

Olympia, Washington

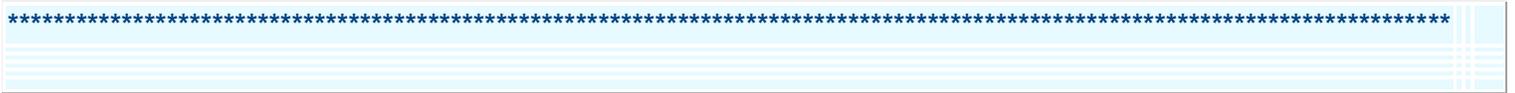
**EAZ Manual**

Revision 1178  
Category Living with a Relative or Guardian  
Issued October 8, 2021  
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**Summary**

Updating In Loco Parentis process and correcting outdated agency names.

See below for edited text:



# Living with a Relative or Guardian

Revised ~~September 1~~October 8, 2021

## Purpose:

This category explains the requirements for a child to live with a relative, guardian, or custodian to be eligible for Temporary Assistance for Needy Families (TANF) or State Funded Assistance (SFA).

### WAC 388-454-0005 Can I get TANF or SFA benefits for the child living with me?

- Clarifying Information and Worker Responsibilities

### WAC 388-454-0006 The department makes background checks on adults who are acting in place of a parent without court-ordered custody.

- Clarifying Information and Worker Responsibilities

WAC 388-454-0010 Do I have to be related to a child in order to get TANF or SFA for the child?

- [Clarifying Information and Worker Responsibilities](#)

WAC 388-454-0015 Temporary absence from the home.

- [Clarifying Information and Worker Responsibilities](#)

WAC 388-454-0020 Temporary absence to attend school or training.

- [Clarifying Information and Worker Responsibilities](#)

WAC 388-454-0025 The department notifies a child's parent when we approve assistance and the child is living with someone other than their parent.

- [Clarifying Information and Worker Responsibilities](#)

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## Clarifying Information - WAC 388-454-0005

### 1. **Court Ordered Custody**

The parent that a child actually lives with for the majority of the time is treated as the child's caretaker no matter which parent has legal custody under a court order. The exception is when a child stays with a non-custodial parent as part of the parent's visitation rights and this visit lasts less than 180 days (see [WAC 388-454-0015](#)). Occasionally, you can use a court-ordered parenting plan to resolve questions about a child's residence or day-to-day care and control. For example, a parent named as the custodial parent in a "shared-parenting" plan (i.e., equal residential time with each parent) is the child's caretaker when this does not conflict with the child's actual circumstances.

### 2. **Dependency Orders**

We can use a court order that places a child with a non-parental relative (e.g., a dependency order issued by a juvenile court) to show a caretaker relationship.

### 3. **When a tribal court is the child's guardian or custodian**

A tribal court may be the legal guardian or custodian of a child and then assign a tribal member as the custodian. A tribal member who cares for a child in this circumstance may get TANF for the child even though the tribal member is not the guardian or custodian on the court papers.

### 4. **When an adult is acting *in loco parentis***

- Case law defines *in loco parentis* as "in the place of a parent".
- An adult must have intentionally taken over the duties of a parent and be responsible for exercising the day-to-day care and control of the child for us to consider them acting *in loco parentis*.
- An adult who is acting *in loco parentis* without court-ordered custody must pass a background check under [WAC 388-454-0006](#) for the child to be eligible for TANF/SFA. If there is a background check on file that is less than 90 days old and the previous background check letter indicated “no record”, a new one is not required.
- An adult who is acting *in loco parentis* must still assign rights to child support and cooperate with DCS.

