VIRGINIA DEPARTMENT OF SOCIAL SERVICES

Relationship Establishment is the Root of TANF Eligibility

Spring 2026 BPRO Conference – Presenter Emily Shea McCrakcen

Description

Description: This workshop will provide an in-depth exploration of relationship establishment as pertains to the TANF program and will include complicated case scenarios which detail complex family compositions and linkages. Documents used to establish relationships will be part of the discussion along with how relationships are intertwined with the absent parent referrals and the ongoing case management work our program does in conjunction with the Division of Child Support Enforcement.

Relationship and Categorical Eligibility

Relationship is at the heart and center of eligibility for the TANF program as one of the five categorical eligibility factors for a child is that they must live in the home of a parent or relative or be in foster care under certain conditions. (201.1.A.2)

Certain conditions for foster care is included in the guidance note below.

Note: In some situations, a child who is in foster care may be placed with a parent or relative on a temporary basis, such as for a trial visit, and would be considered living with the parent or relative. No foster care maintenance payment would be made on behalf of the child, and the family could be eligible for TANF assistance during the temporary placement. (201.5 p.1)

Relationship Defined for TANF

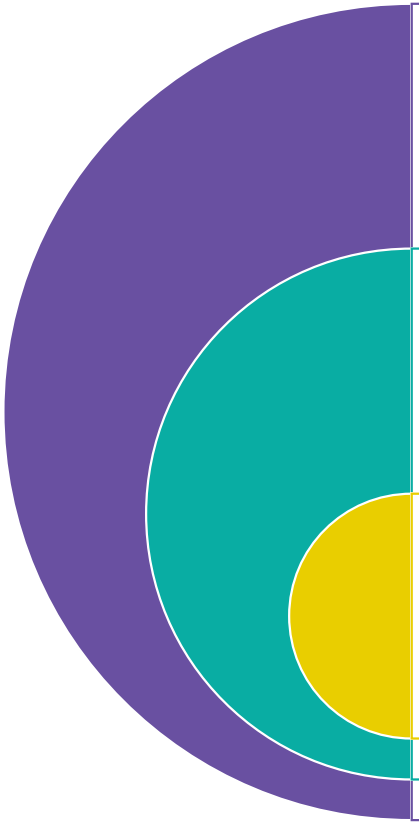
Relatives - The relative with whom the child is living, who is designated as the caretaker, must be a relative by blood, marriage, or adoption. Relationships by marriage exist even after the marriage has been terminated by death or divorce. (201.5.A, p.1)

Please note that there is not a specified degree of relationship requirement for the TANF program.

*Important Reminder: The identity of the parent or other relative must be established prior to determining relationship. (Appendix III lists documentation that can be used to verify identity). (201.5, p. 1a)

** In a two-parent household, the identify of both parents must be established prior to determining relationship.

Relationship Defined-Expanded



Two important guidance citations from 201.5.A,p.1 to remember when establishing relationship

1. A marriage is a legal relationship between two individuals. Depending on the laws of a state at the time of a marriage, a marriage can be between individuals of the opposite sex or between individuals of the same sex. Same sex marriages performed legally in other states are recognized by Virginia effective 2/14/14, including marriages performed prior to that date. While same sex marriages became legal in Virginia as of 2/14/14, the first same sex marriages performed legally in Virginia occurred on or after 10/6/14.

2. Neither severance of parental rights nor adoption is considered to terminate the relationship to biological relatives. Therefore, biological relatives may receive assistance for someone who has been adopted, when there is no other relative by adoption in the home to receive assistance on the individual's behalf. However, this provision does not require individuals who have been adopted to be included in the assistance unit of the biological relative and his/her children.

