

## TITLE 218 – DEPARTMENT OF HUMAN SERVICES

### CHAPTER 20 – INDIVIDUAL AND FAMILY SUPPORT PROGRAMS

#### SUBCHAPTER 00 - N/A

#### PART 6 – REFUGEE ASSISTANCE PROGRAM

##### 6.1 Legal Basis Authority

A. The legislative basis for the Refugee Assistance Program is the U.S. Immigration and Naturalization Act and the Refugee Act of 1980 (P.L. 96-212). The regulatory basis for the program is 45 CFR, Part 400, Refugee Resettlement Program. This part is promulgated in order to implement the Refugee Assistance Program and comply with the requirements of U.S. Immigration and Naturalization Act and the Refugee Act of 1980 (8 U.S.C. § 1101 et seq.) and 45 CFR, Part 400, Refugee Resettlement Program.

~~The Refugee Act of 1980 amended the basic Immigration and Nationality Act. It instituted the Office of Refugee Resettlement (ORR) and broadened the definition of refugee.~~

~~The Refugee Act of 1980 also replaced the existing nationality identified program name of "Indochinese Refugee Assistance Program" (IRAP) with the name "Refugee Resettlement Program" (RRP).~~

~~Beginning in FFY 1991, ORR had to cease reimbursements to states for the costs of assistance to refugee recipients of FIP, SSI, and Medical Assistance due to insufficient appropriated funds.~~

##### B. Administrative Authorization

1. §Section 412(a)(9) of the Immigration and Nationality Act, 8 U.S.C. 1522(a)(9), authorizes the Secretary of Health and Human Services (HHS) to issue regulations needed to carry out the Refugee Resettlement Program (RRP). By regulation, HHS limits the duration of the special programs of Refugee Cash Assistance (RCA) and Refugee Medical Assistance/Medicaid (RMA) to eight (8) months.

2. ~~Effective October 1, 1995, the Department of Health and Human Service's Administration for Children and Families, implemented the final rule governing the Refugee Resettlement Program. The This regulation sets forth requirements which:~~
- a. ~~Limit eligibility for refugee social services and targeted assistance, with the exception of referral and interpreter services, to refugees who have been in the U.S. for 5 years or less;~~
  - b. ~~Allows Refugee Medical Assistance Medicaid (RMA) recipients who become employed to continue to receive RMA for the full eight (8) month time eligibility period; and,~~
  - c. ~~Requires the development of a family self-sufficiency plan for any refugee who participates in refugee program funded employment-related services.~~

## **6.2 Purpose**

- 3A. ~~The regulation facilitates the issuance of Refugee Assistance Services described in the state plan. It implements Chapter 2 of Title IV of the Immigration and Nationality Act (8 U.S.C. § 1101 et seq.), added by § 311(a)(2) of the Refugee Act of 1980 (Public Law 96-212) and amended by the Refugee Assistance Amendments of 1982 (Public Law 97-363) and the Refugee Assistance Extension Act of 1986 (Public Law 99-605).~~
- ~~- completes the issuance of comprehensive regulations covering the basic operation of the State-administered Refugee Resettlement Program. It implements Chapter 2 of Title IV of the Immigration and Nationality Act, added by § Section 311(a)(2) of the Refugee Act of 1980 (Public Law 96-212) and amended by the Refugee Assistance Amendments of 1982 (Public Law 97-363) and the Refugee Assistance Extension Act of 1986 (Public Law 99-605).~~
- B. This regulation sets forth:
- 1. Requirements for eligibility for refugee social services and targeted assistance, with the exception of referral and interpreter services, to refugees who have been in the U.S. for 5 years or less;
  - 2. The identification of social service programs available to refugees.

## ~~IDENTIFICATION AND VERIFICATION FACTORS~~

### ~~IDENTIFICATION/VERIFICATION UNDER THE RRP~~

~~Identification and verification of refugees under the Refugee Resettlement Program (RRP) is as follows.~~

#### ~~Former IRAP Recipients~~

~~Recipients formerly eligible under the Indochinese Refugee Assistance Program (IRAP) are included under the Refugee Resettlement Program (RRP). Such persons are identified as persons from Cambodia, Laos, or Vietnam. Verification of refugee status is established from one of the following:~~

~~Form I 94, Arrival-Departure Record, annotated either:~~

~~paroled as a refugee,~~

~~voluntary departure, or~~

~~conditional entry.~~

~~Form I 151, Alien Registration Receipt Card, showing:~~

~~admittance with Permanent Resident Alien Status on or after 4/08/75, or~~

~~adjustment to Permanent Resident Alien Status.~~

~~Form I 551, Resident Alien Card, documenting Lawful Permanent Resident Alien Status.~~

#### ~~New Refugees~~

~~Persons who were not recipients under the IRAP are eligible for assistance or services under RRP if they have one of the following documents verifying their refugee status, according to the Immigration and Nationality Act, and are otherwise eligible:~~

~~Form I 94, Arrival-Departure Record, annotated either:~~

~~paroled as refugee or granted asylum (Section 212(d)(5));~~

~~conditional entrant (Section 203(a)(7));~~

~~refugee (Section 207), or~~

~~granted asylum (I 94) (Section 208);~~

~~Form I 571, Refugee Travel Document, annotated Refugee (Section 207); and~~

~~Form I-151, Alien Registration Receipt Card or Form I-551, Resident Alien Card, documenting that the bearer previously held one of the above statuses, which has subsequently been adjusted to Lawful Permanent Resident Alien Status.~~

~~Proof of Refugee or Asylum Status~~

~~Proof of refugee or asylum status is required as follows:~~

~~For a person from Cambodia, Laos, or Vietnam who has parole status, documentation required is Form I-94 indicating that the person has been paroled under Section 212(d)(5) of the Immigration and Nationality Act (INA). If the I-94 was issued on or after June 1, 1980, it must clearly indicate that the person has been paroled as a refugee or granted asylum.~~

