

Eligibility Documentation Desk Aid
 Title IV-E, TANF-EAF, and Title XX Below 200% Eligibility

Criteria	Required for Funding	Requirement	Acceptable Documentation
Citizenship	Title IV-E TANF-EAF Title XX-200%	The child or family member applying for services must be a citizen of the U.S. or a qualified immigrant as defined under the federal PRWORA.	If U.S. citizen, (1) Title IV-E and TANF-EAF <u>foster care cases</u> , a copy of birth certificate or WMS screen reflecting receipt of FA, SN, Medicaid or Food Stamps; (2) for TANF-EAF <u>family cases</u> (in-home) or Title XX 200%, attestation of U.S. citizenship is sufficient. If qualified immigrant, WMS case composition screen prints showing child in receipt of FA, SN, Medicaid, Heating Assistance Program (HEAP), or Food Stamps; or birth certificate, passport, court records, United States Immigration and Citizenship Service (USCIS) documents. (See <i>Appendix B for Immigration Status List</i> .)
Legal Authority	Title IV-E	For children placed in foster care under Family Court Act (FCA) Articles 3, 7, 10 or (SSL) 358-a, there must be an explicit judicial determination in the initial removal order stating that continuation in the home would be contrary to the welfare of the child or removal was in the best interests of the child. Legal custody must also be awarded to the local Commissioner of Social Services or the Commissioner of the Office of Children and Family Services (OCFS).	Copy of initial removal court order with specified language or copy of signed Voluntary Placement Agreement, which does not require this language at initial placement. A court order which contains a brief statement of the facts upon which the court based its "removal was in the best interests of the child" finding is acceptable. Also acceptable is where the court makes a best interests finding and cross-references documentation, such as a petition or report, or testimony upon which the court based its finding. A finding by the court of best interests, without a reference to facts, documentation, testimony or other specific support, was accepted by the federal government at the initial federal IV-E eligibility review. Accordingly, such a finding remains acceptable unless and until the State is advised otherwise. The court order must also indicate to whom the legal custody has been awarded, the local Commissioner of Social Services or the OCFS commissioner.
Reasonable Efforts	Title IV-E	For cases placed in foster care <u>by a court order</u> , the court must make an explicit judicial determination to the effect that reasonable efforts were made to prevent the	A court order which contains a brief statement of the facts upon which the court based its "reasonable efforts were made to prevent removal" finding is acceptable. Also acceptable is where the court makes a reasonable efforts finding and cross-references documentation, such as a petition

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Reasonable Efforts <i>continued</i>	Title IV-E <i>continued</i>	<p>need for removal or that due to statutorily specified circumstances the lack of such efforts was reasonable, or that reasonable efforts were not required. Otherwise, the case is ineligible.</p> <p>For cases placed on or after March 27, 2000, this reasonable efforts determination must be made within 60 days after the child was physically removed from his or her home. Failure to secure such a determination within the appropriate time frame renders the case ineligible for Title IV-E for the duration of the foster care episode.</p>	<p>or report, or testimony upon which the court based its finding. A finding by the court of reasonable efforts to prevent removal, without reference to the facts, documentation, testimony or other specific support, was accepted by the federal government at the initial federal IV-E review. Accordingly, such a finding remains acceptable unless and until the State is advised otherwise.</p> <p>Also acceptable is where the court makes a finding that reasonable efforts were not required. Because such a finding may only be made in certain limited situations, the court order should also reference the basis for the court's finding (aggravated circumstances, previous TPR or conviction for certain categories of felonies).</p>
Age	Title IV-E	Child must be under 18 on the date of the court order or on the date the Voluntary Placement Agreement was signed.	<p>FA/SN Cases – WMS clearance printout reflecting the child's date of birth or any document noted below.</p> <p>All Other Cases – Birth certificate, baptismal certificate, court documents indicating child's date of birth or progress notes that substantiate that a certificate was seen by the caseworker, and the note contains the child's name, date of birth, parents' names, certificate number, and school records. Case record information must be consistent with these data.</p>
Minor Child or Pregnant Woman	TANF-EAF	There must be a child under 18, or a child under 19 and in a secondary school (high school) or a pregnant woman.	<p>FA/SN or MA Cases – WMS clearance printout for Family Assistance (FA) listing household composition showing the child or the unborn.</p> <p>All Other Cases – Birth certificate, baptismal certificate, or progress notes that substantiate that a certificate was seen by the caseworker, and the note contains the child's name, date of birth, parents' names, certificate number, and school records. Case record information must be consistent with these data. School attendance records or WMS screens indicating student status may document age. Pregnancy must be medically verified.</p>
Specified Relative	Title IV-E TANF-EAF	Child must have been living with a parent/ specified relative within the fifth degree at any time within six months	FA/SN Cases – WMS (<i>Upstate only</i>) clearance printout listing household composition showing the child or unborn and that the child was an active member in the FA/SN case at the time of removal.

