

20 Questions and Answers TEEN PARENTS AND WELFARE REFORM

Mass. Law Reform Institute
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1. Overview Of The New Welfare Reform Teen Parent Rules

Under the Massachusetts Welfare state law, pregnant and parenting teens under 20 seeking TAFDC are now subject to two important rules unless exempt:

1) a "school attendance rule" where she must be participating in full-time high school or in a GED program with other activities, unless already graduated; AND

2) a "living arrangement" rule where a minor must live with a parent or other relative or in a teen living structured setting, unless exempt.

NOTE: The following Q and A is based on a) the Massachusetts state welfare reform law, Chapter 5 of the Acts of 1995 codified in Chapter 118 of the Mass. General Laws, b) the Department of Transitional Assistance (DTA) regulations codified at 106 CMR sec. 203.600 - 640 and various other sections, c) DTA's TAFDC Procedural Guide and d) DTA's TAFDC Updates which include Q and A policy instructions to DTA workers. Note also: The following questions and answers use the term "parenting teens" to include pregnant teens as well.

2. Does A Teen Have The Right To Apply For Her Own Benefits?

YES. Both minor pregnant and parenting teens as well as 18/19-year-olds have the right to file their own application for themselves and their children, even if the teen lives with parents or other relatives. The teen's parents do NOT have to file the application for the teen or accompany her to the DTA office.

The teen can make a written application for TAFDC and/or MassHealth on her own. If the teen parent is under 18 and living with her parents, she will be asked to provide information on her parent/s' income in order to calculate her TAFDC benefits.

The only exception to this right to apply rule is if the minor teen is living with parents who are also receiving TAFDC for other siblings. In this case, the teen and her baby must be included in the parent's TAFDC grant (if she chooses to include the baby). MassHealth for the teen and child is automatic with her family's TAFDC benefits.

If the teen is under 22 and living with her parents or under 18 and living with other adults, she is not eligible for Food Stamps separate from the household. See Q.18 below.

3. Do Teen Parents Get Assigned Special DTA Workers?

Most DTA offices now have welfare workers known as "teen specialists." They are in charge of the TAFDC and Food Stamp case for the teen and baby. Once a teen files an application, she should be assigned a teen specialist who will handle her TAFDC and Food Stamp case.

4. How Do The New School Attendance Rules Work?

The Rule:

Under DTA's new rules, a teen parent (including 18- and 19-year-olds) must be either enrolled in or participating in a full-time high school (or middle or elementary) program OR in a GED program with other activities that add up to 20 (twenty) hours. Teen parents are exempt from this rule only if a high school graduate or if the teen has her GED certificate or has recently taken the GED exam and is awaiting results. Teens are also exempt if there is no available suitable child care, if no programs exist to meet the requirement, or if the teen is eligible for a domestic violence waiver (see Q.5). There are no exemptions, however, if the teen or baby are disabled and on SSI. A teen is only exempt for three months following the birth of her child. The teen must be attending school or other activities 75% of the time, unless she can prove "good cause" for failing to attend.

Teens in GED Programs:

Most GED programs do not involve 20 hours per week of classes. Hence, these teens will be asked to find some other approved activity which, in addition to the GED program, adds up to 20 hours per week. Such activities may include other educational programs that involve parenting skills, child development, health education, job readiness, pre-vocational programs (computer training or internships), or doing a community service activity (workfare). The teen could also supplement her schooling with paid employment.

If a teen is in a pre-GED program like English as a Second Language (ESL) or Adult Basic Ed (ABE), which is necessary to get into a GED program, she should meet the GED rule since these programs are generally prerequisites for GED programs. Training, vocational or skills programs that are not part of a high school or do not include GED are no longer acceptable, even if the teen is participating full-time. Nor will teens who otherwise work full-time qualify unless they have graduated from high school or GED. Contact an advocate if a teen in an alternate educational program is sanctioned under the school rules.

Showing Proof of School Attendance:

The teen will be asked to verify her school attendance on a monthly basis with a letter or DTA form signed by the school. If she is on a waiting list for a program that will start within 60 days, she needs proof of her status so that she will not be sanctioned. If the teen is attending school, she needs verification that shows hours she has been participating. If her hours drop below 75% of the required 20 hours (i.e., below 15 hours/week), she will need to prove she had "good cause" for the absences (see below).

