

441—133.3 (235) Eligibility. To be eligible for emergency assistance, the family shall meet all of the following criteria:

133.3(1) *Existence of an emergency.* An emergency situation shall exist. An emergency exists when one of the following situations exists:

- a.* Abuse, neglect, or abandonment of a child exists, or risk of same.
- b.* Children are in imminent danger where continued presence in the home is not in the best interests of the child.
- c.* Children have been removed from the home or are at risk of removal from the home because of abuse, neglect, which may include homelessness, or inability of parents to provide needed care or treatment or to control the behavior of the child.

133.3(2) *No refusal to accept employment or training.* The emergency situation did not arise out of an applicant's or applicant's family's refusal without good cause to accept employment or training for employment within 30 days of the date of the application.

133.3(3) *Residence.* The child is living, or within six months prior to the month in which assistance is requested has been living, with one or both parents, or a grandparent, adoptive parent, stepparent, sibling, aunt, uncle or cousin in a place of residence maintained as the child's own home.

133.3(4) *Service need.* The applicant must demonstrate a need for one or more of the emergency assistance services as follows:

- a.* Family-centered child welfare services as established at rule 441—172.12(234) or 441—172.22(234).
- b.* Shelter care as established at rule 441—202.2(234).
- c.* Protective child care as established at 441—subparagraph 170.2(2)“b”(3).
- d.* Tracking, monitoring, and outreach as established at rule 441—151.33(232).

133.3(5) *Receipt of assistance.* An application for IV-A emergency assistance was not previously approved within 12 months of the current application for IV-A emergency assistance.

133.3(6) *Financial eligibility.* The applicant family:

- a.* Is receiving FIP, SSI, food assistance benefits, or Medicaid in the month of the application, or
- b.* Does not have cash to provide needed emergency care or services as evidenced by the applicant family's income not exceeding 800 percent of the poverty guidelines established by the Office of Management and Budget.