~~For a person from Cuba who has been paroled as a refugee or granted asylum and who entered the U.S. on or after December 1, 1978, the documentation required is Form I-94 indicating that the person has been paroled under Section 212(d)(5) of the INA. If the I-94 was issued on or after June 1, 1980, it must clearly indicate that the person has been paroled as a refugee or granted asylum.~~

~~For a person from any country other than Cambodia, Laos, Vietnam or Cuba who has parole status as a refugee or as a person granted asylum, the documentation required is Form I-94 indicating that the person has been paroled under Section 212(d)(5) of the INA.~~

~~For a person from any country admitted as a refugee, the documentation required is Form I-94 indicating that the person has been admitted under Section 207 of the INA (as added by the Refugee Act of 1980).~~

~~For a person from any country who has been granted asylum, the documentation required is Form I-94 indicating that the person has been granted asylum under Section 208 of the INA (as added by the Refugee Act of 1980).~~

~~For a person from any country who previously held one of the statuses identified above and whose status has subsequently been adjusted to that of permanent resident alien, documentation required includes Form I-151, or I-551, which identifies the person as a resident alien provided that the person also has sufficient documentation to substantiate that s/he held one of the statuses indicated above prior to the adjustment of his/her status to that of resident alien. An example of such documentation would be a photocopy of an I-94 previously held by that person which meets one of the above requirements.~~

~~For additional information on the various types of alien status, see General Provisions, Section 0102.~~

~~Identification/Verification of CHEP Entrant~~ \_\_\_\_\_

~~A person eligible under the Cuban/Haitian Entrant Program is eligible to receive the same benefits as a refugee. Such person has been granted a special "entrant" status identified on an I-94 as a Cuban/Haitian Entrant (Status Pending) — I-94 (Section 212(d)(5)).~~

~~The number of months during which an entrant may be eligible for RCA or RMA must be counted starting with the first month in which an individual meeting the definition of a Cuban or Haitian entrant was first issued documentation by the Immigration and Naturalization Service (INS) indicating that the:~~

~~Entrant has been granted parole by the U.S. Attorney General under the Immigration and Nationality Act;~~

~~Entrant is in a voluntary departure status; or~~

~~Entrant's residence in a United States community is known to the INS.~~

~~Identification/Verification of Amerasian~~

~~The Amerasian Homecoming Act, Section 584 of the Continuing Resolution for Fiscal Year 1987 (Public Law 100-200), provides that an Amerasian and certain close family members, departing Vietnam during the two-year period beginning March 21, 1988, be granted immigrant status while remaining eligible to receive refugee benefits.~~

~~Eligibility for this program is dependent upon establishment, to the satisfaction of a consular officer or an officer of the INS, that the alien:~~

~~was a resident of Vietnam as of the date of enactment of the Act (December, 1987);~~

~~was born in Vietnam after January 1, 1962 and before January 1, 1976;~~

~~was fathered by a citizen of the United States (such an alien is referred to as a principal alien);~~

~~is the spouse or child of a principal alien and is accompanying or following to join the principal alien; and/or~~

~~is either the principal alien's mother (or is the spouse or child of such mother) or has acted as the principal alien's mother, father, or next of kin (or is the spouse or child of such an alien) and is accompanying or following to join the principal alien.~~

~~Immigrant status for such an Amerasian is verified by use of an immigration visa. No visa number is ascribed since Amerasian immigrants are not subject to numerical limitations. However, the visa should be validated for eight months and the proper classification symbol should be noted as follows:~~

~~AM-1, for the Amerasian principal applicant under Section 584;~~

~~AM-2, for the spouse or child of AM-1 under Section 584; and~~

~~AM-3, for the natural mother of an unmarried AM-1, and~~

~~spouse or child of such a mother, or person who has acted in effect as the mother, father, or next of kin of an unmarried AM-1 (and spouse or child of such a person) under Section 584.~~

~~Eligibility for refugee benefits does not exist for an Amerasian:~~

~~who is entering the United States as an American citizen (see Section 0102); or~~

~~who is a beneficiary of an immediate relative or preference visa petition filed on her/his behalf by relatives in the United States.~~

## ~~Privately Sponsored Soviet Jewish Refugees~~

~~The Department of State and two private agencies, the Council of Jewish Federations and the Hebrew Immigrant Aid Society, have entered into a Memorandum of Understanding (MOU) on a project to privately fund admission and resettlement in the United States of Soviet Jewish refugees during Fiscal Year 1990. Such refugees are termed Privately Sponsored Refugees.~~

~~The Memorandum of Understanding (MOU) provides that the sponsoring organizations are responsible for ensuring that these refugees "do not require or financially qualify for publicly funded cash, medical or food stamp assistance" for two years after their admission to the United States, or until they attain lawful permanent resident status, whichever comes first.~~

~~The MOU also requires the sponsoring agency to counsel any refugee it discovers has applied for public assistance "so that the refugee will not need to qualify for such assistance", and that the sponsoring agency must reimburse the Federal, State, and local government for any assistance the refugee receives.~~

## ~~Documentation~~

~~Privately Sponsored Refugees will possess INS Arrival—Departure Records (I-94), which contain the following statement:~~

~~"This refugee is sponsored by the Hebrew Immigrant Aid Society and the Jewish Federation of Rhode Island. Private resources are available. If public assistance is sought, please call Jewish Family Services at 331-1244."~~

## ~~Eligibility for Assistance~~

~~The sponsorship statement contained on the I-94 should be regarded as lead information concerning possible income and resources that are available to the refugee. DHS and FS agency representatives are obligated to follow up with the sponsoring agency to ascertain the actual availability of any income and resources and to use such verified information in the final decision on whether or not the refugee is eligible for assistance. It is inappropriate to simply deny an application filed by a sponsored refugee solely because of the statement on the I-94 or knowledge of a sponsorship agreement.~~