Sanctions For Not Complying:

The first sanction for failure to comply is a 30-day grant reduction—about \$92/month—the teen's portion of the grant. If, after 30 days, the teen does not meet the school rule, ALL her TAFDC benefits will be terminated for both herself and her baby. For both the reduction and termination of benefits, the teen has a right to receive written notice of the sanction, how she can cure it and her appeal rights. If a teen complies for 2 consecutive weeks, the sanction should be lifted. A teen should not be sanctioned if there are no programs available or if she is on a wait list for a program.

Worker Assistance:

If a teen needs help finding an educational activity, resolving school enrollment or attendance problems, getting child care or transportation, she should discuss this with her DTA worker. If a local public school refuses to let a teen enroll, DTA should contact the Department of Education for assistance. It is not up to the teen to resolve these problems.

Two-Parent Families:

If a teen lives with the father of her child who is under age 20, both are subject to the school attendance rules. If either teen has finished school or has reached age 20, that parent may be exempt from the ESP program if caring for a child under age 2.

5. What If The Teen Has A Good Reason For Not Being In School?

Remember, the school rules require 75% attendance. So if a teen in a 20-hour-per-week program attends only 15 hours, she is fine. If a teen's attendance drops **BELOW** 75%, she must show she has "good cause" for each of the days she missed.

Good Cause:

The regulations do not completely define "good cause." A teen should be able to claim good cause based on her own illness or the illness of her child, a recent death in the family, imminent evictions, inclement weather, breakdown in transportation, or other crisis or emergency (including domestic violence) that demands the attention of the TAFDC recipient. If the teen has ANY good reason why she did not attend her program, she should tell the DTA worker. She should also try to get proofs, such as a doctor's note, court papers, etc. If DTA refused to accept good cause and sanctions her, she should consult an advocate about her right to file an appeal.

Domestic Violence:

Teens or babies who are the victims of domestic violence either by a boyfriend/husband or other family member should alert their DTA teen specialist immediately. Under DTA's domestic violence waiver rules, a teen is not required to participate in an educational activity if doing so would harm either the teen or the baby. The DTA worker should inform all teen parents of the waiver process and assist the teen with filing a waiver request. DTA Central Office will make a decision as to whether and how long the teen is exempt. The teen should contact an advocate immediately if DTA refuses to grant a waiver exempting her from the school rules.

Vacation Times:

Teens are **NOT** required to go to summer school or do other activities during summer vacation or other vacation periods, as long as they are enrolled for the next school quarter—unless enrolled in a year-round program.

If The Teen Doesn't Go To School At All?

The teen will be sanctioned. There are no exemptions for teens who have been expelled or suspended from school with no alternative educational activities in her community, for disabled teens or where a baby's disability requires full-time care. The only exemption for teens from the school rule is lack of child care (and possibly in cases of domestic violence). If a teen is sanctioned for the school rules and

it turns out that her child care fell apart or the DTA worker failed to address child care needs, the teen should file an appeal and contact an advocate.

Once a teen is sanctioned, her TAFDC benefits will not be restored unless she participates for 2 consecutive weeks in an educational activity. DTA must provide child care during this time period and provide TAFDC retroactive to the date she began participating after the 2 weeks of participation.

6. What About Child Care And Transportation Reimbursement?

DTA's rules require them to provide support services such as child care and transportation for any teen required to attend school or a GED program combined with other activities, or required to participate in any other Employment Support Program Activity.

Child Care:

Child care must be provided if a teen needs the care in order to attend school or a GED program combined with other activities. Child care is also available to teens who are not eligible for TAFDC because they get SSI or they are in the custody of DSS, as well as to minor teens where consideration of parental income makes them ineligible for TAFDC. The teen should request child care when she fills out her "Employment Plan" and DTA should refer her to a Child Care Resource and Referral Agency to explore her options. **There are various child care options for teen parents:**

- Services for Teen Parents and their Children (STPC) program. Through either a school-based, center-based or family child care systems model, the STPC program provides comprehensive family support services to teen parents and their children, including child care, case management, social services, parenting and life skills education and support, health, family planning and nutrition services and transportation. These programs serve children age 0 to 33 months. Teen parents through age 19 are eligible to enter the program and remain eligible until the age of 20. A teen who turns 20 in the middle of an academic year while attending high school, a GED program or college may continue to receive STPC services through the end of the academic year. A teen can be placed into a contracted slot or be given a voucher for the STPC program.

