

60. Refugee Programs

The Refugee Resettlement Program (RRP) and the Cuban Haitian Entrant Program (CHEP) are federal cash assistance programs for certain refugees. The RRP cash program is called Refugee Cash Assistance (RCA) and the CHEP cash program is the Entrant Cash Assistance Program (ECA).

The rules for RCA are the same as the CalWORKs Program with the following exceptions listed. The rules for the ECA Program are the same as the RCA Program (thus CalWORKs) with the exception regarding their non-citizen status, time-eligibility provisions and Unaccompanied Minors.

All exceptions are included in Chapter 60 “Refugee Programs” and Chapter 61 “RCA and ECA Work Registration.”

In 2007, Senate Bill 1569 was enacted and established a state-funded Trafficking and Crime Victims Assistance Program (TCVAP) to provide critical support, benefits, and services to victims of human trafficking, domestic violence, and other serious crimes who were not eligible to federally-funded benefits and services due to immigration status and those eligible victims awaiting federal benefits. The rules for the TCVAP program are similar to the RCA and CalWORKs program with the exceptions to the verification of immigration status for trafficking victims. The program rules and requirements are included within Chapter 60 “Refugee Programs.”

60.1 Refugee Cash Assistance

60.1.1 Refugee Resettlement Program (RRP) [69-201]

The Refugee Resettlement Program (RRP) is cash assistance paid under the Refugee Cash Assistance (RCA) Program.

The Refugee Act of 1980 (Public Law 96-212, dated 3/17/80) was established to provide financial assistance, medical services and social services to refugees in the United States, regardless of national origin.

The following individuals are eligible for funding under the Refugee Resettlement Program (RRP):

- RCA individuals and couples with no minor children
- Families that are not CalWORKs eligible (i.e. Unemployed less than 30 days and have resided in the U.S. less than 8 months)
- Pregnant woman AU of 1 in her first trimester of her pregnancy
- Asylees

60.1.2 Parole for Cuban Medical Personnel in Third World Countries Program

On August 11, 2006, the United States (U.S.) Department of Homeland Security announced the Parole for Cuban Medical Personnel in Third World Countries Program. This program allows certain Cuban medical personnel located outside of Cuba to apply for admission to the U.S.

Federally Funded Benefits

Cuban medical professionals, their Cuban spouses and Cuban children who are paroled as Cuban/Haitian entrants under Immigration and Nationality Act (INA) Section 212(d)(5) are immediately eligible to receive federally-funded CalWORKs benefits. These individuals are NOT subject to the five-year waiting period for federally-funded CalWORKs benefits, but are required to meet all other CalWORKs eligibility criteria and reporting requirements.

State Funded Benefits

The non-Cuban spouse and non-Cuban children of these medical professionals who are paroled into the U.S. under INA Section 212(d)(5), are defined as “qualified aliens”. Although they meet the definition of a “qualified alien”, unless the non-Cuban spouse and non-Cuban children have another status qualifying them for benefits, they have to wait five years before they are eligible for federally-funded benefits. However, they would be eligible for state-funded benefits and would be required to meet all other CalWORKs eligibility criteria and reporting requirements.

Verification

The documentation required for the Cuban medical professional and his or her Cuban spouse and Cuban children is the “Arrival/Departure Record” (Form I-94) with the parole stamp. The I-94 includes a notation after the work “Purpose” with “Cuban Parolee (CC); pending 240 hearing”. The form may also refer to INA Code Section 212(d)(5).



Reminder:

All documentation must be verified through the Systematic Alien Verification for Entitlement (SAVE) process for confirmation of non-citizen status. If an Alien number is not provided on Form I-94, Secondary Verification Procedures must be initiated.

Welfare-to-Work Requirements

Families that qualify under the Parole for Cuban Medical Personnel in third World Countries Program are required to meet Welfare-to-Work requirements.

**Note:**

Cuban medical professionals may be eligible for Entrant Cash Assistance (ECA) if they are not eligible for CalWORKs.

60.1.3 Persons Ineligible for RCA:

The following persons are not eligible for RCA:

- Families eligible for CalWORKs
- Individuals/families whose Date of Entry is over 8 months
- Full-time college students

Individuals without INS Refugee Status. [\[Refer to “Documentation,” page 60-17\]](#) for more information.]

60.1.4 Cuban/Haitian Entrant Program [69-302]

The Cuban Haitian Entrant Program is cash assistance paid under the Entrant Cash Assistance (ECA).

The Refugee Education Assistance Act of 1980 (Public Law 96-442, 10/10/80) established a Cuban Haitian Entrant Program (CHEP) to provide eligible Cubans and Haitians with medical assistance, cash assistance and social services.

Entrant Cash Assistance (ECA) is available to eligible Cubans and Haitians who are not eligible for CalWORKs. ECA eligibility requirements are the same as Refugee Cash Assistance (RCA) except for the following:

- Non-citizen status [\[Refer to “Documentation,” page 60-17\]](#) for more information]
- Time-eligibility provisions [\[Refer to “Time Eligibility,” page 60-20\]](#) for more information]
- Unaccompanied Minor definitions [\[Refer to “Unaccompanied Minor Procedures \[69-211.5, 69-213, and 69-213.8\],” page 60-39\]](#) for more information].
- Any individual granted parole status as a Cuban/Haitian Entrant (Status Pending) or granted any other special status subsequently established under the immigration laws for nationals of Cuba or Haiti (regardless of the status of the individual at the time assistance or services are provided).

Any other national of Cuba or Haiti who:

- Was paroled into the United States and has not acquired any other status under the Immigration and Naturalization Act (INA), or

- Is the subject of removal, deportation or exclusion proceedings under the INA, or
- Has an application for asylum pending with the Immigration and Naturalization Services (INS), AND
- Has no final, non-appealable, and legally enforceable order of deportation or exclusion against them.

60.2 Trafficking Victims/ Non-Immigrant Family Members of Trafficking Victims

The federal Trafficking Victims Protection Act (TVPA) of 2000 established human trafficking as a federal crime and created two non immigrant visas:

- T Visa for victims of human trafficking and
- U Visa for victims of domestic violence and other serious crimes.

Both Visas provide victims with a means to remain in the United States (U.S.) while cooperating with law enforcement in the investigation or prosecution of the perpetrator.

The Trafficking Victims Protection Reauthorization Act (TVPRA) of 2003 provides linkage for eligibility to benefits and services for certain family members to the same extent as refugees.

60.2.1 Senate Bill 1569 - State-Only Program

The Trafficking and Crime Victims Assistance Program (TCVAP) was authorized by Senate Bill 1569, and became effective on January 1, 2007, requiring the implementation of the state-funded TCVAP for trafficking, domestic violence and other serious crime victims who are not eligible to federal programs based on their immigration status. The TCVAP provides individuals, who meet program eligibility criteria, with state-funded benefits comparable to those provided to refugees.

60.2.2 Office of Refugee Resettlement (ORR) Certification

The U.S. Department of Health and Human Services, Office of Refugee Resettlement (ORR), may certify a victim of a trafficking, domestic violence or other serious crime who is willing to assist with the investigation and prosecution; and

- Has made an application to the Bureau of United States Citizenship and Immigration Services (USCIS) for a “T” or “U” Visa and the application has not been denied; or

- Is a trafficking victim whose “continued presence” (CP) in the U.S. has been requested by law enforcement.

**Note:**

CP can be required by various law enforcement agencies on behalf of a trafficking victim to assist with an investigation and/or prosecution. CP is a temporary status that delays or prevents deportation and is granted in one year increments. Domestic violence and serious crime victims are not granted CP as it is implicit in their status to assist law enforcement with the investigation or prosecution.

Once an adult trafficking victim has been certified (receives a T or U Visa) by ORR, he/she is eligible for federal benefits and services to the same extent as refugees.

60.2.3 Human Trafficking Victims

Federal law defines human trafficking to mean:

- Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or
- The recruitment, harboring, transportation, provision, or coercion for the purpose of subsection to involuntary servitude, peonage, debt bondage, or slavery.

Eligibility For Services and Benefits

Determining eligibility for TCVAP benefits and services for trafficking victims is a multi-step process. The EW must determine if the applicant is:

- (1) A trafficking victim;
- (2) Preparing to become federally eligible;
- (3) Eligible to TCVAP benefits and services, including employment training, provided that eligibility requirements are met.