#### 5. When a TANF child becomes a ward of the court

For TANF or SFA, we count a child who is a ward of the Juvenile Court or delegated agency as still living with a relative **only when the relative continues to carry out the day-to-day care and control of the child.**

### Worker Responsibilities - WAC 388-454-0005

1. Verify who lives in the home to decide if the child lives with the person who claims to be caring for the child.
2. Resolve any questions about where the child lives the majority of the time and who carries out the child’s day-to-day care and control (see below for temporary absence situations).
3. Decide if an unrelated adult is acting in loco parentis:
  - a. If an unrelated adult who isn’t a court-ordered guardian or court-ordered custodian states they are acting in the place of a parent, you must decide if they are acting *in loco parentis*. To decide if the adult carries out the daily care and control of the child, have the adult review and sign the **Statement of Adult Acting In Loco Parentis** ([DSHS 14-436](#)) and ask them the following questions (as appropriate for the child's age):
    - Do you provide basic food, shelter and clothing for the child?
    - Do you get the child up and ready in the morning?
    - Do you make sure the child gets to school or daycare?
    - Do you help the child bathe?
    - Do you prepare meals for the child?
    - Do you attend parent/teacher conferences?
    - Do you take the child to regular medical or dental appointments?
    - Do you act as the emergency contact at school?
    - Do you sign up and take the child to extra-curricular activities?
    - Do you provide guidance and discipline to the child?

**NOTE:** An adult doesn't have to do all the above activities to be acting *in loco parentis*. These are just examples of some of the things an adult acting *in loco parentis* may do.

- b. Refer the case to social services for assistance if you aren't sure if the adult is acting in loco parentis.
  - c. The child is eligible for TANF/SFA if the adult is acting in loco parentis, **and** passes the background check required under [WAC 388-454-0006](#):
    - i. Document which child(ren) the adult acts as a parent for in the remarks for the AU page;
    - ii. Refer the adult(s) for a background check as required under [WAC 388-454-0006](#); and
    - iii. Notify the child's parent of the TANF/SFA approval as required in the Worker Responsibilities under [WAC 388-454-0025](#).
4. If the courts place a child with a non-parental relative by court order (e.g., a dependency order) and a parent of the child moves into the home:
- a. Count the parent, not the relative the court placed the child with, as the child's parent, and redetermine eligibility for TANF or SFA. (See [WAC 388-408-0015](#) to decide who must be in a TANF/SFA AU.)
  - b. Refer the client (the parent) for a protective payee if you have a reason to believe the parent won't use the assistance for the child's benefit. (Note: Don't change the payee until you receive notification that the AU needs a protective payee under [WAC 388-460-0035](#).)
  - c. Notify [the Department of Children, Youth and Families \(DCYF\), —Child Welfare, Child Protective Services \(CPS\) Regional Contact or call the statewide Child Abuse and Neglect Mandatory Reporter hotline \(1.886.ENDHARM \[1.886.363.4276\]\)](#) ~~the Division of Children and Family Services Child Protective Services (CPS)~~ if the court order restricts contact between the child and a parent or if there is a history of abuse or neglect of the child by a parent.

**NOTE:** There isn't an overpayment for the period before the date you redetermine eligibility even if the effective date for the change (e.g., a parent moving into the home) was before the payment action.

5. When you find out a recipient child doesn't live in the home:
- a. Decide if the child's absence is temporary or permanent. (Note: Don't reduce or terminate assistance until you decide the absence isn't temporary.)
  - b. Use the first of the month after the month the absence became permanent as the effective date if the child's absence started out as temporary but became permanent. (e.g., when the parents agree to a custody change during a visit.)

- c. Notify the DCYF, Child Welfare, or CPS Regional Contact if the court placed the child with a relative under a dependency order and the order limits contact with the relative who currently has physical custody of the child.
6. When a relative applies to get assistance for a child and the child currently gets assistance with another relative, decide which relative is the child's caretaker:
- a. Determine if the child is on a visit and will return to the custodial parent at the end of the visitation period (180 day limit) if the relative who applied for the child is a non-custodial parent. (Note: The non-custodial parent is ineligible for assistance for the child during a visit.)
  - b. Provide the current payee with advance and adequate notice before you change the grant if the parents decide to change physical custody during a visit. (Note: There isn't an overpayment for the period before the grant change if you reduce or terminate assistance within 180 days of the start of the visit. **Don't** authorize assistance for the current custodian before the effective date for the end of assistance for the child to the other parent.)
  - c. Decide when the living arrangement changed, redetermine the child's eligibility and establish an overpayment if appropriate if a child's living situation changes at a time other than a visit.
    - i. Authorize benefits for the current caregiver effective the date you determine eligibility.
    - ii. Set up an overpayment for any overlapping assistance.

