

Chapter Two
TANF-EAF Eligibility

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1. Background

This chapter is designed to assist social services staff in determining, documenting, and authorizing eligibility of child welfare cases for Temporary Assistance to Needy Families-Emergency Assistance to Families (TANF-EAF). The chapter discusses how the worker determining eligibility should review both a foster care and a family (in-home services) case.

Under the TANF provision known as “prior law,” foster care may be funded by TANF to the same extent as New York State was authorized to fund foster care under the Title IV-A Emergency Assistance to Families (EAF) program.¹ The eligibility and coverage standards of the EAF program in effect on September 30, 1995 must be followed. This means that foster care cases that would have been reimbursed under the prior Title IV-A EAF program can be funded under TANF-EAF assistance.

In this way, TANF and EAF are combined to fund certain services for foster care cases, as well as services for family or in-home services (preventive and protective). For purposes of eligibility determination, a **foster care case** is defined as a case in which one or more children in the family are in foster care. A **family (in-home services) case** is defined as one in which none of the children in the family is in foster care.

¹ The Title IV-A EAF program was abolished under the federal Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) in 1996.

2. Summary of TANF-EAF Eligibility

Since TANF-EAF applies to all child welfare services (except adoption), local districts are required to determine TANF-EAF eligibility in all cases in which a case initiation date (CID) is to be established on the Child Care Review Service (CCRS). Workers assigned responsibility for eligibility determinations should perform TANF-EAF determinations on all foster care cases, including those found Title IV-E eligible, and on all family (in-home services) cases. TANF-EAF determinations must be done at the time the case is opened. TANF-EAF authorizations can not be written more than 90 days retroactive beyond the CID. Failure to determine and authorize TANF-EAF at the time the case is opened precludes subsequent authorization for TANF-EAF. In such instances a Title XX Below 200% eligibility review is made without a TANF-EAF determination.

Steps in Determining Eligibility

Foster Care Case: Using the Initial Foster Child Eligibility Checklist, the first step for a foster care case is to determine eligibility for Title IV-E funding (*see Chapter One*). After determining whether or not a foster child is eligible for Title IV-E funding, staff should continue to review the case to determine eligibility for TANF-EAF services. While Title IV-E funding applies to foster care maintenance and administrative costs only (i.e., Title IV-E may not be used for provision of social services), TANF-EAF funding may be used for care and maintenance for cases not eligible for Title IV-E, as well as tuition for foster children and other social services (e.g., counseling and therapy), provided as part of the foster care plan or provided to avoid or reduce the need for foster care for children living at home.

 **Note:** Most Title IV-E eligible children will also be found eligible for TANF-EAF. Such cases are referred to as having “foster care dual eligibility.”

Family Case: Using the Family Eligibility Checklist, the first step for a family case (e.g., preventive or protective services) is to determine eligibility for TANF-EAF. After determining whether the family is eligible for TANF-EAF services, staff should continue to review all cases to determine eligibility for Title XX Below 200% services (*see Chapter Three*). Cases found eligible for both TANF-EAF and Title XX Below 200% are referred to as having “dual eligibility.” In family cases, TANF-EAF must be determined for all members of a family unit so that once a positive TANF-EAF determination is made, all persons in the family must be encoded on the Welfare Management System (WMS) to reflect TANF-EAF eligibility.

Continuing Authorization

TANF-EAF for a case may be *authorized* only once within any 12-month period. This authorization remains in effect for as long as the needs arising from the emergency continue – i.e., until the emergency ends. In a *foster care case*, the emergency is defined as ending when the child is:

- Discharged from foster care with no continuing need for services;
- Freed for adoption and placed in an adoptive home;
- Placed in adult residential care;
- On trial discharge with a goal of independent living; or
- When youngest child in the case turns 18 (or 19 if still in secondary or equivalent education).

In a *family case*, the emergency is defined as ending when the casework decision is made that the services are no longer needed and the EAF authorization and the services case are closed or when the youngest child in the case turns 18 (or 19 if still in secondary or equivalent education). TANF-EAF eligibility is not limited to any specific services and should remain in effect until the emergency is remedied.

TANF-EAF is authorized for all services needed to address the emergency. If a foster care child is authorized as TANF-EAF eligible, the services provided on behalf of the child to facilitate the child's return home are eligible for TANF-EAF funding. This can include those services that may also involve other family members not in foster care, for example, parenting skills training provided to the parents. The EAF eligibility continues after the child is discharged from foster care if the services continue to be provided upon the child's return home. Conversely, if a family is authorized as TANF-EAF for preventive services and a child is subsequently placed into foster care from that family, the TANF-EAF authorization written for the family case applies to the foster care case. If the family was not eligible for TANF-EAF and a child is placed into foster care, a determination of TANF-EAF must be made based on the foster care criteria discussed below.

