

Families First Marriage During the Receipt of Assistance

Policy 23.16

Effective: October 15, 2023

Introduction

Families First shall provide customers the opportunity to exclude their new spouse from the assistance unit for up to three (3) calendar months following the date of the marriage.

Scope

The purpose of this policy is to encourage marriage and promote two (2) parent families.

Policy

Marriage During Receipt

1. Customers, including minor parents, who marry during the receipt of assistance may choose to exclude the new spouse from the assistance unit (AU) for up to three (3) calendar months, regardless of income and/or resources.
2. The three (3) month exclusion starts on the first (1st) day of the month after the month of the marriage, regardless of when the marriage is reported.
3. Following the three (3) month exclusion, the AU must meet all Families First eligibility requirements to continue to receive assistance.
4. Should the customer choose to waive the three (3) month exclusion, the AU, including the new spouse, must meet all Families First eligibility requirements to continue to receive assistance.

Caretaker Elects to Include the Spouse

Add the spouse to the AU as appropriate based on the relationship to other household members.

1. Calculate the Families First budget using the countable income of all AU members, including the spouse.

2. Add any of the spouse's children who are residing with the spouse. The children must meet all eligibility requirements.
3. Use the gross income standard (GIS), the consolidated need standard (CNS), and the maximum payment standard for the new AU size, including the spouse, to determine the assistance payment.
4. The spouse, unless exempt, will be subject to a work and/or educational activity and sanction provisions.
5. Resources of the spouse will be considered available and, therefore, countable to the AU. The spouse must meet enumeration, citizenship, and all other eligibility provisions in order to be an eligible AU member.
6. If the AU no longer meets all points of eligibility, the AU must be closed.

Caretaker Elects to Exclude the Spouse

Do not add the spouse to the AU for the first three (3) months of the marriage.

1. Determine group eligibility as if the spouse were not in the home. This is true even if the spouse is the parent of an AU child.
2. Do not include the income and resources of the spouse in the eligibility determination for Families First.
3. Any children who moved into the home with the spouse at the time the marriage occurred must be considered for addition to the AU as outlined in policy [23.01 Families First Assistance Units](#).

Two Families First Caretakers Marry

If two (2) caretakers are currently eligible and receiving Families First separately, both the caretaker and the spouse will continue to be eligible as separate AUs when:

1. The caretaker marries an individual who is also receiving Families First cash payments and
2. There is no common child.

If there is a common child, then both AUs will be combined into one AU. The designation of the caretaker is the decision of the adults in the AU.

Exceptions

Marriage during the receipt of assistance does not apply to the following scenarios:

1. Couples who are married at the time of application; and/or

2. Spouses who have been out of the home and returning.

Note: If a legally divorced couple remarries during the receipt of assistance, the marriage during the receipt of assistance policy would apply.

Supporting Documents

[Marriage During Receipt Procedures](#)

[23.01 Families First Assistance Units](#)

[Marriage During Receipt of Assistance Desk Guide](#)

Definitions/Acronyms

| Term | Definition |
|---|--|
| AU | Assistance Unit |
| Consolidated Need Standard (CNS) | The amount of income an assistance unit would need to meet subsistence living costs, according to allowances set by the state, for items including food, clothing, fuel, lights, household operations, personal incidentals, and shelter. This amount determines the income level used to determine Families First financial eligibility |
| Gross Income Standard (GIS) | The gross countable income of an assistance unit. This standard is set at 185% of the CNS. If this income exceeds this standard, the assistance unit is not eligible for Families First. |
| Maximum Payment Standard | This standard payment amount (maximum payment) represents no less than 25% of the consolidated need standard for an assistance group. |

Supersedes

Policy 23.28 Marriage During the Receipt of Assistance eff. date 10/01/2016.

Approval History

| Approved By | Approver Title | Approved Date | Effective Date |
|-----------------|------------------------|---------------|----------------|
| Clarence Carter | Commissioner | 10/09/2023 | 10/15/2023 |
| Charles Bryson | Assistant Commissioner | 09/23/2016 | 10/01/2016 |

Revision History

| Date | Version | Location of Change | Description/Reason for Change |
|------------|------------|---|---|
| 10/09/2023 | 10/15/2023 | Introduction, Scope, Policy Section, Definitions. | Clarified language throughout and moved procedural information to the procedure manual. |
| 09/23/2016 | 10/01/2016 | N/A | New Policy |

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| Application | All TDHS Family Assistance Staff and Contractors | | |