Step 1- Determine if Client is a Trafficking Victim

Verification

A sworn statement “under the penalty of perjury” is sufficient to verify if an applicant is a trafficking victim. The statement can be completed by the applicant or the applicant’s representative, if the applicant is unable to make a competent sworn statement. Additional verification is not required however may be provided if available. The following types of corroborating evidence that can be provided include:

- Police, government agency, or court records or files;
- News articles;
- Documentation from a social services, trafficking, or domestic violence program, or a legal, clinical, medical, or other professional from whom the applicant or recipient has sought assistance in dealing with the crime;
- A statement from any other individual with knowledge of the circumstances that provided the basis for the claim;
- Physical evidence; or
- A copy of a completed T Visa application (Form I-914).

Some TCVAP applicants may have entered the country legally with non-immigrant status (e.g., a student or tourist visa). These individuals will be in the Statewide Automated Verification for Entitlements (SAVE) system and may be eligible for TCVAP benefits if a crime against them occurred while they were present in the United States.

**Reminder:**

If the applicant cannot provide any verification, a sworn statement under “penalty of perjury” is sufficient and must be documented in case comments.

Step 2: Determine if Client is Preparing to Become Federally Eligible

In order to determine eligibility for the TCVAP, the applicant must verify that they are taking steps or are preparing to take steps towards obtaining federal eligibility as a certified victim of human trafficking.

The following acceptable types of verification include:

- A confirmation letter or a receipt from USCIS that an “Application for T Non immigrant Status” (I-914) has been filed and has not been denied; or
- A sworn statement “under penalty of perjury” that the applicant intends to or is taking steps to file an application for a I-914 (this may include working with a community-based organization or a law enforcement agency); or
- Verified statements from law enforcement officials or advocates who are assisting the victim with the I-914 process; or
- Verified statements from federal; law enforcement officials that CP has been requested because the applicant is assisting or willing to assist in the investigation or persecution of human traffickers.

**Note:**

CP is a temporary immigration status granted annually that allows individuals to remain in the U.S. during the investigation of the crimes committed against them.

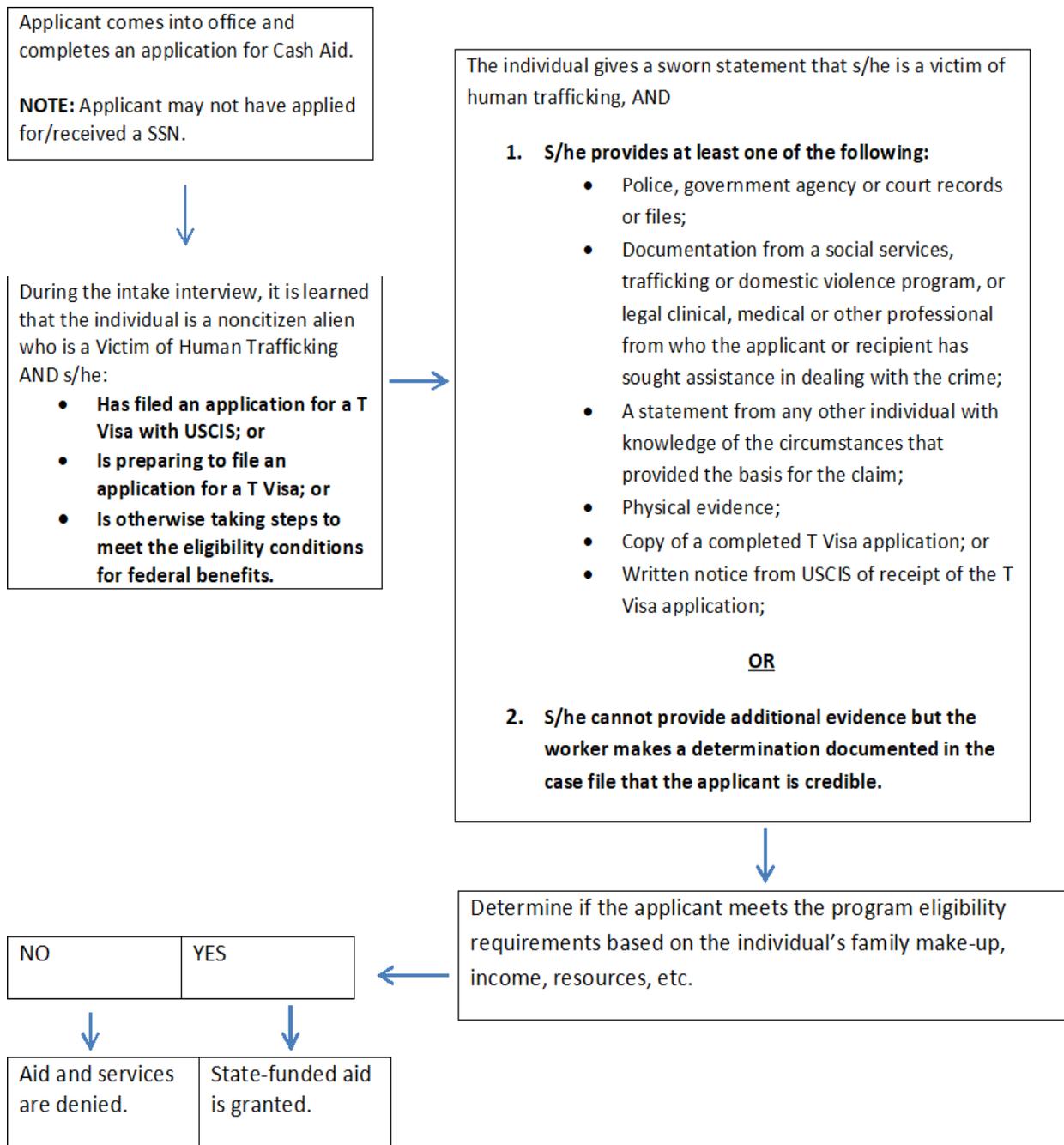
**Example:**

Mr. Tam, who is an undocumented single adult with no children, applies for TCVAP Cash Assistance. He states that he is a victim of trafficking, but has no corroborating evidence. He makes a sworn statement that he is a trafficking victim and that he intends to apply for a T Visa. The EW documents in case comments that Mr. Tam's self attestation of trafficking status is credible.

If he meets the program eligibility criteria, Mr. Tam **is eligible** to receive TCVAP Cash Assistance. Even though he has no documentation, a sworn statement saying that he is a victim of human trafficking is sufficient to find him eligible for TCVAP benefits.

Step 3: Determine Eligibility for TCVAP Benefits

Use the following the flow chart to determine eligibility for TCVAP benefits:



Termination of TCVAP Eligibility

Eligibility for TCVAP benefits will be terminated under the following situations:

If the client...	Then...
Has not applied for a T Visa within one year of applying for aid or A request on behalf of the client for CP has not been made within one year of applying for aid,	The client is not eligible for federal or state funded benefits and the case must be discontinued.
Has provided verification that a T Visa application has been approved by USCIS and/or Has been certified by ORR	The client is eligible for federally-funded benefits and the state-funded benefits must be terminated.
Has had the T Visa application denied by USCIS,	The client is not eligible for federally-funded benefits and state-funded benefits must be terminated.

If the principal victim is later determined ineligible for TCVAP benefits and services, it is the responsibility of the EW to evaluate the eligibility of any remaining members of the assistance unit.



Exception:

If the client has not filed for their T Visa within one year however federal law enforcement has made a request for CP on behalf of the client, then the client continues to be eligible.



Example:

Ms. Vang, who is single with one child, was determined to be an eligible trafficking victim based on the fact that she was preparing to apply for a T Visa. Her date of application for TCVAP CalWORKs was May 1, 2013. The EW gave her a deadline of April 30, 2014 to provide verification that she had applied for a T Visa or had been granted CP. Ms. Vang failed to provide the required verification by the deadline and her TCVAP CalWORKs was discontinued.

Ms. Vang is **not eligible** because she must apply for a T Visa or be granted CP within one year from the date of her application for benefits.



Example:

Mr. Tanaka is single with no children and has been receiving TCVAP Cash Assistance for four months. His T Visa was finally administratively denied by USCIS. Mr. Tanaka notified the EW that his T Visa was denied. Even though his eight-month time limit on aid has not been reached, he is **no longer eligible** for TCVAP Cash Assistance.

60.2.4 Victims of Domestic Violence and Other Serious Crimes

Victims of domestic violence and other serious crimes are persons who have suffered substantial physical and/or mental abuse as a result of having been victims of criminal activity involving, or similar to, the following violations: rape, torture, incest, domestic violence, sexual assault, and numerous other felonies.

Eligibility For Services and Benefits

Unlike human trafficking applicants, to be eligible for TCVAP benefits and services, domestic violence and other serious crime victims must have proof that they have either filed for or received a U Visa. Domestic violence and other serious crime victim applicants **cannot** use a sworn statement as proof of eligibility and **must** provide documentation that they have filed an application for **or** have been approved for a U Visa to be eligible for TCVAP benefits.

