



Administrative Policies and Procedures: 23.01

Subject Families First Assistance Units (AU)

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Application Family Assistance Eligibility Counselors and Client Representatives

Policy Statement

The eligibility worker shall determine which individuals living in the home must be included in the Assistance Unit.

Purpose

The purpose of this policy is to outline the requirements for constructing the Families First Assistance Unit.

Procedures

- A. Assistance Unit**
1. General principles for assistance units (AU) include the following:
 - a) All AU members must be technically eligible.
 - b) Countable income and resources of AU members must be considered.
 - c) If optional members are included, all of their income/resources are included.
 - d) Children must be within the specified degree of relationship to the person requesting assistance.
 2. Construction of the AU begins with the child(ren) for whom Families First is requested.
 - a) Add the child's technically eligible whole, half, and /or adoptive sibling(s).
 - b) Add the child's technically eligible parent(s) living in the home.

B. Mandatory Assistance Unit Members

Mandatory AU members include:

1. The dependent child.
2. The technically eligible whole, half, or adopted siblings of the dependent child.
3. The technically eligible parent(s) living in the home with the dependent child.
4. The technically eligible alleged parent in the home.
 - a) The blood relationship to the child must be established.
 - b) An alleged parent cannot be included in the AU if the child has a legal father.
5. If a minor parent is applying for his/her child, the child must be included in the major parent's AU if the major parent is receiving for the minor parent.

C. Optional Assistance Unit Members

Optional AU members include:

1. Grantee relative, including minors, other than a parent, e.g. grandparent, aunt, uncle, or other relative within the specified degree of relationship as outlined on collateral document [23.03-17.04 Family Relationship Chart](#) who:
 - a) Provides a home for the child;
 - b) Exercises primary responsibility for the care and control of the child;
 - c) Asks to be included; and
 - d) Is otherwise eligible.
2. Stepparent living in the home with the child when a natural/adoptive parent in the home is incapacitated, or when the stepparent is the only relative in the home who meets the requirements as a caretaker.
3. Parent of a minor parent when the minor's parent is in the home, but is not requesting assistance for the minor or any half or whole sibling(s) of the minor parent(s).
4. A minor parent's child may be included or excluded from the major parent's AU depending on who is applying.
 - a) If the major parent is applying for the minor parent, the minor parent's child is an optional AU member.
 - b) If the minor parent moves into the home of the major parent and must be included in the AU with his/her siblings, the minor's child is optional.
Note: If the minor parent opts to exclude the child, the child cannot be eligible for a separate grant.
5. Spouse married during the receipt of assistance for the first 3 months after the marriage as outlined in policy [23.28 Marriage During Receipt of Assistance](#).

D. Individuals Excluded from the Assistance Unit

The following individuals must be excluded from the AU:

1. Any individuals who receive Supplemental Security Income (SSI) benefits.
2. Unenumerated individuals or any individual who does not meet any technical eligibility requirement.
3. Individuals disqualified for Intentional Program Violations.
4. Individuals whose citizenship status does not meet eligibility requirements.
5. Non-citizens who would be included but are ineligible due to the deemed

income or resources of their sponsors, or due to sponsorship by an agency or organization.

6. Individuals who are convicted or who enter a guilty plea or plea of nolo contendere in a federal or state court for having made a fraudulent statement or representation with respect to the place of residence in order to receive assistance simultaneously from two (2) or more states.
7. Fleeing felons who have knowledge that they are or could be wanted for a felony level criminal act and have taken or are in the process of taking action to avoid prosecution. See collateral document [Assistance Unit Procedures](#).
8. Individuals who are convicted under Federal or State law of any felony offense which occurred after August 22, 1996 which has as an element of the offense the possession, use, or distribution of a controlled substance as outlined in policy [23.03 Impact of a Drug Felony Conviction on Receipt of Families First](#).
9. Individuals with a positive drug test result who fail to cooperate with the requirements of their substance abuse evaluation and/or treatment as outlined in policy [23.02 Families First Drug Testing](#).

