Refugee Cash Assistance (RCA)	Number: 100 I-1
Approved: ***Signature on file***	Date: 11/08/13

PURPOSE

To provide guidelines for processing Refugee Cash Assistance (RCA) applications and maintaining ongoing RCA cases.

POLICY

Refugees are eligible to apply for the same assistance programs as U.S. citizens, including CalWORKs, CalFresh, Medi-Cal, SSI/SSP, and General Relief. Single adults or couples who are not eligible for any other cash assistance may be eligible to receive RCA for their first eight months in the U.S. Eligibility for RCA primarily parallels that of the CalWORKs program.

Note: Each RCA applicant is required to register for employment services with a designated Refugee Employment Service Provider unless the participant is determined exempt. Failure to cooperate with registration requirements may result in denial of aid. Refer to policy **CW 100-I2** RCA Work Registration and Employment Participation for detailed instructions on the RCA work registration process.

BACKGROUND

Refugee status or asylum may be granted to people who have been persecuted or fear they will be persecuted on account of race, religion, nationality, and/or membership in a particular social group or political opinion.

Refugees

Refugee status is a form of protection that may be granted to people who meet the definition of refugee and who are of special humanitarian concern to the United States. Refugees are generally people outside of their country who are unable or unwilling to return home because they fear serious harm. For a legal definition of refugee, see section 101(a)(42) of the Immigration and Nationality Act (INA).

People may seek a referral for refugee status only from outside of the United States.

Asylum

Asylum status is a form of protection available to people who:

• Meet the definition of refugee

• Are already in the United States

• Are seeking admission at a port of entry

People may apply for asylum in the United States regardless of their country of origin or current immigration status.

- term “refugee” includes:
- Refugees
- Asylees
- Iraqi and Afghan Special Immigrants (SIV) and family members
- Cuban medical professional and their family members
- Haitian parolees, including Haitian orphans
- Certain Amerasians from Vietnam who are U.S. citizens
- Cuban and Haitian Entrants
- Federally certified victims of a severe form of trafficking, and certain family members accompanying/following to join victims of a severe form of trafficking who have been granted nonimmigrant visas under 8 U.S.C. 1101(a)(15)(T)(ii).

TIME-ELIGIBILITY

An applicant who has refugee status and has applied for RCA within 8 months from the date of entry into the U.S. is considered to be **time eligible**.

Single adults or couples who are not eligible for any other cash assistance may be eligible to receive RCA for their first eight months in the U.S. Eligibility for RCA primarily parallels that of the CalWORKs program.

Time eligibility exceptions include:

- Asylees who are eligible for RCA beginning on the date they are granted asylum
- Victims of severe form of trafficking who are eligible for RCA beginning on the date they are certified by the Office of Refugee Resettlement (ORR)
- Eligible family members of a victim of a severe form of trafficking certified by ORR are eligible for RCA from the date of entry into the U.S. or the date the Derivative T Visa is issued if already present in the U.S.

REFUGEES

Refugees are individuals who are unable to return to their country of origin because of persecution or a well-founded

fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

• Eligibility for RCA is limited to 8 months from the date of entry into the U.S. (as indicated on the USCIS Form 1-94 or other alien documentation). The month of entry is counted as month one of RCA eligibility.

- **Examples**:
  Example 1: Refugee arrived in the U.S. on September 15, 2011 and applied for RCA on September 16, 2011. RCA was approved from September 16, 2011 to April 30, 2012 (8 months). The client applied during the arrival month and is entitled to receive RCA for all 8 months.

• If the applicant does not apply for benefits during the first month of entry, the applicant is only eligible for the remaining months.

Example 2: Refugee arrived in the U.S. on September 15, 2011. On November 1, 2011 the refugee applies for RCA. RCA is approved from November 1, 2011 to April 2012 (6 months). The applicant did not apply in the first two months of entry and is not entitled to benefits for September and October 2011 (2 months).

CUBAN AND HAITIAN ENTRANTS

Cuban and Haitian Entrants are nationals of Cuba and Haiti who are given their “entrant status” after they arrive in the U.S. and are granted a special status by the U.S. Citizenship and Immigration Services (USCIS).

• Time eligibility for Cuban Haitian Entrant's, including entrant children born in United States resettlement camps, is limited to 8 months beginning with the date the Cuban Haitian Entrant’s status is established.

• If the applicant does not apply for benefits during the first month the Cuban Haitian Entrant’s status is established, the applicant is only eligible for the remaining months.

