

2245 - LIVING WITH A SPECIFIED RELATIVE (FAMILY MEDICAID)

POLICY STATEMENT	Children in certain Family Medicaid Classes of assistance (COAs) must be related to and living in the home with a specified relative.
BASIC CONSIDERATIONS	<p>The following Family Medicaid COAs require that the child(ren) live in the home of a specified relative:</p> <ul style="list-style-type: none"> • Low Income Medicaid (LIM) • Transitional Medical Assistance (TMA) • Four Months because of Child Support (4MCS) • Newborn Medicaid (NB) <p>NOTE: Eligibility for Newborn Medicaid requires that the child live in the home with the mother. Refer to Section 2174, Newborn Medicaid.</p> <p>The following Family Medicaid COAs do NOT require that the child(ren) live in the home with a specified relative:</p> <ul style="list-style-type: none"> • Right from the Start Medicaid (RSM) - Child • Right from the Start Medicaid (RSM) - PgW • Child Welfare Foster Care Medicaid (CWFC) • Family Medicaid Medically Needy (FM-MN) • State Adoption Assistance (SAA) <p>The following relationships meet the requirements of the specified relative:</p> <ul style="list-style-type: none"> • parents (either by birth, legal adoption or step-relationship) • grandparents (up to great-great-great) • siblings (whole, half or step) • aunts/uncles (up to great-great) • nieces/nephews (up to great-great) • first cousin • first cousin once removed (the child of a first cousin) • spouses of any person named in the above group, even after marriage is terminated by death or divorce. <p>EXCEPTION: The spouse of a stepparent or the spouse of a stepsibling is NOT within the specified degree of relationship.</p>

**BASIC
CONSIDERATIONS
(cont.)**

Relationship is established by one of the following:

- birth
- marriage
- legal adoption
- legal guardianship (except LIM)

An individual who has legal custody of a child does **NOT** meet the relationship requirement.

Adoption or severance of parental rights does **NOT** terminate blood relationship for the specified relative requirement.

The biological parent of a child who has been adopted continues to meet the relationship requirement, but is treated as a non-parent relative.

When a child is adopted, the relatives of the adoptive parent(s) assume the new relationships created by the adoption.

If a child is born or adopted after a marriage is terminated, the former spouse is **NOT** within the degree of relationship **UNLESS** s/he is the biological parent of the child.

PROCEDURES

Trace the relationship of the child to the A/R and document the names and relationships of all direct and/or intermediate relatives.

Accept the A/R's statement of relationship unless information known to the agency conflicts with the A/R's statement or is otherwise questionable.

To establish a child's relationship to a paternal relative, paternity must first be established. Refer to Section 2640 Paternity. Once paternity is established, the A/R's statement of his/her relationship to the child's father may be accepted, unless questionable.

Document the following:

- A/R's statement of relationship and living arrangements
- Source of verification, if questionable.

**PROCEDURES
(cont.)**

If relationship is questionable, document the questionable circumstances and verify relationship with one of the following:

- adoption records
- affidavits of persons present at the birth
- baptismal or other church records
- birth certificate of the child and the relative and any intermediate relative
- census record
- court record
- family Bible
- insurance record
- marriage record
- medical record
- school record
- Social Security record
- vital statistics record
- wills
- other reliable genealogical record.