Note: Teen parents enrolled in DTA funded Young Parent Programs (YPP) and Teen Living Programs are not eligible for the STPC program. However, in the case of YPP participants, if the child care provider offers both STPC and basic (state subsidized) child care services and all the basic slots (non-STPC) are fully utilized, a YPP participant is allowed to access an STPC slot.

- Basic child care vouchers. An eligible teen parent can get a voucher to use at any child care provider who accepts vouchers and has an opening for the teen's child.

- Informal Child Care. Informal child care is in-home child care by a neighbor, friend or relative. An eligible teen can request reimbursement from DTA to pay for the cost of this care. DTA pays \$15.00/day for full-day informal care and \$8.00/day for half-day informal care. DTA should not force a teen to place her child with "just any person" in order to attend school. Nor is she required to make a relative care for her child. DTA should not be promoting informal child care as a way for grandparents (or other TAFDC recipients) to meet the work requirements.

To access STPC, vouchers or informal child care the teen should first obtain a "child care authorization" (CCA) from her DTA worker. (If the teen is a minor in need of child care and is not receiving TAFDC

or does not want to, the teen should go directly to the child care resource and referral agency or CCRR. See "Special Eligibility" below). DTA can authorize either full-time or part-time child care. Part-time if the service need is either in the morning (7:00 am - 12:00 pm) or afternoon (1:00 pm - 6:00 pm). If the service need overlaps the morning and afternoon, a full-time Child Care Authorization (CCA) should be issued. Second, the teen should make an appointment with her local CCRR. The CCRR will review the child care options with the teen (STPC, basic child care, informal) and help the teen decide which type of care is most appropriate. They will also give the teen names of programs that have openings and then place the child in a slot, provide a child care voucher, or help you establish informal child care. To find the CCRR that covers your area, call 1-800-345-0131.

- Special Eligibility Services - A teen under 18 who is ineligible for TAFDC (e.g., because her parents refuse to provide DTA with information on their income or because the teen does not want TAFDC cash assistance) may still be eligible for "Special Child-Care Only" services from DTA. To apply for child care without TAFDC, the teen must go to the local CCRR (not the local DTA office) with a) proof of her age, b) proof of school attendance, c) her SSN and d) proof of parent's income, OR a self-declaration from the teen that her parents refuse to provide the income information. The teen applies for Special Child-Care Only at the CCRR office and brings the proofs listed above. Once the teen turns 18, the Special Child-Care Only stops, but she should be referred by DTA to other child care resources to continue coverage.

A non-TAFDC recipient minor teen parent who wants child care services from an STPC program can also bring the above information directly to the STPC program in their area. (STPCs are authorized to determine eligibility for non-TAFDC minor teen parents.)

Transportation:

Transportation reimbursement is available where a TAFDC recipient is doing any approved educational or workfare activity, and includes the transportation needed to get her baby to and from day care. DTA will reimburse TAFDC recipients up to \$150 per month for transportation costs using the least expensive mode of transportation. The teen needs to identify her need for transportation reimbursement on the Employment Plan she fills out with her TAFDC worker. *If a teen was not aware of transportation reimbursement and did not ask for it originally, she can still amend her Employment Plan at any point if she needs these support services.*

7. What If The Teen Parent Has Finished High School Or A GED Program, Or Is About To Turn 20?

Teen parents who have their high school diplomas or GED certificates are not required to attend educational activities. A teen who has taken her GED test but does not yet have the results is also exempt. Further, any 19-year-old parent who will turn 20 within 60 days of her TAFDC review or her application for benefits is also not required to attend an educational program.

However, teens who have finished school may be subject to the other welfare reform rules such as the grant cut and 20 hours per week unpaid work rules unless she meets another exemption from the work rules. TAFDC families are exempt where the youngest child on the grant is under the age of 2, the parent or the child is disabled, etc. A teen can also request a domestic violence waiver from the work requirement.

Teens who have finished high school or their GED do have the option of volunteering for another TAFDC educational activity under the Employment Support Program (ESP), such as going to a two-year college or other

vocational program approved by DTA. The teen may be eligible for continued child care and transportation, if available. The teen should check with an advocate first before "volunteering" for ESP activities because if she fails to participate in the ESP activity once she starts, she could be sanctioned.

