
**DEPARTMENT
PHILOSOPHY**

The Michigan Department of Health and Human Services (MDHHS) believes that children are best served by living in supportive family settings. The mutual responsibility of family members for each other and their commitment to caring for each other are key to building strong families. Parents are responsible for the care and support of their minor children. In the absence of parents, children may be cared for by other adults having specific relationships to the children. Spouses are responsible for each other. All needy family members living together are expected to share income, assets, and expenses. The limited nature of the Family Independence Program is essential to meeting the goals of the program.

**DEPARTMENT
POLICY****FIP**

Group composition is the determination of which individuals living together are included in the FIP eligibility determination group/program group and the FIP certified group. To be eligible for FIP both of the following must be true:

- The group must include a dependent child who lives with a legal parent, stepparent or other qualifying caretaker.
- The group cannot include an adult who has accumulated more than 60 TANF funded months, beginning October 1, 1996 or any other time limits in the Family Independence Program; see BEM 234.

DEFINITIONS**Caretaker**

A caretaker is a legal parent or stepparent living in the home, or when no legal parent or stepparent lives in the home, another adult who acts as a parent to a dependent child by providing physical care and supervision. See *Who May Be a FIP Caretaker?* in this item.

Certified Group

The certified group means those individuals in the FIP EDG who meet all non-financial FIP eligibility factors. Countable income and

assets of certified group members are considered in determining FIP eligibility. Certified group members have a FIP EDG participation status of Eligible Child or Eligible Adult.

Dependent Child

A dependent child is an unemancipated child who lives with a caretaker and is one of the following:

- Under age 18.
- Age 18 and a full-time high school student. See BEM 245, for definition of high school.

Note: See definition of Emancipated, later in this item.

Eligibility Determination Group (EDG)/ Program Group

The EDG means those individuals living together whose information is needed to determine FIP eligibility. Based on data entry, and rules programmed into the system, Bridges assigns an EDG participation status to each member of the household.

EDG Participation Status

The FIP EDG participation status explains the role the individual plays in the FIP eligibility determination. Individuals having a FIP EDG participation status other than Excluded Adult or Excluded Child, are included in the FIP EDG. The countable income and assets of individuals having an Eligible or Disqualified FIP EDG participation status are considered in determining FIP eligibility.

Note: The FIP payment standard is based on the grantee's EDG participation status and the FIP certified group size; see RFT 210.

Emancipated

A child is emancipated if any of the following:

- Ever validly married.
- Emancipated by court order.
- On active duty with the armed forces of the United States.

Joint Physical Custody

Joint physical custody occurs when parents or other caretakers alternate taking responsibility for the child's day-to-day care and supervision in separate homes. It may be included in a court order or may be an informal arrangement between parents or other caretakers.

Living Together

Living together means sharing a home where family members usually sleep except for temporary absences.

Primary Caretaker

The primary caretaker is the caretaker who is primarily responsible for the child's day-to-day care and supervision in the home where the child sleeps more than half of the days in a month, when averaged over a twelve-month period. The twelve-month period begins at the time the determination is being made.

Absent Caretaker

Once a caretaker is determined to be the primary caretaker, the child's other caretakers are considered absent caretakers.

Temporary Absence

A temporarily absent person is considered to be living in the home when **all** of the following are true:

- Individual's location is known.
- There is a definite plan to return.
- The individual lived with the FIP EDG before the absence (newborns are considered to have lived with the FIP EDG).
- The absence has lasted or is expected to last 30 days or less.

Exception: An individual is still considered to be living in the home, even after 30 days if the absence reason is any of the following:

- In the hospital (including a psychiatric hospital).

- In a residential substance abuse treatment center.
- Absent for school or training.
- Absent due solely to active duty in the uniformed services of the U.S.
- A child who is living apart from a parent due solely to the parent residing in a domestic violence shelter.

Note: A dependent child who is temporarily absent, can be considered living with only one caretaker. When a child sleeps in the home of multiple caretakers who do not live together, Bridges makes a primary caretaker determination; see Determining Primary Caretaker in this item.

Exception: A court ward is under the care and supervision of the court. Even if they meet the temporary absence requirements above, the child is NOT considered to be living in the parent's home.

FAILURE TO REPORT CHILD'S ABSENCE

A parent or other FIP caretaker, must notify the department of a child's absence from the home within five days of the date it becomes clear to the caretaker that the child will be absent for 30 days or more. If the child's absence does not meet temporary absence requirements to be considered in the home, the caretaker who fails to notify the department within five days is disqualified for one month.