## ~~Disclosure of Information~~

~~The Federal safeguarding regulations permit DHS and FS agency staff to contact the sponsoring agency without the permission of the refugee applicant. Contacting the sponsoring agency to determine what support is provided to the refugee is permissible because such disclosure of applicant information is for the purpose of establishing eligibility and determining the amount of assistance.~~

## ~~Identification of Matching Grant Refugee~~

~~The Hebrew Immigrant Aid Society has contracted with the Office of Refugee Resettlement to provide financial assistance to certain refugees for the first four months of their resettlement in the United States. This financial assistance is provided on a dollar for dollar matching grant agreement. A refugee entering the United States under this agreement is referred to as a Matching Grant Refugee.~~

~~The documentation required for such person is INS Form I-94, indicating that the person has been admitted under Section 207 of the INA (as added by the Refugee Act of 1980).~~

~~A Matching Grant Refugee is not eligible for Refugee Cash Assistance for the first four months in the United States due to the financial arrangement between ORR and the sponsoring agency. Eligibility for RMA exists immediately upon arrival to the United States. Eligibility may also exist for RI Medical Assistance and/or Food Stamps from the date of arrival, if otherwise eligible.~~

#### ~~VERIFICATION OF DOCUMENTATION~~

~~All immigration documentation must be verified through the Systematic Alien Verification for Entitlements (SAVE) Program. The SAVE Program is the Immigration and Naturalization Service operated system for the verification of immigration status of aliens applying for benefits from certain federally funded entitlement programs. (See Section 0102 for the SAVE Program policy and procedures.)~~

~~The SAVE Program mandates that applicants and recipients, who have not yet done so, declare in writing that they are United States citizens or nationals, or that they are in "satisfactory immigration status."~~

~~The DHS/SAV-1 is used for the declaration of citizenship or alienage.~~

~~Each new household member who is an applicant or a recipient, and who has not yet signed the declaration, must complete the form.~~

~~One original DHS/SAV-1 form may be used for an entire household. Only an illegal alien is exempt from the requirement to complete the form. The DHS/SAV-1 is filed in the case record and remains there for the life of the record.~~

~~The SAVE Program provides two ways to verify an alien applicant's immigration documentation through either Primary Verification or Secondary Verification, as described in Sections 0902.20.05 through 0902.20.10.~~

#### ~~Primary Verification —~~

~~In general, primary verification of immigration documentation is initiated for all applicants or recipients~~

~~The agency representative completes the following primary verification procedures:~~

~~makes a photocopy of both sides of all original verifying documentation, which is kept in the~~

~~individual's/family case record;~~

~~returns the originals to the applicant/recipient;~~

~~enters the necessary information on the Primary Document Verification Request, Form DHS/SAV-2; and~~

~~forwards the DHS/SAV-2, attached to an AP-60 transmittal, to:~~

~~Office of Refugee Resettlement 600 New London Avenue Cranston, RI 02920~~

Attention: ~~\_\_\_\_\_~~ Data Management Officer

Upon receipt of the DHS/SAV-2 Form, the Office of Refugee Resettlement Data Management Officer will:

access the Alien Status Verification Index (ASVI) data base by entering the Alien Registration Number into the data bank;

interpret the resulting Alien Status Verification Display;

note on the DHS/SAV-2 the unique Verification Number issued to each alien by the ASVI system when an inquiry is instituted; and

return the Primary Document Verification Request Form DHS/SAV-2, to the correct agency representative after checking the appropriate response, either "valid" or "institute secondary verification."

The agency representative retains the completed DHS/SAV-2, containing the alien Verification Number, in the applicant's/recipient's case record for further reference.

No further check is required, unless the ORR Management Officer records on the DHS/SAV-2 that the ASVI system displayed "Institute Secondary Verification."

Secondary Verification—

Secondary Verification of immigration documentation must be completed:

prior to the delay, denial, reduction, or termination of a benefit to any alien applicant for reasons of immigration status;

when any one of the items presented as documentation appears to be counterfeit or altered;

when an alien presents unfamiliar INS documentation, or a document that indicates immigration status, but does not contain an Alien Registration Number (A-Number); and

whenever the Data Management Officer informs the agency representative that there is a discrepancy between information on ASVI and information presented by the applicant.

When the Data Management Officer returns the DHS/SAV-2, indicating the necessity for Secondary Verification, the agency representative completes a Document Verification Request (Form G-845) for each applicant or recipient. \_\_\_\_\_ If a family unit is applying or being recertified, each member will require a separate Form G-845.

The agency representative staples copies of all necessary documentation to the Form(s) G-845 and mails the packet to:

INS

U.S. Post Office and Federal Building Room 203



Exchange Terrace Providence, RI 02901

The Documentation Verification Request, Form G-845, is a self-reply form. Upon receipt of the G-845, the INS Immigration Status Verifier will:

complete the response portion of the form(s) by checking all appropriate statements on the lower half and the back of the form(s) to indicate the applicant's/recipient's immigration status and work eligibility; and

return both the form(s), the attached photocopies, and an INS form entitled, U.S. Department of Justice-Immigration and Naturalization Service, to the agency representative within fifteen working days of receipt.

If after secondary verification, such form is received in a District Office, the appropriate agency representative should complete the bottom portion of the form. However, it should not be mailed to INS. Instead, the form is sent to the Office of Refugee Resettlement, where the benefit information will be tabulated. Only the data collected, without any identifying information about the applicant or recipient will be transmitted to INS. This will ensure confidentiality of information for the applicant or recipient and will provide INS with the information needed for the SAVE program.

## 6.3 Definitions

A. For the purposes of this administrative rule, the following definitions apply unless otherwise noted:

1. "Agency" means the Department of Human Services (DHS), including any board, commission or officer of the department.
2. "Asylees" means individuals who, on their own, travel to the United States, apply for and receive a grant of asylum. These individuals do not enter the United States as refugees. They may enter as students, tourists, business people, or without papers. Once they are in the United States, or at a land border or port of entry, they apply for asylum, a status that will acknowledge that they meet the definition of a refugee and allow them to remain in the United States. Asylees are eligible for state assistance and services once USCIS has granted asylum. Applicants for asylum are not eligible.