There is no re-determination of TANF-EAF, and the authorization remains in effect as long as the needs continue or the conditions reflecting the foster care permanency plan status noted above have not been met.

TANF-EAF Criteria

The criteria are as follows:

A. Emergency Situation

The need for services must arise from one or more emergency circumstances. A family's need for protective, preventive, or placement services is considered to meet the definition of an emergency situation under TANF-EAF. The types of emergencies that meet this criteria are: emergency removal from the home; foster care placements under FCA Articles 3, 7, or 10 of the Family Court Act; voluntary placement in foster care; surrender for adoption; placement of unaccompanied refugee minor; authorized protective or preventive services; PINS diversion; homelessness/minor living on own/abandonment; domestic violence; and fire/other disaster/other emergency.

 **Note:** It is not necessary to make a determination of TANF-EAF eligibility when a child protective investigation is initiated and a case has not been opened. Child protective investigative activities not part of an open services case are classified by the Services Random Moment Survey based on the nature of that activity and without regard to any case eligibility that may or may not be established.

B. Additional TANF-EAF Requirements

Additional requirements for TANF-EAF are summarized below. The differences between eligibility for foster care cases and for family cases are noted when appropriate.

- **Citizenship.** A recipient of TANF-EAF must be a citizen of the United States or a qualified immigrant as defined by the 1996 Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). *(See Appendix B for the ACFY-CB-PIQ-99-01 and the Immigration Status List.)* As the recipient of the service is always the child or children, the citizenship/qualified immigrant status of the parent or caretaker relative is irrelevant.
- **Age.** Under State law, a child must be under the age of 18 to enter foster care. In a foster care case, the child must be under the age of 18 at the time of removal and placement into foster care (using the date the court order was issued or the Voluntary Placement Agreement was signed). In a family case, a member of the family must be under the age of 18, or under the age of 19 and attending secondary school (high school) or an equivalent level of vocational or technical training. Also, a pregnant woman of any age qualifies under this requirement even when otherwise living alone because the unborn counts as the child living with her.
- **Living With a Specified Relative.** The child must have been living with a parent/specified relative within six months before the application for foster care placement or within six months before the application for services in a family case. In a family case, a pregnant woman of any age qualifies under this requirement even when otherwise living alone because the unborn counts as the child living with her. *(See Appendix B for Determining a Specified Relative.)*
- **No Previous EAF Authorization.** Except for the current 30-day period, the case was not authorized to receive TANF-EAF funding in the past 12 months. Keep in mind that it is the date the prior EAF authorization was written that is considered when reviewing this item, not the date the EAF authorization was closed. Children in foster care are considered as cases separate from their family’s case for the purpose of this provision; that is, a prior EAF authorization within the past 12 months for the family will not preclude an authorization for the foster care case. If EAF has been authorized in an existing case and that case remains open, the district may use that existing EAF authorization to fund services if the emergency circumstance that necessitated the initial EAF authorization and the emergency in the services case is the same. Otherwise, if the EAF authorization had been written within the past 12 months of the services case opening, TANF-EAF eligibility cannot be established.
 - ☞ **Note:** As stated earlier, if there is a continuing EAF authorization for services arising from the same emergency situation, i.e., the case has not been closed and the needs arising from the emergency continue, then there is no need for a new authorization.
- **Insufficient Resources.**
 - In a foster care case, there must be insufficient income/resources immediately accessible to meet the child’s needs, including the cost of foster care and other services.
 - In a family case, at least one member of the family must be receiving public assistance (Family Assistance or Safety Net) or Supplementary Security Income (SSI) at the time that the emergency is identified in order to meet the standard of insufficient

income/resources. Potential eligibility for public assistance or SSI or income below the public assistance standard in itself does not meet this test.

- **Need for Services Due to Reasons Other Than Refusal of Employment/Training.** The need of the child or family for services arose from reasons *other than* the parent/specified relative's refusal without good cause to accept employment or training for employment.
- **Need For Services Due to Reasons Other Than Mismanagement of PA Grant.** For a public assistance recipient, the need of the child or family for services arose from reasons *other than* the parent/specified relative's mismanagement of a public assistance grant.

3. WMS System Instructions for Claiming TANF-EAF

This section provides information on entering the correct codes in WMS to authorize services under TANF-EAF and under both Title IV-E and TANF-EAF (foster care dual eligibility).

