



TEXAS

Department of Family and Protective Services

Emergency Assistance

Eligibility Resource Guide

Investigations

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EMERGENCY ASSISTANCE ELIGIBILITY

Per [2700 Emergency Assistance \(EA\) Eligibility](#):

The caseworker determines whether the child is eligible for emergency assistance if the following apply:

- The case is in a traditional investigation or an alternative response stage.
- The risk level is *High* or *Very High*.
- Oldest Victim or Reference Child must be a U.S. citizen, qualified alien, or permanent resident.

Emergency Assistance (EA) eligibility is based on factors including risk level, total annual gross income of the household of concern, and citizenship status of the Oldest Victim (INV stage) or Reference Child (AR stage). For a family to be eligible, the Oldest Victim or Reference Child must be a U.S. citizen, qualified alien, or permanent resident.

One of the Emergency Assistance (EA) eligibility items that must be determined is "Annual Family Income." The caseworker must determine if the income of persons in the family is \$63,000 or more or is less than \$63,000. If the annual income is \$63,000 or more, the family is not eligible for EA. If the annual income is less than \$63,000, the oldest victim or reference child is a U.S. Citizen, and the family meets the other three eligibility criteria, the family is eligible for EA.

To determine the family's total annual income, the caseworker collects information about financially responsible people's total monthly income. This includes income that the person receives, as well as income that someone else receives on the person's behalf. **This applies to all members of the family eligibility unit who live in the home where the *High* or *Very High* risk of abuse or neglect was present.**

The caseworker must ensure the documentation of the family's annual gross income match in the IMPACT case narrative interviews, EA template and the EA Eligibility Application/Determination section on the investigation conclusion page.

DETERMINING CITIZENSHIP

The caseworker must determine citizenship/alien status of the Oldest Victim or Reference Child by asking the family. The "Citizenship / Alien Status" question will need to be answered for the oldest victim or reference child in the CVS Home Page. If the question is answered with "Permanent Resident" or "Other Qualified Alien," additional documentation will be required.

"Document Type" includes:

- Admission Number (Form I-94, Arrival/Departure Record)
- Alien Registration Number (Form I-551, Permanent Resident Card, or "green card")
- Other Document Type.

If the family refuses or is unable to provide information on citizenship or document types; the status must be marked as “undetermined”.

CPS Investigation Conclusion Page

If the caseworker attempts to submit an investigation stage for approval without answering the “Citizenship/ Alien Status” question for the oldest victim or reference child, they will receive an error message which will link back to the “CVS/Home” page.

The “EA Eligibility Application/Determination” section will display “Emergency Assistance Eligibility does not need to be determined due to citizenship/alien status.” When families are ineligible for EA if the child is not a US citizen, qualified alien or status is undetermined.

FAMILY ELIGIBILITY UNIT

The **family eligibility unit** consists of individuals living in the same home where the risk of abuse or neglect was present. A family eligibility unit can include the following:

- Alleged victims in an investigation, or the reference child (oldest alleged victim in the Intake) in an alternative response.
- Financially responsible adults (or teen parents), which can include:
- The child's biological or adoptive parents whose parental rights have not been terminated, or
- The managing conservator; or
- Relatives informally caring for the child such as grandparents, aunts, uncles, etc.
- The minor siblings (including half and adoptive siblings) of:
 1. The alleged victims in an investigation, or
 2. The reference child in alternative response.

The following people are not included, unless they are an adult and have assumed financial responsibility by caring for the child full-time in the person's own home and in lieu of the child's parent:

- Step-parents.
- Step-siblings.
- Parents' paramours.
- Parents' paramours' children.

INCOME TYPES

The caseworker must determine whether the family receives any of the following types of income:

- wages, salaries and tips;
- self-employment income;
- monthly child support payments received on behalf of the child or the child's siblings who are living in the home;
- governmental benefits such as SSI or RSDI, Railroad Retirement benefits, veteran's benefits, TANF, SNAP, and WIC;

- unemployment compensation or disability insurance benefits; and any other income the family receives. The caseworker must collect all of the following:
- the name of each income source (for example, the employer that pays wages, the agency that provides a government benefit, and so on);
- each income amount; and
- each income recipient.