**EXAMPLE:** Mother has legal custody of the child and gets SFA. She contacted the worker on 6/5 to tell them the child left to visit her father for two months during the summer. The father applied for the child on 7/10 saying the child chose to live with him during the coming school year. When the worker contacted the mother, she verified that the child wouldn't return at the end of the summer. The worker must terminate the mother's grant effective 7/31 following advance notice requirements and authorize benefits for the child and her father effective 8/1.

**EXAMPLE:** Grandmother applied for her grandchild on 7/5. The child's father gets TANF for the child. The grandmother says that the father left the child with her on 5/10 and hasn't made plans to take the child back. According to the grandmother, he lives with his new girlfriend and she doesn't want the child in the home. The father didn't respond to the worker's request for information about physical custody of the child sent on 7/5. The grandmother provided the needed information to establish eligibility on 7/10. Terminate assistance to the father on 7/31 following advance and adequate notice requirements and set up an overpayment for June and July because the father didn't report the change per Change of Circumstance rules in [WAC 388-418-0007](#) (6). The worker would then authorize assistance for the grandmother effective 7/10.

## Clarifying Information - WAC 388-454-0006

The background check must be completed and reviewed before opening TANF/SFA for a child when no adult in the household is related to the child and the adult does not have court-ordered custody.

## Worker Responsibilities - WAC 388-454-0006

Take the following actions when no adult in a TANF/SFA household is related to a child as required in [WAC 388-454-0010](#) and the adult(s) does not have court-ordered custody:

1. Have the primary caregiver acting *in loco parentis* complete the **Background Authorization form (DSHS 09-653)**. Workers access this form through Barcode - CBI Application.
2. When a caregiver reports a conviction or being charged with a crime and does not indicate a degree, the DSHS Background Check Central Unit (BCCU) will assume the highest degree. This may affect the background check decision. If the caregiver knows the degree of the crime:
  - a. Have them complete the **Applicant Affidavit form (DSHS 27-109)**.
  - b. Send the form to DSHS BCCU
  - c. BCCU reruns the background check and issues a result letter based on the updated information provided by the caregiver.
3. After the adult caregiver completes and submits the Background Check Authorization form, a background check request is submitted to DSHS BCCU by CSD Headquarters.

**Note:** When needed, DSHS BCCU may request additional information directly from the caregiver to complete the background check.

4. Once the background check results are received by CSD Headquarters, staff are notified of the results and eligibility for TANF/SFA is determined.
  - a. A child is not eligible for TANF/SFA benefits when the background check shows that the adult:
    - i. Has a pending charge for a disqualifying crime ([WAC 388-06-0170](#)),
    - ii. Has a conviction for a disqualifying crime,
    - iii. Is not of sufficient physical, emotional, or mental health to meet the needs of the child, as determined by CSD Headquarters review, or
    - iv. Is considered at risk of harming the child based on available information. **NOTE: Workers are to consult with social services if there are concerns, which may warrant a CPS report.**<sup>[KM(1)]</sup>
  - b. TANF/SFA benefits are denied when the background check disqualifies the adult(s).
5. If the background check shows there is a record but no disqualifying crime, CSD Headquarters is notified and will:

- a. Review the information and determine whether the individual has the character, suitability and competence to take care of the unrelated child.
- b. Notify staff of the decision so that TANF/SFA eligibility determination can be completed.

**Note:** When a background check record exists for a caregiver, DSHS BCCU provides the caregiver a copy of their background check results, directly. Results are provided by mail or email (the latter, if authorized by the caregiver on the **DSHS 09-653**). For more information, see BCCU - Applicant Resources.

6. If there is **any** reason to suspect that the child is at risk of abuse or neglect, immediately notify the Department of Children, Youth and Families (DCYF), Child Welfare, —Child Protective Services (CPS) Regional Contact or call the statewide Child Abuse and Neglect Mandatory Reporter hotline (1.886.ENDHARM [1.886.363.4276]). ~~refer the case to CPS using the statewide hotline at 1.800.562.5624 or 1.866.ENDHARM.~~ Examples of when the child may be at risk include:
  - a. The background check shows the adult caregiver has a disqualifying charge or conviction for a violent crime.
  - b. The background check **or other information** shows that the adult caregiver has a DCYF, CPS founded finding of abuse or neglect.
7. If more information is needed before deciding about a DCYF, CPS referral, refer the case to social services for further evaluation of the home situation. Workers are to document if action is taken, including whether the Social Service Specialist made a DCYF, CPS-referral or completed an evaluation of the home situation.

