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Chapter 700 – TANF-UP Unemployed Parent Program

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701.1 PURPOSE OF THE TANF-UP PROGRAM

The Temporary Assistance for Needy Families – Unemployed Parent (TANF-UP) Program is intended to provide assistance to families with two able-bodied parents.

701.2 CATEGORICAL REQUIREMENTS AND CONDITIONS OF ELIGIBILITY APPLICABLE TO THE TANF-UP PROGRAM

- A. Members of the assistance unit must meet existing categorical requirements and conditions of eligibility for TANF.
- B. The child must reside in a home in which both natural or adoptive parents reside, and neither parent meets the criteria at [901.2 C. or D.](#)
 - 1. In the case of a putative father living in the home, an acknowledgement of paternity must be made in order to qualify for TANF-UP. A completed and notarized Acknowledgement of Paternity form VS22, obtained from the local health department, should be used for this purpose.
 - 2. If the man's name appears on the child's official birth certificate issued in 1996 or later by the Virginia Department of Health, Division of Vital Records, or by the vital records section of any other state government, evidence of paternity exists for TANF purposes.
 - 3. If the mother was married at the time of the child's birth, the mother's husband is the legal father and is considered the child's father until a court has determined that he is not. After the court has excluded the husband as the father, DCSE can proceed to determine the paternity status of the man named by the mother.
 - 4. When a putative father in the home has not or refuses to acknowledge paternity for a child in the home, or when the putative father's paternity has not been established, the TANF-UP application must be evaluated as a TANF application.

Note: A marriage is a legal relationship between two individuals. Depending on the laws of a state at the time of a marriage, a marriage can be between individuals of the opposite sex or between individuals of the same sex. Same sex marriages performed legally in other states are recognized by Virginia effective 2/14/14, including marriages performed prior to that date. While same sex marriages became legal in Virginia as of 2/14/14, the first same sex marriages performed legally in Virginia occurred on or after 10/6/14.)

- C. The assistance unit must be in financial need.
- D. Both parents must participate, as required, in the Virginia Initiative for **Education and Work** Program (VIEW) unless one parent meets an exemption. Only one parent may qualify for an exemption (Refer to Section [901.2](#)). If both parents are ineligible, i.e., do not meet citizenship/alienage requirements, they are not required/allowed to participate.

701.3 ASSISTANCE UNIT TANF-UP

- A. The standard filing unit is required to include two able-bodied natural or adoptive parents, with at least one child in common and all minor siblings of that child(ren) who meet the categorical requirements listed in Section [201.1.A](#).

A putative father cannot be included in the TANF-UP assistance unit unless paternity has been established.

If one or both parent(s) meet the exemption criteria at [901.2. C. or D.](#) or if one of the parents is a putative father for whom paternity has not been established, the case is a TANF case, not a TANF-UP case.

Note: If the only child in common is ineligible based on the family cap provision at [201.12](#), the family may be eligible for TANF-UP as long as there are other eligible children in the assistance unit.

- B. If, after receipt of TANF-UP benefits, one parent leaves the home and another parent enters the home who has a child in common with the custodial parent and who qualifies for TANF-UP, a new assistance unit is established.

701.4 FINANCIAL CRITERIA

- A. All countable earned and unearned income of the assistance unit will be considered in determining financial need.
- B. The case is to be closed if the income of the assistance unit causes ineligibility.