Relationship Establishment Documents (1 of 2)(201.5,p.1a)

Birth Certificate
Hospital Certificate
Adoption Papers or Court Record of Adoption
Baptismal Certificate
Hospital or Physicians Record
Church Record
Bureau of Vital Records/Health Statistics Record
Marriage Record

Relationship Establishment Documents-Continued (2 of 2) (201.5, p.1a)

Court Support and/or Divorce Orders	• The order must clearly identify the relationship of the caretaker/relative to the children.
Court Document *Signed by a Judge*	• The document must clearly identify the individual by name and relationship as a relative of the child. • When paternity has been established and the document is being used to establish relationship for a non-parent caretaker, the document does not have to list if the individual is a maternal or paternal relative.
Genetic Testing	• The report must be from a licensed and accredited laboratory identifying relationship based on a DNA match that affirms at least 98% probability of relationship. Over the counter testing is not acceptable. • Chain of custody for the DNA samples must be documented.

Specific Maternal Relationship Documentation (201.5,p.1a)

Documents must be adequate to trace relationship completely, except that, if the applicant is the mother, initial eligibility can be established based on birth verification for the child.

The Newborn Summary in the VaCMS may be used as a permanent verification for newborns added by Baby BOT to establish maternal relationships. Note: If a non-parent caretaker is unable to verify the relationship between the mother and the child, then the Newborn Summary may be used as a verification source to establish relationship between the mother and the child only.

Exception: Revised Deemed Newborn Bot Automation Newborn Summary Screen CR888

- Since the inception of Baby Bot in August 2023, the TANF program has allowed for the Newborn Summary screen to be used as permanent verification of age, citizenship, declaration of citizenship, and maternal relationship(s) for applicable newborns.
- The revision of the automation brings one exception to the allowance of the Newborn Summary screen for the noted verifications. The TANF program will not accept a Newborn Summary screen as verification of age, citizenship, declaration of citizenship and maternal relationship(s) when the reporter entity is “worker”.

CR888-Revised Deemed Newborn Bot Automation
Newborn Summary Screen

Specific Paternal Relationship Documentation (201.5 p.2)

Evidence	**If the applicant is a father not married to the child's mother, or relative of such father, evidence of paternity must be provided. The following documents may be used as evidence of paternity:**
Court	**Court record establishing paternity**
Court	**Court order stating that child is living with a paternal relative** **Important Reminder: For the relationship to be established between a non-parent caretaker and a child(ren), the court order must include the distinction of a paternal relative.**
Birth	**Birth Certificate from any state where the father's name is included**

Specific to Paternal Relationship-Clarification

A court order including a custody order that states the relationship of a non-parent caretaker paternal relative TANF applicant to the child(ren) is acceptable as included on the previous slide. A paternal relative is a biological relative of the child's father such as a grandparent, aunt, uncle, cousin etc. Custody orders listing a man as the father or giving him custody of the child does not necessarily mean that paternity has been established. To use a court order to verify paternity/establish relationship for a father that is the TANF applicant, the court order must specifically state that paternity has been established as is also noted in the preceding guidance.

DCSE's Role in Paternity Establishment

A father, not married to the child's mother, who does not have one of the documents listed above at the time of application, will be given a Referral to Division of Child Support Enforcement From Local DSS form (032-03-0431-00) and will be referred to the Division of Child Support Enforcement District Office so he can obtain DNA testing that will establish his relationship to the child. If the applicant father is otherwise eligible and produces results of the DNA testing that verify relationship, the TANF application will be approved. If he is not able to establish relationship within the standard processing period, the application must be denied. The father will be required to reapply if he subsequently secures verification of relationship. 201.5 Page 2

Important Reminder

If the caretaker is a relative of the father who is not married to the child's mother, the relationship between the relative and the father must be established once evidence of paternity has been provided.

Notarized Statements and Contradictory Evidence

Notarized Statements: In the case of a relative who will be the caretaker (though not a father not married to the child's mother, or a relative of such a father), a notarized statement by an individual, other than the applicant/recipient, who has sufficient knowledge to attest to the relationship may be used to establish initial eligibility. A copy of the child's birth certificate or other documentation used to establish relationship must be obtained no later than the next renewal. (201.5, p.2)

Contradictory Evidence: If a non-parent caretaker states or provides evidence of relationship status to a child(ren) that is contradictory to what is stated on a court document, the evidence and/or statement provided by the non-parent caretaker must be used in the determination of the relationship status between the non-parent caretaker and the child(ren). (201.5, p.1a)

