

BUSTER!

A Product of the Federal Interagency Reentry Council

Children of Incarcerated Parents Series

MYTH: If parents become ineligible for TANF assistance due to a felony drug conviction, their children also lose TANF assistance.

FACT: Children may be eligible for TANF assistance even if they live with ineligible parents.

Children may still be eligible to receive TANF assistance even if one or both parents become ineligible. A state may provide assistance to the children of a family with ineligible parents through a “child-only” case, as long as the family meets all other eligibility criteria. Child-only cases may include cases in which the parents present in the home are ineligible to receive TANF due to sanctions or prohibitions, such as felony drug convictions. In many cases the ineligible parents could be designated the “non-recipient parent payee” and receive benefits on behalf of the children. In these cases the parents are not members of the “assistance unit” -- that is, the parents’ needs are not taken into account when calculating the assistance payment.

Two-parent households where only one parent is ineligible due to a felony drug conviction would not warrant a child-only case because one eligible parent remains. Any parent living with children receiving assistance is still subject to the TANF work-requirements, unless exempted.

The specific rules governing eligibility determination and calculation of assistance vary from state to state.

For More Information:

The Welfare Rules Database provides information on state benefit and eligibility criteria:

<http://anfdata.urban.org/wrd/WRDWelcome.cfm>

Office of Family Assistance in the Administration for Children and Families:

<http://www.acf.hhs.gov/programs/ofa>

To contact local TANF agencies: <http://www.acf.hhs.gov/programs/ofa/help>

For more information on states that have bans on TANF eligibility due to felony convictions see the Reentry Myth Buster on TANF Benefits:

https://csgjusticecenter.org/documents/0000/1064/Reentry_Council_Mythbuster_TANF.pdf

What is the Reentry Myth Buster/Children of Incarcerated Parents Series?

This Reentry Myth Buster is one in a series of fact sheets intended to clarify federal policies that affect formerly incarcerated individuals and their families. On any given day, nearly two million children under 18 have a parent in prison – and many more have had an incarcerated parent at some point during their childhood. Children of incarcerated parents often face financial instability, changes in family structure, and social stigma from their community. This series is designed to help these children, their caregivers, and the service providers who work with them.