Income does not include monetary gifts to the family from family members, other individuals, community resources, or the like.

If the family reports they have no income, the caseworker must ask and document in the IMPACT case narrative how the family supports itself.

POTENTIAL QUESTIONS TO ASK:

The caseworker collects information to determine the monthly gross income amount.

The caseworker asks the financially responsible adults in the family the following questions:

- Is any person in the family working?
- If yes, what is the person's job title, location, and the amount of the gross monthly income?
- How much have you earned in the last 12 months?
- Is any person in the family receiving monthly Social Security benefits, or any other federal government benefit or paycheck?
- If yes, what is the type and amount of the benefit, and have you received it for the last 12 months?
- Is any person in the family receiving any other type of monthly income, for example child support?
- If yes, what is the type and amount of the gross monthly income? How much have you received in the last 12 months?

DETERMINING AND VERIFICATION OF INCOME

Once the caseworker gathers the information, he or she calculates the current gross annual income. If the family provides current gross monthly income, the caseworker multiplies the total by 12 to determine the current gross annual income. *Gross income* means the overall total before taking out taxes and other deductions.

The caseworker accepts the family members' statements about their income without further verification, unless either of the following applies:

- The caseworker has a reasonable belief that the information is questionable.
- DFPS has removed one or more children from the home.

If the Information Is Questionable

If the caseworker reasonably believes the information is questionable, the caseworker asks the family for a copy of any or all the following:

- Paycheck or direct deposit slip if a member of the family is working.
- Award letter for benefits from the Social Security Administration or another government agency (showing the amount) if the child or another member of the family receives such benefits.
- Proof of any other type of income that a member of the family has reported, such as a direct deposit slip, bank statement, or tax return showing the income.
- If the family refuses to provide verification of the income and you are unable to verify the income, then you document the refusal and select family refuses to disclose income under the annual family income on the investigation conclusion page.

If DFPS Has Removed a Child

If during the investigation DFPS removes a child from the home, the caseworker must use the EA eligibility income information they've gathered to complete the Foster Care Assistance Application (FCAA), so there are no discrepancies.

If the EA eligibility income information has not been gathered at time the removal, the caseworker must gather the information immediately and complete both the EA eligibility template and the Foster Care Assistance Application (FCAA).

When income is unable to be obtained due to refusal or inability of the parent/legal guardian, the caseworker would document the refusal or inability in IMPACT and select family refuses to disclose in the EA Eligibility Application/Determination section of the Investigation Conclusion page.

DOCUMENTATION

The caseworker determines and documents the family's total gross annual income (before taxes and other similar deductions).

The annual gross income includes 12 months, as follows:

- The month when DFPS determined that the risk existed (or the month when DFPS removed the child from the home if that has occurred).
- The 11 months directly before that.

Go to a new contact narrative in IMPACT, the caseworker must select one of the following 3 templates:

1) Documentation for when investigator can determine income

"I have verified the following information based on the information provided to me by __add person(s)__ name. The family's annual gross income is based off of __source(s)__ and the information gathered was used to determine the family's gross total annual income which is _____. Income range has been selected in the EA section.

- 1) Financially responsible adult __ (name) __ source of income _____; _____ monthly gross income; _____ # of months worked in the last 12 months.
- 2) Financially responsible adult (name) source of income _____; _____ monthly gross income; _____ # of months worked in the last 12 months.
- 3) Oldest victim/Reference Child ____ (name) ____ source of monthly income; _____ # of months in the last 12 months
- 4) Sibling ____ (name) ____ source of monthly income; _____ # of months in the last 12 months (#4 to be done for each sibling in the home.)"

* Besides parents, financially responsible adults can include relatives informally caring for the child, such as grandparents, aunts, uncles, etc. Do not include adults' paramours.

