

# WELFARE BENEFITS:

## TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)

### RULES AND ELIGIBILITY

---

#### Introduction

Temporary Assistance for Needy Families (TANF) is the welfare program that gives cash grants to needy families. This program replaced the Aid to Families with Dependent Children (AFDC) program. TANF is administered by the Department of Social and Health Services (DSHS). This publication discusses who is eligible for TANF and what is required under the law. We have other relevant publications you may want to read, including [What are My Rights Dealing with DSHS](#). You have many important rights under the program, **including the right to appeal DSHS decisions**.

#### How can you apply for TANF?

To get TANF you can apply in-person at your local DSHS Community Service Office (CSO) or by mail, or by fax, or by internet at [https://wvs2.wa.gov/dshs/onlineapp/introduction\\_1.asp](https://wvs2.wa.gov/dshs/onlineapp/introduction_1.asp). If you are disabled, you can get special help from DSHS in applying for benefits under DSHS' Necessary Supplemental Accommodations (NSA) services. See our publications [Necessary Supplemental Accommodations](#) and [Applying for Public Assistance](#).

#### You must be:

1. Low income;
2. Living in the U.S. legally; and
3. One of the following;
  - a pregnant woman with no other children in the home
  - or
  - child(ren) under 18 and parent(s) who live together
  - or
  - child(ren) who live with a relative or other custodial adult (also referred to as "in loco parentis")
  - or
  - a child over 18, but under 19, who has not graduated from high school *and* who is a full time student at a secondary school or at a vocational or technical training
  - or
  - a disabled person over 19 and under 21 who is participating in a full-time secondary school program or the same level of vocational training.
4. A Washington state resident.

Other eligibility requirements are:

- TANF time limits have not expired or you have been granted an exemption from the time limit. See our publication [Questions and Answers On The TANF Five-Year Time Limit](#);
- Provide social security number; and
- Have a face-to-face interview at initial certification (there are hardship exceptions).

**NOTE.** Before July 1999, two-parent families had to prove that one of the parents was disabled or unemployed in order to get TANF. Now, most two-parent families can get TANF as long as they meet all other eligibility requirements.

### **Who is not eligible for TANF?**

**You are not eligible for TANF if you are:**

1. Convicted of a felony and fleeing to another state to avoid punishment; or
2. Violated probation or parole; or
3. A worker on strike; or
4. An undocumented immigrant; or
5. Child(ren) who live with a parent or adult relative whose sixty- month life TANF time limit expired. See our publication [Questions and Answers On The TANF Five-Year Time Limit](#).

**You may be ineligible for TANF if you have been:**

1. Convicted of a drug-related felony; or
2. Convicted of welfare fraud.

### **What are the other requirements once TANF benefits are approved?**

Once you and your family have been found eligible for TANF, you must do the following things in order to receive your grant:

1. Give DSHS the right to collect and keep child support as reimbursement for the TANF benefits you are awarded;
  2. Cooperate with DSHS in establishing paternity and child support for your children UNLESS you can show DSHS that cooperation will harm you or your children. This is called “good cause” for not cooperating;
  3. Cooperate with DSHS in a review of your eligibility at least once a year;
  4. Cooperate with DSHS in a quality assurance review process;
  5. Report to DSHS changes of circumstances;
  6. Ensure that your child attends school.
- If you have a child aged 16, 17, or under 19, that child must attend school in order to be eligible for TANF. If your child is not in school, his or her portion of

the TANF grant may be taken away from your family's grant until he or she returns to school. If this child is your only child, both you and your child will lose TANF.

7. Participate in job search or work-related activities through the WorkFirst Program, unless you are exempt from this requirement. See our publication Questions and Answers about WorkFirst.

### **Who is Exempt from WorkFirst Activities?**

1. A person who is needed in the home to care for an infant. See our publication WorkFirst for Families with Special Needs
2. A caretaker relative (not a parent) who is 55 years or older
3. A person with a severe and chronic disability
4. A person who is needed in the home to care for a child with special needs or another related adult with a disability
5. A person who is a victim of family violence. For more information, see our publication WorkFirst and the Family Violence Amendment

### **What are other requirements for teen parents?**

**If you are under the age of 18 and unmarried and either pregnant or a parent, you must:**

1. Live in a DSHS-approved living situation
  - This means that you must live with either of your parents, another adult relative, or any other "approved" adult. DSHS will presume that living with your parents is the best living situation, so in order to have a different living situation approved you must show DSHS that it is not in your best interests to live with your parents; and
2. Be enrolled in high school or getting your GED (high school equivalency). See our publication TANF for Teen Parents.

### **How will DSHS decide financial eligibility for TANF?**

In deciding whether you can get TANF, money you get each month (income) and property you already have (resources) are usually counted.