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## Clarifying Information - WAC 388-454-0010

### 1. Uniform Parentage Act

State law defines parent and child relationship at RCW chapter 26.26. (This is also known as the Uniform Parentage Act or UPA). Under the UPA, paternity is set under a court order (e.g., a paternity order) or presumed under certain circumstances. The following list of circumstances is not all inclusive but covers the circumstances a worker is most likely to see. Under the UPA, we presume a man to be a child's father when:

- a. He receives the child into his home and openly holds out the child as his own (that is, he says that he is the child's father);
- b. His name is on the child's birth certificate issued by the Department of Health (DOH);
- c. He admitted he is the child's parent by completing an affidavit along with the child's mother, at the time of the child's birth and the affidavit was filed with the state registrar of vital statistics. The DOH 110-001 Paternity Affidavit, available to CSOs, meets this requirement. See [Child Support](#) for instructions on how to complete and file this form.

- d. He and the child's natural mother are or have been married to each other and the child was born:
  - i. During the marriage; or
  - ii. Within three hundred days after the date the marriage ended by death, annulment, declaration of invalidity, divorce or dissolution, or a decree of separation by a court of law; or
- e. The United States Immigration and Naturalization Service (INS) made or accepted a finding that he was the father of the child at the time of the child's entry into the United States.

**NOTE:** Even if we presume that a man is the child's father under the UPA, we do not continue to presume this if there is clear and convincing evidence that shows he is not.

2. Stepparent's obligation to support a child:

Under RCW 26.16.205, a stepparent's legal obligation to support a stepchild ends when:

- a. The marriage to the child's natural or adoptive parent ends through death or the entry of a decree of dissolution;
- b. A decree of legal separation is entered; or
- c. Either spouse files a petition for dissolution or legal separation and the court grants a motion to terminate the stepparent's obligation to support the child.

3. How to determine if a relative is eligible to receive TANF for a child:

Only certain caretaker relatives who live with a child are eligible to receive TANF for the child. Use the chart below to identify the relationship between a child and the caretaker relative. (The chart is based on the system courts and most genealogical societies use to determine how people are related.)

- a. Start in the upper left corner with the closest parent (including grandparent, great grandparent, etc.) the child and the caretaker relative have in common.
- b. Follow the list down to find the **row** showing the child's relationship to the common parent. (Remember this identifier.)
- c. Go back to the Common Parent box.
- d. Follow the list across to find the **column** showing the caretaker relative's relationship to the common parent. (Remember this identifier.)
- e. The box where the **row identified for the child** and the **column identified for the caretaker relative** meet shows the relationship between the child and the caretaker relative.
- f. Boxes with an "X" identify relatives that can get TANF for a child as either a needy or non-needy caretaker relative.

<b>Closest Common Parent</b>	<b>Child</b>	<b>Grandchild</b>	<b>Great Grandchild</b>	<b>2 Great Grandchild</b>	<b>3 Great Grandchild</b>
<b>Child</b>	X <b>SIBLING</b> (brother or sister)	X Nephew or Niece	X Grand Nephew or Grand Niece	X Great Grand Nephew or Niece	X 2nd Great Grand Nephew or Niece
<b>Grandchild</b>	X Nephew or Niece	X <b>FIRST COUSIN</b>	X First Cousin, Once Removed	X First Cousin, Twice Removed	X First Cousin, 3 Times Removed
<b>Great Grandchild</b>	X Grand Nephew or Niece	X First Cousin, Once Removed	<b>SECOND COUSIN</b>	Second Cousin, Once Removed	Second Cousin, Twice Removed
<b>2 Great Grandchild</b>	X Great Grand Nephew or Niece	X First Cousin, Twice Removed	Second Cousin, Once Removed	<b>THIRD COUSIN</b>	Third Cousin, Once Removed
<b>3 Great Grandchild</b>	X Second Great Grand Nephew or Niece	X First Cousin, Three Times Removed	Second Cousin, Twice Removed	Third Cousin, Once Removed	<b>FOURTH COUSIN</b>

**NOTE:** Boxes in **ALL CAPS** show persons of the same generation. "Removed" means the two people are not in the same generation. (A first cousin once removed is the child of someone's first cousin.)