8. How Do The Living Arrangement Rules Work?

In general, the living arrangement rules apply only to teens under age 18. In addition to meeting the school attendance requirement, minor parents must live with one or both of their parents or other adult relative age 20 or older or a legal guardian (or foster parent) to qualify for TAFDC. If a teen is age 18 or 19 and **homeless**, DTA may require her to live in a teen living program over an EA shelter (see Q 20).

Teens under 18 are exempt from these rules if a) married and living with her spouse, b) 17 years old and meets the special waiver rules (see Q.13 below), or c) a "graduate of a DSS independent living program." 18- and 19-year-old teens are exempt from the living arrangement rules as long as they are in high school or GED programs, or have graduated. If a minor teen is within 60 days of turning 18 when she files her TAFDC application or is reviewed, she should be exempt from the living arrangement rule and treated as if she were 18 years old.

A minor teen need **NOT** live with **her parents** if there is any possibility of abuse, neglect, substance abuse in her parent/s' home or other "extraordinary circumstances." A teen social worker (under contract with DSS) will assess the situation. The minor parent need **NOT** live with **other relatives or guardians** if none are willing to take her in or she just does not want to live with them—for any reason. She does not have to claim or verify abuse, neglect, etc. against these relatives.

However, if the teen cannot live with her parents or relatives and does not meet the other exceptions (marriage, waiver criteria for 17-year-olds, etc.), she will be referred to any available "teen living programs."

9. Who Are The Other Adults A Teen Can Choose To Live With? And How Does Their Income Affect Her Benefits?

A teen does not have to live with her parents if there are other relatives of the teen or the baby. These relatives must be at least age 20 years or older and include:

- Aunts, uncles, great-aunts and uncles, great-great, etc.
- Grandparents, great-grandparents including the grandparents of the baby (like the baby's father's parents), great-great, etc.
- Older sisters, brothers, half-siblings, step-siblings of the teen
- First cousins, and first cousins once removed.
- Stepparents, including former stepparents (e.g, a former spouse of her mother or father even if no longer married)

A minor teen does not meet the living arrangement rules if living with the father of her baby unless they are married. However, a minor teen does meet the living arrangement rule if she lives with a "legal guardian or foster parent." A legal guardian is an adult appointed by a court to care for a minor child because the minor has no parents or his or her parents are unable or unwilling to provide care for the child. Legal guardianship involves a court proceeding and a determination of parental fitness of the guardian. Minors living with adults who are not related to them may want to explore the options for establishing legal guardianship with a family law advocate.

If a teen lives in a foster home, she meets the living arrangement rules. She may not receive TAFDC for herself but may be eligible for TAFDC for her baby.

If a teen lives with her natural or adoptive parents, their income is counted or "deemed." See Q.16 below. **The income and assets of an adult relative or legal guardian do not count** against the teen's TAFDC grant, unless the adult relative is the father of the child. Hence, a teen who moves in with her aunt or grandmother should still receive a full TAFDC grant for herself and her baby, less any income the teen herself earns or receives.

10. How Does DTA Decide If A Minor Teen Parent Can Or Can't Live With Her Parents?

When the teen first applies for TAFDC, she will be asked where her parents are and if she can live with them or other relatives or legal guardians. If she is not living with other relatives and she says she cannot live with her parents, the DTA worker fills out a form referring the case for an independent social worker under contract with DSS to assess the situation. The teen does not have to give a reason why she can't live with her parents. The DSS contracted social worker is only supposed to assess the home situation of the teen's parents, not the other relatives. DTA and DSS should not require teens to live with any other relatives if the teen does not want to.

Once the TAFDC referral is made, the DSS contracted social worker will contact the teen and likely visit her parent/s' home if they live in Massachusetts. If her parents do not live together, only ONE will be contacted. Based on these visits, the teen specialist will make a written report to DSS and DTA as to whether any possibility of "abuse, neglect, addiction or other extraordinary circumstances" exists. The teen social worker will also evaluate the teen's ability to live on her own, raise her child, manage her budget, educational activities, etc. This information is filled out on a 6-page "Assessment Form" that is sent to the DSS Central Office, which then makes a recommendation to the DTA Central Office. DTA decides, based on this assessment, if the teen should return home, go to live in a teen living program, or if she can live on her own if she is 17 years of age.