WHO IS IN THE FIP EDG?

The FIP EDG includes all household members whose information is needed to determine FIP eligibility. Based on data entered in the system, Bridges determines all of the following:

- Each household member's FIP EDG participation status.
- Which individuals' income and assets are considered.
- Which individuals' needs are considered.
- Which individuals' relationship(s) to other members are considered.

These determinations are made based on the individual's:

- Age.
- School attendance.
- Relationship(s) to other household members.
- Program Request status.
- Receipt of other program benefits such as SSI, child foster care payments or Independent Living Stipend.
- Criminal justice disqualifications.
- FIP time limit.

Mandatory FIP EDG Members

When cash assistance is requested for a dependent child, or a dependent child is a mandatory FIP EDG member, all of the following individuals who live together are in the FIP EDG:

- Dependent Child.
- Child's legal parent(s).
- Child's legal siblings who meet the definition of a dependent child (siblings have at least one legal parent in common).
- Legal parent(s) of the child's siblings.
- Child's legal stepparent, even after death of or divorce from the parent.
- Child's legal stepsiblings, who meet the definition of a dependent child, even after death of or divorce from the parent.
- Child's child.

Example: Sally is 18 and attends high school full-time. Sally and her one-year-old daughter live with her mother and 13-year-old brother. Sally applies for cash assistance for herself and her daughter. Everyone in the household is a mandatory FIP EDG member because Sally has requested cash for her dependent child, making Sally a mandatory EDG member; and Sally meets the definition of a dependent child, making her brother and mother mandatory FIP EDG members.

Refusal of any FIP EDG member to provide information needed to determine FIP eligibility causes ineligibility for the entire FIP EDG.

Exception: Failure to cooperate with the following eligibility requirements have specific penalties, not always FIP denial or closure:

- Employment and/or family self-sufficiency requirements.
- Social Security Numbers.
- Child Support.
- Third Party Liability.
- Caretaker's failure to report a child's absence timely.
- School attendance.
- Criminal justice requirements.

See Failure to Report Child's Absence in this item and BEM 223, 228, 230A-233B, 255 and 257 for penalties for failure to meet these requirements.

There are circumstances in which a FIP certified group contains no dependent child; see FIP Certified Groups with No Child in this item.

Who May be a FIP Caretaker?

A legal parent or stepparent living with a dependent child is always the child's caretaker, unless the parent is a minor. See Multi-Generation and Combined Groups in this item for exceptions regarding minor parents.

A person other than a legal parent or stepparent may be a caretaker only when the dependent child has no legal parent or stepparent in the home. A caretaker in the child's home, other than a parent or stepparent must be one of the following:

1. A relative who is at least age 18 and legally related to the child by blood, marriage or adoption, as any of the following:
 - Grandparent (including great or great-great).
 - Aunt or uncle (including great or great-great).
 - Sibling.
 - Stepsibling.

- Nephew or niece.
- First cousin or first cousin once removed.
- The spouse of any of the above, even after the marriage is ended by death or divorce.
- The parent of the child's putative (alleged) father.

Note: When a court order has terminated parental rights, the parent and child are no longer legally related. However, the child's relationship to other relatives is not affected.

2. The child's legal guardian(s).
3. An adult(s) who is at least age 21 and whose petition for legal guardianship of the child is pending.
4. An adult, having none of the qualifying relationships above, with whom MDHHS children's services has placed a child, subsequent to a court order identifying MDHHS as responsible for the child's care and supervision. This relationship is known as unrelated caregiver, formerly fictive kin. Occasionally, a child is included in a FIP EDG when there is not a qualifying relationship to the caretaker due to mandatory EDG member policy.

Example: Anthony applies for cash assistance for his son Tony and Tony's half-sister Angela. Anthony was never married to Tony's mother and she is not in the home. Because Tony and Angela are half siblings, Angela is a mandatory FIP EDG member, even though there is no qualifying relationship between Angela and Anthony.

Receipt of Other Program Benefits

Receipt of the following types of other program benefits or services affects an individual's FIP EDG participation status.

- Children's Services Independent Living Stipend.
- SSI.
- Child foster care payments.
- MDHHS children's services for a child in an out-of-home foster care placement due to abuse or neglect, when there is a plan to return the child to the parent's home.