**EXAMPLE:** Ryan is Mildred's great grandson. Tim is Mildred's grandson. Mildred is the closest ancestor they have in common. (Tim is not Ryan's father or uncle.) Tim and Ryan are first cousins, once removed.

## Worker Responsibilities - WAC 388-454-0010

When no adult in a TANF/SFA household is related or does not have court ordered custody of the child for which they are applying for cash assistance, a background check is required. Refer to [Worker Responsibilities - WAC 388-454-0006](#).

## Clarifying Information - WAC 388-454-0015

1. **Length of Temporary Absence:** For the department to treat an absence as temporary, there must be a clear expectation that the AU member will return to the family home within 180 days unless it meets one of the exceptions in [WAC 388-454-0015 \(1\)\(a\)](#).

2. **Care and Control:** In temporary absence situations, other than those due to involvement with the Department of Children, Youth and Families (DCYF), Child Welfare, Children's Administration (CA) / Division of Children and Family Services (DCFS), the primary caregiver maintains overall responsibility of the child. Someone else, however, provides day-to-day care of the child.

**EXAMPLE:** Bill, Jane and their two children receive TANF assistance. Their house gets flooded and the landlord asks them to vacate for 4 months. The family is homeless. The children go and stay at the neighbors until their family home can be fixed. The family provides a written statement that they expect the children to be out of their home and daily care for 4 months. This situation meets the criteria of a temporary absence. The family continues to receive TANF assistance. Because DCYF CFS is not involved with this case, concurrent TANF benefits are not issued to the children.

**NOTE:** Since we no longer have a deprivation requirement for TANF, do not close or deny TANF just because an AU member is serving in the military. Verify the absence is temporary under WAC 388-454-0020.

3. **Recipients and Applicants**

- a. For Recipients:

A temporary absence cannot exceed 180 days unless it meets the exception specified in WAC. Examples of temporary absence include, but are not limited to: a parent receiving care in a treatment facility, a child being placed in out-of-home care by DCYF, FS, separation due to fire or flood, a court-ordered visit, or an out of home visit to a temporary caregiver's home.

- b. For Applicants:

For households that are newly applying for TANF during the time the child is absent, the 180 day period starts on the day the child actually left the home. Assistance can be opened, for up to 180 days, if DCYF, FS verifies that the child will return home within 180 days.

If the child has already been out of the home for more than 180 days at the time of application for benefits and DCYF, DCFS verifies that the child will return home within 30 days, then assistance can be approved up to 30 days in advance of the child's return.

**EXAMPLE:** Pamela applies for TANF assistance for herself and 1 child on September 1. The child has been in unlicensed foster care since June 1. DCYF, DCFS is working with Pamela on reunifying her family. DCYF, DCFS verifies that the child will return to Pamela's home in approximately 45 days. If all other eligibility criteria has been met, then Pamela and her child are eligible for TANF assistance, even though the child is not currently in her home.

*Note: You should set an alert or tickler to confirm that the child does return home.*

**EXAMPLE:** A father applies for TANF assistance. His 2 children have not lived with him for 8 months. DCYF, DCFS verifies that the children will return to his home in 3 weeks. TANF can be approved (3 person AU) once all other eligibility criteria has been met. The benefits can be

authorized before the children return home, since there is verification from [DCYFDCFS](#) that the children will return home within 30 days.

**EXAMPLE:** A mom applies for TANF assistance for herself and her child. The child does not live with her and has not lived with her for the past 4 months. The child lives with Grandma while the mom decides where she wants to live. There is no plan for when the child will leave Grandma's house to go and live with mom. The mom is not eligible for TANF at this time because she has no eligible child in her home.

**NOTE:** This policy also applies to a TANF household that is receiving assistance because there is another child residing with them. In this situation, the child being returned to the home would be considered the "applicant" and the 30-day rule would apply.

