



Administrative Policies and Procedures: 23.28

Subject Marriage During Receipt of Assistance

Approved by Charles Bryson, Interim Assistant Commissioner

Approval Date: 9/23/2016

Effective Date: 10/1/2016

Authority TCA §71-3-104(c);
SR 1240-1-47-.23(5); 1240-01-47-.26(3)(e)(1)(i)

Application Family Assistance Eligibility Counselors and Client Representatives

Policy Statement

Families First encourages marriage by allowing recipients to exclude their new spouse for three (3) months following the marriage. The Family Assistance Eligibility Staff shall explain the options available to the caretaker at the time the marriage is reported.

Purpose

The purpose of this policy is to encourage marriage by allowing the customer to exclude a new spouse for up to three (3) months from the date of the marriage.

Procedures

A. Marriage During Receipt Customers who marry during the receipt of assistance, including minor parents, may choose to exclude the new spouse from the assistance unit (AU) for three (3) full months, regardless of income and/or resources. Following the three (3) months, the AU must meet Families First (FF) eligibility requirements to continue to receive assistance. Should the customer choose to waive the three (3) month exclusion, the AU must meet all FF eligibility requirements to continue to receive assistance. 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.

B. Caretaker Elects to Include the Add the spouse to the AU as appropriate based on relationship to other household

Effective Date: 10/1/2016

Supersedes: FF Online Policy Manual Chapter 37; FF Handbook pp 19-21; Bulletin 17 FA-07-06 pg. 12, marriage during receipt heading; FF Policy Clearances: January – February 2006 #4; May – June 2002 #22; November- December 2001 # 42, FF Q&A 2008 #16-17; FF Q&A 2007 #82-84

HS-3088 (Rev. 8/2015)

RDA SW22

Page 1 of 3

Spouse

members.

1. Calculate the Families First budget using the countable income of all assistance unit 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 assistance unit. 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.

C. Caretaker Elects to Exclude the Spouse

1. Do not add the spouse to the AU for the first three (3) months of the marriage.
2. Determine group eligibility as if the spouse was not in the home. This is true even if the spouse is the father of an AU child.
3. Do not include the income and resources of the spouse in the eligibility determination for Families First.
4. Any children who moved into the home with the spouse at the time the marriage occurred must be considered for addition to the AU per [Chapter 7 of the Families First Online Policy Manual](#).
5. If the AU closes while the spouse is excluded, the exclusion will continue in the TCC for the remainder of the three (3) months.

D. Two Families First Caretakers Marry

If both caretakers are currently eligible and receiving Families First separately, both the caretaker and the spouse will continue to be eligible as separate assistance units when:

1. The caretaker marries an individual who is also receiving Families First cash payment.
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.

E. Exceptions

Marriage during the receipt of assistance does not apply to:

1. Couples who are married at the time of application; and/or
2. Spouses who have been out of the home and are returning.

Note: If a couple who has been legally divorced and remarry during the receipt of assistance, the marriage during the receipt of assistance policy would apply.

F. Documentation

When the marriage occurs during the receipt of assistance, clearly document the following information:

1. The date the marriage occurred.

2. The date the marriage was reported to the agency.
3. The new spouse's income.
4. The decision of the caretaker to include or exclude a spouse in the AU and the date.
5. The supporting verification related to the addition of the spouse.
6. All other eligibility factors including, but not limited to, proof of social security numbers, citizenship, and resources of the new spouse and any mandatory children.

Forms None

Collateral Documents [23.09-16.00 Marriage During Receipt Procedures](#)
[Chapter 7 of the Families First Online Policy Manual](#)

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

Retention of Records Pending

Glossary

Term/Acronym **Definition**

None