

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 4.—Public Assistance Program

30-4-70. Eligibility factors specific to the TAF program.

To be eligible for TAF, each applicant or recipient shall meet the applicable general eligibility requirements of K.A.R. 30-4-50 and the specific eligibility requirements set forth below.

(a)(1) Child in family. To be eligible for TAF, the applicant's or recipient's family group shall include at least one eligible child. If the only child in the family group is an SSI recipient, the family group may qualify for assistance.

(2) For purposes of this regulation, "child" means a child who meets either of these requirements:

(A) is under the age of 18, including an unborn child; or

(B) is age 18 and in secondary school or working towards the attainment of a GED.

(b) Living with a caretaker. For the family group to be eligible for TAF, the eligible child or children shall be residing with one or more of these individuals:

(1) Any blood relative who is within the fifth degree of kinship to the child, including any of the following relatives:

(A) Parents;

(B) siblings;

(C) nephews;

(D) nieces;

(E) aunts;

(F) uncles; and

(G) persons of preceding generations who may be denoted by prefixes of grand, great, great-great, or great-great-great;

(2) a stepfather, stepmother, stepbrother, or stepsister;

(3) a legally adoptive parent or parents or another relative or relatives of adoptive parents as noted in paragraphs (1) or (2) above;

(4) a guardian or conservator or a legal custodian when based on an approved social service plan; or

(5) a spouse of any of those persons named in the above groups or a former spouse of any of those persons if marriage is terminated by death or divorce.

(c) Temporary absence. Any person who is out of the home temporarily for a period of 90 days or less or for employment shall remain eligible.

(d) Assignments of support. Each caretaker who is applying for or receiving TAF on his or her own behalf or on behalf of any other family member shall assign to the secretary any accrued, present, or future rights to support from any other person that the caretaker may have on his or her own behalf, or on behalf of any other family member for whom the caretaker is applying for or receiving TAF.

(e) Persons in the family group whose needs shall be considered.

(1) The needs of each child who meets the criteria of subsection (a) of this regulation and the needs of the child's parent, stepparent, or both shall be included in the determination of assistance.

(2) The needs of an eligible child's caretaker, other than a parent or stepparent, shall be considered in the determination of assistance if requested. If the caretaker's needs are included, the caretaker's spouse and any children of the caretaker who meet the criteria of subsection (a) of this regulation shall also be considered.

(3) In determining eligibility, the needs of each of the following caretakers and children shall be excluded, while the resources of these caretakers and children shall be included, unless the resources are specifically exempt:

(A) Any SSI recipient;

(B) any person who is ineligible due to a sanction;

(C) any child whose needs are met through foster care payments;

(D) any alien who is ineligible because of the citizenship and alienage requirements or sponsorship provisions;

(E) unborn children;

(F) a teen parent, as defined in subsection (f) of this regulation; and

(G) any person denied assistance based on the provisions of K.A.R. 30-4-50(c) or (d).

(f) Teen parents under age 18. A parent under age 18 of a child at least 12 weeks of age shall not be eligible for assistance when both of these circumstances are met:

(1) The parent is unmarried.

(2) The parent has not obtained a high school diploma or its equivalent, or is not working toward attainment of a high school diploma or its equivalent.

(g) The effective date of this regulation shall be July 1, 1998.

(Authorized by K.S.A. 1997 Supp. 39-708c; implementing K.S.A. 1997 Supp. 39-708c, K.S.A. 39-719b, K.S.A. 1997 Supp. 39-709; effective May 1, 1981; amended July 1, 1989; amended March 1, 1997; amended Oct. 1, 1997; amended July 1, 1998.)

***** Authenticated Kansas Administrative Regulation *****