Documentation

Once the applicant has provided proof that they have filed for or been granted a U Visa, the county must accept this documentation as sufficient evidence that they are a victim of a crime. Additional verification can not be requested regarding the circumstances of their victimization.



Note:

The CalWORKs requirement to obtain a sworn statement from domestic violence victims does not apply to TCVAP applicants.

Required documentation for determining TCVAP eligibility **must** include at least one of the following:

- The applicant's U Visa; or
- A confirmation receipt or letter from the USCIS verifying that an application for U Visa has been filed; or
- A fee receipt (Form I-797) for an employment authorization request based on an application for a U Visa; or
- A copy of an application for a U Visa (Form I-918); or
- An EAD issued under Category "A19" or "A20" for an approved U Visa applicant.

**Note:**

Unlike victims of human trafficking, domestic violence and serious crime victims are not granted Continued Presence (CP). For most noncitizen victims of domestic violence and/or a serious crime, it is implicit in their status to assist or prepare to assist law enforcement with the investigation or prosecution of criminal activities.

**Example:**

Ms. Ali, who is married with no children, has a non-immigrant tourist visa and applied for TCVAP Cash Assistance. Her husband is not with her in the U.S. She claims that she has been a victim of a serious crime and has a copy of a completed application for a U Visa (Form I-918) that was submitted to the USCIS. If she meets other program eligibility criteria, she is eligible for TCVAP Cash Assistance. Though she is married, her husband is in another country and has no bearing on her case.

**Example:**

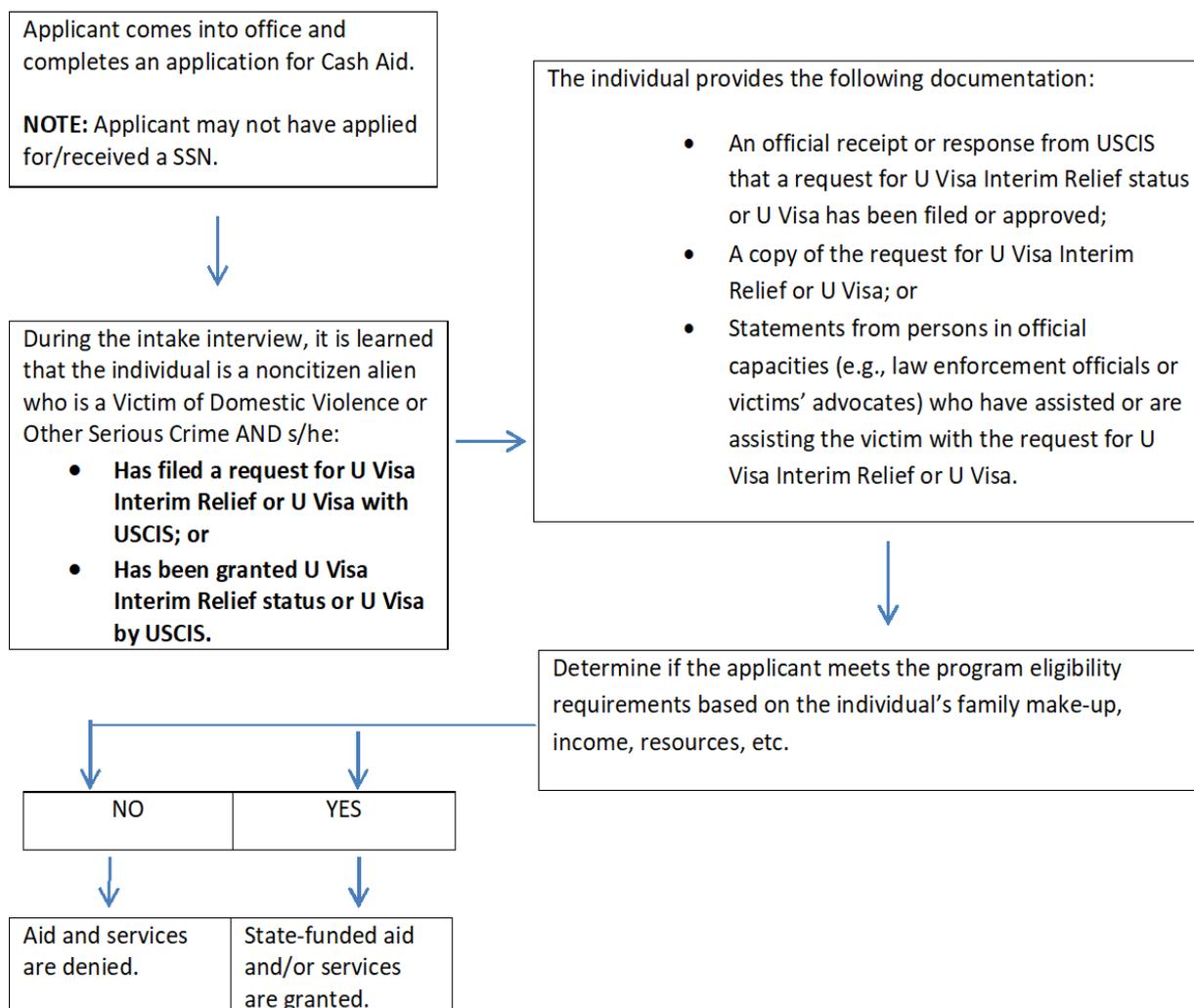
Ms. Givon is a single mother of three children and has applied for CalWORKs. She stated that she was a victim of a serious crime. The EW asked her if she has proof of applying for a U Visa and she stated that she plans to apply, and has consulted with an attorney for assistance with the application. Ms. Givon is not eligible for TCVAP CalWORKs until she can provide required documentation verifying that she has applied for a U Visa. Eligibility shall be determined as promptly as possible within no more than 30 days from the date of application.

**Reminder:**

Victims of domestic violence and other serious crimes **cannot** make a sworn statement, and **must** provide proof that an application for a U Visa has been filed.

Eligibility Determination Process for Victims Of Domestic Violence and Other Serious Crime

Use the following chart to assist in determining a clients eligibility to TCVAP:



60.2.5 Termination of TCVAP Eligibility

TCVAP benefits and services for victims of domestic violence and other serious crimes will be terminated when the client’s U Visa is administratively denied or when the program time limitation has been reached, whichever occurs first. It is the client’s responsibility to notify the EW of the change in immigration status.

If the principal victim is later determined ineligible for TCVAP benefits and services, it is the responsibility of the EW to evaluate the eligibility of the remaining assistance unit members, if applicable.

**Example:**

Mr. Ancona, who is single with no children, applied for TCVAP benefits and provided proof that he filed an application for a U Visa with USCIS, and met all other eligibility criteria for TCVAP Cash Assistance. He began receiving TCVAP Cash benefits on May 1, 2014. On July 15, 2014, he received his U Visa from the USCIS and notified the EW of his change in status. Because there is no federal program for victims of domestic violence and other crimes, he **was no longer eligible** and was discontinued from TCVAP Cash on December 30, 2014, when his eight-month time limit was reached. As the client has legal status with the receipt of the U Visa, the client can be referred to apply for General Assistance (GA) or the Cash Assistance Program for Immigrants (CAPI).

**Example:**

Ms. Petrov, who is single with one minor child, had her application for a U Visa approved by the USCIS. She **is eligible** and was approved for TCVAP CalWORKs benefits. If she remains otherwise eligible, she will continue to receive TCVAP CalWORKs benefits until her time limit on aid is reached. It is correct to continue her CalWORKs benefits until her time limit is reached because she has an approved U Visa.

**Example:**

Ms. Chang is a domestic violence victim with a U Visa and has one child, who is a U.S. citizen. Ms. Chang has been terminated from TCVAP CalWORKs because she reached her time limit on aid. She is no longer eligible for TCVAP CalWORKs benefits unless she meets an exception. Because the child is a U.S. citizen, the EW is responsible for evaluating the child's continued eligibility for CalWORKs benefits.

60.2.6 Eligibility And Documentation Criteria For Family Members

Certain family members (derivatives) of victims of trafficking, domestic violence, and other serious crime victims may be eligible for TCVAP benefits and services, if they meet the following eligibility criteria:

- Non-citizen family members who have a T-2, T-3, T-4, T-5, or T-6 Visa or U-2, U-3, U-4, or U-5, referred to as derivative Visas, are eligible for TCVAP benefits and services provided they meet other program criteria (e.g., age, income levels, etc.)
- A principal victim who was granted a T or U Visa and who was under 21 years old **on the date** the T or U Visa application was filed, has derivative T or U Visas available to their spouse, children, parents, and unmarried siblings who were under 18 years old on the date the T or U Visa application was filed.