(For examples see Refugee section.)

CUBAN MEDICAL PROFESSIONALS

Cuban Medical Professionals in third world countries (other than Cuba or the U.S.) may be paroled into the U.S. as part of the Parole for Cuban Medical Personnel in Third World Countries Program.

• Time eligibility for Cuban Medical Professionals is limited to 8 months beginning with the date parole status is established.

• If the applicant does not apply for benefits during the first month the parole status is established, the applicant is only eligible for the remaining months.

(For examples see Refugee section.)

Spouses and children who are non-Cuban and are nationals or citizens of a country other than Cuba are not eligible for RCA benefits unless they have another qualifying status.

TRAFFICKING VICTIMS AND FAMILY MEMBERS

Trafficking Victims are victims of modern-day slavery that are subjected to force, fraud, or coercion, for the purpose of sexual exploitation or forced labor. In order to receive RCA benefits adults must be certified as trafficking victims by the federal ORR.

• Trafficking victims are eligible to 8 months of RCA from the date indicated on their **original certification letter** issued by ORR.

• If the applicant does not apply for benefits during the first month certified as a trafficking victim, the applicant is only eligible for the remaining months.

(For examples see Refugee section.)

Certain trafficking victims' family members, who have been issued a Derivative T Visa, are eligible for federally funded benefits and services to the same extent as refugees. Derivative T Visas are available to the trafficking victim's spouse and children.

• If the trafficking victim's family member has already been present in the U.S. at the time the Derivative T Visa is issued, eligibility to 8 months of RCA begins on the date the Derivative T Visa is issued.

• If the trafficking victim's family member enters the U.S. on the basis of a Derivative T Visa, eligibility to 8 months of RCA begins on the date of entry stamped on the individual's passport or I-94 Arrival Record.

• If the applicant does not apply for benefits during the first

month of eligibility as a trafficking victim family member, the applicant is only eligible for the remaining months.

(For examples see Refugee section.)

ASYLEE

Asylees are individuals who entered the U.S., either legally or without documents, and fear that they will be persecuted if they return to their home country. To be classified as an asylee, the person must go through an USCIS hearing or court process, which allows them to remain in the U.S. Asylum must have been "**granted**" for an individual to qualify for assistance.

• Eligibility for RCA is limited to 8 months from beginning the date they are granted asylum.

Example: Individual arrived in the U.S. on February 15, 2009, was granted asylum status April 20, 2011, and applied for RCA on April 21, 2011. The RCA applicant is approved from April 21, 2011 to November 30, 2011 (8 months).

• If the applicant does not apply for benefits during the first month asylum was granted, the applicant is only eligible for the remaining months.

Example: Individual arrived in the U.S. on February 15, 2009, was granted asylum status on April 20, 2011, and applied for RCA on May 4, 2011. The RCA applicant is approved from May 4, 2011 to November 30, 2011 (7 months). The individual did not apply in the first month of asylum approval (April) and is not entitled to RCA for the month of April (1 month).

TRAFFICKING AND CRIME VICTIMS ASSISTANCE PROGRAM (TCVAP)

SB 1569 created a new State program effective January 1, 2007 to provide certain non-citizen victims of human trafficking, domestic violence, and other serious crimes the benefits and services equivalent to those available to refugees.

Under the law, eligibility for state-funded benefits and services is extended to trafficking victims who:

- Have submitted an application for a T-Visa to USCIS;
- Are preparing to submit an application for a T-Visa; or
- Are otherwise taking steps to meet federal benefits eligibility.

Note: When a TCVAP victim is certified as a trafficking victim by the federal ORR, a new 8 month period of (federal) RCA

eligibility begins from the date indicated on their certification letter issued by ORR. Refer to TRAFFICKING VICTIMS AND FAMILY MEMBERS section above.

SPECIAL IMMIGRANT VISA HOLDERS

Iraqis and Afghans who were employed by or assisted the U.S. Armed Forces with translation and interpreter services are being admitted with Special Immigrant Visas (SIVs) and are eligible for federally funded refugee benefits and services to the same extent as refugees.

• Time eligibility for Iraqi and Afghan Special Immigrants is limited to 8 months from the date of entry to the U.S.

• For Iraqi and Afghan Special Immigrants who acquire SIV status while in the U.S., the date of eligibility begins on the date the SIV status is granted.

• Spouses and unmarried children under 21 are also eligible if they meet all other eligibility criteria.

