

	<b>INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE MANUAL</b>	
	<b>Chapter 15: Eligibility</b>	<b>Effective Date: November 1, 2014</b>
	<b>Section 4: Specified Relative</b>	<b>Version: 1</b>

<b>POLICY [NEW]</b>
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In order for a child to be eligible for Title IV-E Foster Care funding, the child must have been legally removed from a specified relative with whom the child was living in the month of removal, or within six (6) months prior to the month of removal. Specified relatives are individuals within the fifth degree of kinship of the child, including those related by blood, adoption, or marriage, even if the marriage has ended due to death or divorce.

Specified relatives are:

1. Mother (biological, adoptive, or step);
2. Father (biological, adoptive, or step);
3. Grandmother (including great, great-great, great-great-great);
4. Grandfather (including great, great-great, great-great-great);
5. Sister (including step and in-law);
6. Brother (including step and in-law);
7. Aunt (including great, great-great, and in-law);
8. Uncle (including great, great-great, and in-law);
9. Niece (including great and great-great);
10. Nephew (including great and great-great);
11. First cousin; and
12. First cousin once removed (great aunt or uncle's child or the focus child's cousin's child).

Code References

1. [42 USC 672\(a\)\(1\)](#)
2. [42 USC 672\(a\)\(3\)](#)
3. [45 CFR 1356.21\(k\)](#)
4. [45 CFR 1356.21\(l\)](#)

<b>PROCEDURE</b>
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The Family Case Manager (FCM) will:

1. Review the petition requesting removal, Intake Officer's Report of Preliminary Inquiry and Investigation, and the order authorizing removal and determine from whom the child was physically or constructively removed. The person from whom the child is removed is the subject of the Contrary to Welfare/Best Interest language. See separate policy, [15.2 Removals](#), for more information on the removal home;
2. Verify:
  - a. The relationship of the child to the person from whom the child is removed, and
  - b. When the child last lived with this individual.

3. Gather and upload the documentation required to support the specified relative criteria into the Management Gateway for Indiana's Kids (MaGIK) within 30 days of removal; and
4. Contact the Central Eligibility Unit (CEU) immediately for additional instructions if information is discovered regarding the child's specified relative that would impact the initial eligibility determination during the out-of-home care episode.

The DCS CEU will:

1. Review the eligibility information in MaGIK; and
2. Make a determination of whether the specified relative requirement is met.

## **PRACTICE GUIDANCE**

If the parental rights of either the biological or adoptive parent(s) are terminated, this person(s) cannot be considered the child's specified relative as a parent.

Non-related legal guardians do not meet the definition of a specified relative.

Acceptable supporting documentation of the specified relative criteria includes, but is not limited to copies of the following:

1. Birth certificate;
2. Court records;
3. Hospital records;
4. Adoption papers;
5. Paternity affidavit;
6. Marriage records;
7. [Intake Officer's Report of Preliminary Inquiry and Assessment](#);
8. Court order documenting from whom the child was removed;
9. Removal petition or case notes documenting the persons living in the removal home and their relationship to the child;
10. [Title IV-E and Title IV-A/EA Information \(SF55435\)](#); and
11. Statements from reliable persons cognizant of the facts.

## **FORMS AND TOOLS**

1. [Title IV-E and Title IV-A/EA Information \(SF55435\)](#)
2. [Intake Officer's Report of Preliminary Inquiry and Assessment](#)

## **RELATED INFORMATION**

N/A