If a removal:

- I checked foster care assistance application – income and expenditures"

2) Documentation for when the family reports they have no income

I attempted to determine the family's resources/gross annual income. They family reported they have no income. I asked the family how they are able to support themselves including providing housing, food and other necessities and their response was _____.

3) Documentation for when the family refuses to provide income information

I attempted to determine the family's resources/gross annual income. They refused to provide details to clearly establish the family's income.

RESPONDING TO THE ELIGIBILITY STATEMENTS ON THE INVESTIGATIONS CONCLUSION PAGE

To record the family's current annual income in IMPACT:

- Go to either the *Investigation Conclusion* page (for Investigations) or *Alternative Response Conclusion* page (for Alternative Response) in IMPACT.
 - Find the *EA Eligibility Application/Determination* section.
 - Select the appropriate income category in the *Annual Family Income* dropdown box. See example, below:

EA Eligibility Application/Determination
The caseworker is applying for Emergency Assistance on behalf of a child.

Income

Annual Family Income:

Eligibility Questions

	Yes	No
Risk Assessment finding is Risk Indicated; therefore, a child is at risk of abuse/neglect.	<input checked="" type="radio"/>	<input type="radio"/>
The child lives with a parent or relative or has lived with a parent or relative at some time during the past six months.	<input type="radio"/>	<input type="radio"/>
It is correct to say that we have no information that indicates that the risk of abuse/neglect was directly caused by a caretaker's refusal to accept employment or training for employment.	<input type="radio"/>	<input type="radio"/>

Determination

The child meets the above Emergency Assistance Program eligibility criteria. The child and family members are authorized for all assistance and services determined to be necessary and appropriate.

IMPACT automatically makes the *EA Eligibility Application/Determination* section available when the caseworker completes the *Risk Assessment* tool and the risk level is *High* or *Very High* and the oldest victim or reference child is a US citizen, permanent resident or other qualified alien.

The caseworker completes this section, which contains three statements that each require a response of *Yes* or *No*.

Child's Living Situation

The second statement in the *EA Eligibility Application/Determination* section is:

- The child lives with a parent or relative at some time during the past six months.

The table below explains how to respond to this statement.

If:	Then the caseworker:
The child lived with a parent or relative* at the time DFPS determined that the risk existed	Marks <i>Yes</i>
The child lived with a parent or relative* at some other time during the past six months	Marks <i>Yes</i>
Neither of the above applies	Marks <i>No</i>

* The following people are considered relatives, for the purpose of responding to this statement:

- Grandfather
- Grandmother
- Brother
- Sister
- Stepfather
- Stepmother

- Stepbrother
- Stepsister
- Uncle
- Aunt
- First cousin
- Nephew
- Niece

The caseworker also makes sure that the narrative portions of the interviews with the child or family in IMPACT accurately reflect the living arrangements of all the children.

Cause of the Risk

The third statement in the *EA Eligibility Application/Determination* section is:

- It is correct to say that we have no information that indicates that the risk of abuse/neglect was directly caused by a caregiver's refusal to accept employment or training for employment.

The table below explains how to respond to this statement.

If:	Then the caseworker:
Both of the following are true: <ul style="list-style-type: none"> • The caregiver has refused to accept employment or training for employment. • The caseworker determines that the refusal directly caused the risk of abuse or neglect. 	Does both of the following: <ul style="list-style-type: none"> • Marks <i>No</i>. • Makes sure that the narrative portions of the interviews with the child or family in IMPACT accurately explain how the refusal directly caused the risk of abuse or neglect.
Both of the following are true: <ul style="list-style-type: none"> • The caregiver has refused to accept employment or training for employment. 	Marks <i>Yes</i> .
<ul style="list-style-type: none"> • DFPS has no reason to believe that the refusal caused the risk of abuse or neglect. 	
The caregiver has not refused to accept employment or training for employment.	Marks <i>Yes</i> .