1. To authorize and claim as TANF-EAF all care and maintenance and services for a foster care case (i.e., the case is not eligible for Title IV-E), enter the eligibility code 04.
2. Because it is possible for foster children to be Title IV-E eligible and TANF-EAF eligible concurrently, you must enter the correct coding to reflect the dual eligibility of such cases. In such cases, the eligibility code field must always indicate the Title IV-E eligibility code 02. The TANF-EAF eligibility will be designated in the Direct Services and Purchase of Services fields as follows:

08 - associated with the Purchase of Service (POS) “foster care maintenance” authorization (code 61, 62, or 63 and other “assistance-like payments” eligible for Title IV-E funding) under Title IV-E

08E - associated with foster care direct services that can only be claimed under the TANF-EAF program (e.g., tuition, counseling)

Therefore, to claim TANF-EAF for specific services not reimbursable under Title IV-E (e.g., tuition, counseling), enter both 08 (foster care) and 08E (foster care EAF) in the Direct Services field in that fixed sequence. If any other direct or purchased services are authorized (e.g., preventive and/or protective), they too must include the “E” suffix. For purchase of services lines, such as tuition payments, enter the tuition POS line as 64E or 65E to claim TANF-EAF. See the *Services Benefits Issuance Control Manual* for appropriate coding of other related foster care POS lines.

If the case is *ineligible* for Title IV-E and TANF-EAF, enter the appropriate eligibility code, as follows:

- 06 – SSI-Blind
- 07 – SSI-Disabled
- 08 – MA
- 14 – IE (Eligibility to be determined by income – Non-Categorical)

If the case is ineligible for any funding because the child is not a U.S. citizen or qualified immigrant (costs for the case are not reimbursable, except for child protective services, emergency medical services, non-residential domestic violence services, and non-residential adult protective services) enter eligibility code 14 and add “N” suffix.

The chart below summarizes appropriate coding of the Eligibility, Direct Services, and Purchase of Service fields of WMS when a child is authorized for protective services and/or preventive services and/or foster care services.

ELIGIBILITY CATEGORY	EL CODE	DIRECT SERVICES AUTHORIZED			POS CODING
		FC	PROT	PREV	
Title IV-E & TANF-EAF	02	08+08E (in this sequence)	17E	25E/26E	61, 62, 63, 66-71, 79, 83 64E, 65E, 72E- 75E, 82E
TANF-EAF Only	04	08	17	25/26	No suffix required
FNP Only	06, 07, 08, or 14	08	17	25/26	No suffix required

Chapter Three covers cases found to be eligible for both TANF-EAF and Title XX Below 200% (dual eligibility) including instructions on encoding WMS.

4. Instructions for Completing the Initial Foster Child Eligibility Checklist (TANF-EAF Sections)

Instructions for completing the TANF-EAF sections of the Initial Foster Child Eligibility Checklist are presented in the following pages. The organization of the instructions corresponds to the organization of the Checklist. It is recommended that you place these instructions beside the Checklist as you complete the Checklist. *(See Appendix A for a sample copy of the Checklist.)*

The symbol → indicates a direction to enter information. When necessary, the directions are followed by an *Explanation* of the item and the *Documentation* required for the item.

Remember to complete a separate Checklist for each foster child.

 **Note:** It is strongly recommended that all documentation be attached to the Checklist. It is also recommended that the Checklist with the attached documentation be kept in a separate, identified section of the case record that is maintained for eligibility purposes.

Section I. Case Information	<i>Already completed when determining eligibility for Title IV-E.</i>
Section II. Title IV-E Eligibility	<i>Already completed when determining eligibility for Title IV-E.</i>
Section III. TANF-EAF Eligibility	<p>A. Emergency Situation</p> <p>The emergency situation is due to the following circumstances:</p> <p>→ Check all applicable boxes: FCA Article 10 court ordered removal/placement. FCA Article 7 court ordered placement FCA Article 3 court ordered placement SSL 358-a court order SSL 384-a placement made by Voluntary Placement Agreement SSL 384 placement made by Voluntary Surrender Agreement FCA 651(b) placement of unaccompanied refugee minor</p> <p><i>Explanation:</i> TANF-EAF funding is contingent upon the child's need for services arising from a family emergency <i>and</i> meeting all other eligibility requirements. The need for services must arise from one or more emergency circumstances. A child's need for placement services is considered to be the result of an emergency situation.</p> <p><i>Documentation:</i> A court order under FCA Articles 3, 7, or 10, or Voluntary Placement Agreement or Surrender for Adoption <i>and</i> case record progress notes/service plans documenting the circumstances resulting in the provision of emergency services. If unaccompanied refugee minors pass</p>