3. “Certain Amerasians (from Vietnam)” means aliens born in Vietnam after January 1, 1962, and before January 1, 1976, if the alien was fathered by a U.S. citizen. Immigrant visas are issued to Amerasians under §101€ Public Law 100-202 (Act of 12/22/87), as well as to their spouses, children, parents or guardians if they accompany the Amerasian to the United States. Specifically referred to herein are certain Amerasians from Vietnam who are admitted to the U.S. as immigrants pursuant to § 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988 as amended by 8 U.S.C. § 1101.
4. “Cuban and Haitian Entrants” means
- a. Any individual granted parole status as a Cuban or 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 current status of the individual at the time of application for Refugee Medical Assistance; and
- b. Any other national of Cuba or Haiti who:
- (1) was paroled into the United States and has not acquired any other status under the INA;
- (2) is the subject of exclusion or deportation proceedings under the INA; or
- (3) has an application for asylum pending; and
- (4) With respect to whom a final, non appealable, and legally enforceable order of deportation or exclusion has not been entered.
6. “Department of Human Services (DHS)” means the state agency that provides a full continuum of services for families, adults, children, elders, individuals with disabilities and veterans.
7. “Executive Office of Health and Human Services (EOHHS)” means the state agency that is designated under Title XIX of the U.S. Social Security Act (42 U.S.C. 1396a § 1902), to be legally responsible for the programmatic oversight, fiscal management, and administration of the Medicaid program.

8. “General Public Assistance (GPA)” means a state program for adults age eighteen (18) and over who have very limited income and resources and have an illness or medical condition that keeps them from working.
9. “Lawful Permanent Residents (LPR)” means green card holders. This applies to RAP-Social Service recipients, who would be in the country past eight (8) months from the date of arrival.
10. “Medical Assistance Program also known as Medicaid (MA)” means a federal and state funded program that pays for medical and health related services for eligible applicants/recipients.
11. “Refugees” means any person who is outside his/her country of such person’s nationality; or, in the case of a person having no nationality, is outside any country in which such person last habitually resided, and who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of that country 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.
12. “Refugee Cash Assistance (RCA)” means cash assistance provided to refugees who are ineligible for the regular category programs and who have resided in the United States for less than eight (8) months from their initial entry into the United States. All categorical relatedness is waived for the RCA program. However, applicants must meet all other eligibility requirements including, but not limited to, financial and residency requirements and, in addition, the RCA employment and social services requirements.
13. “Rhode Island Works Program (RIW) means the agency program offers temporary cash assistance, child care assistance and assistance in finding employment or job training to needy families.
14. “Special Immigrant Visa (SIV) Holders from Iraq and Afghanistan” means
  - a. Afghani and Iraqi aliens who are granted Special Immigrant Status under § 101(a)(27) of the Immigration and Nationality Act (INA) (8 U.S.C. 1101). Individuals and family members granted this SI Status are eligible for entitlement programs, including Refugee Cash Assistance (RCA) and Refugee Medical Assistance (RMA), and refugee social services the same as refugees admitted under § 207 of the INA.

b. For Iraqi/Afghan immigrants who acquire SI Status while already in the US, the date of eligibility for RCA/RMA (their “entry” date) is the date of grant of SI Status. Until an Iraqi/Afghan in parole or some other non-immigrant status becomes an SI with documentation of this status, he/she is not eligible for RCA/RMA.

15. “Supplemental Security Income (SSI)” means a Federal income program designed to help aged, blind and disabled individuals who have little or no income and few resources. The program provides cash to meet basic needs for food, clothing and shelter.

## **6.4 Eligibility**

### **6.4.1 Eligibility for Categorical Programs**

A. When a refugee applies for cash and/or medical coverage, eligibility must first be determined for the appropriate categorical program(s): Supplemental Security Income (SSI), Rhode Island Works (RIW), General Public Assistance (GPA), and/or Medicaid.

1. a family eligible only due to refugee status are accepted on RIW as Refugee Cash Assistance (RCA/RIW) recipients.

2. an individual or childless couple who have a disability severe enough to temporarily prohibit their employment will be considered for GPA.

3. an individual who is 65 years of age or older, or who is blind or disabled, will be referred to the Social Security Administration to apply for SSI.

(a) an individual with an application pending for SSI is eligible to received Refugee Cash Assistance/GPA until SSI benefits are available.

B. Continued eligibility for SSI, RIW, GPA or Medicaid is dependent upon the applicant meeting the requirements of the specific program.

### **6.4.2 Ineligibility for Categorical Programs**

- A. If eligibility for one of the categorical programs does not exist, eligibility is then determined under the characteristic of “refugee” provided the applicant has resided in the United States for eight (8) months or less. In such cases:
1. all categorical relatedness is waived.
  2. applicants must meet all other eligibility requirements including, but not limited to, financial and residency requirements.
  3. recipients must meet the Refugee Cash Assistance employment and social service requirements for continuation of benefits.
  4. Single individuals and childless couples receive cash assistance through Refugee Cash Assistance.

#### **6.4.3 Eligible Groups**

- A. Refugee Assistance is available to those who are:
1. paroled as a refugee or asylee under section 212(d)(5) of the Refugee Act (8 U.S.C. § 1101 et seq.)
  2. admitted as a refugee under section 207 of the Refugee Act (8 U.S.C. § 1101 et seq.)
  3. granted asylum under section 208 of the Refugee Act (8 U.S.C. § 1101 et seq.)
  4. Cuban and Haitian entrants, in accordance with requirements in 45 CFR part 401.
  5. Certain Amerasians from Vietnam who are admitted to the U.S. as immigrants pursuant to section 584 of the Foreign Operations, Export Financing, and Related Programs Operations, Export Financing, and Related Programs Appropriations Acts, 1989, 8 U.S.C. § 1101.
  6. Special Immigrant Visa (SIV) Holders from Iraq and Afghanistan
  7. admitted for permanent residence, provided the individual previously held one of the statuses identified above

#### **6.4.4 Ineligible Groups**

A. Refugee Assistance is not available to those who:

1. are full-time students in post-secondary education, unless specifically eligible under the provision listed in §6.6(D) of this Part.