11. What Are Considered "Extraordinary Circumstances" And How Do You Document Them?

The TAFDC regulations do not define "extraordinary circumstances." Nevertheless, the following are examples of types of "extraordinary circumstances": if they live out of state and the teen has established residence in Massachusetts; where there is no room at home for the teen and her child/ren; where the parent's housing violates local or state health and sanitary codes; where the parent's lease will be violated and the entire unit evicted with the teen and child/ren living there; where the parent(s) simply refuse to provide for the teen or baby; where the teen is actively engaged in a substance recovery program or other therapeutic program that will be jeopardized by her having to move away from the area. Social services, health care and other professionals working with teens are encouraged to provide written statements to DTA stating their professional relationship and that detail the reasons why returning home may be inappropriate for the teen and/or baby.

Remember: *Teens have the right to challenge a DTA decision that she must return home, and should be assisted when to do so could be harmful or inappropriate for her or her baby. (See Q.14 below.)*

12. What Are The "Teen Living Programs"?

If DTA decides a teen cannot live at home and has no other adult relatives with whom she can live, she will be referred to an available "teen living program" (TLP) for herself and her baby. She will have about 30 days to move there. DTA should provide her with transportation to get her there.

A TLP is much like a shelter for homeless families in that a number of teen families will be living together in the supervised setting, sharing common cooking and eating facilities and subject to various rules of conduct and daily activity. In addition, the TLPs require the teen to participate in high school or GED classes, which may be on-site or in the community, as well as participate in parenting and life skills classes, pregnancy prevention, and counseling to enhance self esteem. TLPs are scattered around the state but are not in every community. A teen may be required to move out of her base community to live in a TLP.

If a TLP is not available, the teen parent will be allowed to continue to live on her own until one opens up. If a TLP is available and the teen refuses to go there with her baby, she will likely be denied or terminated from TAFDC benefits. She has a right to appeal this decision (see Q.15 below). The teen may still be eligible for Food Stamps and Medicaid. Note: Homeless teen parents, including homeless teens age 18 and 19, are not permitted to be placed in Emergency Assistance-funded homeless shelters. DTA insists that homeless teen parents go to TLPs.

13. How Do The Waiver Rules Work For 17-Year-Olds?

There are special "waiver" rules for 17-year-old teens who have enough skills and support to live on their own. The following are the basic criteria:

- * the DSS teen assessment says the teen cannot return home to his or her parents
- * the teen is not living in any situation that "poses any apparent health or safety risks"
- * the teen is in school or GED program full time and "making satisfactory progress toward completion"
- * the teen has "established, stable, quality child care"
- * the teen is participating in a teen parenting program.

Even with these waiver rules, DTA makes the final decision on these cases. It is not the legislative intent of the state welfare reform law to disrupt living situations that are already working for a teen parent.

14. Can A Teen Get A Copy Of The Living Arrangement Assessment?

YES. All TAFDC recipients have the right under the Fair Information Practices law to see all documents in their DTA and DSS files. If the teen or her representative needs a copy of the 6-page Assessment Form, her TAFDC file or other documents, the teen has a right to inspect her file and get copies. She should make this request in writing to DTA and DSS. The written DSS Assessments are held by DSS Central in Boston. A teen can also authorize her representative (legal advocate, family member, social worker, friend) to see her file and make copies. She needs to make this authorization in writing.

15. Can A Teen Challenge The Living Arrangement Decision?

If the teen parent disagrees with the results of the assessment or DTA's termination of her TAFDC benefits, she also has a right to challenge this in a fair hearing. There are important time limits for requesting a hearing. The teen should contact an advocate to assist her.

If she is sent a notice of reduction or termination of TAFDC, she should file an appeal before the effective date of action (usually 10 days from the date of the notice) to protect her benefits during the appeal. She still has up to 90 days to appeal from the date of notice, but will not get aid pending the appeal.

16. If The Teen Lives At Home, How Is Parental Income Counted And How Is Her Grant Paid? What If Her Parent Is Already On TAFDC?