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		before the month that the court petition seeking the child's removal from the home was filed or the Voluntary Placement Agreement was signed for a foster care case, or within six months before the application for services for a family case, or the household included a pregnant woman of any age.	All Other Cases – Case record progress notes/service plans and court petitions that indicate that the child had been living with a specified relative at any time in the defined time period. Pregnancy must be medically verified.
Minor Child, Pregnant Woman, or Non-Custodial Parent	Title XX-200%	There must be: an eligible minor who is defined as a child under age 18, or under age 19 and attending secondary school or an equivalent level of technical training, regardless of living arrangement; or a pregnant woman; or a non-custodial parent.	"Application for Services" Form (LDSS-2921) Self-attestation* Non-Custodial Parent – Completed "Non-Custodial Parent Information Referral" form, (LDSS 4728)
Parental Deprivation	Title IV-E	The child was deprived of parental support and care for one or more of the following reasons: Absence of parent from the home; incapacity of parent; unemployed/underemployed parent; or death of parent(s).	Absence of parent – Case record notations such as the UCR, court petitions, and referral to the child support unit; Incapacity of parent – Documentation of receipt of SSI, disability benefits or medical verification of a condition limiting parental functioning or ability to earn income; Unemployed/underemployed parent – Copy of WMS screen print reflecting family is on WMS as an active FA, SN, or MA (Medically Needy) case; Unemployed/Underemployed parent is defined by receipt of income below the Medical Assistance standard of need. Death of parent – case record materials including UCR notes, court records, death certificate, obituary or documentation of survivor's benefits.
ADC Financial Eligibility	Title IV-E	The child would have been financially eligible for ADC during the month of July 1996, based on the family's income and resources in the month that the Voluntary Placement Agreement was signed or a court petition was filed leading	Either the July 16, 1996 ADC scratchpad budget for children placed after 11/1/97 (TANF budget standards were not in effect in NYS until 11/1/97), OR a copy of the EXCEL Eligibility Worksheet, AND supporting income documentation (either a copy of the FA/SN budget of the family if on assistance at the time of removal or other income sources, such as one representative wage stub, copies of Social Security award letters, etc.).

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ADC Financial Eligibility <i>continued</i>	Title IV-E <i>continued</i>	to the removal of the child.	For children removed from a specified relative home (other than the parent[s]), that relative's income and resources are not counted for ADC eligibility.
Family Income	Title XX-200%	The gross income level of the family members must be under 200% of the federal poverty level. Households in which all children are receiving FA, SN, MA, FS, HEAP or SSI: by definition, they meet the income requirements below 200% level of poverty.	Case record documentation that all children are receiving FA, SN, MA, FS, HEAP or SSI; or a calculation of combined gross income for the applicant based on family size is below the 200% level of poverty. Client attestation on the "Application for Services" Form (LDSS-2921)* or other acceptable documents, or WMS Clearance Report indicating that all of the children are receiving one of the above listed types of assistance.
Insufficient Resources	TANF-EAF	For foster care cases, the child must be without sufficient income/ resources immediately accessible to meet his/ her needs. For family cases, at least one member of the family must be in receipt of Temporary Assistance (FA/SN) or SSI.	Foster Care Case – Case record documents that income/resources immediately accessible to the child at the time of the emergency were insufficient to meet the cost of services including the cost of foster care. Family In-home case – District records, including WMS screens, documenting that at least one family member was in receipt of Temporary Assistance or on SSI, copy of SSI benefits check or award letter, listing on the State Data Exchange (SDX).
Emergency Situation Foster Care	TANF-EAF	Child/family requires services due to an emergency situation resulting from any of the circumstances listed on the Checklist.	Court order under FCA Articles 3, 7 or 10 or Voluntary Placement Agreement or voluntary surrender agreement and case record progress notes/service plans documenting the circumstances resulting in the provision of emergency services. If unaccompanied refugee minors pass all TANF-EAF criteria and documentation standards, placements made under the provisions of that program may be claimed as such.
Emergency Situation In-Home	TANF-EAF	Family requires services due to an emergency situation resulting from any of the circumstances listed on the Checklist.	Preventive Cases – Case record progress notes or Initial UCR documenting the circumstances resulting in the need for preventive services. Indicated Protective Cases – Case record progress notes documenting that one or more reports made to the State Central Register (SCR) have been "indicated" or copy of CONNECTIONS "Investigation Determination" and Investigation Progress Notes" window narrative or copy of child protective worker's "Casework Practice Recording Template (CPRT)."

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Need for Services Due to Reasons Other Than Refusal of Employment or Training	TANF-EAF	Need and subsequent provision of services to the child/family arose for reasons <i>other than</i> the parent/specified relative's refusal without good cause to accept employment or training	Case record progress notes documenting that the child's/family's need for services and subsequent service provision were not caused by the parent/ specified relative's refusal without good cause to accept employment or training.
Need for Services Due to Reasons Other Than Mismanagement of Temporary Assistance Grant	TANF-EAF	Need and subsequent provision of services to the child/family arose for reasons other than the parent/specified relative's mismanagement of a Temporary Assistance grant.	Case record progress notes documenting that the child's/family's need and subsequent service provision arose for reasons other than the parent/specified relative's mismanagement of a Temporary Assistance grant.
No Previous EAF Authorization	TANF-EAF	There was no EAF authorization written in the past 12 months, except one written in the past 30 days, or one written for the same emergency where the authorization has not been closed.	WMS screen print from the Benefits Issuance Control System (BICS) for services that indicate EAF was not authorized during the 12 months preceding the initiation of foster care placement unless the same emergency has continued and the EAF authorization was not closed.

*Title XX-200% documentation is based on self-attestation, except for qualified immigrant status, which requires specific documentation. The Application for Services Form (LDSS-2921) and the WMS Screen Print are sufficient bases of documentation. However, the worker may request verification of any item.