#### **6.4.5 General Eligibility**

A. As a requirement for eligibility, all applicants for Refugee Cash Assistance must:

1. provide the name of the resettlement agency or sponsor who was responsible for their resettlement.
2. provide the type of assistance, if any, the resettlement agency or sponsor is providing to the applicant
  - (a) If financial assistance is provided by the resettlement agency or sponsor, it is treated in accordance with the policy of the appropriate program, when determining eligibility for and the amount of assistance.
3. not have voluntarily quit employment or refused an offer for employment without good cause within thirty (30) days immediately prior to the application date.

B. Medicaid eligibility is evaluated first using the MAGI methodology set forth in 210-RICR-30-00-1 and the SSI standards for Community Medicaid in Section 210-RICR-40-00-1.

#### **6.4.6 Duration of Eligibility**

A. The duration eligibility for Refugee Cash Assistance (RCA) follows the directive of the Director of the Federal Office of Refugee Settlement. Under the authority of P.L. 97-363 (1982 Amendments to the Refugee Act of 1980, 8 U.S.C. § 1101 et seq.), P.L. 99-177 (Balanced Budget and Emergency Deficit Control Act of 1985, 2 U.S.C. § 621), and P.L 100-202 (the Continuing Resolution for FY 1988), the Department of Health and Human Services limits the duration of (RCA) through the end of the eighth month from the date of arrival in the United States.

B. Each refugee's eligibility is based on the month and year of entry into the United States. Since each individual in a case may have entered the country at a different time, an individual may be discontinued from the payment as ineligible

while the case remains active (unless the eligibility factor for the case is dependent upon the ineligible individual).

C. Any recipient discontinued from RCA, or whose eligibility is discontinued due to the first eight (8) month limitation, must be informed of the right to apply for the appropriate category program, if potential eligibility for such program exists.

#### ~~6.3 Verification from the Resettlement Sponsor~~

~~A. As a requirement for eligibility, all applicants for Refugee Cash Assistance must provide the name of the resettlement agency or sponsor who was responsible for their resettlement.~~

#### ~~1. Financial Assistance~~

~~a. Prior to accepting a refugee for any form of assistance, the eligibility technician agency representative or GPA worker must send a referral for a Disposition Hearing review to the DHS Office of Refugee Resettlement. During the Hearing process, members of the Disposition Hearing Panel will review the refugee's eligibility for participation in the refugee program and will complete a form AP-1000, Refugee Registration for Public Assistance.~~

~~b. In addition to noting the Hearing Panel's recommendation for public assistance, the AP-1000 will also provide the name of the resettlement agency and what assistance, if any, the resettlement agency or sponsor is providing to the refugee.~~

~~c. If financial assistance is provided by the resettlement agency or sponsor, it is treated in accordance with the policy of the appropriate program, when determining eligibility for and the amount of assistance.~~

#### ~~2. Employment Services~~

~~a. The AP-1000 also indicates whether the applicant has voluntarily quit employment or refused to accept an offer of employment without good cause within thirty (30) days immediately prior to the date of application. Persons refusing employment without good cause are not eligible for assistance.~~

### **ELIGIBILITY FACTORS**

## **6.4 The Application Process**

~~A. Upon receipt of an application for any form of assistance from a refugee, in order to protect the client's right to confidentiality and to meet the Office of Refugee Resettlement (ORR) regulations, the eligibility technician or GPA worker the agency representative has the applicant sign the form DHS-25, an Authorization to Obtain or Release Confidential Information.~~

Prior to accepting a refugee for any form of assistance, a referral is made to the DHS Office of Refugee Resettlement (ORR) requesting a Disposition Hearing review. ORR is notified of all refugee applications for assistance in the following manner:

~~The ORR designee collects the appropriate referrals and photocopies of the signed DHS-25 from the intake supervisors in the Providence and Woonsocket Offices.~~

~~The supervisors of the remaining Assistance Payments Offices are responsible for conveying the names of refugee applicants to the ORR designee. This may be accomplished by, attaching to a photocopy of the signed DHS-25, either a copy of the appropriate authorization form or a list containing the names and identifying information of applicants.~~

~~The DHS/ORR ensures that all new refugee applicants for any form of assistance be reviewed at the weekly Disposition Hearing.~~

#### ~~B. Review of Eligibility~~

~~1. During the Hearing process, members of the Disposition Hearing Panel will review the refugee's eligibility for participation in the refugee program, and will complete a form AP-1000, Refugee Registration for Public Assistance.~~

~~The completed AP-1000 is returned to the eligibility technician or GPA worker. The AP-1000 will indicate:~~

~~the Disposition Hearing Panel's recommendation for public assistance, evidenced by a circle around the type of cash and/or medical assistance;~~

~~the name of the resettlement agency or sponsor;~~

~~what assistance, if any, the resettlement agency or sponsor is providing to the refugee.~~

~~2. If financial assistance is provided, it is treated in accordance with the policy of the appropriate program when determining eligibility for and the amount of assistance; and,~~

~~-whether or not the applicant has voluntarily quit employment or refused to accept an offer of employment, without good cause, within thirty (30) days immediately prior to the date of application.~~

~~Persons refusing employment without good cause are not eligible for assistance.~~

#### ~~C. Notification Regarding Application~~

~~a. By regulation, ORR must notify the sponsoring agency whenever a refugee applies for cash and/or medical assistance Medicaid. This is accomplished by sending a photocopy of the completed AP-1000 and the signed DHS-25 to the resettlement agency or sponsor.~~