- A victim who is granted a T or U Visa and who was 21 years old or older on the date the T or U Visa application was filed, derivative T or U Visas are generally only available to the victim's spouse and children.

When a derivative T or U Visa holder applies for benefits or services, the EW must accept the derivative T or U Visas as documentation of TCVAP eligibility for family members. Standard eligibility determination procedures must be followed to issue benefits to derivative T and U Visa holders in accordance with the eligibility requirements of the program for which they are applying.



Example:

Ms. Nguyen is a trafficking victim and meets the TCVAP eligibility requirements. Ms. Nguyen has a spouse and no children. Her spouse is undocumented and is not a trafficking victim, but she has applied for a derivative T Visa on his behalf. Ms. Nguyen and her husband are eligible for TCVAP Cash Assistance.

60.2.7 Welfare-to-Work Requirements

An Employment Authorization Document (EAD), also known as a work permit, authorizes a non-citizen to work in the U.S. for a period of time, usually one year. An EAD can be granted at the same time that a T or U Visa is granted.

The following TCVAP applicants/clients **will** be work authorized:

- A person who has been granted CP by a federal law enforcement agency; and
- A person who has been granted a T or U Visa by the USCIS.

The following TCVAP applicants/clients **will not** be work authorized:

- A person who is in the U.S. with no legal immigration status; and
- A person, who is in the U.S. with a non immigrant status a temporary basis, such as tourism or study, may or may not be work authorized.

If a TCVAP applicant/client is not work-authorized, they cannot legally work in the U.S., therefore employment-directed training and education must be appropriate to the situation. TCVAP clients who are not work-authorized must not be required to participate in job search activities.

Welfare-to-Work (WTW) Exemptions

An exemption may be granted if a TCVAP client has physical or psychological trauma related to or arising from the victimization that impedes his/her ability to comply with WTW activities. A physician must provide written verification specifying that the illness or injury is serious enough to prevent his/her participation in the program.

TCVAP clients who are victims of domestic violence and who are participating in the CalWORKs program may be eligible for additional services, including a temporary waiver of program requirements, if needed.

60.2.8 Program Time Limits

Specific program time limits are as follows:

- 8 months for TCVAP Cash Assistance and
- 48 months for TCVAP CalWORKs clients.

Time limits are consistent with Refugee Cash Assistance (RCA) and CalWORKs programs. If time limits change in either program, those changes will also apply to TCVAP time limits.

Once a client has been certified by the Office of Refugee Resettlement (ORR) as a trafficking victim, the client shall be transferred to an equivalent federal program available to refugees.

TCVAP Cash Assistance clients transferring into the federal Refugee Cash Assistance (RCA) program start a new eight-month eligibility time limit. However, TCVAP CalWORKs clients, who are transferring into the federally equivalent CalWORKs program, do not begin a new eligibility period. The 48-month time limit does not start over.

Adjustment of Status

T and U Visa holders are required to file for adjustment of status to a Legal Permanent Resident no later than 90 days prior to the third anniversary of the approval of their Visa. Failure to apply for adjustment of status will result in the termination of their Visa at the end of four years.

Case Transfers to Federally Funded Programs

Adult TCVAP clients who have received a certification letter from the ORR, whether or not they have been granted a T Visa, are eligible for federal benefits and services to the same extent as refugees, if otherwise eligible. Once the certification letter has been issued, the client is no longer eligible for state-funded TCVAP benefits and services, and the case must be updated from the state-funded aid code to a federally-funded aid code. It is the trafficking certification letter, not the T Visa, which confers eligibility for federal benefits. The certification letter will contain in its body a date of certification (sometimes called a date of eligibility). The date of certification will serve as the “date of entry” for all federal benefit programs.

X

Documentation	State Eligible	Federally Eligible
Preparing to apply for T Visa	YES	NO
Applied for T Visa	YES	NO
T Visa granted	YES	NO*
Received certification letter (Trafficking Victims Only)	NO	YES
Preparing to apply for U Visa	NO	NO
Applied for U Visa	YES	NO
U Visa Granted	YES	NO



Note:

It is the certification letter, not the Visa, which confers eligibility for federal benefits. State-Only RCA is time-limited to no more that eight months from the date of application. Benefits may already have been terminated due to program time limit requirements which still apply.



Reminder:

TCVAP Cash Assistance recipient cases shall be switched from state (TCVAP) to federal (RCA) effective the date of certification without a break in service. A new eight month period of federal RCA may commence.

60.2.9 Case Records

In addition to the required program forms and documents, TCVAP case records must include the following, when applicable:

- Documentation to verify trafficking status; or
- Documentation that the applicant has filed an application or intends to file an application for a T Visa; or
- The trafficking victim’s sworn statement that they are a victim of human trafficking, in absence of any other documentation; or
- Documentation verifying that the applicant has filed for or been granted a U Visa.

60.2.10 TCVAP Aid Codes

TCVAP Cash Assistance- 1V Aid Code

The 1V aid code applies to single adult TCVAP Cash Assistance recipients only.

TCVAP CalWORKs (Trafficking Victims Only)- R1 Aid Code

The R1 aid code applies to non-citizen TCVAP CalWORKs trafficking victims who are otherwise ineligible for federally-funded benefits and services due to immigration s

60.3 Documentation

60.3.1 Refugees [Refer to CPHB 14.20]

INS Document Coding:

The following INS coding indicates refugee noncitizen status:

Table 19:

INS DOCUMENT	INS CODE/SECTION/NOTATION
I-94	Refugees under section 207 Paroled as a refugee under section 212(d)(5) Conditional Entrants under section 203(a)(7) Cuban/Haitian entrants under section 501(e) Asylum granted under Section 208, 208(a) Amerasians under 584 of the Immigration and Naturalization Act Annotated AS1, AS2, AS3
I-551	A5, AS6, AS7, AS8 CH6, CNP, CU6, CU7, CU8, CU9, CU0, CUP, CUX IC-6, IC-7 M83, M93, MB3, M93 RE, RE6, RE7, RE8, R86 Y-1-16, Y64
I-571	INS Refugee Travel Document
I-688B	Refugees: Section 274a.12(a)(3) Asylees: Section 274a.12(a)(5) HPs and PIPs: Section 274a.12(c)(11), Plus additional verification
I-766	Annotated A3
I-914	"Application for T Non-immigrant Status"

60.3.2 Cuban/Haitian Entrants [CPHB 14.8]

Documents:

Use the following chart to identify Cuban/Haitian Entrants:

Table 20:

IDENTIFICATION	DOCUMENTS
<p>Any individual granted parole status as a Cuban/Haitian Entrant (Status Pending) or granted any other special status subsequently established under the immigration laws for nationals of Cuba or Haiti. This is regardless of the status of the individual at the time assistance or services are provided.</p>	<p>I-94 (“Arrival/Departure Record”).</p>
<p>Any other national of Cuba or Haiti who:</p> <ul style="list-style-type: none"> • Was paroled into the U.S. and has not acquired any other status under the Immigration and Naturalization Act, OR • Is the subject of exclusion or deportation proceedings under the Immigration and Naturalization Act, OR • Has an application for asylum pending with INS, AND <p>Has no final, non-appealable, and legally enforceable order of deportation or exclusion against them.</p>	<p>I-94 states “parole” or is referenced Section 212(d)(5). Individuals in this category (Students, Tourists, Workers) need additional documentation along with the I-94. Letters or notices in their possession which indicate ongoing exclusion or deportation proceedings are sufficient. A Haitian national who has filed a claim for political asylum. The I-94 includes the notation “Form I-589 Filed”.</p>
<p>Cuban and Haitian Nationals from Guantanamo and Havana who have been admitted under Section 212(d)(5)(A) of the Immigration and Naturalization Act WITH special presidential protocol.</p>	<p>I-94 stamped with “Public Interest Parolee per Presidential Policy dated 10/14/94”.</p>

INS Coding:

The following INS coding indicates noncitizen status for Cuban/Haitian Entrants:

Table 21:

INS DOCUMENT	INS CODE/SECTION/NOTATION
I-94	“Cuban/Haitian Entrant (Status Pending)” Section 212(d)(5) - “Paroled...” “Form I-589 Filed” “Public Interest Parolee per Presidential Policy dated 10/14/94” Admitted under section 501(e), Refugee Education Assistance Act Unexpired temporary I-551 stamp with the code CU6 or CU7
I-551	CH6 (IRCA); CU6, CU7, CU8, CU9, CU0; CUP; CU7P; CNP; CUX.

