

<b>DEPARTMENT OF HUMAN RESOURCES FAMILY INVESTMENT ADMINISTRATION</b>	<b>TEMPORARY CASH ASSISTANCE MANUAL</b>	
<b>RESIDENCE 301</b>	<b>COMAR 07.03.03.06</b>	<b>TECHNICAL ELIGIBILITY 300</b>

### **301.1 REQUIREMENTS**

- A. Applicants and recipients must live in Maryland in order to receive TCA.
- B. Individuals do not have to live in Maryland for a specified period of time in order to meet residency requirements.
- C. Individuals are considered residents if they:
  - a) Live in the state voluntarily
  - b) Are not in Maryland for a temporary purpose
  - c) Have no immediate plans to move out of state
  - d) Are not receiving assistance in another state

### **301.2 TEMPORARY ABSENCE**

- A. Customers living out of state continue to meet the residency requirement if the:
  - 1. Absence is less than 90 days, and
  - 2. Maryland residence has not been abandoned
- B. Recipients may continue to be eligible for TCA if they are absent for more than 90 days if Maryland residence has not been abandoned and:
  - 1. Absence is due to a family emergency, or is part of the Family Independence Plan,
  - 2. Absence is reviewed at least monthly beginning with the 90<sup>th</sup> day, and
  - 3. Supervisor gives approval

The case record, including CARES narration must be well documented to show why the customer lives out of state and assistance is continued.
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### 301.3 NEW RESIDENTS

- A. Individuals moving into the state are considered residents upon their arrival if they meet the criteria in section 301.1 above.
- B. New residents who received assistance in another state are eligible if:
  - 1. The case is closed in the other state and no payment was made for the month of application from another state, or
  - 2. Payment was made for only part of the month
    - a. If the partial payment is less than the Maryland benefit amount, count the partial payment as unearned income to determine the initial benefit
    - b. If the partial payment exceeds the Maryland benefit amount, deny for the month of application and begin benefits in the subsequent month
- C. If the applicant received 60 months of Temporary Assistance to Needy Families (TANF) benefits in the previous state, determine if the applicant has a hardship. (See Time Limits section 309)
- D. New residents are treated as applicants and the rules for initial payments apply.

Note: Do not require the applicant to provide a closing letter from another state if he or she does not already have one. The case manager must contact the prior state to make sure the case is closed and to determine the number of months the individual received TANF benefits. See 301.6

### 301.4 CUSTOMERS MOVING WITHIN THE STATE

- A. Continue assistance uninterrupted when a family moves from:
  - 1. One county to another in Maryland
  - 2. One district office to another within Baltimore City or within a county
- B. Transfer the case on CARES and send the paper record to the new jurisdiction.
- C. Do not close the case, unless the family no longer meets eligibility requirements.

### 301.5 INSTITUTIONAL STATUS

- A. Individuals are not eligible if confined to a public institution for an indefinite period. Public institutions include:
  - 1. State hospitals

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2. Public mental health facilities
  3. Correctional facilities
- B. Customers who are in a residential substance abuse treatment facilities may continue to receive assistance when they are out of the home longer than 90 days when:
1. The recipient is in substance abuse treatment as part of the Family Independence Plan,
  2. The case manager works with the Addictions Specialist to monitor the customer's progress,
  3. The customer is cooperating with treatment
- C. The caretaker for the child or children, must become the representative payee while the customer is in treatment.

### **301.6 VERIFICATION**

- A. The case manager must obtain verification of:
1. Case closing in prior state
  2. Amount of the grant from the other state and the period covered by the grant
  3. Number of TANF months received in other states

**NOTE:** The **customer does not have to obtain a closing letter from the other state.** The case manager should call or e-mail the previous state contact person to obtain the required information.

- B. Acceptable verification includes:
1. Documented telephone calls to the prior state.
    - Include in the CARES narrative:
      - a. Name of the person spoken to, including the individual's title or job function
      - b. Date of the call
      - c. Specifics of the verified information
  2. Statements on letterhead or system printouts from the prior state

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## EXAMPLES

**Example 1.** Ms. Ryan has a job that is starting in 2 months. The family moved to Maryland from Pennsylvania and is staying with relatives. Ms. Ryan applied for TCA on May 5. She received her last TANF (Temporary Assistance to Needy Families) check from Pennsylvania for half of May. The case manager called Pennsylvania and verified the payment amount and the case closing date. The check was \$250 for herself and one child.

- The Ryans are eligible for May in Maryland using unearned income of \$250.
- The TCA benefit is prorated from May 5, the date of application in Maryland.

**Example 2.** The Smiths, a family of 5, moved to Maryland from Mississippi seeking work and plan to stay. They applied for TCA on August 7. The family received TANF benefits in Mississippi. The last TANF check received in Mississippi was \$475 for the entire month of August.

- The Smiths are not eligible for TCA in Maryland until September because they received a check in Mississippi for the entire application month.

**Example 3.** The Wisner family is in Maryland because Mrs. Wisner is receiving medical treatment at Johns Hopkins. They plan to return to their home in Virginia.

- The Wisners are not eligible because they are not planning to make Maryland their home. They are here only to receive medical treatment.

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4. The Anderson family moved to Maryland in June and applied for TCA on June 6. The Andersons were both looking for work. They have three children. On July 16, Mrs. Anderson reported that her husband was hospitalized at one of the state mental hospitals. She stated he had been there since July 4<sup>th</sup> and she didn't know when he would be released.
  - All of the Andersons are eligible for June and July because Mr. Anderson was in the home on the 1<sup>st</sup> of July.
  - Mr. Anderson is ineligible effective August because he is in a public institution.
  
5. Ms. Jackson receives assistance for herself and three preschool children. Ms. Jackson reported to the local department on April 10 that she must go to North Carolina for a couple of months to help her mother while she recovers from surgery. She is taking the children with her. On July 6, Ms. Jackson reports that her mother has had many complications and she still cannot fully care for herself. A doctor's statement indicates that Ms. Jackson's mother should be recovered sufficiently by the end of August. Ms. Jackson is continuing to pay the rent on her Baltimore apartment.
  - The Jacksons may continue to receive assistance because they are out of state due to an emergency and they have retained the Maryland residence.

## **ADDITIONAL INFORMATION**

Interim Changes

Time Limits

Application Process