<p>Section III. TANF-EAF Eligibility <i>continued</i></p>	<p>all TANF-EAF criteria and documentation standards, placements made under the provisions of that program may be claimed as such.</p> <p>B. TANF-EAF Requirements The <u>foster child</u> must meet all requirements below for TANF-EAF eligibility:</p> <p>1. Citizenship. Is the child a citizen of the U.S. or qualified immigrant as defined under the federal PRWORA?</p> <p>→ Check YES if the child is a U.S. citizen or a qualified immigrant.</p> <p>→ Check NO if the child is not a U.S. citizen or a qualified immigrant. ☞ Go to Section IV and indicate INELIGIBLE FOR ANY FUNDING.</p> <p>Documentation: If U.S. citizen, birth certificate or similar document. If qualified immigrant, WMS case composition screen prints showing child in receipt of FA, SN, Medicaid, Home Energy Assistance Program (HEAP), or Food Stamps; birth certificate, passport, court records, United States Citizenship and Immigration Services (USCIS) forms. (See Appendix B for the ACFY-CB-PIQ-99-01 and the Immigration Status List).</p> <p>☞ Note: Medicaid Exception – State and local Medicaid eligibility for otherwise eligible immigrants is not dependent on whether the immigrant is a qualified immigrant or non-qualified immigrant or the date on which the immigrant entered the U.S. as outlined in PRWORA. State and local Medicaid coverage cannot be denied if an otherwise eligible immigrant is permanently residing in the U.S. under Color of Law (PRUCOL) or is a lawfully admitted permanent resident. Also, federally funded Medicaid may be granted to otherwise eligible undocumented immigrants for emergency services only. Pregnant women are not required to document citizenship or immigration status in order to be eligible for Medicaid. These individuals can be identified on <u>upstate</u> WMS by aid category codes: 38-Alien FP-Emergency Only, 37-Alien FNP-Eligible MA-Does Not Meet PRWORA and 76-Legal Aliens-Eligible MA-Does Not Meet PRWORA. On <u>downstate</u> WMS, the individuals are identified by alien code E-Undocumented Aliens-Emergency MA Only or State/federal charge codes: 60-TANF Ineligible Alien and 67-Qualified Alien in the 5 Year Ban for Medicaid/PRUCOL.</p> <p>2. Living With a Specified Relative. Was the child living in the home</p>
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<p>Section III. TANF-EAF Eligibility <i>continued</i></p>	<p>of a parent/specified relative at any time within six months before foster care placement?</p> <p>→ Check YES if the child lived in the home of a parent/specified relative at any time within six months before foster care placement.</p> <p>→ Check NO if the child was not living in the home of a parent/specified relative at any time within six months before foster care placement. ☞ Go to Section IV and indicate INELIGIBLE FOR TITLE IV-E AND TANF-EAF.</p> <p>Explanation: The child must have been living with a parent or other specified relative within the fifth degree (i.e., a “specified relative”) within six months before foster care placement. (See <i>Appendix B for Determining a Specified Relative.</i>)</p> <p>Documentation: FA/SN Cases –WMS clearance printout for a Family Assistance (FA) case listing the household composition. Using the Upstate WMS system, the case composition inquiry screen for a Safety Net (SN) case may also be used to document relationship.</p> <p>All Other Cases – Case record progress notes/service plans, court petitions, etc. documenting that the child was living with a specified relative within six months of placement.</p> <p>3. No Previous EAF Authorization. Was there <i>no</i> 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?</p> <p>→ Check YES if <i>no</i> EAF authorization was 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.</p> <p>→ Check NO if an EAF authorization was written in the past 12 months, unless one was written in the past 30 days or written for the same emergency where the authorization has not been closed. ☞ Go to Section IV and indicate INELIGIBLE FOR TITLE IV-E AND TANF-EAF.</p> <p>Explanation: A case can only be authorized to receive TANF-EAF funding during one consecutive 30-day period in a given 12-month period. Note that it is the date the EAF authorization was written that counts, not the date the case was closed or the last payment made. Under New</p>
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<p>Section III. TANF-EAF Eligibility <i>continued</i></p>	<p>York’s “prior law” policy, EAF can be authorized for as long as the needs arising from the emergency last. Keep in mind that if the need for foster care arises from the same emergency that required a prior EAF authorization and that authorization has not been closed, EAF is already authorized for the foster care placement. There is no need to create a new EAF authorization in such cases. For example, in May 2002, a preventive services case is opened and TANF-EAF is authorized at that time. In October 2002, circumstances have deteriorated and placement is needed. The foster care placement arises from the same basic emergency, and the existing TANF-EAF authorization covers the placement costs if the case is not Title IV-E eligible.</p> <p>The emergency is defined as ending when the child is: discharged from foster care with no continuing need for services; or freed for adoption and placed in an adoptive home; or placed in adult residential care; or on trial discharge with a goal of independent living; or the youngest child in the case turns 18 (or 19 if still in secondary or equivalent education). Federal regulations require that all services to be covered by TANF-EAF be authorized in one 30-day period. In New York State, this requirement is met by issuing one TANF-EAF authorization covering all services necessary to address the emergency situation.