60.3.3 Trafficking Victims/ Non-Immigrant Family Members of Trafficking Victims

Use the following chart to identify trafficking victims and their family members:

Table 22:

Identifying Documents: Trafficking Victim	Identifying Documents: Non-immigrant Family Members of Trafficking Victim
Certification letter issued by the Federal Office of Refugee Resettlement (ORR)	I-797 Notice of Action of Approval of a Derivative “T” Visa (T-2, T-3, T-4, or T-5)
T-1 Visa	Derivative “T” Visa (T-2, T-3, T-4, or T-5)



Note:

Individuals certified on or after November 6, 2001 will receive a certification letter from ORR without an expiration date. Individuals certified before November 6, 2001 received certification letters with eight-month expiration dates. As these letters begin to expire, ORR will issue re-certification letters without expiration dates. The re-certification letters will contain a lower case “r” besides the Health and Hospital Systems (HHS) tracking number.



Reminder:

The Act does not give trafficking victims and their family members refugee status under immigration laws. The Act makes them eligible for benefits and services to the same extent as refugees. In other words, they are treated as refugees for benefits purposes only.

60.4 Time Eligibility

60.4.1 Federal Funding

There is 100% federal funding for the Refugee Resettlement Program and the Cuban Haitian Entrant Program.

Table 23:

Program	Time Eligibility	Aid Type
RCA/ECA	1-8 months	01-G, Refugee Family (Employable) 01-N, Refugee Family (Unemployable) 01-R, Refugee 01-W, Amerasian 01-X, Amerasian Family 08-O, Cuban/Haitian (Employable) 08-N, Cuban/Haitian (Unemployable)
Unaccompanied Minor Foster Care	Age 18 or month of high school graduation	01-F, Refugee 01-U, Amerasian 01-V, Amerasian - Infant Supplement 08-F, Cuban/Haitian 08-M, Cuban/Haitian - Infant Supplement

60.4.2 State-Only Funding

Non-Citizens determined eligible under the provision of SB 1569, if otherwise eligible, will receive state-funded benefits and services equivalent to the federally-funded RCA Program. The time eligibility period for state-only RCA will also be eight months. If a recipient of state-only RCA becomes federally eligible (ORR certified), another eight-month eligibility period will begin (federally-funded), effective the date of ORR certification. The eligibility period for state-only RCA will be for eight months beginning from the date of application for public assistance.

60.4.3 Systematic Alien Verification Entitlements (SAVE) [69-211.3]

If the RCA/ECA applicant provides acceptable refugee status documentation but the EW is unable to confirm the information through the SAVE process, the case must be approved accordingly. However, the EW must follow SAVE procedures for any questionable documentation, unless the refugee chooses to secure the appropriate documentation by contacting USCIS directly. [Refer to Common-Place Handbook, “[Refugee Cash Assistance \(RCA\)](#),” page 14-7 and “[Requirements](#),” page 14-2.]

**Exception:**

SAVE will not contain information about victims of a severe form of trafficking or their non-immigrant family members. Until further notice do not contact SAVE concerning these individuals. For any questions regarding their immigration status contact ORR at 1-(866)-401-5510.

60.4.4 Time Eligibility Determination [69-205.24]

RCA Applicant/Recipient

The month of arrival (date of entry), as indicated on the USCIS Form I-94, is counted as the first month in determining time eligibility. Time eligibility for RCA recipients is 8 months.

Victims of Human Trafficking, Domestic Abuse or Other Serious Crimes

The date of entry will be the ORR certification date on the certification letter. The date of entry is the first date of eligibility.

Non-immigrant Family Members of Trafficking Victims

The date of entry for benefits purposes is:

- The notice date on the Form I-797, Notice of Action of approval of the individuals Derivative “T” Visa, for non-immigrant family member already present in the United States (U.S.) on the date the Derivative “T” Visa was issued.
- The date of entry stamped on the individual’s passport or I-94 Arrival Record for a non-immigrant family member who enters the U.S. on the basis of a Derivative “T” Visa.

United States Citizen Child

The “date of entry” for a United States citizen child, born to a refugee, is the entry date of the most recently arrived parent or the child's birthdate, whichever is earlier.

ECA Applicant/Recipient

The date of parole (release from USCIS custody) including entrant children born in the United States resettlement camps, is counted as the first month in determining time eligibility. Time eligibility for ECA recipients is 8 months.

**Note:**

A refugee/entrant who is within the 8-month period following the date of entry/parole into the United States is referred to as an RCA/ECA time-eligible refugee for purposes of RCA/ECA.

A refugee/entrant who has lived in the United States for more than 8 months is referred to as a RCA/ECA time-expired refugee for RCA/ECA purposes.

Individual Granted Asylum

The “date of entry” for an individual granted asylum is the date USCIS “grants” asylum. It is not the date they entered the U.S. Individuals with asylum pending are not eligible for assistance.

Unaccompanied Minor Children

The rule for time limits does not apply to unaccompanied minor children. [\[Refer to “Time Eligibility,” page 60-41\]\]](#).

60.5 Application Processing [69-205.21]

The eligibility determination for RCA/ECA applicants must be determined as timely as possible, but NO later than thirty (30) calendar days from the date of application.

**Note:**

When processing an application for a trafficking victim and/or their non-immigrant family members EWs must call the toll free trafficking verification line at 1 (866) 401-5510 to confirm the validity of a certification letter and to notify ORR of the benefits for which these individuals are applying.

60.6 Social Security Number (SSN) [69-205.22]

RCA/ECA applicants must apply for a social security number (SSN). The EW cannot deny an RCA/ECA applicant for failure to disclose his/her SSN. However, the EW may request the applicant to provide the SSN. The following is the process for securing the SSN from the applicant:

- Inform the applicant the disclosure is voluntary, and
- Advise the applicant how the SSN will be used i.e., explain IEVS process.

**Exception:**

The above process does not apply if the applicant is also applying for Food Stamps.

**Note:**

Persons receiving an RCA/ECA payment also receive a full scope Medi-Cal card.

Non-Citizen Victims of Human Trafficking, Domestic Violence or Other Serious Crimes

Individuals claiming the status of a victim of human trafficking, other serious crimes, or non-citizen victims of domestic violence (battered non-citizens) **do not** have to provide or apply for an SSN as a condition of eligibility for state-funded CalWORKs benefits.

60.7 Students [69-205.4]

Student status must be considered when determining eligibility for RCA or ECA of each applicant/recipient. Refugees/entrants are ineligible for RCA or ECA if they are full-time students in a college program attending an institution of higher education.

60.7.1 Full-Time Student Definition [69-205.411]

A full-time student is a student attending an institution of higher education at least:

- 12 semester hours or 12 quarter hours for institutions using standard semester, trimester or quarter hour systems
- 24 semester hours or 36 quarter hours for institutions using credit hours to measure progress and not using semester, trimester or quarter hour systems
- 24 clock hours per week for institutions using clock hours
- The program includes both credit and clock hours and the number of credit hours per term divided by 12 plus the number of clock hours per week divided by 24 is equal to or greater than one
- A series of courses or seminars which equal 12 semester hours or 12 quarter hours in a maximum of 18 weeks, or
- The work portion of a cooperative education program in which the amount of work performed is equivalent to the academic workload of a full-time student.

60.7.2 Institutions of Higher Education [69-205.412]

An “Institution of Higher Education” is a:

- Public or private nonprofit educational institution which provides:
 - An educational program which awards an associate baccalaureate degree, or
 - At least a two-way program which is acceptable for full credit toward a baccalaureate degree, or
 - At least a one-year training program which leads to a certificate or degree and prepares students for gainful employment in a recognized occupation.
- Proprietary institution (privately owned) of higher education which provides at least a six-month program of training to prepare students for gainful employment in a recognized occupation.

60.7.3 Approved Student Status [69-205.44]

Refugees enrolled and participating as full-time students in an institution of higher education may remain eligible if the training program meets all of the following criteria:

- It is funded or approved by Social Services Agency (SSA)
- It is part of an employability plan developed by the Central Intake Unit (CIU)
- It has a definite employment objective and short-term (less than one year) duration.

Refugees may still be eligible when attendance in a college program in addition to a training program, funded by SSA and developed by the CIU, equals full-time enrollment.



Note:

If the EW is not positive that a student's training program is part of the CIU employability plan, the EW must verify with the CIU and document the case record.

Students who are enrolled in a college program less than full-time remain eligible for RCA or ECA if they cooperate with the CIU.