~~b. Notices sent to the client must distinguish clearly between Refugee Cash Assistance (RCA), General Public Assistance (GPA) and RI Works (RIW) FIP, and between Refugee Medicaid (RMA) and Medicaid MA. In addition, all applicants and recipients are to be informed of the right to appeal the eligibility determination.~~

#### ~~D. Eligibility for Categorical Programs~~



~~1. When a refugee applies for cash and/or medical coverage, eligibility must first be determined for the appropriate categorical program, either: Supplemental Security Income (SSI), FIP/RIW, GPA, and/or Medical Assistance/Medicaid. Such applicant must meet all the requirements of the particular program, as described in Sections 0904.10.05 through 0904.10.20.~~

~~2. Continued Eligibility/Continued eligibility for FIP/RIW, SSI, GPA or MA/Medicaid is dependent upon the applicant's meeting the requirements of the specific program.~~

~~3. Family Independence/Families eligible for the RI Works program are referred to that program and must meet the eligibility criteria for that program.~~

~~Families are referred to the FIP program. (See Section 0800.)~~

~~4. General Public Assistance Eligibility/Individuals and childless couples who have a disability severe enough to temporarily prohibit their employment must be referred for General Public Assistance (GPA). (See Section 0608)~~

~~a. Refugee Cash Assistance to adults and childless couples is based upon GPA standards and benefit levels (see 218 RICR 20-00-3). See Sections 0610 and 0618 for the GPA resource and income standards.~~

~~5. Supplemental Security Income Eligibility~~

~~A refugee who is 65 years of age or older, or who is blind or disabled, must be referred immediately to the Social Security Administration to apply for Supplemental Security Income (SSI) benefits. Such refugee, if in need, is eligible to receive RCA/GPA until SSI benefits are available. When RCA/GPA interim assistance is provided, an AP-175/Authorization for Reimbursement of Interim Assistance and an AP-175a must be executed.~~

~~6. Medical Assistance Eligibility~~

~~Refugees eligible for FIP/RIW or SSI also meet the criteria for Medical Assistance/Medicaid.~~

~~In addition, there may be characteristics for families which indicate eligibility for Medical Assistance/Medicaid as Categorically Needy or Medically Needy may exist.~~

## **6.5 Verification for Categorical Eligibility**

- A. Every effort must be made to obtain verification necessary for eligibility under one of the categorical programs. Refugees who had to leave their homelands under emergency situations may not have the documentation verifying births, marriages, divorces, etc., and may not be able to obtain it. In lieu of such documentation, the following supporting evidence is acceptable:

1. Forms from the [INSUSCIS](#), American Council for Voluntary Agencies for Foreign Services (ACVAFS), or the American Council for Voluntary International Action (ACVIA) can be used as verification of age.
2. Any documents the refugees brought with them from their homelands that reflect relationship of family members is acceptable evidence of relationship, for example, a letter to/from a relative addressed to and/or referring to, "mother", "son", "wife", or other specified relative.
3. For children, school and/or medical records showing the address and the relative responsible for the child may be used as verification.
4. Information from the refugee's sponsor/resettlement agency supporting the refugee's statement.
5. Information recorded in the refugee's assistance case record.

B. In the absence of written records, the refugee's statement may be accepted with supervisory approval.

~~F. Eligibility for the Food StampSupplemental Nutrition Assistance Program (SNAP)~~

~~1. A refugee is determined eligible for participation in the Food StampSupplemental Nutrition Assistance Program on the same basis as any other applicant. Any individual whose alien refugee status is questionable must provide acceptable documentation in accordance with the requirements in the Food StampSNAP Manual regulations (218 RICR 20-00-01 Sections 1002.60 and 1004.20) before his/her eligibility for food stampsSNAP benefits is determined.~~

~~G. Eligibility under Characteristic of Refugee~~

~~1. Refugee Cash Assistance~~

## **6.6 Application and Standards**

### **6.6.1 General RequirementsA. The following general requirements apply to all refugees regardless of their duration of residence in the United States.**

1. The sponsor's income and resources may not be considered accessible to an applicant for or recipient of assistance solely because the person is serving as a sponsor.

2. Resources not readily accessible to the refugee, such as resources remaining in the applicant's country of origin, may not be considered available to an applicant for or a recipient of assistance.

## ~~REFUGEE CASH ASSISTANCE (RCA)~~

### ~~DEFINITION OF REFUGEE CASH ASSISTANCE~~

#### B. Requirements for ~~Applicants for~~ RCA

1. All applicants for RCA must provide the name of the resettlement agency or sponsor who was responsible for their resettlement.

~~In order to protect the client's right to confidentiality and to meet the Office of Refugee Resettlement (ORR) regulations, a refugee applicant must sign the DHS-25, Authorization to Obtain or Release Confidential Information.~~

2. ~~———— Prior to accepting a refugee for assistance, the eligibility technician or GPA worker~~agency representative ~~must obtain a completed AP-1000 form from the Disposition Hearing Panel (see Section 0904.05). ——— The AP-1000 will~~

### ~~STANDARDS AND CRITERIA FOR RCA~~

3. ~~———— The following general requirements apply to all refugees regardless of their duration of residence in the United States.~~

a. ~~———— A referral to DHS/ORR for a Disposition Hearing review must be made prior to acceptance for any form of assistance.~~

b. ~~———— The sponsor's income and resources may not be considered accessible to an applicant for or recipient of RCA solely because the person is serving as a sponsor.~~

c. ~~———— Resources not readily accessible to the refugee, such as resources remaining in the applicant's country of origin, may not be considered available to an applicant for or a recipient of RCA.~~

~~The special information required for data entry are:~~

~~the month, day and year of entry into the United States; and~~

~~the ethnicity of the refugee.~~

4. ~~———— Students in Post-Secondary Education~~

a. — In accordance with the Immigration and Nationality Act (INA), §Section 412(a)(2)(A)(B), Refugee Cash Assistance is not available to refugees who are full time students in post-secondary education, unless specifically eligible under the provision listed in §Section 6.6(D) of this Part0906.25.10.