ELIGIBLITY FACTORS

New RCA applications are assigned in the same manner as CalWORKs applications. Approved/ongoing RCA cases will be assigned to specialized Zero Parent workers within each region.

• The eligibility of each RCA applicant shall be determined within 30 days from the date of application. The date of application is the beginning date of aid for RCA.

Assistance Unit (AU):

- Single adults and emancipated minor refugees shall be established in their own assistance unit.
- Married couples without children shall be in the same assistance unit.
- Parents and their children under 18 years of age who have been determined ineligible for CalWORKs shall be in the same assistance unit.

Refugee Status:

An RCA applicant must provide all of the following:

- Written declaration under penalty of perjury that he or she has immigration status that makes him or her eligible for RCA (SAWS2A SAR).
- Appropriate documentation of immigration status.

Note: To ensure that all relevant information on the I-94 Arrival/Departure Card is captured, both sides of the I-94

must be scanned and placed under the Vital Statistics ACCO in OnBase.

Refer to Worker Tool 3 Alien Eligibility Chart for common non-citizen documentation.

Social Security Number Requirement:

Providing a social security number (SSN) is **not** an eligibility requirement for RCA. A SSN is still required for Medi-Cal and CalFresh. The county shall not deny the RCA application based on the applicant's refusal to disclose a social security number. The county may request the RCA applicant to voluntarily provide a social security number and must:

- Inform the applicant the disclosure is voluntary
- Inform the applicant how the county will use the number, (IEVS, Medi-Cal and/or Food Stamps).

Statewide Finger Print Imaging System (SFIS):

Finger print imaging is not a condition of eligibility for the RCA program.

VOLAG

Most refugees will have been resettled by one of the national voluntary resettlement agencies (VOLAG) working with the Federal Government. The VOLAG, through a local affiliate, provides reception and placement services and immediate basic needs such as limited-term financial assistance, food, shelter and health services. VOLAG agencies located in Orange County are:

- World Relief
- Catholic Charities of Orange County in Santa Ana
- East African Community of Orange County

VOLAG Required Contact:

When a time-eligible refugee applies for RCA the county must contact the VOLAG to inquire:

1. What assistance, if any, the VOLAG is providing for the refugee.

2. Whether the refugee has refused an offer of employment or has voluntarily quit a job without good cause.

This contact will also serve to notify the sponsor or resettlement agency that this refugee has applied for RCA

assistance.

A written statement by the VOLAG is preferred but not required. If needed, the worker shall assist the applicant by providing the F063-50-13 Refugee Resettlement Agency Assistance Statement (VOLAG) form (Attachment 1) for completion by the VOLAG.

A telephone call is sufficient to fulfill the requirements in #1 and #2 above as long as it is well documented in the CalWIN case comments, including the name of the VOLAG.

If there is an emergency need for financial assistance, or the VOLAG fails to respond in a timely manner, the requirements in #1 and #2 above shall be temporarily waived in order to meet the emergency or case approval needs. The client's CalWIN case comment should be well documented that an attempt was made to obtain the VOLAG statement.

If the applicant refuses to provide information regarding the VOLAG, benefits will be denied.

Note: Asylees and Trafficking Victims are not resettled by a VOLAG and do not have a sponsor.

INCOME AND RESOURCES

Income is considered the same as for the CalWORKs program, including applying for any unconditionally available income, **except:**

- Sponsored alien provisions are not to be applied to RCA cases

- Any reception and placement cash received by a refugee from the VOLAG after their arrival into the U.S. is not considered in determining income eligibility.

Real and personal property limitations are considered the same as for the CalWORKs program: $3,000 for an AU that includes at least one member aged 60 or older and $2,000 for all other assistance units.

- **Exception**: Any resources remaining in the applicant's country of origin shall not be counted in determining resource eligibility for RCA.

STUDENT ELIGIBLITY

A full-time student who is attending a college program in an institution of higher education is not eligible to RCA. Full-time Attendance Status Form (F063-50-32) (Attachment 2) can be used to verify an applicant's student status as either full-time or part-time.

Refugees who are enrolled and participating in training programs offered at an institution of higher education on a full-time basis as part of an employability plan, when such training is less than one year, shall not be denied or discontinued from RCA.

WORK REGISTRATION

Each RCA applicant/recipient is required to register for employment services with a designated Refugee Employment Service Provider unless the participant is determined exempt. Work exemption criteria are the same as for CalWORKs program. Failure to cooperate with registration requirements may result in denial of aid, while failure to cooperate with participation requirements may result in termination of aid.