Independent Living Stipend

A FIP EDG member who is a recipient of an Independent Living Stipend has an EDG participation status of Other Adult. The income, assets and needs of this individual are not considered in determining eligibility for FIP, however, their relationship to other FIP EDG members is considered.

Example: Linda, a former foster child, lives independently and receives an Independent Living Stipend. Linda has a baby daughter in the home. There is no allowance for the child in the Independent Living Stipend. Even though Linda cannot receive FIP for herself, she can receive ineligible grantee FIP for the child because she is the dependent child's caretaker.

SSI Recipients

A FIP EDG member, who receives SSI, has a FIP EDG participation status of Other Adult or Other Child. The income, assets and needs of an SSI recipient are not considered in determining eligibility for the FIP EDG. However, their relationships to other EDG members are considered.

Example: An unmarried couple has one child in common. Paternity has been established. The child receives SSI. The child's relationship to the parents forms a valid FIP EDG, even though the SSI recipient cannot be in the FIP certified group. The SSI recipient's relationship to the parents makes them mandatory FIP EDG members.

Example: SSI recipient has one child. The SSI recipient cannot be in the FIP certified group; however, the SSI parent's relationship to the dependent child forms a valid FIP EDG.

Note: Request cash assistance for the SSI child, even though the child will not be in the FIP certified group.

Children's Foster Care Payment Recipient

A recipient of children's foster care payments has a FIP EDG participation status of Excluded Child. The income, assets, needs and relationships to other household members are not considered. This child has no effect on FIP eligibility determination.

**Parent of Child in
Out-of-Home
Foster Care
Placement**

The legal parent and/or stepparent of a child in an out-of-home foster care placement due to abuse or neglect forms a valid FIP EDG, as long as there is a plan to return the child to the parent/stepparent's home up to twelve months from the date of removal. When there is no basis for FIP eligibility except for the parent's relationship to the child in out-of-home foster care placement, the child has a FIP EDG participation status of Other Child on the parent's case. If the foster care plan is to return the child to the parents' home, the parent/stepparent may be eligible for FIP based on the relationship to the child in foster care; see FIP Certified Groups with No Child in this item.

Note: Request cash assistance for the foster care child on the parent's case even though the child will not be in the FIP certified group.

**Optional Certified
Group Members**

A needy caretaker other than a parent or stepparent may request cash assistance and be included in the FIP certified group. The caretaker's spouse and dependent children living in the home must also be included in the FIP certified group when the caretaker is included. When FIP eligibility is based solely on the presence of a child placed in the home by children's services, the adult is in the FIP EDG for relationship purposes, but cannot be in the FIP certified group. FIP for court-ordered unrelated caregivers is limited to the ineligible grantee payment standard. If there are other children in the home who have different relationships to this caretaker; see Multi-Generation and Combined Groups in this item.

**DETERMINING
PRIMARY
CARETAKER**

The primary caretaker is the person who is primarily responsible for the child's day-to-day care and supervision in the home where the child sleeps more than half the days in a month, when averaged over a twelve-month period. The twelve-month period begins at the time the determination is being made.

When a child spends time in the home of multiple caretakers who do not live together (such as joint physical custody or parent/grandparent), Bridges determines the primary caretaker based on the number of days per month a child sleeps in the home.

Accept the client's statement regarding number of days the child sleeps in the caretaker's home unless questionable or disputed by another caretaker.

Child's Normal Sleep Time

When a caretaker works during a child's normal sleep hours, include the nights the child sleeps away from home when due solely to the caretaker's employment, as nights slept in the home of the caretaker.

Vacations/Other Absences

Vacations or other time a child spends away from the primary caretaker does not change the result of the primary caretaker determination, unless the child is away, or expected to be away from the home for more than 30 consecutive days.

Once a caretaker is established as primary, the child's other caretakers are considered absent caretakers.

Only the primary caretaker can receive FIP for a child.

Absent Caretakers

Exception: If otherwise eligible, an absent caretaker may receive FIP for a child when **both** of the following are true:

- The child lives with the absent caretaker for more than 30 consecutive days.
- The child does not meet temporary absent requirements to be considered living with the primary caretaker.

Caretaking Time Shared Equally

If the child sleeps in the home of multiple caretakers an equal number of days in a month, when averaged over a twelve-month period, such as every other week, the caretaker who applies and is certified eligible first is the primary caretaker for that program.

Note: It is possible to have a different primary caretaker for different programs

Caretaking Time Disputed

When the number of days per month a child sleeps in the home of multiple caretakers is questionable or disputed, give each caretaker the opportunity to provide evidence of their claim. Base primary caretaker determination upon best available information and evidence supplied by the caretakers; see Verification Sources in this item.