**EXAMPLE:** Tammy and her child, Bob, are receiving TANF assistance. She has an older child, Peter, who has not lived with her for 1 year. [DCYF DCFS](#) verifies that Peter will return to Tammy's home in 30 days. Peter can be added to Tammy and Bob's TANF grant once all other eligibility criteria have been met. The benefits can be authorized before Peter returns home, since there is verification from [DCYFDCFS](#) that he will return home within 30 days.

c. Adding a Child to an Existing TANF / SFA AU

A child can be added to an existing AU if the child is out of the home temporarily due to hospitalization and all other eligibility criteria has been met.

**EXAMPLE:** Susie is pregnant and is receiving a one person TANF grant. She delivers her baby early. The hospital verifies that the baby will remain hospitalized for up to 3 months. If the mother provides the needed verification, the baby can be added to the AU.

4. **Concurrent Benefits:**

When [DCYFDCFS](#) places a child in temporary care and expects the child to be returned home within 180 days, concurrent benefits are allowed. If the child was placed in unlicensed foster care (i.e. a relative placement or an "in loco parentis" situation), then the primary caregiver can continue to receive TANF / SFA assistance, even if the temporary caregiver applies and receives TANF / SFA for the child. If the child was placed in a licensed foster care placement, then the primary caregiver can continue to receive TANF / SFA assistance while the temporary caregiver receives foster care payments.

**An Exception to Rule (ETR)** for concurrent benefits may be requested if a child is temporarily absent from the home for reasons other than [DCYF DCFS](#) removal and is expected to return to the home within 180 days. The request for concurrent benefits will be based on whether the individual case situation promotes family reunification and meets all other ETR requirements.

**EXAMPLE:** A mother and one child get TANF. ~~The Division of Children and Family Services (DCYFDCFS)~~ removes the child from the mother's home on August 15. [DCYF DCFS](#) verifies that the child is expected to return home within 180 days. The mother continues to receive a 2 person TANF grant. [DCYF DCFS](#) places the child with the grandmother who applies for a non-needy, child only grant. Because [DCYFDCFS](#) verified that the child will be returning home in 180 days, the child can receive concurrent TANF

benefits. The grandmother is eligible for TANF for the child and the mother is eligible for TANF for herself and the child. (Note: If eligible, the grandmother could receive TANF assistance for herself and the child.)

## Worker Responsibilities - WAC 388-454-0015

1. **Length of Temporary Absence:** Treat an absence as temporary when there is a clear expectation that the AU member will return to the family home within 180 days. Verify that the AU member's absence is temporary and document this information in the case record.
2. **Foster Care (Licensed and Unlicensed):** Treat a child in foster care as temporarily absent if DCYF/DCFS states the child will return to the home within 180 days.
  - a. When a child is removed from a Temporary Assistance for Needy Families (TANF) / State Family Assistance (SFA) household, you will receive information from the HCA Foster Care Medical Team Unit via a DMS tickler. The HCA Foster Care Medical Team Unit will update the child's Relative Placement Code. You will need to update the Living Arrangement code to FC on the child's DEM1 screen. DCYF/DCFS will provide you with information about the absence and placement. DCYF/DCFS may send you this information via the Coordinated Benefits Referral Form (form 15-362). If you have questions, please contact the HCA Foster Care Medical Team Unit and / or the DCYF/DCFS. The HCA Foster Care Medical Team Unit can provide you with general information about the absence and the child's health care benefits. DCYF/DCFS can confirm if the family is working towards family reunification and if the child is expected to be returned home in 180 days.
  - b. Continue benefits for a child that gets TANF / SFA if DCYF/DCFS expects the child to return home within 180 days. Set an alert or tickler to review the status of the case.
  - c. Authorize assistance to an applicant if DCYF/DCFS verifies that the child will return home within 180 days from the original date of removal. Even if the child has already been out of the home for 180 days or more, benefits can be authorized if DCYF/DCFS verifies that the child will be home within 30 days from the date the assistance is authorized.
  - d. Terminate assistance for a TANF / SFA child when DCYF/DCFS states that the child will not return home within 180 days (unless an exception to rule has been requested and approved.)

