance as a needy caretaker relative, don't include the parent's spouse or other children in the AU unless the parent wants assistance for them.

## 2. **Relatives who are not the child's parent:**

1. If a relative who isn't a parent chooses to get TANF instead of foster care payments they can choose whether or not to be in the AU based on their needs.
2. If a relative who isn't a parent chooses to get foster care payments for a child in their care and the relative needs financial assistance, count the child a "dependent child" to make the relative eligible for TANF or SFA. Don't include the foster child's income, resources, or needs when you determine the AU's eligibility and grant amounts.
3. If a couple is married and applying as a needy relative for a child that is not their child, only one of the relatives can be a recipient on the grant. The non-parental caregiver and their spouse cannot both be on the grant.
4. If a relative who isn't a parent chooses to get TANF for multiple siblings in their care, they can choose to not count one or more of the siblings as a "recipient" if that sibling has income or including that sibling would cause the entire AU to be ineligible for TANF.

**EXAMPLE** A grandmother is the caretaker for her two grandchildren who have different mothers, making them half-siblings. One of the children is receiving Social Security Survivors Benefits from their mothers Social Security claim. The grandmother can choose not to include that sibling in the AU and not count them in the needs.

**EXAMPLE** A child is living with their half-sibling and the half-siblings mother. The mother is not the parent of this child and has no financial responsibility for this child. She is working and has income. She can choose to apply for non-needy TANF for the child that is not hers, and not include her child in the needs, since including her child would require her to be part of the TANF AU and her income would cause the AU to be over income for TANF.

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### 4.3. **Child in common of unmarried parents:**

Unmarried parents that live together may choose to exclude their common child if one of the parents is a TANF or SFA **recipient**. The excluded child in common may be eligible for medical.

**EXAMPLE** A mother and her two children get TANF and live with the mothers' boyfriend, who is not the father of the children. The mother gives birth to her boyfriend's child. The mother can choose whether or not to include the baby in the AU. If we include the baby, we must include the boyfriend. If the boyfriend has income or resources, it may be the best for the client to not include the common child.

**EXAMPLE** Two unrelated TANF AUs get assistance and live together. (AU#1 is a woman and her two children. AU#2 is a man and his two children.) The woman and man have a child in common

and want to exclude the child in common from being on assistance. Because both parents are recipients of assistance, then neither parent is able to financially support the child in common. Therefore, they do not have the option to exclude the child from the AU. They will need to become one TANF household (one AU) as required under [WAC 388-408-0030](#).

**EXAMPLE** AU contains a woman, her boyfriend, his child, and their common child. Nobody gets TANF or SFA. The boyfriend applies for TANF for himself and his child only. He doesn't want to include the common child because the mom gets UC and can provide for their child. As an applicant, the boyfriend doesn't have the choice to exclude the common child. All four people are in the AU since we can't exclude the common child for a reason other than need.

**NOTE:** In the example above, if the AU is eligible when we include the woman's income, the AU can then exclude the common child because it is now a **recipient** AU. If the family is eligible in the month of application, you can consider them as recipients and exclude the child before you issue benefits for the AU.

**EXAMPLE** Susan applies for assistance for herself and her two children from a previous marriage. She lives with her husband Doug and his child from a previous marriage - Timmy. The couple doesn't have a child in common. She doesn't want assistance for Doug or Timmy because he works and gets child support. Even though we can exclude Timmy from the AU because he is the other children's stepbrother, we must include Doug because he is the stepfather of Susan's two children. If we exclude Timmy, we would allocate some of Doug's earned income to Timmy. See [INCOME - Allocation and Deeming](#).

## Clarifying Information - [WAC 388-408-0060](#)

1. Clients that are under "home monitoring" or "home detention" are not eligible for ABD because they are considered a "person in an institution". See [WAC 388-400-0060](#).
2. Persons who are participating in Department of Corrections Family & Offender Sentencing Alternative (FOSA) or Community Parenting Alternative (CPA) program may be eligible for ABD cash benefits. Refer to the Sentencing Alternatives – Offenders with Minor Children SSB 6639 desk aid, located in WorkFirst Handbook [Chapter 1.2](#), under “Other Resources” -for additional information. Please contact Jennie Fitzpatrick at [fitzpj@dsos.wa.gov](mailto:fitzpj@dsos.wa.gov) or 360-725-4648 or ~~Tom Berry~~[Angela Aikens](mailto:Angela.Aikens@dsos.wa.gov) at [berryt@dsos.wa.gov](mailto:berryt@dsos.wa.gov) or 360-725-4784617 if you have any questions about FOSA or CPA.
3. If a husband and wife that live together are both disabled and apply for ABD cash, they are in the same AU. We base the AU's benefits on the two-person payment standard for ABD, not two times the amount of the one-person standard. See [WAC 388-478-0033](#) for ABD payment standards. Please see "[How do I process Aged, Blind, or Disabled \(ABD\) Cash for a married couple when each is eligible for different programs?](#)"
4. If a client can get TANF or SFA, they can't get ABD cash under [WAC 388-400-0060](#).

5. If an AU with a disabled adult is over income for TANF because of a child's income, the disabled adult may be eligible for ABD cash.
6. An ABD cash AU contains the disabled adult and their spouse if the spouse is also disabled. We don't allocate the child's income to the parent because the child isn't financially responsible for the parent. See [WAC 388-450-0100](#)

**EXAMPLE** A client takes care of their grandchild on an ongoing basis. Because the client can get TANF, they can't choose to get ABD cash for their own needs and not have assistance for the grandchild.

**EXAMPLE** A disabled woman applies for TANF for herself and her daughter. The daughter gets a monthly SSA death benefit of \$~~650475~~. This income makes the AU ineligible for TANF. Since the client is disabled and ineligible for TANF, she may be eligible for ABD cash. The daughter is not in the AU and the death benefit is not allocated to the AU.