When a minor teen lives with her parents, only parental income that is above 200% of the federal poverty level is counted in determining the amount of TAFDC for the teen and her baby. This is called "deeming" of income and it is counted whether or not the income is actually made available to the teen. The teen's parent(s) must cooperate in providing DTA regular information about their income. NOTE: DTA sometimes uses the wrong income level when determining the income of the parents of the teen. Be sure to double-check the calculations if a teen is denied TAFDC due to parental income or the grant seems too low.

If the teen's parent has remarried, only the actual income received by her own parent is counted. None of the stepparent's income should be deemed unless the stepparent has also adopted the teen. DTA does not look at assets of the teen's parents (bank accounts, vehicles, property, etc.).

Here's the current poverty level as of March, 2002, on a monthly basis:

Household Size	200% FPL/month
1	\$1,477
2	\$1,990
3	\$2,503
4	\$3,016
5	\$3,530

Any monthly income above this amount will count toward the TAFDC payment level for the teen and baby. If the teen's parent's income is less than 200% of poverty, none would be counted and the teen gets a full TAFDC grant. If the teen is pregnant, measure countable income against a ONE-person TAFDC grant.

Example: Jane Doe is 17 and has a 2-month-old child. She lives with her mother, Mary Doe, and her younger sibling. Jane's mother works at a local food market and makes \$25,000/year or \$2,083 per month gross income (before taxes). Under the new rules, Mary Doe's income is measured against the 200% poverty level for two persons—currently \$1,990/month. The difference, \$93/month, is countable income for Jane and her baby. Subtracting \$93 from a monthly TAFDC grant for 2 of \$531 leaves Jane with a grant of \$438/month.

Remember: If the teen lives with non-parent relatives, none of their income counts (unless the relative is her spouse). If the teen is age 18 or 19, there is NO income deeming and NONE of the parental income counts if she lives with them.

If the teen's parent is receiving TAFDC for other siblings, the teen and her baby must be included in their TAFDC grant and the teen's parent will receive an additional incremental amount (around \$90) for each of them.

17. Are Teen Parents Limited To 24 Months (2 Years) Of TAFDC Benefits?

NO - Teen parents are generally not subject to the time clock for at least THREE reasons:

1. As long as a teen is in school full time and under age 20, she is exempt from the clock.
2. As long as a teen's youngest child on TAFDC or SSI is under age 2, she is exempt from the clock (if she has a "family cap" child, the rule is different.) OR
3. If the teen is herself disabled or needed to care for a disabled child or meets one of the other exemptions, the 24-month clock should not start even after she turns 20 or her child turns age 2.

The TAFDC 24-month limit starts once the teen no longer meets any of the above or another TAFDC exemption (like pregnancy, first 3 months of a family cap child, etc.). This means the teen has 24 months left of benefits once her clock starts. DTA should not count any of the months she received benefits while she was under age 20 in school or while her child was less than age 2.

REMEMBER: *For all former TAFDC recipients, the 24-month rule applies only to TAFDC cash benefits during any 60-month (5-year) period. A family who has lost their benefits because of the 24-month clock may be eligible for an extension or reopening of benefits in some cases. These families should be referred to a Legal Services or community advocate familiar with the extension process.*

The TAFDC 24-month rule does NOT apply to MassHealth coverage, Food Stamps or child care. These benefits should continue after the TAFDC is terminated. MassHealth should continue automatically. The family may need to be recertified for Food Stamps (and the benefits should increase if the family has no income). Child care will be automatically provided for 12 months from TAFDC termination if the family needs it for work, after 12 months the family must apply for income eligible child care.

18. Does the 24-Month Clock Apply If the Teen Lives With her Parents?

If the teen lives with a parent who receives TAFDC and is on the 24-month clock - the TAFDC for the teen and her baby should continue after the mother's benefits terminate. This means that the parent would be removed from the TAFDC grant and any siblings or half-siblings of the teen, but the teen and baby continue. In most cases, DTA should transfer the TAFDC payments to the name of the teen. If the teen lives with the father of her child and he is age 20 or over, the 24-month clock may be running. Contact an advocate.

19. What About MassHealth And Food Stamps For Teen Parents?

MassHealth:

A parenting minor/adult qualifies for MassHealth (formerly called Medicaid) if his/her income is below 133% of the federal poverty level. If her infant is below 1 year of age, the child is eligible if the family income is below 200% of the poverty level. A pregnant minor/woman is also eligible for MassHealth if her income is below 200% of the poverty level. She is also considered "presumptively eligible" for MassHealth (meaning she can go to a physician and get prenatal care pending approval by MassHealth).