### EXAMPLE

Molly is on TANF with her 3 children. DCYF/DCFS removes the children from Molly's home and places them with an unlicensed caregiver. DCYF/DCFS sends you a Coordinated Benefits Referral Form (15-362) indicating that the children have been temporarily placed and are expected to return home to Molly within 180 days. Continue TANF assistance for Molly and her three children. Three weeks later, DCYF/DCFS sends another Referral Form indicating that there has been a change in the family reunification plan and the children will not return home in 180 days. Terminate the TANF assistance with advance and adequate notice.

3. **Concurrent Benefits:** If a child in foster care is expected to return home within 180 days, concurrent benefits for the child can be approved.
  - a. When a child has been removed from a TANF/SFA household and [DCYF/DCFS](#) verifies that the absence is temporary, continue benefits for the primary caregiver and child.
  - b. The [DCYF/DCFS](#) social service specialist may request to be added to the case as an Advocate Representative (AREP screen) so they are aware of updates made to the household's benefits during the family reunification period. See ACES User Manual or E A-Z manual if questions regarding representatives.
  - c. The [DCYF/DCFS](#) social service specialist may recommend that the CSO review the need for a protective payee. See [WAC 388-460-0035](#) for details on when to use a protective payee.
  - d. If the temporary caregiver applies for TANF/SFA, you can authorize assistance to the temporary caregiver (relative or other unlicensed adult caregiver) and the child. The child will simultaneously be on two TANF / SFA AU's in these situations. Medical assistance will be available to the child only in the household where the child is physically residing. This will be provided as a D-series medical. If a D-series medical is not already opened, then you should open an F-series medical until the [HCA](#) Foster Care Medical [Team/Unit](#) reviews the case.
  - e. If the applicant states they are related to the child, then a statement from [DCYF/DCFS](#) regarding the relative's relationship to the child is acceptable verification. See [WAC 388-454-0010](#) #3 regarding the relative's relationship to the child.
  - f. If [DCYF/DCFS](#) notifies the CSO that the child will no longer be returning home within 180 days, then terminate the child's assistance from the primary caregiver's TANF / SFA assistance.

**EXAMPLE:** A grandmother applies for TANF assistance for herself and her grandchild. She is already receiving D02 medical for the child, which was opened by [HCA](#) Foster Care Medical [Team](#). The grandchild is already receiving TANF assistance with her mother. However, it was documented that [DCYF/DCFS](#) removed the child from the mother's home and placed the child temporarily with the grandmother. It was also verified that the child is expected to return to the mother's home in 180 days. If the grandmother and child meet all other eligibility criteria, then authorize TANF assistance. The child will be receiving TANF in two AUs, but the child is not eligible to receive Basic Food or medical assistance in both AUs.

4. **"Runaway" Children:** A child who runs away does not meet the criteria for a temporary absence unless there is a clear expectation of when the child is returning.

**NOTE:** Families of runaways may contact [DCYF's Family Reconciliation Services \(FRS\)](#) for support.

5. **Reporting Temporary Absences:** If a TANF AU knows that a child will be out of the home for more than 180 days, and they fail to tell the department within 5 days of the date they know of this, disqualify the client for TANF as required under [WAC 388-418-](#)

0005 and WAC 388-418-0007. If the family is working with [DCYFDCFS](#), do not penalize the adult if there was a change in the family reunification plan and [DCYFDCFS](#) did not notify the CSO that the child is not returning home within 180 days.

**EXAMPLE:** A mother and two children get TANF. The client reported on 6/10 that one child was going to visit her father for the summer and return on 8/28. The worker set an alert for 9/1 to confirm that the child has returned. On 9/4 the worker sent a letter requesting information about whether or not the child has returned. On 9/13 the client called the CSO and told the worker that the child will stay with her father. The client stated she knew this on 8/26. In this instance, the worker would not do anything to the client's September benefits. If the client reported timely, there wouldn't be time to give the client notice and make the change. The worker would remove the mother's needs for October. Since there is still a child in the home, the AU would get a one-person grant for October. The worker would reinstate the mother for November.

**EXAMPLE:** A father applies for TANF assistance. His 2 children have not lived with him for 8 months. [DCYFDCFS](#) verifies that the children will return to his home in 3 weeks. TANF is approved (3 person AU), since there is verification from [DCYFDCFS](#) that the children will return home within 30 days. After 1 1/2 weeks, we learn that there has been a change in the reunification plan and the children will no longer be returning home. The worker should terminate the TANF assistance with advance and adequate notice, because there are no eligible children in the home. An overpayment is not established.