Full-time attendance in a college or professional training program may be approved for an EMPLOYED RCA recipient who is in need of professional refresher training and other services, provided that such training meets ALL of the following criteria:

- Is approved as part of the individual's employability plan developed by the Central Intake Unit (CIU)

- Is specifically intended to assist the client in becoming re-licensed in his/her profession, and if completed, is expected to result in such licensing, AND
- Does not exceed one year’s duration, INCLUDING any time spent in an enrollment program, in the United States, PRIOR to the client’s application for assistance.



Note:

If there is no documentation available regarding the PRIOR time spent in the enrollment program, the client’s statement is acceptable.

Local Institutions

A partial listing of local schools/colleges considered “institutions of higher educations” are as follows:

Canada College	Palmer College of Chiropractic-West
Cogswell College	San Jose Bible College
College of Notre Dame	San Jose City College
De Anza College	San Jose State University
Evergreen Valley College	Stanford University
Foothill College	St. Mary's College
Gavilan College	Sysorex Institute
Heald's College	UC at Berkeley
Institute for Business and Technology	UC at Santa Cruz
Lincoln University	University of San Francisco (Cupertino)
Mission College	University of Santa Clara
Northern California Bible College	West Valley College

60.7.4 Training Participants

Refugees who are participating in training at other than an “institution of higher education” must:

- Maintain CIU registration
- Cooperate with the CIU
- Accept suitable employment.

60.7.5 Verification of Student Status

Both the “Eligibility/Status Report “(SAR 7) and the “Statement of Facts - Cash Aid and Food Stamps “(SAWS 2) request student status information. The student status of each applicant/recipient of RCA or ECA, regardless of age, must be verified and documented when determining eligibility. The school is responsible for determining the student status and for completing and returning the “Full-time College Enrollment Status Form” (SC 1397) to the EW.

SAR 7 Processing

When processing SAR 7s, the EW must check each case where a refugee/entrant reports someone in the Assistance Unit (AU) is a student.

- If the refugee/entrant is a new student or the student status is not known, follow the procedures in [\[Refer to “Full-Time College Enrollment Status Form” \(SC 1397\),” page 60-26\].](#)
- If the status of each student is known to the EW and the “Full-time College Enrollment Status Form” (SC 1397) is on file for the current semester, trimester or quarter, document the **Maintain Case Comments** window in CalWIN as follows: “SC 1397 dated (insert date) on file for each student.” No further action is required.

Other Sources

If the EW is informed by other than the SAWS 2 or SAR 7 that the refugee/entrant is a student, follow the procedures in [\[Refer to “Full-Time College Enrollment Status Form” \(SC 1397\),” page 60-26\].](#)

60.7.6 “Full-Time College Enrollment Status Form” (SC 1397)

The school must determine which program and the number and type of semester, quarter, credit or clock hours in which the student is enrolled. The school will determine if the student is enrolled full-time. The “Full-Time College Enrollment Status Form” SC 1397 is used to verify student status when:

- The refugee states he/she is a student.
- Information from another source indicates the refugee is a student.
- The refugee/entrant changes schools.

Follow these procedures to process the SC 1397:

Table 24:

Stage	Who	Action
1.	EW	<ul style="list-style-type: none"> • Give/send the SC 1397 to the refugee as soon as student status is known with instructions to return the form within 10 working days • Include a postage-paid return envelope identified with the EW district number.

Table 24:

Stage	Who	Action
2.	Refugee	Sign and date the release of information section of the SC 1397 and immediately either: <ul style="list-style-type: none"> • Submit the SC 1397 to the school/college, or • Return the SC 1397 to the EW to send to the appropriate school/college.
3.	School	Required to complete the SC 1397 by Public Law 97-363. In addition, the school is required to: <ul style="list-style-type: none"> • Identify the type of program the student is enrolled in • Verify the type and number of semester, quarter, credit or clock hours • Verify whether the student is enrolled full-time or not, and • Return the SC 1397 to the Social Services Agency.
4.	EW	Receive and process the SC 1397.

Problems that may arise in processing the SC 1397:

Table 25:

If the...	Then...
School indicates the refugee is not enrolled or enrolled less than full time and there is no conflicting information,	<ul style="list-style-type: none"> • Scan the SC 1397 into the IDM case record. • Follow up on possible student financial aid for the part-time students. • Create a User alert to verify enrollment the beginning of the next semester/quarter.
School indicates the refugee is enrolled full-time,	<ul style="list-style-type: none"> • Delete the student from the AU. • Determine if the student has sufficient income to meet his/her needs. • Follow up on possible student financial aid. • Compute "excluded" person budget if the student has income. If the student has no income refer the case to the DA for misuse of funds.
Refugee fails/refuses to cooperate (after 10 calendar days) with the SC 1397 procedure,	Delete the refugee from the AU as soon as a timely NOA can be sent. For example, the refugee does not return the SC 1397 to the EW or take it to the school.
School does not return the SC 1397,	<ul style="list-style-type: none"> • The EWS must notify the Refugee Program Coordinator if the refugee has difficulty in getting the school to complete the SC 1397. EW and EW Supervisors MUST NOT CONTACT THE SCHOOLS DIRECTLY.

60.8 Sponsor & Volag [69-203]

60.8.1 Resettlement Agency & Sponsor Responsibilities [69-203.1]

Most refugees who reach a community will have been resettled by one of the national voluntary agencies (VOLAG) working with the federal government and will have a local sponsor.

In resettling a refugee, the VOLAG and the sponsor undertake certain responsibilities as a moral commitment. These responsibilities include receiving the refugee and his/her family, providing shelter, food, clothing, pocket money, assistance in finding employment, enrolling the children in school, and medical costs.

Once employment is obtained, the sponsor will assist the refugee in locating permanent housing, acquiring minimal furniture, and arranging for utilities. Sponsors are also expected to help with the less tangible aspects of adjustment to a new culture.

If the sponsor does not meet any or all of the above commitments, the sponsorship agreement is not legally enforceable, and the refugee has the right to apply for any available assistance program.

60.8.2 County Responsibilities [69-203.2]

Sponsor/VOLAGS Contacts and Verifications

As part of the RCA/ECA eligibility determination, the EW **must** contact the refugee(s) sponsor or VOLAG to complete the “VOLAG/SPONSOR” (SCD 1468) form. The following information **MUST** be provided:

- What assistance, if any the Sponsor or VOLAG is providing for the refugee, and
- Whether the refugee/entrant applicant has refused an offer of employment or has voluntarily quit a job within 30 calendar days prior to the beginning date of aid, or
- Whether the refugee/entrant recipient has refused an offer of employment or has voluntarily quit a job.

When the sponsor or VOLAG reports that the RCA/ECA applicant/recipient has refused an offer of employment or has voluntarily quit a job, a good cause determination must be completed. [Refer to “RCA & ECA Work Registration,” page 61-1]]

A “VOLAG/SPONSOR” (SCD 1468) form is required on all RCA/ECA cases.

**Note:**

Prior written consent is not required from the refugee when contacting the sponsor or VOLAG.

Eligibility Worker Instructions

- At the time of eligibility determination, the EW is to request from the applicant/recipient the name, address and telephone number of their sponsor or VOLAG.
 - The refugee applicant/recipient must be informed that refusal to provide information regarding his/her VOLAG or sponsor will be grounds for denial or discontinuance of aid.
 - State and County policy is: The client's statement on the SAWS 2 is sufficient to determine if there is a sponsor and the sponsor's name, unless there is conflicting information.
- Contact the sponsor/VOLAG using the SCD 1468 for purposes of determining whether the refugee refused an offer of employment or quit a job.
 - A telephone contact is sufficient to meet the requirements listed above; however, a written statement is preferred. A section on the SCD 1468 has been provided to document a telephone contact.
- Should there be a discrepancy between the information provided by the refugee and that provided by the VOLAG or sponsor, the EW should attempt to resolve the difference. In the absence of substantiating information from the VOLAG or sponsor, aid should be based on the information provided by the refugee. In cases where the information is unknown to the refugee, the county should document such in the case file, and in so doing the county will have met the requirements of this section.
- Where there is an emergency need for financial assistance or the VOLAG fails to respond in a timely manner, the requirements listed above will be temporarily waived in order to meet the emergency or case approval needs.
- When the sponsor is unable or unwilling to meet the total needs of the refugee(s) for whom he/she has accepted responsibility, grant aid in an amount sufficient to meet the unmet needs of the refugee(s) if they are otherwise eligible.

If, following the loss of contact with a sponsor and subsequent to the granting of aid to the refugee, the VOLAG secures a new sponsor for the refugee who accepts the responsibilities of sponsorship, and meets the needs of the refugee(s) in full, cash assistance shall be terminated. Only if the subsequent sponsor fails to meet the full needs of the refugee will the county grant cash assistance to the refugee.