Contradictory Evidence Guidance Example

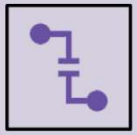
A non-parent caretaker requests assistance for two children who are siblings with the same mother, but have different fathers named on their birth certificates. The first child is her grandson, and his father is her son. The caretaker provided verifications to substantiate the relationship between herself and the first child. The second child has the same mother as the first child but a different father. The applicant provided a court document signed by a judge that states she is the step-paternal grandmother of the second child. However, the client stated that her son was never married to the second child's mother. Based on the non-parent caretaker's statement and the evidence that she provided that contradicted the court document to include the sibling's birth certificate naming another man as the father, the applicant would not be eligible to receive TANF benefits for the second child as no relationship exists.

- Manual Citation -201.5 Page 1a

Relationship and Refugees – (201.5, p.2)

In the case of newly arrived refugees, if the previously discussed documents to verify relationship are not available, the following verification is acceptable:

1. The biographical information sent to the Voluntary Resettlement Agency (VOLAG) by the U.S. Department of State (DOS) stating the relationship of family members. The relationship stated on this form is sufficient to prove relationship.



2. In cases where the DOS biographical relationship section is left blank and does not specify relationship, a notarized statement from the resettlement provider to the local department of social services is sufficient to show relationship. The notarized statement shall contain the names of the children, the names of the adult(s), the relationship, the name of the VOLAG representative, and the name and address of the VOLAG.

Did You Know?

A child for which a judicial determination stipulates via a court document signed by a judge that they cannot receive TANF either with a specific relative or in all living arrangements, must not be included in the assistance unit.

Therefore, income received by a child for which a judicial determination stipulates via a court document signed by a judge that they cannot receive TANF either with a specific relative or in all living arrangements must be disregarded.

Specific to Step-Parents – 201.5 Page 1

Let's discuss the following guidance examples:

Example 1: Mrs. Green applies for assistance for her two children and her step-daughter Marcia following the death of Mrs. Green's husband who was Marcia's father. Mrs. Green can receive assistance for her own children and for Marcia to whom she is related by marriage. Because Mrs. Green has no legal responsibility for Marcia, two separate assistance units will be established.

Example 2: Ms. Johnson applies for assistance for two children after her son Ronnie abandons them when he moves to another state. Ronnie was married to Sarah, the children's mother, and was their stepfather until he and the mother divorced. Ms. Johnson can receive assistance for the children because she was their step-grandmother during the time Ronnie and Sarah were married. Ms. Johnson will have to establish her relationship to Ronnie, and prove that Ronnie and Sarah were married, and that Sarah is the parent of both children.

Guidance Examination #1– Complex Assistance Units and Relationship (302.8 Page 6)

When the household consists of a married couple who each have a child(ren) of their own by a previous relationship and both parents request assistance for their child(ren), there will be one assistance unit with two caretakers. In the event there is a child(ren) born to the union of this couple, that child(ren) must be included in the assistance unit.

When a household consists of a couple cohabiting, each who have a child(ren) by previous relationships, there will be two separate assistance units. Should they have a child together, for whom paternity has been established or an adoption has been finalized, the child must be included in the assistance unit. The units must be merged as the new child is a sibling to both sets of children.

Note: When the woman is married to another man at the time of this child's birth, both of the men will be referred to DCSE. The man to whom she is married is the legal father and is considered the child's father until a court has determined that he is not. After the court has excluded the husband as the father, DCSE can proceed to determine the paternity status of the man named by the mother. The units must not be merged until paternity has been established by the court for the child in common.

Guidance Examination #2 – Complex Assistance Units and Relationship (302.8 Page 6)

Example: A grandmother has two grandchildren who are siblings and a niece living with her. She states she needs assistance for one of the grandchildren. Because the children are siblings, however, application must be made for both of them. The niece is not required to be part of the assistance unit.

If the grandmother requests assistance for the niece, however, the niece will be included in the same AU provided she meets the eligibility requirements. If the niece has income, that income will be counted in determining eligibility for the entire TANF AU.

Only one AU can be established for the two groups of children because the grandmother does not have legal responsibility for any of the children

Questions?

Thank you for your attention.