



INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY

Chapter 15: Eligibility

Section 06: Deprivation Criteria for Title IV-E Initial Eligibility

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POLICY OVERVIEW

Determining deprivation of a child from parental support or care is necessary for a child to be eligible for Title IV-E Foster Care (Title IV-E) funding.

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PROCEDURE

In order to be eligible for Title IV-E Foster Care (Title IV-E) funding, the child must be deprived of parental support or care during the removal month by at least one (1) of the following:

1. Death;
2. Continued absence from the home;
3. Physical or mental incapacity; or
4. Unemployment/under employment of a parent.

Note: Children placed with a parent residing in a licensed residential family-based treatment facility for substance abuse may be eligible for Title IV-E regardless of whether the Aid to Families with Dependent Children (AFDC) criteria related to deprivation are met.

The Indiana Department of Child Services (DCS) will determine if a child meets deprivation criteria.

The DCS Central Eligibility Unit (CEU) will:

1. Review the eligibility information in the case management system; and
2. Make a determination of whether deprivation exists.

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RELEVANT INFORMATION

Definitions

Death

For Title IV-E, death is defined as either parent being deceased, prior to removal of the child from the specified relative's home.

Continued Absence

For Title IV-E eligibility, continued absence is defined as one (1) or both parents continually being absent from the home, prior to the child's removal from the home. Examples include:

1. The parent has been physically absent from the home for an undefined period of

- time and the absence is expected to exceed 30 calendar days into the future;
2. The parent's absence interrupts or terminates the parent's ability to care for the child; or
 3. The absence of the parent precludes him or her from providing support or care for the child.

Reasons for continued absence may include, but are not limited to:

1. The parent is living at a separate address;

Exception: The child would not be deprived if the parent is absent from the home due solely to active duty in a uniformed service of the United States, school attendance, or employment.

2. The parent was incarcerated prior to removal and for reasons unrelated to the child's removal;
3. The parent has abandoned the child;
4. The child was adopted by a single parent; or
5. The child was conceived using artificial insemination (donor unknown).

A special circumstance in which a child is considered deprived by continued absence occurs when a parent is released from a correctional institution to the child's home while serving a court imposed sentence, performing unpaid public work, or community service.

Physical or Mental Incapacity

For Title IV-E eligibility, physical or mental incapacity is defined as a parent having a physical or mental impairment, prior to the child's removal from the home, that is expected to last at least 30 days and substantially reduces or eliminates the parent's ability to support and care for their child. Although a parent may not be receiving a formal source of income for a disability, the parent may still be considered incapacitated for the purposes of deprivation, based on available documentation.

Note: A parent receiving Supplemental Social Security Income (SSI) or Retirement, Survivors, Disability Insurance (RSDI) from the Social Security Administration for their own disability is considered an incapacitated parent.

Unemployment/Under Employment

For Title IV-E eligibility, unemployment/under employment is defined as assistance group with income that is less than the standards of need. See policy 15.05 Determining a Child's Assistance Group for Title IV-E Initial Eligibility for additional information about the determination of the size of the assistance group and policy 15.07 Income Requirements for Title IV-E Initial Eligibility for additional information on the standards of need.

Forms and Tools

N/A

Related Policies

- [15.05 Determining a Child's Assistance Group for Title IV-E Initial Eligibility](#)
- [15.07 Income Requirements for Title IV-E Initial Eligibility](#)

LEGAL REFERENCES

- [42 USC 672\(a\), \(h\), and \(i\): Removal and foster care placement requirements](#)
- [45 CFR 1356.21\(l\): Living with a specified relative](#)
- [45 CFR 233.10: General provisions regarding coverage and eligibility](#)
- [465 IAC 2-7-5: Title IV-E; foster care eligibility](#)

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PRACTICE GUIDANCE- DCS POLICY 15.06

Practice Guidance is designed to assist DCS staff with thoughtful and practical direction on how to effectively integrate tools and social work practice into daily case management in an effort to achieve positive family and child outcomes. Practice Guidance is separate from Policy.

N/A

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