

IC 12-14

ARTICLE 14. FAMILY ASSISTANCE SERVICES

IC 12-14-1

Chapter 1. Temporary Assistance for Needy Families; Eligibility and Application for Assistance

IC 12-14-1-1

Eligibility

Sec. 1. (a) Assistance under TANF shall be given to a dependent child who otherwise qualifies for assistance if the child is living in a family home of a person who is:

- (1) at least eighteen (18) years of age; and
- (2) the child's relative, including:
 - (A) the child's mother, father, stepmother, stepfather, grandmother, or grandfather; or
 - (B) a relative not listed in clause (A) who has custody of the child.

(b) A parent or relative and a dependent child of the parent or relative are not eligible for TANF assistance when the physical custody of the dependent child was obtained for the purpose of establishing TANF eligibility.

(c) Except as provided in IC 12-14-28-3.3, a person convicted of a felony under IC 35-43-5-7 or IC 35-48-4 is not eligible to receive assistance under TANF for ten (10) years after the conviction.

(d) The assistance paid to a dependent child under this section may not be affected by the conviction of a parent or an essential person of the dependent child under subsection (c).

As added by P.L.2-1992, SEC.8. Amended by P.L.46-1995, SEC.9; P.L.161-2007, SEC.12.

IC 12-14-1-1.5

Qualifications for eligible dependent child to receive assistance

Sec. 1.5. (a) This section does not apply if the:

- (1) dependent child does not have a living parent or legal guardian;
- (2) whereabouts of the dependent child's parent or legal guardian are unknown;
- (3) dependent child lived apart from the child's parent or legal guardian for a period of at least one (1) year before either:
 - (A) the birth of the dependent child's child; or
 - (B) the dependent child's application for TANF;
- (4) dependent child provides proof, and the division agrees, that the physical health or safety of the dependent child or a child of the dependent child would be jeopardized if the dependent child or a child of the dependent child resides with the dependent child's parent, legal guardian, or adult relative; or
- (5) dependent child is less than eighteen (18) years of age and is not married, but the dependent child or a child of the dependent child:

- (A) has been alleged or adjudicated a child in need of services under IC 31-34 (or IC 31-6 before its repeal); or
- (B) has been placed under the wardship or guardianship of the county office.

(b) Except as provided in subsection (d), a dependent child who is less than eighteen (18) years of age and is:

- (1) not married; or
- (2) married but not residing with or receiving support from a spouse;

is entitled to assistance under TANF only if the dependent child and any children of the dependent child reside with a parent, a legal guardian, or an adult relative other than a parent or legal guardian of the dependent child. A legal guardian or an adult relative not listed in section 1(a)(2)(A) of this chapter must have custody of the child under a court order.

(c) The assistance for an eligible dependent child and each child of an eligible dependent child as described in subsection (b) shall be provided to the dependent child's parent, legal guardian, or other adult relative based on the eligibility of the parent, legal guardian, or other adult relative to receive assistance under TANF.

(d) This subsection applies to the parent of:

- (1) a dependent child who has never married and who:
 - (A) has a child; or
 - (B) is pregnant; and
- (2) a dependent child who has never married and is adjudicated to be the father of a child.

The parent of a dependent child described in subdivision (1) or (2) is financially responsible for the care of a child of the dependent child until the dependent child becomes eighteen (18) years of age. *As added by P.L.46-1995, SEC.10. Amended by P.L.1-1997, SEC.56; P.L.161-2007, SEC.13.*

IC 12-14-1-2

Application; residence of child

Sec. 2. An application for a dependent child under this article must be made to the county office of the county where the dependent child resides.

As added by P.L.2-1992, SEC.8. Amended by P.L.4-1993, SEC.64; P.L.5-1993, SEC.77.

IC 12-14-1-3

Application; form; oath; required information; notice of assignment of rights

Sec. 3. An application must meet the following conditions:

- (1) Be in writing.
- (2) Be made in the manner and upon the form required by the division.
- (3) Be made and verified by the oath of the parent or guardian of the dependent child or another person standing in loco parentis to the dependent child.

(4) Contain the age and residence of the child and any information required by rules adopted under IC 4-22-2 by the director of the division.

(5) Contain a notice that, if the application is approved and assistance is granted, the applicant's signature on the application assigns the applicant's right to:

(A) accrued;

(B) present; and

(C) pending;

support payments to the agency of the state responsible for administering Title IV-D of the federal Social Security Act.

As added by P.L.2-1992, SEC.8.

IC 12-14-1-4

Single application made for more than one child

Sec. 4. One (1) application may be made for more than one (1) child of the same family if the children reside with the same person.

As added by P.L.2-1992, SEC.8.

IC 12-14-1-5

Signature as assignment for purposes of IC 12-14-7

Sec. 5. An applicant's signature on an approved application is an assignment for purposes of IC 12-14-7.

As added by P.L.2-1992, SEC.8.

IC 12-14-1-6

Investigations

Sec. 6. (a) Whenever the county office receives:

(1) notification of the dependency of a child; or

(2) an application for assistance;

an investigation and record shall promptly be made of the circumstances of the child to determine the dependency of the child, the facts supporting the application made under this article, and other information required by rules adopted under IC 4-22-2 by the director of the division.

(b) The investigation may include a visit to the home of the child and the person who will have the custody of the child during the time assistance is granted.

As added by P.L.2-1992, SEC.8. Amended by P.L.4-1993, SEC.65; P.L.5-1993, SEC.78.

IC 12-14-1-7

Confidentiality of TANF records; TANF information that may be disclosed by the division

Sec. 7. (a) A record that identifies an individual who has applied for, or is receiving, cash assistance or supportive services under the TANF program:

(1) is confidential; and

(2) is exempt from the disclosure requirements of IC 5-14-3-3.

(b) The division may use or disclose information concerning a

TANF applicant or recipient only for purposes directly connected to the following:

(1) The administration, including establishing eligibility, determining the amount of assistance, and providing services for applicants and recipients, of a state plan or program approved under:

- (A) Title I;
- (B) Title IV-A;
- (C) Title IV-B;
- (D) Title IV-D;
- (E) Title IV-E;
- (F) Title X;
- (G) Title XIV;
- (H) Title XV;
- (I) Title XVI;
- (J) Title XIX;
- (K) Title XX; or
- (L) Title XXI;

of the federal Social Security Act.

(2) An investigation, a prosecution, or a civil or criminal proceeding conducted concerning the administration of the TANF program or a program described in subdivision (1).

(3) The administration of any federal, state, or township program that provides assistance or services to individuals on the basis of need.

(c) The division shall safeguard information, including the following:

- (1) The name and address of an applicant or a recipient.
- (2) Information concerning the economic and social conditions of an individual.
- (3) The evaluation of information concerning an individual.
- (4) Medical information.

As added by P.L.161-2007, SEC.14.