Example 1: Joey is seven years old and lives with Mom during the school year. He spends eight weeks each summer with Dad. Joey returns to Mom's home two days per week during this time with Dad. Joey sleeps in Mom's home more than half the days in a month, when averaged over the next twelve months. Mom is the primary caretaker and continues to receive assistance for Joey through the summer.

Note: If Joey does **not** return to Mom's home at least once every 30 days, he is no longer considered to be living with Mom. If Joey is in Dad's home for more than 30 consecutive days, Dad could apply and receive assistance for Joey.

Example 2: Eric is ten years old. His mom works during the week. Eric's mom drops him off at his grandmother's house on Sunday evening and picks him up on Friday evening. Eric's grandmother is primarily responsible for his care and supervision in the home where he sleeps more than half the days in a month when averaged over the next twelve months. Eric's grandmother is the primary caretaker. His mom is an absent caretaker.

Note: If Mom works during Eric's normal sleep hours, and he is only at Grandma's to sleep while mom works, he is not there all week. Mom is the primary caretaker. Grandma is providing child care.

Changes in Primary Caretaker

Re-evaluate primary caretaker status when any of the following occur:

- There is a change in the number of days per month the child sleeps in a caretaker's home.

- A second caretaker disputes the first caretaker's claim of the number of days the child sleeps in his/her home.
- A second caretaker applies for assistance for the same child.

Example 1: Tommy has lived in his Mom's home except for weekends for the past several years. He is now fourteen and has become a discipline problem. Mom and Dad agree that it would be better for Tommy to live with Dad except week ends. Dad is now the primary caretaker. Mom is now an absent caretaker.

Example 2: Mom is receiving FIP for her six year old son, Austin. At application, Austin sleeps in her home more than half the days in a month, when averaged over the next twelve months. Dad is contacted by Friend of the Court regarding his ability to pay child support. Dad states that Austin sleeps in his home all week and spends weekends only with Mom. Determine the number of days per month Austin stays in each parent's home based on best available information and evidence supplied by both parents.

Legal Guardian

Whenever a FIP Eligible Child has a legal guardian, the legal guardian must be the protective payee for the FIP grant; see BAM 420. This applies whether or not the guardian resides with the FIP group and continues until guardianship is terminated. Verify termination of legal guardianship prior to terminating the protective payee; see Verification Sources in this item.

Note: When a legal guardian is receiving FIP for a child, and the parent of the only eligible child returns to the home, enter the parent's data on the legal guardian's Bridges case and run eligibility. The legal guardian's FIP will be terminated. If the parent applies and is found eligible for FIP, the legal guardian must be made the protective payee for the parent's FIP.

MULTI-GENERATION AND COMBINED GROUPS

When an unemancipated minor parent and the parent's child (see BEM 201) live with a legal parent(s) or stepparent, all three generations compose the group. The unemancipated minor parent may not be the grantee for FIP when living with a parent(s) or stepparent; the unemancipated minor parent is the dependent child of the parent(s) or stepparent.

When a minor parent lives with a qualifying FIP caretaker other than a parent or stepparent, and the caretaker requests cash assistance for themselves, the minor parent is a dependent child. If the minor parent's non-parent caretaker does not request cash assistance, or is ineligible for FIP, the minor parent may apply, be treated as an adult and be the FIP grantee; see BEM 201.

When a person is caring for two or more dependent children who are not legally related to each other as siblings or stepsiblings, all children for whom the caretaker requests cash assistance are in a single FIP EDG and certified group. The caretaker, however, is not required to request assistance for all children who are not related to each other as siblings or stepsiblings.

FIP Certified Groups with No Child

A FIP certified group may be composed of only adults under specified circumstances. Groups with no eligible child may consist of the following:

- A pregnant woman and if married, her husband.
Note: If the pregnant woman is not a member of the certified group, such as an SSI recipient, there is no FIP eligibility based on the pregnancy.
- The caretaker(s) of a dependent child who would be eligible for FIP except for the child's receipt of SSI.
- A legal parent(s) and/or stepparent of a dependent child in an out-of-home foster care placement due to abuse and/or neglect when there is a plan to return the child to the parent's home. Eligibility based on this policy is allowed for up to 12 months from the date the child(ren) were removed.