#### **1. Income**

DSHS has different rules for how they consider various kinds of unearned and earned income. For earned income, DSHS will count only 50% of your gross earned income toward your TANF grant.

EXAMPLE: If you earn \$600 per month gross, DSHS will count 50% of that amount, or \$300. Therefore, \$300 will be considered in determining your eligibility for TANF and it will be deducted from the amount of your TANF grant.

DSHS will not count the money you use to pay child support in determining your TANF grant.

**NOTE: For some families, other people's income will be considered:**

- If you are a sponsored alien, DSHS may consider your sponsor's income.
- If you are a teen parent living at home, your parent's income will be considered.

2. Resources

The following types of resources (property) will not be counted in determining whether you are eligible for TANF:

- A vehicle with equity value up to \$5,000 (any equity over \$5,000 does count).
- A vehicle used to transport a family member with a disability (such as a van with a wheelchair ramp).
- Your home and surrounding property.
- Your household furnishings and personal possessions.
- Any term or burial insurance up to \$1500.
- A burial plot.
- Up to \$1,000 in non-exempt resources.
- Trust accounts when not available. Trust accounts are not available if the funds cannot be withdrawn and turned into cash.

**NOTE:** If you are receiving TANF, your family may build up to \$3,000 more in savings accounts without losing your grant.

**Is there a time limit on receiving TANF benefits?**

Yes. All families have a 60-month lifetime limit on getting TANF benefits. This time limit started on August 1, 1997. This is a major change in the law. Under the old law, there was no lifetime limit on getting Aid to Families with Dependent Children (AFDC) benefits, the previous welfare program.

**Are there any exceptions to the time limit?**

Yes. Also, see our publication: Questions and Answers on the TANF Five-Year Time Limit. There are some people receiving TANF to whom the time limit does not apply. There is no TANF time limit for:

1. A child who lives with a relative who is not his or her parent, and the relative is receiving a grant just for that child;
2. Unemancipated pregnant or parenting minors living in DSHS-approved living arrangements;
3. American Indian or Native Alaskan adults living in Indian country or an Alaskan Native Village where at least fifty percent of the adults were unemployed;
4. Where a person is under extreme hardship, such as domestic violence or disability;
5. People who are exempt from WorkFirst activities;

6. People who are participating and “playing by the rules” in WorkFirst;
7. Children whose parents are not satisfactorily participating in WorkFirst.

## **What if DSHS denies TANF or makes a decision about my TANF benefits and I do not agree with that decision?**

**Anytime DSHS makes a decision either verbally or in writing affecting TANF benefits, you have the right to request a fair hearing to dispute that decision.**

For example, you may request a hearing if DSHS denies your application, imposes WorkFirst requirements that you disagree with, “sanctions” your family (reduces the amount of the grant), or stops your TANF grant. See our publications How to Fight a Denial of DSHS Public Assistance; How to Fight a Termination or Reduction of DSHS Public Assistance; and WorkFirst Sanctions.

***IMPORTANT:*** *If you receive a notice that DSHS is going to reduce or terminate your TANF grant, you are entitled to continued assistance if you ask for a hearing within 10 days of the date of the notice. It is very important that you specifically ask for continued assistance.*

Most DSHS notices are on computer-printed forms that refer to your fair hearing rights printed on the back. To request a fair hearing, fill out a Fair Hearing Request at your local DSHS office or write to the Office of Administrative Hearings, P. O. Box 42488, Olympia, WA 98504. You must ask for your hearing no later than 90 days after the date you were denied. If it is an emergency, you may ask to have your hearing held as soon as possible by calling the Office of Administrative Hearings at (360) 664-8717 or 1-800-583-8271 to ask for an “expedited” or an emergency hearing. Otherwise, your hearing will probably be scheduled 20 days or more after you ask for it. Once you have asked for a fair hearing, you may discuss your case with the designated Fair Hearing Coordinator at your local DSHS office. The Office of Administrative Hearings will set a date for fair hearing, which will be held in front of an administrative law judge. You have the right to present evidence and witnesses on your behalf. You will have the right, before the hearing, to see and to get copies of the papers in your hearing file. You may bring a lawyer or any other person to the hearing to represent you. You may seek legal advice and assistance prior to your hearing in order to prepare to present your case. Call CLEAR or a legal services office with questions, and read our publication Representing Yourself in a Fair Hearing.

7123EN

---

**This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice. This information is current as of the date of its printing, July 2003.**

© 2003 Northwest Justice Project — 1-888-201-1014, TTY 1-888-201-9737

(Permission for copying and distribution granted to Washington State Access to Justice Network and to individuals for non-commercial purposes only.)