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This change is being made to correct the definition of a dependent child. A care and control determination is required only for cases which include a minor parent. The definition of care and control for this purpose is included in new Chapter 9.

Questions should be directed to the IM Policy Unit in OFS.

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15.1 INTRODUCTION

Aid to Families with Dependent Children (AFDC), Aid to Families with Dependent Children-Unemployed Parent (AFDCU), and AFDC/U-Related Medicaid are programs designed to provide financial and medical assistance to eligible families with dependent children. These dependent children must be deprived of parental support and care due to the death, continued absence, incapacity or unemployment of a legal parent. In addition, the family must meet income and asset eligibility criteria as found in Chapters 10 and 11.

The purpose of this Chapter is to set forth the specific eligibility requirements pertaining to AFDC/U and AFDC/U-Related Medicaid. Unless otherwise indicated in the section title, the instructions are applicable to both programs.

aunts, great-uncles or aunts, great-great uncles or aunts, nephews or nieces, first cousins, first cousins once removed;

- Legal step-parent, step-brother or step-sister;
- Legal spouses of any person named in any of the above groups. The specified relationship exists even though the marriage terminated in death or divorce.

EXAMPLE: If a step-grandmother has 2 step-grandchildren living with her and she divorced the step-grandchildren's grandfather, she is still the former legal spouse of the children's grandfather, who is a specified relative. She is, therefore, a specified relative

NOTE: Legal custody or guardianship of a child does not in itself qualify a person as a specified relative. A relative of the father of the child born out-of-wedlock can qualify as a specified relative only if the specified relationship can be documented.

Under certain circumstances, eligibility will continue during periods of separation of the child and the specified relative. Refer to Chapter 8.

NOTE: For AFDC/U it may be impossible for a relative to establish a home for a child who is in a foster home or other place without financial assistance before the child enters his home. The AFDC/U payment may be initiated any time within 30 days prior to the date the child actually goes to live with the specified relative. If the Department made an AFDC Foster Care payment, an AFDC/U payment cannot be initiated for the same period as this would result in a duplication of payments.

A child who leaves his home to live independently or marry may return to the home of a specified relative and be eligible as a dependent child so long as he remains otherwise eligible.

C. DEPRIVED OF PARENTAL SUPPORT AND CARE

The cause of deprivation must be identified as described in the following sections.