</p> <p>Documentation: 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. This screen tracks the EAF start or authorization date.</p> <p>4. Insufficient Resources. Is the child without sufficient income/resources immediately accessible to meet his/ her needs?</p> <p>→ Check YES if the child is without income/resources immediately accessible to meet his/ her needs.</p> <p>→ Check NO if the child has income/resources immediately accessible to meet his/ her needs. ☞ Go to Section IV and indicate INELIGIBLE FOR TITLE IV-E AND TANF-EAF.</p> <p>Explanation: The child must be without sufficient income/resources immediately accessible to meet his/her needs, including the cost of foster care and other services. Financial eligibility for TANF-EAF is presumed to exist for all foster care cases unless the child is in receipt of sufficient income or resources to meet <i>all</i> costs of care, i.e., room and board, clothing, social services, tuition, and administrative expenses. Only that income immediately accessible to the child to meet the costs should be considered in the eligibility determination</p>
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<p>Section III. TANF-EAF Eligibility <i>continued</i></p>	<p>review.</p> <p>Documentation: 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.</p> <p>5. Need For Services Due to Reasons Other Than Refusal of Employment/Training. Did the child’s need for services arise for reasons <i>other than</i> the parent/specified relative’s refusal without good cause to accept employment or training?</p> <p>→ Check YES if the child’s need for services arose for reasons <i>other than</i> the parent/specified relative’s refusal without good cause to accept employment or training.</p> <p>→ Check NO if the child’s need for services arose because of the parent/specified relative’s refusal without good cause to accept employment or training. ☞ Go to Section IV and indicate INELIGIBLE FOR TITLE IV-E AND TANF-EAF.</p> <p>Explanation: Emergency assistance is necessary to provide for the child’s living arrangements, and this need must not be due to his or her parent/specified relative's refusal without good cause to accept employment or training for employment. If the emergency (i.e., the need for foster care) was solely caused by the parent/specified relative’s (the relative with whom the child lived before placement into foster care) refusal without good cause to accept employment or training for employment, the case is not TANF-EAF eligible.</p> <p>Documentation: Case record documents that the child’s need for services and subsequent service provision were not caused solely by the parent/specified relative’s refusal without good cause to accept employment or training.</p> <p>6. Need For Services Due to Reasons Other Than Mismanagement of PA Grant. Did the child’s need for services arise for reasons <i>other than</i> the parent/specified relative’s mismanagement of a public assistance grant?</p> <p>→ Check YES if the child’s need for services arose for reasons <i>other than</i> the parent/specified relative’s mismanagement of a public assistance grant.</p> <p>→ Check NO if the child’s need for services arose because of the parent/specified relative’s mismanagement of a public assistance grant. ☞ Go to Section IV and indicate INELIGIBLE FOR TITLE IV-E AND TANF-EAF.</p>
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<p>Section III. TANF-EAF Eligibility <i>continued</i></p>	<p><i>Explanation:</i> For a public assistance case, the need for services must arise from reasons <i>other than</i> the parent/specified relative’s mismanagement of a public assistance (Family Assistance or Safety Net) grant.</p> <p><i>Documentation:</i> Case record documents that the child’s emergency needs and subsequent need for services were not caused by the parent/specified relative’s mismanagement of a public assistance grant.</p> <p>In accordance with 18 NYCRR 372.4(d), costs for services that are necessary to address needs arising from the cited emergency are authorized under the EAF program. This authorization will continue until the emergency ends.</p> <p>→ Sign and enter the date.</p> <p>→ Obtain the supervisor’s signature and date.</p>
<p>Section IV. Eligibility Summary & Signatures/ Supervisor’s Review</p>	<p>→ Check the ELIGIBLE FOR TITLE IV-E ONLY box if the child is eligible for Title IV-E only. Encode child 02 (eligibility code) and 08 (direct service code) on WMS.</p> <p>→ Check the ELIGIBLE FOR TANF-EAF ONLY box if the child is eligible for TANF-EAF only. Encode child 04 (eligibility code) and 08 (direct service code) on WMS.</p> <p>→ Check the ELIGIBLE FOR TITLE IV-E AND TANF-EAF (DUAL ELIGIBILITY) box if the child is eligible for both Title IV-E and TANF-EAF. Encode child 02 (eligibility code) and 08 and 08E (direct service codes) and add “E” suffix to POS lines as needed on WMS.</p> <p>→ Check the INELIGIBLE FOR TITLE IV-E AND TANF EAF box if the child is ineligible for Title IV-E and TANF-EAF. Encode child 06, 07, 08 or 14 (eligibility code) and 08 (direct service code) on WMS.</p> <p>→ Check the INELIGIBLE FOR ANY FUNDING box as child is not a U.S. citizen or qualified immigrant. Encode child 14 (eligibility code) and 08 (direct service code) and add "N" suffix to direct service and POS lines as needed on WMS.</p> <p>→ Sign and enter the date.</p> <p>→ Obtain the supervisor’s signature and date.</p>
<p>Section IV.</p>	<p> Proceed to review the case for Title XX Below 200% eligibility</p>