Children's services or the Services Inquiry screens will verify that there is a plan for reunification with the parent, at application and redetermination; see Verification Sources in this item.

DETERMINING THE FIP CERTIFIED GROUP

Bridges determines which members of the FIP EDG are included in the FIP certified group. A FIP EDG member, who does not meet a

nonfinancial eligibility factor or is disqualified for any reason, is not in the FIP certified group.

Note: An immunization penalty is not a disqualification.

VERIFICATION REQUIREMENTS

Relationship

Relationship must be verified for each dependent child on the FIP EDG. Verification must establish the relationship of each dependent child to the child's legal parent, step-parent or other qualifying caretaker.

When a child lives with the natural father, but paternity has not been legally established, the father may voluntarily complete the DHC-0682, Affidavit of Parentage; see BAM 255, Child Support, Voluntary Paternity Acknowledgement.

Primary Caretaker

Accept the client's statement regarding the number of days per month a child sleeps in the home. If questionable or disputed by another caretaker, request verification from both caretakers.

Pregnancy

Verification of pregnancy is required when FIP eligibility is based solely on the pregnancy.

Guardianship Termination

Verify termination of legal guardianship before terminating the protective payee.

Reunification Plan

Verify at application and redetermination, that there is a plan for a child in foster care to be returned to a parent's home.

Unrelated Caregiver Placement

Verify that a court has ordered MDHHS responsible for the care and supervision of a child(ren), and that MDHHS children's services

staff have placed the child(ren) with an unrelated caregiver at application and redetermination.

VERIFICATION SOURCES

Relationship

Verification must establish the relationship of each dependent child to the child's legal parent, step-parent or other qualifying caretaker. Verification sources include:

- Birth certificates.
- Michigan Birth Registry Inquiry.
- Adoption records.
- Marriage license/certificate.
- School records.
- Separation records.
- Divorce records.
- Hospital birth records.
- Affidavit of Parentage.
- Child support records.
- Court orders.
- Baptismal records.
- Immigration records.
- Any legal document that traces the child's relationship to the parent, stepparent or other qualifying caretaker.
- Other government or local agency records, newspaper records, or local histories that specify the relationship.
- Consecutively numbered I-94 cards do not prove relationship of a caregiver to a child.

Primary Caretaker

When caretaking time of a dependent child is disputed or questionable, examples of proof to consider include, but are not limited to:

- The most recent court order that addresses custody and/or visitation.
- School contact or records indicating who enrolled the child in school, first person called in case of emergency, and/or who arranges for the child's transportation to and from school.
- Child care provider contact or records showing who makes and pays for child care arrangements, and who drops off and picks up the child.
- Medical providers contact or records showing where the child lives and who usually brings the child to medical appointments.
- Other documents or collateral contacts that support/contradicts the caretaker's claim.

Pregnancy

Statement, including expected date of delivery, from one of the following:

- Doctor of Medicine (MD).
- Doctor of Osteopathy (DO).
- Physician's Assistant (PA).
- Ob-gyn Nurse Practitioner (NP).
- Ob-gyn Clinical Nurse Specialist (NS).
- Certified Nurse-Midwife.
- Registered Nurse (RN).
- DHS-49, Medical Examination Report; DHS-54A, Medical Needs; DHS-54E, Medical Needs-PATH or other written statement may be used.

Guardianship Termination

Guardianship or other documents showing legal guardianship has been terminated.

Reunification Plan

Any document or collateral contact that verifies the services plan is to return the child to the parent's home.

When a child in out-of-home foster care placement is active Children's Protective Services only, assume there is a plan to return the child to the parent's home when the field on the Services Inquiry screen Petition Filed for Termination of Parental Rights is not yes.

When the child in out-of-home foster care placement is active Children's Foster Care, there is a plan to return the child to a parent's home when the Services Inquiry screen shows 'MI goal of return home' and the 'parent cooperation' switch is not 'no'.

Unrelated Placement

Verify that a court has ordered MDHHS responsible for the care and supervision of a child(ren), and that the child has been placed with the unrelated caregiver by MDHHS children's services staff with one of the following:

- A DHS-498, Caregiver Assistance Application Cover Letter, completed by MDHHS children's services staff.
- A copy of court documents.
- Contact with or statement from the MDHHS children's services staff that provides the same information.

LEGAL BASE

FIP

42 USC 608

42 USC 619

Mich Admin Code, R400.3112,.3114,.3122

MCL 400.57 *et seq.*

MCL 400.6(3) and (4)