If a minor teen lives with her natural or adoptive parents, their income is not counted for MassHealth if her parents either do not know about or refuse to provide medical care to the teen. Once the teen turns age 18, her parent's income is not considered at all.

A pregnant or parenting teen gets MassHealth automatically when applies for TAFDC. If denied TAFDC or if she chooses to not receive TAFDC, a teen can file a separate application for MassHealth by calling 1-800-841-2900.

If a pregnant minor is not eligible for MassHealth for some reason (excess income or alien status rules), she may be eligible for Healthy Start coverage which provides prenatal care during her pregnancy.

Special MassHealth coverage is also available to Massachusetts residents who are 18 to 65, unemployed or underemployed and without health insurance. A teen who is not pregnant or parenting and needs health care should be advised to apply for the an HMO type coverage called MassHealth Basic. If the teen is under age 18 or disabled or pregnant or the parent or a child, he or she should apply for MassHealth Standard. Again, call 1-800-841-2900 for an application.

Food Stamps:

A teen parent living on her own can apply for her own Food Stamps. However, if the teen is under age 22 and lives with her natural or adoptive parents, she is not eligible for her own Food Stamps; she must apply for and receive them with her parents.

If the teen is under 18 years and lives with other adults, she is also not eligible for separate Food Stamps from these adults; she must apply for and receive the Food Stamps with these adults.

20. What About The Other Welfare Reform Rules?

In addition to the living arrangement and school attendance rules, there are a bunch of new welfare reform rules that may affect teen parents either prior to or after they turn age 20, including:

- **Time limits.** The start of the TAFDC time limits went into effect 12/1/96 for TAFDC recipients who are not exempt. The first wave of families to face possible termination of benefits will be 12/1/98. Cash assistance for families who applied on or after 12/1/96 is limited to 24 months out of 60 months for all non-exempt TAFDC recipients. Teen parents under age 20 meeting the school requirements are exempt from this rule. The other families who are exempt include families with a child receiving TAFDC (or SSI) under two; families with a "family cap" child under 3 months; pregnant women (120 days prior to due date) families with

a disabled parent or where the parent is required to care for a disabled child or spouse; families where the parent is age 60 or older; and non-parent relatives receiving a grant only for child. In a 2-parent family, both parents must be disabled to qualify for disability exemption. Special time limit waiver provisions are now available to families, including teen parents, victimized by domestic violence.

- **Workfare.** Non-exempt recipients whose youngest child is school age (e.g., about 6 years) must do at least 20 hours of paid or unpaid work ("community service") outside the home. Others can be required to do Workfare as punishment for not complying with an education or training plan. Those who don't comply eventually lose the entire grant. Special waiver exemptions are now available for families victimized by domestic violence.
- **Family cap/child exclusion.** No TAFDC benefits for child born to family that is receiving TAFDC, or has received it after the new rules go into effect (child born to first-time pregnant woman receiving TAFDC is eligible). Limited exceptions for domestic violence situations as well as rape, incest, sexual assault or "extraordinary circumstances" (such as failed birth control or a severely disabled parent). The family cap rule also does not apply to a child born 20 months after the last receipt of TAFDC. Families have the right to request a "waiver," but should consult an advocate for advice.
- **Learnfare.** No TAFDC benefits for child age 6 to 14 if parent is not able to provide documentation of school attendance (put on probation if more than 8 absences in 3 months, lose benefits if more than 3 absences in a month while on probation).
- **Immunization verification or "Shotfare."** Benefits are cut if no proof of up-to-date immunization for all children under age 6. Children in Headstart or licensed day care presumed to meet immunization requirement.
- **Paternity.** Caretaker is asked to provide specific information about the absent parent (such as the full name and social security number or other similarly specific information). But DTA cannot sanction for lack of information (Superior Court Order of 3/19/96). Limited exceptions for rape, incest, pending adoption and cases where proceeding with paternity would endanger child or caretaker.
- **Grant cut (2.75%).** The TAFDC grant is reduced by 2.75% for all non-exempt recipients.
- **Treatment of earnings.** People subject to 2.75% grant cut are allowed deductions from earned income equal to \$30 and 50% of remainder as long as they remain eligible; others get deductions equal to \$30 and 1/3 of remainder.