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# **FICTIVE KIN**

## **2500 INTRODUCTION**

An individual who is not related by blood to a child but has a significant emotional and positive relationship to the child, as designated by the child welfare agency placing the child(ren), is referred to as fictive kin.

Fictive Kin TANF is only available for cases where the foster child(ren) have been placed with fictive kin by a child welfare agency and where the fictive kin caregiver is in the process of obtaining a foster care license.

No **adult** parent of the foster child(ren) may reside in the home. An in-person interview is not required. The Fictive Kin TANF interview will be completed by telephone. The child welfare agency is responsible for referring the fictive kin to the Fictive Kin TANF program through direct submission of the Fictive Kin TANF application.

**Note:** A minor mom and her child may be placed in the same fictive kin household. In this instance, the minor mom and child would be eligible if all other factors of eligibility are met.

## **2510 FACTORS OF ELIGIBILITY**

### **2510.1 Application**

The Fictive Kin TANF program is limited to up to 6 months and will terminate upon approval of the foster care license or at the end of the 6 months, whichever occurs first. The Fictive Kin TANF application, Form 2631-EK is completed with the assistance of child welfare agency personnel and includes attestations by the child welfare personnel of household composition, school enrollment/attendance, and that the fictive kin is actively in the process of obtaining a foster care license.

### **2510.2 Household/Assistance Unit Determination**

The household size is determined by including the fictive kin, their spouse/domestic partner, their minor child(ren), and the foster care child(ren) for whom assistance is being applied.

The assistance unit includes only the foster child(ren) for whom assistance is being applied.

### **2510.3 Residency**

The household/assistance unit must live in Nevada to be eligible for benefits. (See manual section A-900).

#### **2510.4      Citizenship**

To receive Fictive Kin TANF assistance the eligible child(ren) must be a U.S. citizen, a U.S. non-citizen national or a "qualified" non-citizen. (See manual section A-400).

#### **2510.5      Income Eligibility Tests**

At initial eligibility only, an income test of 275% of the Federal Poverty Level (FPL) is applied to the household. For the 275% income test, evaluate the income of the fictive kin, their spouse/domestic partner, their minor child(ren), and the foster care child(ren) for whom assistance is being applied. (See manual section C-140 for the TANF Need Standards Chart for the 275% Federal Poverty Level by household size).

Determine the countable gross earned and unearned income of the fictive kin, their spouse/domestic partner, their minor child(ren), and the foster child(ren) and compare to the household size. (See manual section A-700 for income).

- Earned income disregards and work expense are not applied, and
- TANF assistance received by the fictive kin household on a separate case is exempt.

If the spouse/domestic partner, whose income is countable in the initial 275% test, did not sign the application form, they are required to sign a Fictive Kin TANF Interface Consent, Form 2629-EK, allowing DWSS to interface with other federal and state records for eligibility and income verification.

If the total countable gross earned and unearned income for the household exceeds the 275% income test for the household size, the assistance unit is ineligible.

If the total countable gross income is below the 275% FPL limit, only the income and resources of the foster child(ren) is considered in determining eligibility and payment allowance.

#### **2510.6      Resources**

The resource limit is \$10,000. Only count the resources of the child(ren) for whom assistance is applied. (See manual section A-500).

#### **2510.7      School Enrollment/Attendance**

Verify school enrollment/attendance for the foster child(ren) age 7 through 11, age 18 and still in school, and minor parent foster child. (See manual section A-1200).

## **2510.8 Child Support**

Nevada State law (NRS 425.350) requires caregivers assign child support rights to the DWSS. The "responsible person" is the caregiver who applies for the Fictive Kin TANF cash benefit. The signature on the application assigns child support rights for all foster children for whom assistance is being applied. The case manager must ensure the signature(s) and affirmation(s) have been completed on the application. (See manual section A-1600).

## **2510.9 Child-Only Assessment/Personal Responsibility Plan**

The fictive kin must complete an initial assessment with the case manager during the initial interview, prior to approval. The case manager will review and complete the Screening, Immunizations and School Attendance portions of the Assessment and Personal Responsibility Plan (PRP) – Fictive Kin, Form 2628-EK with the fictive kin.

Within 5 days of approval of Fictive Kin TANF, the case manager will complete the Identified Issues and Personal Responsibility Plan portion of the Assessment and Personal Responsibility Plan (PRP) – Fictive Kin, Form 2628-EK, based on the fictive kin's answers elicited during the initial assessment.

The fictive kin must provide a signed Fictive Kin Assessment and Personal Responsibility Plan, Form 2628-EK, within 60 days of TANF Fictive Kin approval. (See manual section A-2100).

Form 2628-EK must outline that the caregiver:

- is required to actively pursue and complete all requirements to obtain a foster care license,
- will ensure that children 7-11, and minor foster child parents are in school, and
- will keep the foster child(ren) immunized. (See manual section A-2300).

**Note:** Include any other applicable PRP activities such as medical care for disabled/injured foster child(ren).

## **2510.10 Redetermination**

The Fictive Kin TANF program is limited to 6 months. Terminate assistance at the end of 6 months or upon notification that the fictive kin was approved for a foster care license, whichever occurs first.