6. **CPI Amounts:** If someone is receiving care in a hospital or treatment facility, and the stay is over 180 days, the assistance payment is reduced to the CPI amount.

**EXAMPLE:** A father and one child get TANF. The father enters a drug and alcohol facility and is expected to stay 8 months. The facility accommodates children to reside with their parent(s) at the facility. The facility confirms that the parent continues to have primary care and control of their child and is obligated to cover their child's needs. When the care is verified to exceed 180 days, the father's grant will be reduced to the CPI amount (\$38.84). The child is eligible to receive the one person grant standard with obligations to pay shelter costs since the child is not receiving care from the facility and the father is still obligated to cover the child's needs.

**NOTE:** The [HCA Foster Care Medical Team \(FCMT\)](#) can be reached at [1-800-562-3022](tel:1-800-562-3022) (ext. 15480) or by email at [fcmt@hca.wa.gov](mailto:fcmt@hca.wa.gov). ~~1-800-547-3109.~~

## ACES Procedures

- See [Kinship Care Dual TANF](#)

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## Clarifying Information - WAC 388-454-0020

1. Caretaker in a training program: A caretaker's absence to attend a training program is a temporary absence when the training is an approved part of the caretaker's Individual Responsibility Plan.
2. Child in Job Corps: A child's participation in Job Corps is a temporary absence if the requirements under [WAC 388-454-0020\(2\)\(b\)\(iii\)](#) are met.

## Worker Responsibilities - WAC 388-454-0020

1. Verify that the member's absence meets the education or training requirements and the date the absence will end. Document the client's circumstances in the case record.
2. Set an ACES alert to ensure that the absent member is back in the home by the end of the period we expected them to be gone.

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## Clarifying Information - WAC 388-454-0025

**Notification required under state law:** State law requires us to notify parents within seven days of approval of assistance when a child receives benefits and lives with someone other than a parent. (RCW 74.12.450, 74.12.460, and 13.32A.080.) The CSO public disclosure coordinator is responsible for replying to a parent's request for the address and location of the child. See [Confidentiality](#).

## Worker Responsibilities - WAC 388-454-0025

8. When the client or anyone states that the parent with whom the child most recently lived either abused or neglected the child, report the statements immediately to the Department of Children, Youth, and Families (DCYF), Child Welfare, —Child Protective Services (CPS) Regional Contact or call the statewide Child Abuse and Neglect Mandatory Reporter hotline (1.886.ENDHARM [1.886.363.4276]). ~~to the CPS statewide hotline at 1.800.562.5624 or 1.886.ENDHARM.~~
9. Do **not** notify the parent when there is evidence to support the claim of abuse or neglect. Examples of evidence that supports a claim of abuse or neglect includes:
  - a. A court dependency order that states the child has been abandoned, abused, neglected or doesn't have a parent who is willing or able to care for the child;
  - b. Proof that a court convicted the parent of the abuse or neglect of the child;
  - c. The child's placement in a home by DCYF-CPS to protect them from immediate harm or continuing abuse or neglect; or
  - d. A finding ~~by DCYF the department~~ that there is enough evidence to support a claim that the child has been abused or neglected by the parent. (For example, the department approved a good cause claim for non-cooperation with child support collection or a completed DCYF-CPS investigation shows evidence to support a claim of abuse or neglect.)

2. Make a reasonable effort to find out the current or last known address of the parent the child last lived with. This includes:
  - a. Asking the caretaker and/or child for the information;
  - b. Reviewing the DSHS 14-057, Absent Parent Referral;
  - c. Looking in local telephone directories; or
  - d. Checking the parent's name against the ACES, SEMS or CAMIS databases if you have access to these systems.
3. Make a reasonable effort to notify the child's parent as soon as possible when you discover a child is living with someone other than the child's parent without the parent's consent and there is no credible claim of abuse or neglect by the parent.
4. Notify the child's parent using **Notice to Parents (WorkFirst)** ([DSHS 14-402](#)) and **Family Reconciliation Services – Keeping Families Together** (DCYF Publication CWP-0037). CWP-0037 is located in the [DCYF Publications Library](#).