<p>Eligibility Summary & Signatures/ Supervisor's Review <i>continued</i></p>	<p>(except for cases that have been determined eligible for Title IV-E and TANF-EAF and cases that are INELIGIBLE FOR ANY FUNDING).</p>
<p>Section V. Documentation of Eligibility</p>	<p>Indicate the documentation used for each item of eligibility for TANF-EAF. Indicate where that documentation is located in the case record <i>or</i> that it is attached to the Checklist form.</p> <p>→ List the documentation used for each item.</p> <p>→ Enter the location of the documentation in the case record, <i>or</i> check the box if attached to the Checklist.</p> <p><i>Explanation:</i> It is strongly recommended that all documentation be attached to the Checklist. It is also recommended that the Checklist with the attached documentation be kept in a separate, identified section of the case record that is maintained for categorical eligibility purposes.</p>

5. Instructions for Completing the Family Eligibility Checklist (TANF-EAF Sections)

Instructions for completing the Case Information section and the TANF-EAF sections of the Family Eligibility Checklist are presented in the following pages. The organization of the instructions corresponds to the organization of the Checklist. It is recommended that you place these instructions beside the Checklist as you complete the Checklist. *(See Appendix A for a sample copy of the Checklist.)*

The symbol → indicates a direction to enter information. When necessary, the directions are followed by an *Explanation* of the item and the *Documentation* required for the item.

 **Note:** It is strongly recommended that all documentation be attached to the Checklist. It is also recommended that the Checklist with the attached documentation be kept in a separate, identified section of the case record that is maintained for categorical eligibility purposes.

<p>Section I. Case Information</p>	<ul style="list-style-type: none"> → Enter Case Name; Unit and Worker Number; and Case Number. → Enter Family Assistance (FA) or Safety Net (SN) Clearance Date. → Check YES or NO regarding whether the applicant or other family member(s) applying or in receipt of child welfare services is an FA/SN Recipient. → Check Welfare Management System (WMS) Screen Print box if included in the case record. → Enter Supplemental Security Income (SSI) Clearance Date. → Check YES or NO regarding whether the applicant or other family member(s) applying or in receipt of child welfare services is an SSI Recipient. <p>Documentation: Use the most accurate data available for entering information. The WMS FA/SN clearance (if available) contains reliable demographic data. See also court documents for date of birth. Receipt of SSI benefits can be checked on the State Data Exchange (SDX).</p>
<p>Section II. TANF-EAF Eligibility</p>	<p>A. Emergency Situation</p> <p>The emergency situation is due to the following circumstances:</p> <ul style="list-style-type: none"> → Check all applicable boxes:

<p>Section II. TANF-EAF Eligibility <i>continued</i></p>	<p>Authorized protective services PINS diversion Authorized preventive services Homelessness/minor living on own/abandonment Domestic violence Fire/other disaster/other emergency (<i>specify</i>)</p> <p><i>Explanation:</i> TANF-EAF funding is contingent upon the family’s need for services arising from a family emergency. The need for services must arise from one or more emergency circumstances. A family’s need for preventive or protective services is considered to be the result of an emergency situation.</p> <p><i>Documentation</i> Preventive Cases – Case record progress notes or Initial UCR documenting the circumstances resulting in the authorization of preventive services.</p> <p>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 the CONNECTIONS “Investigation Determination” and “Investigation Progress Notes” window narrative, or copy of child protective worker’s “Casework Practice Recording Template (CPRT).”</p> <p>B. TANF-EAF Requirements</p> <p>Applicant(s) must meet all requirements below for TANF-EAF eligibility:</p> <p>1. Citizenship. Are all children who are applying for services citizens of the U.S. or qualified immigrants as defined under the federal PRWORA?</p> <p>→ Check YES if the applicant(s) is a U.S. citizen or a qualified immigrant.</p> <p>→ Check NO if the applicant(s) is not a U.S. citizen or a qualified immigrant. ☞ Go to Section IV and indicate INELIGIBLE FOR ANY FUNDING.</p> <p><i>Explanation:</i></p> <ul style="list-style-type: none"> ▪ A recipient of TANF-EAF must be a citizen of the United States or a qualified immigrant as defined by the 1996 Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). As the recipient of the service is always the child or children, the citizenship/qualified immigrant status of the parent or caretaker relative is irrelevant. (<i>See Appendix B for the ACFY-CB-PIQ-99-01 and Immigration Status List.</i>)
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<p>Section II. TANF-EAF Eligibility <i>continued</i></p>	<p>Documentation: Note: TANF-EAF requires that only one member of the family must be in receipt of public assistance (Family Assistance or Safety Net) or SSI. Since these programs require the same citizenship/qualified immigrant status as TANF-EAF, this requirement is automatically met.</p> <p>2. Age. Was any member of the family under the age of 18, or under the age of 19 and attending secondary school (high school) or an equivalent level of vocational or technical training or did the case include a pregnant woman of any age?</p> <p>→ Check YES if the child was under the age of 18, or under the age of 19 and attending secondary school (high school) or an equivalent level of vocational or technical training school or if the case included a pregnant woman of any age.</p> <p>→ Check NO if the child was 18 or older and not attending secondary school (high school) or an equivalent level of vocational or technical training or if the case did <i>not</i> include a pregnant woman. ☞ Go to Section IV and indicate INELIGIBLE FOR TANF-EAF AND TITLE XX BELOW 200%.</p> <p>Explanation: The family must have at least one child under the age of 18, or under the age of 19 and attending secondary school or an equivalent level of vocational or technical training. A pregnant woman of any age qualifies for this requirement even when otherwise living alone since the unborn counts as the child living with her.</p> <p>Documentation: 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> <p>3. Living With a Specified Relative. Was the child living in the home of a parent/specified relative at any time within six months before the application for services, or did the case include a pregnant woman of any age?</p>
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<p>Section II. TANF-EAF Eligibility <i>continued</i></p>	<p>→ Check YES if the child lived in the home of a parent/specified relative at any time within six months before the application for services, or if the case included a pregnant woman of any age.</p> <p>→ Check NO if the child was not living in the home of a parent/specified relative at any time within six months before the application for services or if the case did <i>not</i> include a pregnant woman. ☞ Go to Section III to determine eligibility for Title XX Below 200%.</p> <p>Explanation: The child must have been living with a parent or other specified relative within the fifth degree (i.e., a “specified relative”) within six months before the application for services, or the case must have included a pregnant woman of any age. (<i>See Appendix B for Determining a Specified Relative.</i>)</p> <p>Documentation: FA/SN Cases –WMS clearance printout for Family Assistance (FA) listing household composition showing the child or the unborn. Using the Upstate WMS system, the case composition inquiry screen for Safety Net (SN) may also be used to document relationship.</p> <p>All Other Cases – Case record progress notes/service plans, etc., documenting that the child was living with a parent/ specified relative six months before the application for services. Pregnancy must be medically verified.</p> <p>4. No Previous EAF Authorization. Was there <i>no</i> 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?</p> <p>→ Check YES if no EAF authorization was 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.</p> <p>→ Check NO if an EAF authorization was written in the past 12 months, unless one was written in the past 30 days or written for the same emergency where the authorization has not been closed. ☞ Go to Section III to determine eligibility for Title XX Below 200%.</p>