#### Specific FIP Standards Applicable to RCA

2. Refugee Cash Assistance benefit levels to families with a child(ren) is are based upon FIP-RIW standards and payment levels as follows:-

6a. Treatment of Unearned Income

a(1). FIP-RIW regulations govern the treatment of unearned income to the recipients of RCA-FIP-RIW (see Section 0824 Part 2 of this Subchapter). However, only cash and/or in-kind assistance actually available to the refugee from the sponsoring agency is counted as unearned income.

7b. Treatment of Earned Income

a(1). In general, earned income disregards are applied to the recipients of RCA-FIP-RIW (see Section 0824 Part 2 of this Subchapter).

8c. Treatment of Resources

(1) The FIP-RIW regulations regarding resources govern the treatment of resources for applicants and recipients of RCA-FIP-RIW (see Section 0822 Part 2 of this Subchapter). For special RCA considerations, see §Section 0906.156.6(B) of this Part.

#### G. — Eligibility Duration/Limitations/Termination

1. — Under the authority of P.L. 97-363 (1982 Amendments to the Refugee Act of 1980), P.L. 99-177 (Balanced Budget and Emergency Deficit Control Act of 1985), and P.L. 100-202 (the Continuing Resolution for FY 1988), the Department of Health and Human Services limits the duration of Refugee Cash Assistance (RCA) and Refugee Medical Assistance/Medicaid (RMA) to through the eighth month from the date of arrival in the United States.

#### Termination of Eligibility

2. — There is an ongoing requirement for a review of each refugee's eligibility based on the month and year of entry into the United States. Since each individual in a case may have entered the country at a

~~different time, an individual may be discontinued from the payment as ineligible while the case remains active (unless the eligibility factor for the case is dependent upon the ineligible individual).~~

#### ~~Right to Know~~

~~3. — Any recipient discontinued from RCA, or whose eligibility is discontinued due to the first eight (8)-month limitation, must be informed of the right to apply for the appropriate category program, if potential eligibility for such program exists.~~

#### ~~6.6.1~~

### C. Continuation of RCA Recipient Employment and Training Requirements

A1. The goal of the Office of Refugee Resettlement program is to promote self-sufficiency within the shortest possible time after a refugee's entrance into the United States, which is consistent with the Federal Refugee Resettlement Program Goals (P.L. 97-363, 412(a)(6)(B), 8 U.S.C. 1101). The following are requirements for continuation of RCA:

~~RCA recipients must meet requirements pertaining to employment and training program participation, work/employment training standards, and exemption from employment registration. These requirements are discussed in Sections 0906.25.05 through 0906.25.15.~~

#### Employment Training Program Requirements

4(a). RCA recipients must meet RIW requirements pertaining to employment and training program participation, work/employment training standards, and exemption from employment registration.

~~The goal of the Office of Refugee Resettlement program is to promote self-sufficiency within the shortest possible time after a refugee's entrance into the United States, which is consistent with the Federal Refugee Resettlement Program Goals (P.L. 97-363, §Section 412(a)(6)(B)).~~

~~2. — In order to achieve this goal, regulations have been established including certain requirements with which the refugee applicant must comply in order to qualify for and receive assistance. These regulations include:~~

~~a. — The Prohibition Against Voluntary Resignation~~

~~(1) — As an applicant for RCA, a refugee cannot, during the thirty (30) calendar days immediately prior to the receipt of aid, have voluntarily quit employment or an employment training program without good cause.~~

~~b. — Participation in Employment/Training Program~~

~~(1) — As a condition for receipt of RCA, a refugee who is not exempt due to good cause or due to the specific exemptions listed in § Section 0906.25.156.6(E) of this Part must:~~

~~(a) — Register with an "appropriate agency providing employment services." An "appropriate agency" means an agency which has state approval to provide services designed to assist refugees in becoming employed, and which must include an established program of job referral to, and job placement with, private employers.~~

~~(b) — Such agency must advise the Office of Refugee Resettlement whenever a refugee fails or refuses to participate in the required services or to accept an offer of employment.~~

~~(2) — Participation in a Family Self-Sufficiency Plan The family self-sufficiency plan which includes:~~

~~(a) — a determination of the total amount of income a particular family would have to earn to exceed its cash grant and move into self-support without suffering a monetary penalty;~~

~~(b) — a strategy and timetable for obtaining that level of family income through the placement in employment of sufficient numbers of employable family members at sufficient wage levels;~~

~~(c) — the requirement that the focus be on the family, not the individual refugee, as the unit of intervention; and,~~

~~(d) — a requirement that an Employability Plan must be completed for each non-exempt member of an RCA filing unit.~~

~~3. — The Office of Refugee Resettlement or its designated agency is required to develop an employability plan for each refugee registrant, if such plan has not been developed by the resettlement agency.—~~

~~The plan must be designed to lead to the earliest possible employment and contain a definite employment goal that is attainable in the shortest possible time period consistent with a refugee's employability and the local job market.~~

#### ~~Job Interview Attendance~~

- (b)4.** Recipients of Refugee Cash Assistance are required to attend job interviews which are arranged by the Office of Refugee Resettlement, its designee or if applicable, the sponsoring agency. Refusal to attend a job interview is cause for sanctioning from RCA.

#### ~~Acceptance of an Appropriate Offer of Employment or Training~~

- (c)5.** As a recipient of Refugee Cash Assistance, a refugee cannot refuse to apply for or accept an appropriate offer of employment or employment training which meets the applicable minimum wage

requirement, as determined by the Department of Employment and Training.

— Such recipient is required to accept an appropriate job offer without regard to whether such job would interrupt a program of services planned or in progress, unless:

- (1) such refugee is currently participating in a program in progress of on-the-job-training or vocational training which is part of the refugee's employability plan and which is intended to lead to full-time employment; or
- (2) the refugee is enrolled full-time in a professional recertification program which meets the requirements in [§ Section 0906.25-106.6\(D\) of this Part](#).

