



WELFARE for PREGNANT & PARENTING TEENS

Have federal and state welfare laws changed with respect to teen parents?

Yes. As of June 1, 1997, never-married teen parents under the age of eighteen must comply with the following new requirements in order to receive **Temporary Aid for Needy Families (TANF)**, formerly known as **AFDC**:

- The new “residency requirement” states that the teen parent must live:
 - with his or her parents;
 - with his or her legal guardian;
 - with another adult relative, approved by the Social Services Agency as a qualifying relative; or
 - in a licensed adult-supervised supportive living arrangement.
- Mothers must name the fathers so that child support can be pursued.
- The teen parent must complete a "Supplemental Statement of Facts - Minor Parent" (Form CA 25) to provide the Social Services Agency with information about his or her living situation.
- The Eligibility Worker (EW) will use the CA 25 to determine whether any further action is required to determine eligibility.
- In order to receive aid, teen parents are still required to attend high school, a training program or have received a high school diploma or the equivalent (such as a GED).

Are there any exceptions to these new requirements?

A teen parent can receive TANF without meeting the "residency requirement" if he or she meets any of the following exceptions:

1. The teen parent has no living parent or legal guardian;
2. The whereabouts of the teen parent's parents are unknown;
3. The teen parent's parent or legal guardians won't let him or her live with them;
4. The teen parent has lived apart from his or her parents for at least twelve months prior to EITHER the birth of his or her child OR the date of the application for aid;
5. The teen parent has been emancipated by court order; or
6. A Child Protective Services worker determines that the health and safety of the teen parent OR the health and safety of the teen parent's child(ren) would be at risk if they lived with the teen parent's parents or legal guardians (this is known as the “**health and safety**” exception).

NOTE: An exception must exist with respect to *each* parent or guardian.

If I try to qualify for TANF under one of these exceptions, will anyone tell my parent or guardian that I am applying for TANF?

Possibly. When a teen parent signs the required Form CA 25, he or she gives the county welfare department permission to contact his or her parent or guardian and tell them about the teen parent's TANF application. Usually, the Eligibility Worker will inform the teen parent before contacting the parent or guardian, but if the teen parent is worried about what may happen if his or her parent or guardian are contacted, he or she can tell the EW about those concerns and/or ask that the EW tell him or her before attempting contact.



What happens if I claim the “health and safety” exception (exception #6)?

An Emergency Response Social Worker from Child Protective Services will visit the home of the teen parent’s parent or legal guardian. The Social Worker will inspect the home and interview the parent or legal guardian. The Social Worker will try to determine whether the parent or guardian is physically, sexually or emotionally abusive, whether the home is clean, whether the parent or guardian has been providing adequate food for those under his or her care, etc. In other words, they will look for evidence of abuse or neglect.



If the Social Worker determines that a health and safety issue exists in the parent or guardian’s home, the teen parent will meet one of the residency requirement exceptions and will be allowed to receive TANF while living outside of his or her parent or guardian’s home. The Social Worker will open a Child Protective Services case on that parent or guardian, and the state may decide to take further action regarding that parent or guardian.

If the Social Worker determines that a health and safety issue does not exist in the parent or guardian’s home, the teen parent will receive a Notice of Denial telling him or her that he or she is not eligible for TANF. The teen parent will become eligible for TANF if he or she moves back to his or her parent or guardian’s home or meets one of the other exceptions to the residency requirement. An application denial will be reversed if the teen parent can demonstrate that he or she meets the residency requirement within thirty days of receiving the Notice of Denial.

When a teen parent believes that the Social Worker incorrectly decided that there was no health or safety issue, the teen parent has the right to “appeal” that decision. Appealing to the decision means asking an Administrative Law Judge (ALJ) to review the decision and decide whether it was correct. A teen parent has ninety days after receiving the Notice of Denial to ask for an ALJ to review the decision. Teen parents can contact Legal Advocates for Children & Youth or Community Legal Services if they would like to appeal a denial of benefits.

What do I do if my parent or legal guardian doesn’t want me to live with them (exception #3)?

A teen parent can show that he or she meets this exception by giving the Eligibility Worker a written statement from his or her parent or guardian saying that they don’t want the teen parent living with them. The parent or guardian can also make that statement over the telephone to the Eligibility Worker. If neither of these options are available, the teen parent can write the statement.

If a teen parent tells the Eligibility Worker that he or she doesn’t know where his or her parent or guardian is living, the teen parent will qualify for TANF. However, if the Eligibility Worker later discovers that the teen parent is a runaway and his or her parent or guardian wants him or her to return home, the teen parent will no longer be eligible for TANF, and will owe the state for all of the TANF he or she has already received.



How do I prove to the Eligibility Worker that one of my parents is deceased?

A teen parent must provide the Eligibility Worker with either a death certificate or a written statement from an adult relative.

Fact Sheets for Teen Parents can be found on-line at: <http://www.teenparents.org>