60.8.3 VOLAGS**Ethiopian Community Development Council****Los Angeles**

Ethiopian Community Development Council
African Community Resource Center, Inc.
532 S. Vermont Ave., Suite 104
Los Angeles, CA 90020
Tel: (213) 637-1450
Fax: (213) 382-6166

San Diego

Alliance for African Assistance
3148 University Ave.
San Diego, CA 92104
Tel: (619) 282-2318
Fax: (619) 282-4235

Church World Service**Los Angeles**

CWS/LIRS Refugee & Immigration Services
5250 Santa Monica Blvd. #305
Los Angeles, CA 90029
Tel: (323) 667-0489
Fax: (323) 667-2271

Garden Grove

CWS/LIRS/EMM
13091 Galway St.
Garden Grove, CA 92644
Tel: (714) 537-0608
Fax: (714) 537-7606

Sacramento

CWS/LIRS/EMM
2117 Cottage Way
Sacramento, CA 95825
Tel: (916) 568-5020
Fax: (916) 483-0268

San Diego

Refugee Assistance Program
3295 Meade Ave.
San Diego, CA 92116
Tel: (619) 284-1184
Fax: (619) 284-2084

Hebrew Immigrant Aid Society**Los Gatos**

Resettlement Department
Jewish Family Services
14855 Oka Rd., Suite 202
Los Gatos, CA 95032
Tel: (408) 356-7576
Fax: (408) 356-0733

Los Angeles

Jewish Family Service
Immigration & Resettlement
6380 Wilshire Blvd., #1200
Los Angeles, CA 90048
Tel: (213) 651-5573
Fax: (213) 651-5649

San Francisco

Jewish Family/Children's Services
1600 Scott Street
San Francisco, CA 94115
Tel: (415) 567-8860
Fax: (415) 922-5938

Resettlement Office
Jewish Family & Children's Services
2534 Judah
San Francisco, CA 94122
Tel: (415) 474-0234
Fax: (415) 474-4525

Berkeley

Jewish Family/Children's Services of East Bay
2484 Shattuck Ave., Suite 210
Berkeley, CA 94704
Tel: (510) 704-7475
Fax: (510) 704-7494

San Diego

Resettlement Program
Jewish Family Services
4855 College Ave.
San Diego, CA 92115-3908
Tel: (619) 497-0560
Fax: (619) 497-0441

Fresno

Jewish Federation
1340 W. Herndon, Suite 103
Fresno, CA 93711
Tel: (209) 432-2162
Fax: (209) 432-0425

Sacramento

Jewish Family/Children's Services of East Bay
1333 Howe Ave., Suite 103
Sacramento, CA 95825
Tel: (916) 921-1921
Fax: (916) 921-1922

Orange

Director of Special Services
Jewish Family Service
2029 W. Orangewood
Orange, CA 92668
Tel: (714) 939-1111
Fax: (714) 939-1772

International Institute

Oakland

International Institute of East Bay
297 Lee St.
Oakland, CA 94610
Tel: (510) 451-2846
Fax: (510) 465-3392

Los Angeles

Institute of Los Angeles
3845 Selig Place
Los Angeles, CA 90031
Tel:(323) 224-3800
Fax: (323) 224-3810

International Rescue Committee

San Jose

International Rescue Committee
90 E. Gish Rd., Suites E & F
San Jose, CA 95112
Tel: (408) 453-3536
Fax: (408) 453-1088

San Francisco

International Rescue Committee
1370 Mission St., 4th floor
San Francisco, CA 94103
Tel:(415) 863-3777
Fax: (415) 863-9264

Los Angeles

International Rescue Committee
3727 W. 6th St., Suite 619
Los Angeles, CA 90020-5111
Tel: (213) 386-6700
Fax: (213) 386-7916

San Diego

International Rescue Committee
4535 30th St.
San Diego, CA 92116
Tel: (619) 641-7510
Fax: (619) 641-7520

Sacramento

International Rescue Committee
C/O First Evangelical Slavic Baptist Church
7238 Cronwell Way
Sacramento, CA 95822
Tel: (916) 421-2162
Fax: N/A

United States Catholic Conference

San Jose

Immigration & Refugee Services
Catholic Charities
1445 Koll Circle Suite #110
San Jose, CA 95112
Tel: (408) 392-9923

Los Angeles

Immigration & Refugee Department
Catholic Charities
1530 W 9th St./PO Box 15095
Los Angeles, CA 90015-0095
Tel: (213) 251-3460
Fax: (213) 251-3444

Santa Ana

Immigration/Refugee Resettlement
Catholic Charities
1506 Brookhollow, Suite 112
Santa Ana, CA 92705
Tel: (714) 662-7500
Fax: (714) 545-7163

Fresno

Refugee Services - Catholic Charities
149 N. Fulton St.
Fresno, CA 93701-1607
Tel: (209) 264-6400
Fax: (209) 237-7144

Oakland

Catholic Charities
433 Jefferson St.
Oakland, CA 94607

San Francisco

Refugee Services
Catholic Charities
814 Mission St., 6th floor
San Francisco, CA 94103
Tel: (415) 844-4471
Fax: (415) 844-4747

San Diego

Refugee & Immigration Services
Catholic Charities
4575 A Mission Gorge Pl.
San Diego, CA 92120
Tel: (619) 287-9454
Fax: (619) 287-6328

San Bernardino

Catholic Charities
1450 N. "D" St.
San Bernardino, CA 92405
Tel: (909) 338-1239
Fax: (909) 384-1130

Santa Rosa

Catholic Charities
P.O. Box 4900
Santa Rosa, CA 95402
Tel: (707) 528-8712
Fax: (707) 575-4910

World Relief Refugee Services

San Jose

World Relief Refugee Services
 218 Kirk Ave.
 San Jose, CA 95127
 Tel: (408) 729-3786
 Fax: (408) 729-3086

San Francisco

World Relief Refugee Services
 Western Area Office
 1095 Market St., Suite 719
 San Francisco, CA 94103
 Tel: (415) 431-5194
 Fax: (415) 431-5198

Garden Grove

World Relief Refugee Services
 7461 Garden Grove Blvd., Suite B
 Garden Grove, CA 92641
 Tel: (714) 890-0665
 Fax: (714) 890-0366

Fresno

World Relief Refugee Services
 2915 E. Normal
 Fresno, CA 93703-6131

Health Services

Park Alameda Health Facility

976 Lenzen Avenue
 San Jose, CA 95126
 Telephone: 299-6970

The following services are available to all refugees:

Community Outreach & Education
Family Planning
Health Assessment, Referral & Follow-up

Health Assessment, Referral & Follow-up Clinic hours are by appointment only as follows:

Doctor's Clinic

9:00 a.m. to 4:00 p.m.
 Tuesday & Thursday only

Nurse's Clinic

8:00 a.m. to 11:00 a.m., and 1:00 p.m. to 4:30 p.m.
 Monday, Tuesday, Thursday & Friday
 CLOSED Wednesday

Nurse Practitioner

1:00 p.m. - 4:00 p.m. Mondays
 8:30 a.m. - 11:30 a.m. Fridays

60.9 Confidentiality

The Welfare and Institution Code Section 10850 provides that individual records acquired in the administration of public social services are confidential and cannot be released except in the administration of the aid program. The Refugee Resettlement Program and the Cuban/Haitian Entrant Program are public social services within the meaning of Welfare and Institution Code Section 10850; therefore, individual case information is confidential.

60.9.1 Release of Confidential Information to VOLAG/Sponsor

There are only two situations in which confidential information can be exchanged between the VOLAG/Sponsor and the Social Services Agency without written consent.

- At the time of initial application, the Social Services Agency must notify the refugee's/entrant's VOLAG of the fact that the refugee/entrant has applied for assistance, and
- At the time of initial application, the Social Services Agency must contact the refugee's/entrant's VOLAG or sponsor and inquire:
 - Whether the refugee/entrant has refused an offer of employment, or
 - Has voluntarily quit a job.

60.9.2 Release of Confidential Information to Central Intake Unit (CIU)

The following confidential information may be released to the CIU without written consent:

- Any information necessary for the CIU to complete the counseling interview requirements of the sanctioning process, including refugee's current address and telephone number. Verification that a voluntarily registered refugee is on public assistance.
- Any information necessary for the CIU to make an appropriate employment and training referral.
- When "good cause" has been determined for failure to cooperate or participate in employment or training or for refusal to accept and offer of employment, both the outcome and the basis can be communicated to the CIU when the basis is specific to the particular refugee. This is necessary for CIU to avoid making an inappropriate referral.

