

DEPARTMENT OF HUMAN RESOURCES FAMILY INVESTMENT ADMINISTRATION	TEMPORARY CASH ASSISTANCE MANUAL	
STEPPARENT 305	COMAR 07.03.03.06	TECHNICAL ELIGIBILITY 300

### 305.1 STEPPARENT

A stepparent is the legal spouse of a parent. This section provides the policy for including or excluding a stepparent from the TCA assistance unit.

### 305.2 REQUIREMENTS

A. A stepparent who has:

1. No minor child of his or her own in the home cannot be in the assistance unit
2. A child in common, including an unborn child, with the applicant or customer must be in the assistance unit
3. A natural or adopted minor child in the home, but no child in common with the applicant or customer, can choose to be in or out of the unit

B. If the stepparent is in the unit, the natural or adopted child is also in the unit and the stepparent is treated like any other natural parent

C. If the stepparent is not in the assistance unit, that parent's children are also not in the unit

D. If a stepparent wants to be in the assistance unit, but is technically ineligible, his or her children may be in the unit, and if so:

- Count the step parent's income and resources according to Financial Eligibility –Section 907- Income Calculations for Ineligible Household Members

E. If the stepparent is sanctioned, follow normal sanctions procedures

F. Do not apply stepparent rules when the natural parent is not in the home.

1. The stepparent is a non-parent caretaker relative when there are no children in common and assistance is only for the stepchildren
2. Consider the stepparent a parent, if there are children in common

**Note:** If the stepparent is not in the home, the stepchild must be included in the assistance unit since the child is a stepsibling.

G. Never establish two assistance units. The stepparent can not have his or her assistance unit and the other parent his or her own unit.

H. The stepparent's income is:

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1. Deemed when the stepparent is not in the assistance unit.
2. Counted as with any other adult assistance unit member when the stepparent is in the assistance unit. Apply appropriate calculations and deductions.

### 305.3 VERIFICATION

- A. Verification of marriage is required only if questionable.
- B. Income and assets of the stepparent must be verified.

### 305.4 CASE MANAGEMENT TIPS

- When the stepparent has an option, test income to determine what is advantageous for the family.
- The stepparent must be in the food stamp household.
- An individual is a stepparent only when there is a natural parent in the home.

### 305.5 EXAMPLES

**Example 1:** Mrs. Smith applies for herself, her daughter from a previous marriage, and her new husband, who is unemployed.

- Mr. Smith cannot be in the unit with Mrs. Smith and her daughter because he does not have a natural or adopted child in the home

**Example 2:** Mrs. Miller applies for herself, two daughters from a previous relationship, and her son, David. Mr. Miller, who is David's father, also lives in the home. Mrs. Miller did not include Mr. Miller in the application because he is receiving a veteran's benefit.

- Mr. Miller must be included in the assistance unit because Mr. Miller and Mrs. Miller have a child (David) in common.

**Example 3:** Mrs. Dunkin applies for TCA for herself and her sons from a previous marriage. Mr. Dunkin and his two daughters from a previous marriage are also in the home. One of Mr. Dunkin's daughters has some medical problems and is included in the application.

- Mr. Dunkin can choose to have himself and both of his daughters in or out of the assistance unit.
- Since a parent and child cannot be separated, both of Mr. Dunkin's daughters would have to be included in the assistance unit, if he chose to be in the unit.

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**Example 4:** Mr. Calvert is applying for his stepsons, Craig and Chris. His wife left the home, but did not take her sons with her. Also in the home is Collin, who is the son of Mr. and Mrs. Calvert. He does not want assistance for himself and Collin.

- Mr. Calvert is the caretaker relative for Craig and Chris and is not treated like a stepparent
- Everyone must be in the assistance unit because:
  - ❖ Collin is the half-brother of Craig and Chris and siblings cannot be separated
  - ❖ Mr. Calvert is Collin's parent and a parent and child cannot be separated

**Example 5:** Mrs. Martin is receiving TCA for herself and her son from a previous relationship. Mr. Martin and his daughter from a previous relationship, Grace, chose not to receive assistance because Mr. Martin is employed. The case manager compared Mr. Martin's earnings to the FIP Schedule Column C. He earns less than 50% of the federal poverty guidelines for a family of 4. His income is disregarded in the calculation of Mrs. Martin's TCA grant. Mrs. Martin reports at reconsideration, that she is pregnant.

- Since Mr. and Mrs. Martin now have a child in common (an unborn), everyone in the household must be in the assistance unit.
- Mr. Martin and Grace must be added to the assistance unit.
- Mr. Martin's income will be used to calculate the TCA grant.

**Example 6:** Mrs. Bond applies for herself, her husband, and her children from a previous marriage. Mr. Bond also has children, but they do not live with him. Mr. Bond is employed.

- Mrs. Bond and her children are in the TCA assistance unit
- Mr. Bond cannot be in the TCA unit because he does not have any children in the home
- Mr. Bond's income is compared to the 50% federal poverty level column of the FIP Schedule ( Column C) and if it is above the 50%level ,his income is deemed to the TCA unit (see Financial Eligibility-Section 907 Ineligible Household Members)
- Mr. Bond must be in the Food Stamp unit and his income counted