During the initial interview, for each non-work exempt person, the worker will:

- Explain registration requirements using the RS36 Employment and Training Requirements for Refugee Cash Assistance.
- If applicable, document on the RS36 form and in CalWIN case comments that the appropriate translations were made.
- Give the signed original copy of the completed RS36 to the participant and maintain the copy in the case file.
- Refer the applicant to the Refugee Service Provider using form RS3 Service Provider Referral/Notification Form.

Documentation that registration has been completed must be received prior to approval. If the applicant fails to return the completed registration form RS3 within 10 days, the application for RCA may be denied.

Note: CalWIN Employment Services Subsystem will not be utilized to track RCA clients' work participation. Refer to policy **CW 100-I2** RCA Work Registration and Employment

Participation for detailed instructions on the RCA work registration process.

TRANSLATION REQUIREMENT

Non-English speaking and Limited-English Proficient (LEP) individuals must be provided with the appropriate bilingual or interpretive services in a language the individual understands. Use CDSS translated forms, notices or other written material if available.

All forms that are translated in writing or explained verbally to the client in the client's native language:

- Must be provided in a culturally and linguistically appropriate language.
- Must be signed by all parties and placed in the case file. If the form has no space for a translator to sign, verify with either an attachment or a clear explicit comment in CalWIN case comments.

If the non-English or LEP client refuses written material offered in the individual's primary language, determine the reason for refusal and document it in CalWIN Case Comments.

CDSS Translated Forms
To access the CDSS Translated Forms website click on the link below.

http://www.dss.cahwnet.gov/cdssweb/FormsandPu_274.htm

CASE RECORDS

The RCA case record must include the following information in addition to information required by CalWORKs program regulations:

- The Passport or Alien Registration Number that appears on the appropriate USCIC form.
- The name and address of the voluntary resettlement agency (VOLAG) or local affiliate that resettled the refugee.
- The information obtained from the voluntary resettlement agency or local affiliate as part of the eligibility determination process.
- A copy of the I-94 and any other USCIS documentation that identifies refugee status and date of entry for each refugee in the AU.

ONGOING CALFRESH	If an RCA/FS case is discontinued for any reason, continued eligibility for Non-Assistance CalFresh must be evaluated and appropriate actions taken according to current procedures.
DIVERSION PAYMENT	RCA applicants and recipients are not eligible to diversion payments.
HOMELESS ASSISTANCE	RCA applicants and recipients are eligible to homeless assistance.
INTER-COUNTY TRANSFER	The procedures for Inter-county transfers outlined in CalWORKs Policy 100-E11 shall be applied in RCA.
RCA CASE QUALITY ASSURANCE **RCA CASE QUALITY ASSURANCE**	Refugee Cash Assistance Assurance Checklist (F063-50-44) (Attachment 3) must be completed by the ISW on every case before transferring the case to a Zero Parent caseload. This form is also to be completed by the Zero Parent worker prior to transferring the case to another regional office.
RCA AID TYPES	CalWIN RCA Aid Types: • 01 Use for all RCA cases until specific state-only aid codes are assigned by the state.
CALWIN ALERT	To allow for timely termination of RCA, CalWIN will generate a “RCA Expiring Next Month” alert to inform the worker that a RCA case will be 8-month time expired in the following month.
NOTICES OF ACTION	CalWIN Notices of Action (NOA): • NA 991 RCA Denial/Change/Termination – Person’s RCA Time Limit Expires. • CalWIN M40-171D CW/RCA Application Basic Approval. **Note:** Refer to Translation Requirements when issuing Notices of Action and/or Correspondence in any language

other than what the client understands.

REFERENCES

MPP 69-200; MPP 69-300; MPP 70-100; ACL 01-58; ACL 02-28; ACL 04-38; ACL 06-60; ACL 07-45; ACIN I-71-08; ACL 09-39

ATTACHMENTS

Attachment 1 - Refugee Resettlement Agency Assistance Statement (F063-50-13) (R3/09)

Attachment 2 - Full-time Attendance Status Form (F063-50-32)

Attachment 3 - Refugee Cash Assistance Assurance Checklist (F063-50-44)

LINKS

Worker Tool 3 Alien Eligibility Chart

RS36 Employment and Training Requirements for Refugee Cash Assistance

RS3 Service Provider Referral/Notification Form

http://www.dss.cahwnet.gov/cdssweb/FormsandPu_274.htm CDSS Translated Forms