

ACF

Administration
for Children
and Families

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Administration for Children, Youth and Families

1. Log No: ACYF-IM-92-04

2. Issuance Date: 2/24/92

3. Originating Office: Children's Bureau

4. Key Words: Title IV-E Eligibility and Specified Relative

INFORMATION MEMORANDUM

TO: State Agencies Administering or Supervising the Administration of Title IV-E of the Social Security Act, Indian Tribes and Indian Tribal organizations

SUBJECT: Aid to Families with Dependent Children Expansion of the Definition of Specified Caretaker Relative as it Relates to Title IV-E Eligibility

LEGAL AND RELATED REFERENCES: Sections 406(a), 407, 472(a) and 473(a)(2)(A)(i) of the Social Security Act and 45 CFR 233.90(c)(1)(v) BACK Eligibility for title IV-E requires, among other things, that a child meet the requirements of either section 406(a) or 407 of the Social Security Act (the Act) but for his removal from the home of a specified relative. Regulations at 45 CFR 233.90(c)(1)(v) provide for the designation of specified caretaker relatives.

The Administration for Children and Families, Office of Family Assistance has published an Aid to Families With Dependent Children (AFDC) Action Transmittal ([ACF-AT-91-33](#), dated December 12, 1991), which expands the interpretation of the specified relative provision at 45 CFR 233.90(c)(1)(v) to include any relation by blood, marriage or adoption who is within the fifth degree of kinship to the dependent child. This expanded interpretation now includes great-great-great grandparents and first cousins once removed (children of first cousins).

Accordingly, for purposes of determining eligibility under title IV-E of the Act, any otherwise eligible child who is removed from the home of a relative who is within the fifth degree of kinship to the child will be eligible for assistance under title IV-E.

ATTACHMENT: AFDC Action Transmittal, [ACF-AT-91-33](#)

EFFECTIVE DATE: Upon Receipt

INQUIRIES TO: ACF Regional Administrators
Regions I - X

Wade F. Horn, Ph.D.
Commissioner