E. Exceptions

1. Emancipation of a minor by court order or any other action has no effect on a person's status as a minor for Families First purposes.
2. Different sets of children living in the same home with a caretaker (within the specified degree of relationship) and the caretaker's children may be included in one AU when it is to the advantage of the AU.
3. Legal Guardians or custodians may receive Families First for a child only if the guardian is within a specified degree of relationship to the child.
 - a) A guardian/custodian may file an application on behalf of a dependent child and be appointed payee for the grant. The child must, however, live in the home of a specified relative to be eligible.
 - b) If a child lives with a specified relative who has a legally appointed guardian or custodian, the guardian/custodian must file the application and be named payee for the grant.
4. Convicted Drug Felons may be eligible to receive Families First if the felony has **NOT** been classified as a Class A felony involving the manufacture, possession, sale, or distribution of a controlled substance, **and** the convicted individual meets all criteria as outlined in policy [23.03 Impact of a Drug Felony Conviction on Receipt of Families First](#).
5. Parents who are not in the home must be included in the AU when:
 - a) The parent is temporarily out of the home for employment and maintains their function as a provider of maintenance, physical care, or guidance for the child.
 - b) The parents have true 50/50 joint custody of the child.

F. Unstable Assistance Units

1. The caseworker must consider whether changes in the AU are needed when the child's parent(s) come into the home but do not stay for long periods of time when there is a non-parental caretaker.
2. There is good cause to have both a non-parental caretaker and a parent(s) in the AU when it is determined that the parent is in and out of the home and the non-parental caretaker relative continues to maintain a home and assumes

primary responsibility for the care and control of the child.

G. Pregnant Women Only Cases

1. A Families First assistance unit may consist of a pregnant woman only when:
 - a) There are no living eligible children in the home;
 - b) It is medically verified that the woman is at least in her sixth (6th) month of pregnancy;
 - c) The woman and child, if born, would meet all other eligibility criteria; and
 - d) The pregnant woman is not a minor whose parent is in the home and is receiving Families First for the pregnant minor's sibling(s).
2. The pregnant woman must have a Personal Responsibility Plan, including a work and/or educational activity unless otherwise exempt.

H. Caretaker of Children Receiving SSI

A parent or other caretaker relative of a child who receives SSI and the SSI child is the only child in the home may be included in the AU if:

1. The SSI child meets all other Families First technical eligibility requirements.
2. The parent(s)/specified relative of the SSI child meets Families First income/resource eligibility criteria. The income and resources of the SSI recipient are not to be considered.
3. A stepparent may be included with the SSI child's parent if the parent is incapacitated.
4. A specified relative who meets requirements as a caretaker may receive Families First as caretaker of an SSI child. The spouse of the caretaker relative is not eligible to be included in the AU.
5. If eligible, a grant will be authorized only for the caretaker or the caretaker and second parent. The needs of the SSI recipient are not considered.
6. SSI child caretaker cases are not subject to IV-D Child support requirements.

Forms

None

Collateral Documents

[23.28 Marriage During Receipt of Assistance](#)
[23.03 Impact of a Drug Felony Conviction on Receipt of Families First](#)
[23.02 Families First Drug Testing Assistance Unit Procedures](#)
[23.03-17.04 Family Relationship Chart](#)

Additional Resources

[Assistance Units Desk Guide](#)
[Pregnant Women Desk Guide](#)
[Unstable Assistance Units Desk Guide](#)

Retention of Records Pending

Glossary

Term/Acronym **Definition**

Assistance Unit A group of people applying for or receiving Families First benefits

Intentional Program Violation (IPV) A determination or adjudication by an administrative disqualification hearing or state or Federal court that an individual or group of individuals knowingly obtained benefits to which they were not entitled.

Specified Degree of Relationship/Specified Relative Any blood relative, i.e. father, mother, brother, sister, uncle, aunt, first cousin, nephew, niece, or first cousin once removed. This includes relationships to preceding generations, grandparents, great-grandparents, great-great grandparents, great uncles/aunts, and great-great-great- grandparents.

Spouse Either member of a married pair in relation to the other. If a couple presents themselves as married, they are to be considered to be married.

True 50/50 Joint Custody Each parent has custody of the child for equal periods of time through the year and provides equal financial responsibility for that child.

Supersedes

- Families First Online Policy Manual
 - Chapter 7
 - Chapter 16
- Families First Handbook
 - Pages 1-12, 22
- Bulletins
 - No. 22, FA-03-20
 - No. 23, FA-10-12
- Bi-monthly clearances
 - March-April 2011 (#1-Assistance Unit)
 - Jan-Feb 2010 (#1-Deprivation-Minor Parents)
 - March-April 2008 (#1-ADCU)
 - Jan-Feb 2004 (#2-Assistance Group)