60.9.3 Release of Confidential Information to DSS-Funded Health Accessing, Mental Health and Social Adjustment Providers

The following confidential information may be released to the CIU without written consent:

Any information, with the consent of the refugee, necessary to make an appropriate and successful referral. Such information may include the refugee's name, address and/or telephone number. [Refer to "Authorizations [MPP 19-005]," page 60-36], for authorization necessary to release confidential information.] Even though these are agencies set up to service the refugee written consent is required.

60.9.4 Other Request for Confidential Information

Requests from VOLAGS or other interested parties for confidential information may only be obtained using two methods:

- The "Authorization to Release Information" (SC 1029) or other consent form written and signed by the refugee. This consent allows the requesting person or organization access to particular confidential information. However, this consent is limited to the specific inquiry.
- Any person or organization designated as a refugee's Authorized Representative (AR) may have access to confidential information for the purpose of acting as the AR. [Refer to "Authorizations [MPP 19-005]," page 60-36] for authorization necessary to release confidential information.]

60.9.5 Authorizations [MPP 19-005]

Written

Written authorizations must be dated and expire one year from the date on which they are signed unless they are expressly limited to a shorter period or revoked. In cases involving pending appeals or state hearings, the time period unless the authorization is expressly limited or revoked, will extend to the final disposition of the issue involved in the fair hearing or, where applicable, by the courts.

When the authorized representative and the applicant/recipient, or responsible relative are both present, no written authorization is required for the particular occasion.

Telephone

Telephone authorizations may be accepted in lieu of a written authorization where the circumstances insure that the customer has adequately identified themselves to the county. A telephone authorization is temporary and should be followed up by a written authorization.

Acceptable items of identification may include such items as: driver's license number, social security account numbers or the mother's maiden name, which can be substantiated from information contained in the case record.

60.10 Income [69-206]

Income will be considered on the same basis as the CalWORKs Program for determining the need standards, computing the aid payment level, determining eligibility for immediate needs and computing overpayments.

The sponsored noncitizen provisions do NOT apply to RCA cases. Therefore, the sponsorship requirements do NOT apply to the following categories:

- Refugees
- Asylees, and
- Persons paroled as refugees.

60.10.1 VOLAG Income [69-206.11]

The initial income received from the reception and placement agency (VOLAG and/or sponsor) will not be considered in determining income eligibility OR aid payment for RCA/ECA.



Exception:

Match grants monies are still considered income. Match grant monies come from the same federal fund as RCA/ECA and cannot be duplicated. See Common Place Handbook [[Refer to "Match Grant," page 11-37](#)]

60.10.2 Diversion Payments [69-201.4]

RCA/ECA applicants/recipients are NOT eligible for Diversion Payments.

60.11 Pregnancy Special Need

A pregnant refugee woman, with no other children, is not eligible for CalWORKs until her second trimester. If she is within 8 months from her date of entry she is eligible to receive RCA/ECA. She is not entitled to a pregnancy special need allowance until her second trimester; and at that time she becomes CalWORKs eligible. A pregnancy special need allowance is not paid on RCA/ECA.

60.12 Property [69-206.2, 69-206.21]

The net market value of real and personal property not excluded will be considered towards the property limit. If the limit is exceeded, the refugee(s) is ineligible. The maximum allowable limit for personal and real property combined for both applicants and recipients is:

- \$3,000 for an AU with a member who is 60 years old or older, and
- \$2,000 for all other AUs.

Any resources remaining in the applicant county of origin, will not be considered in determining income eligibility.

60.12.1 Motor Vehicles [69-206.2]

The evaluation of motor vehicles follows the CalWORKs and Food Stamp regulations.

The evaluation of trust funds follows the CalWORKs regulations. [Refer to CalWORKs Handbook, [“Personal Property/Resources,” page 15-1.](#)]

60.13 Notices of Action [69-205.23, 69-209.42, 69-209.44 and 69-210.13]

The notices of action (NOAs) sent to an RCA/ECA recipient must follow these rules:

- Be sent at least ten (10) days prior to any adverse action (i.e., when the grant is reduced, suspended or terminated)
- Be sent in the client’s language, if available, OR a verbal translation must be provided. The EW must contact the client by phone to provide the verbal translation. If the client does not have a phone, then the EW must send an appointment notice for the client to come into the office. This information must be thoroughly documented in the **Maintain Case Comments** window of CalWIN.

The EW MUST inform the client of the following:

- Be advised of their exact eight (8) month time limit for the RCA/ECA Program
- Their rights and responsibilities, AND
- The penalties for non-cooperation.

When a client is notified of termination because of reaching the eight (8) month time limit, the EW must review the case to determine potential eligibility for CalWORKs and/or refer the client to the General Assistance (GA) Office to obtain GA information. The phone number for GA Program information and eligibility criteria is (408) 928-3650.

60.14 Hearings [69-210.2]

RCA/ECA recipients have the same appeal rights as other public assistance recipients, except that a hearing need not be granted if assistance is terminated because:

- The federal agency discontinues the program or reduces the eligibility time period, or
- The eight (8) time eligibility limit has been reached, unless there is a disputed issue of fact.

60.15 Unaccompanied Minor Procedures [69-211.5, 69-213, and 69-213.8]

Unaccompanied refugee children are eligible for payment under the Foster Care Program. The time limit applicable to RCA cases does not apply. [Refer to Foster Care Handbook, .]

Refugee children who have been legally adopted by United States citizens are not eligible for assistance under RCA.

60.15.1 Definition

Refugee Minor

An Unaccompanied Refugee minor is a refugee who:

- Meets the age requirements of CalWORKs [Refer to CalWORKs Handbook, “[Age, School Attendance and Immunization](#),” page 13-1.]
- Entered the United States unaccompanied by a parent, other immediate adult relative as defined in EAS section 80-301(c)(1) or an adult having documentable legal evidence of custody of the minor
- Has no parent or other immediate adult relative in the United States.

A refugee minor may retain Unaccompanied Minor status only as long as the refugee has no known immediate adult relative(s) in the United States.

The refugee minor may become “unaccompanied” after arrival in the United States. This may occur in situations where the refugee minor entered the United States with a person(s) claiming to be the minor's parent(s) or other immediate adult relative(s) and it was later discovered that the person(s) was/were not who they claimed to be. In these situations, the child will be eligible for cash assistance as an Unaccompanied Refugee minor as long as there is no parent or other immediate adult relative in the United States.

Cuban/Haitian Entrant Minor [69-305]

An Unaccompanied Cuban/Haitian Entrant Minor is a child who:

- Meets the age requirements of CalWORKs [Refer to CalWORKs Handbook, “[Age, School Attendance and Immunization](#),” page 13-1]
- Entered the United States unaccompanied by a parent, other immediate adult relative (grandparent, aunt, uncle, sibling) or an adult having legal evidence of custody of the minor, and
- Has no parent in the United States.

The entrant minor is not eligible as an Unaccompanied Entrant Minor if they became “unaccompanied” after arrival in the United States. This may occur in situations where the entrant minor entered the United States with a person(s) claiming to be the minor's parent(s) or other immediate adult relative(s) and it was later discovered that the person(s) was/were not who they claimed to be.

60.15.2 Reunification

Refugee Minor

When it is discovered that a parent or other immediate adult relative is residing in the United States, the refugee minor is no longer eligible as an Unaccompanied Minor under the RCA-FC Program.

If the refugee minor is reunited with a parent or other immediate adult relative, the Eligibility Worker must explore the appropriateness of including the minor in the Assistance Unit (AU) of the responsible relative or establishing an CalWORKs non-needy relative case for the minor.

If reunification efforts are unsuccessful the child's eligibility for CalWORKs-FC must be explored.

Cuban/Haitian Entrant Minor

If a parent is found to reside in the United States, the Eligibility Worker must discontinue Unaccompanied Minor payments.

If the entrant minor is reunited with a parent, the Eligibility Worker must explore the appropriateness of including the minor in the parent's AU.

If reunification efforts are unsuccessful, the minor's eligibility for CalWORKs-FC must be explored.

If an immediate adult relative, other than a parent(s), is found to reside in the United States, the entrant minor retains Unaccompanied Minor status and eligibility for Unaccompanied Minor payments continue whether or not they go to live with the relative.

60.15.3 Time Eligibility

Refugee/Entrant

Unaccompanied Refugee/Cuban/Haitian Entrant Minors are not subject to the time limitation provisions of the Refugee Resettlement Program.

Federal reimbursement for assistance and services provided to Unaccompanied Minors is available for as long as the minor meets the age requirements for CalWORKs.

When the child no longer meets these requirements, eligibility for other assistance programs must be determined and Time Eligibility must then be considered.

