

Xochitl Esparza, TANF Program Manager
Authorized Signature

Number: SS-AR-09-006
Issue Date: 08/28/2009

Topic: Cash payments

Due Date: 08/28/09

Subject: TANF Eligibility - Paternity Establishment for TANF Applicants and Recipients

Applies to (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input type="checkbox"/> Area Agencies on Aging | <input type="checkbox"/> Health Services |
| <input type="checkbox"/> Children, Adults and Families | <input type="checkbox"/> Seniors and People with Disabilities |
| <input type="checkbox"/> County DD Program Managers | <input checked="" type="checkbox"/> Other (please specify): SSP TANF |

Action Required: Line managers: Please review this action request transmittal with Self-Sufficiency (SSP) staff who work with TANF applicants and recipients.

Line managers: Please contact local DCS partners to ensure effective linkages and coordination processes are in place.

Reason for Action:

The Division of Child Support (DCS) has notified DHS that it is anticipated Oregon will not meet the federal paternity establishment performance measure for Federal Fiscal Year 2009.

Self-Sufficiency Program (SSP) workers play a vital role in the timely establishment of paternity, or legal determination of a child's father, for families who are applying for or receiving TANF. Unless good cause exists, cooperating with establishment of paternity and pursuit of child support is a condition of eligibility for TANF applicants and a cooperation requirement for TANF recipients. Paternity establishment and child support are critical factors for the long-term benefit of children.

This action request is to serve as a reminder of the importance of working with TANF applicants and recipients in cases where paternity has not yet been established.

Paternity Overview

The federal government sets child support performance measures that each state's IV-D (child support) program must meet. One of the child support performance measures is the rate of paternity establishment. Each state must report either the all-

state paternity establishment rate, which includes paternities established on all births statewide, or the IV-D paternity establishment rate, which includes only paternities established on CSP cases. Oregon CSP reports on the all-state paternity establishment rate.

The paternity establishment performance measure states must meet is 90 percent or more. DCS anticipates Oregon will not meet this performance measure for Federal Fiscal Year 2009. As of July 31, 2009, Oregon's paternity establishment rate was 84 percent. If Oregon does not meet the paternity establishment performance measure, the Oregon TANF block grant may be reduced by one to two percent, with additional penalties to the TANF block grant for consecutive findings.

Role of Self-Sufficiency Workers in Paternity Establishment

DHS Self-Sufficiency workers play a vital role in the establishment of paternity on cases where paternity is at issue. Self-Sufficiency workers, unlike most DCS workers, meet with TANF applicants and recipients face-to-face and have the opportunity to help the client understand the importance of paternity establishment.

The role of the SSP worker in helping to establish paternity for families receiving TANF includes:

- Reviewing all TANF applications ([DHS 415F](#)) and going over absent parent information with the applicant or recipient. This is the first step in discussing child support and gathering information about the absent parent. Also included in all TANF and Medical application packets is the *Cooperating with Child Support Enforcement (DHS 428A)* form. Reviewing the [DHS 428A](#) with the TANF applicant or recipient provides an opportunity for workers to discuss the benefits of pursuing paternity and receiving child support, both financially and for the children. It also provides an opportunity to look at *good cause for noncooperation with child support* as well as a way to pursue child support while protecting the applicant or recipient's personal information known as *nondisclosure based on claim of risk*.
- Checking BBCN to determine whether paternity has been established in Oregon. Asking the TANF applicant or recipient whether paternity has been established in another state. Narrating on TRACS if paternity has already been established in Oregon or in another state.
- For TANF clients who have not yet had paternity established for one or more child(ren), having the client complete a paternity affidavit ([FLS 112](#)). The [FLS 112](#) must be filled out completely by the client and must be notarized. A separate [FLS 112](#) is needed for each child (including multiple births) and for cases in which the mother says the father is unknown. Each branch office has notaries that should be able to streamline the process for our client by notarizing the document before

they leave the branch. The [FLS 112](#) should not be sent to DCS until the TANF grant is opened and should not be sent to DCS prior to the birth of a child.

- Asking the client questions to identity information helpful to DCS in establishing paternity. Often the client may have information about the alleged father that they do not realize may be helpful. In some cases this will help DCS identify a father that may otherwise remain an unknown father. By talking with the client and asking pertinent questions, the SSP worker can help expedite the process of paternity establishment. The SSP worker must narrate on TRACS the information that they received from the client regarding the alleged father. (For a list of questions that may result in helpful information when paternity has not been established, please see Family Services Manual, [Child Support D](#) (Reporting Noncustodial Parents to DCS)).
- Coding the CM System case with the correct in-grant code:
 - ✓ AF for alleged father. (Code AF only when paternity has not yet been established. For cases in which there are multiple alleged fathers, code AF on the father that the TANF client states is the most likely alleged father.)
 - ✓ FA for father absent. (Code FA only when paternity has been established for the absent father.)
 - ✓ UF for unknown father.
- Responding to DCS workers' request for sanctions for noncooperation with child support. Cooperating with establishment of paternity and pursuit of child support is a condition of eligibility for TANF applicants and a cooperation requirement for TANF recipients. When DCS requests sanctions, the SSP worker must first determine whether there is good cause for noncooperation with establishment of paternity and/or pursuit of child support. The SSP worker must let the DCS worker who requested the sanctions know whether the sanction will be applied or not and, if not, why.

Benefits to Families of Establishing Paternity

Establishing paternity has many benefits for families, including:

- Potentially lessening children's feelings of abandonment.
- Giving children rights to certain benefits if the father dies. These may potentially include SSB, SSD, veterans' benefits, rights to inheritance, etc.
- Increased monetary support to the family.
- Availability of private health insurance for children.

- Availability of medical information and medical history for children.
- Increasing the likelihood that the family will leave public assistance and be less likely to return. ([Center for Law and Social Policy, The Child Support Program: An Investment that Works, April 2005](#))

Benefits to the State of Establishing Paternity

Establishing paternity has many benefits for the state, including:

- Increasing the chance that families will be able leave state-funded assistance.
- Decreasing the chance that families will return to state-funded assistance.
- Contributing to the ability of DCS to meet the federally-mandated paternity establishment performance rate.
- Contributing to the ability of DCS to recover costs.

Field/Stakeholder review: Yes No

If yes, reviewed by:

If you have any questions about this action request, contact:

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