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<p>Section II. TANF-EAF Eligibility <i>continued</i></p>	<p><i>Explanation:</i> A case can only be authorized to receive TANF-EAF funding during one consecutive 30-day period in a given 12-month period. It is the date the authorization was written that counts, not the date the case was closed or the last payment under EAF was issued. Under New York’s “prior law” policy, EAF can be authorized for as long as the needs arising from the emergency last. The TANF-EAF eligibility ends when the caseworker and family determine that the need for services related to the emergency no longer exists.</p> <p>The emergency is deemed to end when the needs arising from the emergency end, i.e. services are no longer necessary or the youngest child in the case turns 18 (or 19 if still in secondary or equivalent education). Federal regulations require that all services to be covered by TANF-EAF be authorized in one 30-day period. In New York State, this requirement is met by issuing one TANF-EAF authorization covering all services necessary to address the emergency situation. If all the children have returned home from foster care, the emergency can be considered as continuing until services are no longer needed.</p> <p><i>Documentation:</i> 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. This screen tracks the EAF start or authorization date.</p> <p>5. Insufficient Resources. Is at least one member of the family in receipt of public assistance or SSI?</p> <p>→ Check YES if at least one member of the family is in receipt of public assistance or SSI.</p> <p>→ Check NO if no one in the family is in receipt of public assistance or SSI. ☞ Go to Section III to determine eligibility for Title XX Below 200%.</p> <p><i>Explanation:</i> To meet the standard of “insufficient resources,” at least one family member must be in receipt of public assistance (Family Assistance or Safety Net) or SSI at the time the emergency is identified. Potential eligibility for public assistance or SSI or income below the public assistance standard in itself does not meet this test.</p>
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<p>Section II. TANF-EAF Eligibility <i>continued</i></p>	<p>Documentation: District records, including WMS screens, documenting that at least one family member was in receipt of public assistance or SSI, copy of SSI benefits check or award letter, listing on the State Data Exchange (SDX).</p> <p>6. Need For Services Due to Reasons Other Than Refusal of Employment/Training. Did the family’s need for services arise for reasons <i>other than</i> the parent/specified relative’s refusal without good cause to accept employment or training?</p> <p>→ Check YES if the family’s need for services arose for reasons <i>other than</i> the parent/specified relative’s refusal without good cause to accept employment or training.</p> <p>→ Check NO if the family’s need for services arose because of the parent/specified relative’s refusal without good cause to accept employment or training. ☞ Go to Section III to determine eligibility for Title XX Below 200%.</p> <p>Explanation: Emergency assistance is necessary to meet the emergency needs of the family, and this need must not be due solely to the parent/specified relative’s refusal without good cause to accept employment or training for employment. If the emergency was solely caused by the parent/specified relative’s refusal to accept employment or training for employment, the case is not eligible for TANF-EAF.</p> <p>Documentation: Case record documents that the family’s need and subsequent service provision were not caused solely by the parent/specified relative’s refusal to accept employment or training.</p> <p>7. Need for Services Due to Reasons Other Than Mismanagement of a PA Grant. Did the family’s need for services arise for reasons <i>other than</i> the parent/specified relative’s mismanagement of a public assistance grant?</p> <p>→ Check YES if the family’s need for services arose for reasons <i>other than</i> the parent/specified relative’s mismanagement of a public assistance grant.</p> <p>→ Check NO if the family’s need for services arose because of the parent/specified relative’s mismanagement of a public assistance grant. ☞ Go to Section III to determine eligibility for Title XX Below 200%.</p>
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<p>Section II. TANF-EAF Eligibility <i>continued</i></p>	<p><i>Explanation:</i> For a public assistance recipient, the need for services was not caused by the parent/specified relative’s mismanagement of a public assistance (Family Assistance or Safety Net) grant.</p> <p><i>Documentation:</i> Case record documents that the family’s need and subsequent service provision were not caused by the parent/specified relative’s mismanagement of a public assistance grant.</p> <p>☛ If answers to Part B, 1-7 are “YES,” sign below and go to Section III.</p> <p>In accordance with 18 NYCRR 372.4(d), costs for services that are necessary to address needs arising from the cited emergency are authorized under the EAF program. This authorization will continue until the emergency ends.</p> <p>→ Sign and enter the date.</p> <p>→ Obtain the supervisor’s signature and date.</p>
<p>Section III. Title XX Below 200% Eligibility</p>	<p><i>See Chapter Three for instructions on completing this section.</i></p>
<p>Section IV. Eligibility Summary & Signatures/ Supervisor’s Review</p>	<p>→ Check the ELIGIBLE FOR TANF-EAF AND TITLE XX BELOW 200% box if the family is eligible for TANF-EAF and Title XX Below 200%. Encode family 04 (eligibility code) and add “D” suffix for preventive services and “C” suffix for any non-preventive services (direct service and POS lines) as needed on WMS.</p> <p>→ Check the ELIGIBLE FOR TANF-EAF ONLY box if the family is eligible for TANF-EAF. Encode family 04 (eligibility code) on WMS.</p> <p>→ Check the ELIGIBLE FOR TITLE XX BELOW 200% box if the family is eligible for Title XX Below 200%. Encode family with any appropriate eligibility code other than 04, and add “D” suffix for preventive services and “C” suffix for any non-preventive services (direct service and POS lines) as needed on WMS.</p> <p>→ Check the INELIGIBLE FOR TANF-EAF AND TITLE XX BELOW 200% box if the family is not eligible for TANF-EAF and Title XX Below 200%. Encode family 14 (eligibility code) on WMS.</p>

<p>Section IV. Eligibility Summary & Signatures/ Supervisor's Review <i>continued</i></p>	<p>→ Check the INELIGIBLE FOR ANY FUNDING box (other than child protective, non-residential adult protective, non-residential domestic violence and emergency medical services) as no family member is a U.S. citizen/qualified immigrant. Encode family 14 (eligibility code) and add "N" suffix to direct service and POS lines as needed on WMS.</p> <p>→ Sign and enter the date.</p> <p>→ Obtain the supervisor's signature and date.</p>
<p>Section V. Documentation of Eligibility</p>	<p>Indicate the documentation used for each item of eligibility for TANF-EAF. Indicate where that documentation is located in the case record <i>or</i> that it is attached to the Checklist form.</p> <p>→ List the documentation used for each item.</p> <p>→ Enter the location of the documentation in the case record, <i>or</i> check the box if attached to the Checklist.</p> <p><i>Explanation:</i> It is strongly recommended that all documentation be attached to the Checklist. It is also recommended that the Checklist with the attached documentation be kept in a separate, identified section of the case record that is maintained for categorical eligibility purposes.</p>