#### FIP Recipients

**BD.** Refugee [FIP-RIW](#) recipients must participate in and cooperate with [FIP-RIW](#) employment requirements.

1. Participation in the Office of Refugee Resettlement program employment training activities meets all requirements for [FIP-RIW](#) participation. All refugee [FIP-RIW](#) recipients are required to participate in either the [FIP-RIW](#) or the DHS/ORR program employment training activities, unless specifically exempt.

**GE.** ~~GPA Recipients~~ A refugee who is a recipient of GPA must participate in ~~the Work Training requirements of the GPA program or~~ the DHS/ORR program employment training activities, unless specifically exempt.

#### ~~Work/Employment Training Standards~~

#### ~~Appropriate Work~~

#### ~~D. — Work/Employment and Training Standards~~

~~1. — Appropriate Work is defined as: — temporary, permanent, full-time, part-time or seasonal work, provided that such work meets the other work standards of these instructions. All assignments must be within the scope of the individual's employability plan. The plan may be modified to reflect changed services or employment conditions.~~

~~2. — The wage must meet or exceed Federal or state minimum wage laws, whichever is applicable. If such laws are not applicable, the wage must not be less than wages normally paid for similar work. In no event should it be less than three-fourths of the minimum wage rate. The daily and/or weekly hours of work must not exceed those customary to the occupation.~~

~~3. — No individual is required to accept employment if:~~

~~a. — the position offered is vacant due to a strike;~~

~~b. — lockout or other bona fide labor dispute; or~~

~~c. — the individual is required to work for an employer contrary to the conditions of his/her existing membership in the union governing that occupation. However, employment not governed by the rules of a union in which s/he has membership, may be deemed appropriate.~~

~~4. — Appropriate Training~~

~~a. — For training to be appropriate, the quality of the training must meet local employers' requirements so that the individual will be in a competitive position with the local labor market. The training must also be likely to lead to employment which meets the appropriate work criteria, as defined in this section.~~

~~b. — A refugee of any age who is otherwise eligible cannot be denied cash assistance while enrolled and participating in a training program which is part of an employability plan approved by the agency or its designee, that is, short term (less than one year) training intended to have a definite employment objective.~~

~~5. — Professional Training/Recertification~~

~~a. — If an individual is a professional in need of professional refresher training and other recertification services in order to qualify to practice her/his profession in the United States, the training may consist of full time attendance in a college or professional training program, provided that such training:~~

~~(1) — is approved as part of the individual's employability plan;~~

~~(2) — does not exceed one year's duration (including any time enrolled in such program in the United States prior to the refugee's application for assistance);~~

~~(3) — is specifically intended to assist the professional in becoming relicensed in his/her profession; and~~

~~(4) — if completed, can realistically be expected to result in such relicensing.~~

~~6. — Additional Standards~~

~~a. — The job or training assignment must be within the physical and mental capabilities of the individual to perform the task on a regular basis. Any claim of adverse effect on physical or mental health will be based on an adequate medical testimony from a physician or licensed or certified psychologist indicating that participation would impair the individual's physical or mental health.~~



b. ~~\_\_\_\_\_ The work or training site to which the individual is assigned must not be in violation of applicable Federal, state, and local health and safety standards.~~

c. ~~\_\_\_\_\_ When child care is required, the care must meet the standards required by DHS for FIP RIW recipients.~~

d. ~~\_\_\_\_\_ Assignments must not be made which are discriminatory in terms of age, sex, race, creed, color, or national origin.~~

#### E. ~~\_\_\_\_\_ Exemption from Employment Registration~~

1. ~~\_\_\_\_\_ Each applicant and recipient of RCA is considered to be employable, unless the applicant or recipient is:~~

a. ~~\_\_\_\_\_ under age 16;~~

b. ~~\_\_\_\_\_ under age 18 and a full-time student or is expected to complete secondary education before reaching age 19;~~

c. ~~\_\_\_\_\_ ill, and whose illness is serious enough to temporarily prevent entry into employment or training;~~

d. ~~\_\_\_\_\_ incapacitated to the extent that precludes employment or training;~~

e. ~~\_\_\_\_\_ 65 years of age or older;~~

f. ~~\_\_\_\_\_ a parent or other caretaker relative of a child under age three (3) who personally provides full-time care of the child;~~

g. ~~\_\_\_\_\_ working at least thirty (30) hours a week in unsubsidized employment expected to last a minimum of thirty (30) days; or~~

h. ~~\_\_\_\_\_ pregnant, if it has been medically verified that the child is expected to be born in the month in which such registration would otherwise be required or within the next six (6) months.~~

2. ~~\_\_\_\_\_ Inability to communicate in English does not exempt a refugee from registration for employment service programs, carrying out job search, and acceptance of appropriate offers of employment.~~

3. ~~\_\_\_\_\_ Any refugee who is exempt according to one of the categories listed above may voluntarily register for employment services.~~

#### 6.6.2 Sanctions

A. ~~\_\_\_\_\_ Sanctioning requirements for failure or refusal to carry out Job Search or to accept Employability Services or employment are as follows:~~

1. ~~\_\_\_\_\_ Whenever a Voluntary Registrant fails or refuses, without good cause, to participate in appropriate employability services, carry out job search, or accept an appropriate offer of employment,~~

ORR or its designee may de-register the individual for up to 90 days from the date of determination that such failure or refusal has occurred.

2. Whenever a Mandatory Registrant fails or refuses, without good cause, to participate in an appropriate employment/training program, job interview, or accept an appropriate offer of employment or training, or has voluntarily quit a job, the sanctioning procedure in § 6.8(C) of this Part is required. The sanction is applied only to the individual RCA recipient who fails or refuses to meet the requirements listed above.

3. If the sanctioned individual is the only member of the filing unit, the assistance is terminated.

4. If the filing unit includes other members, the sanctioned individual's needs are not taken into account when determining the filing unit's need for assistance.

#### B. Conciliation Period

1. Prior to the application of a sanction, a conciliation period is provided, as follows:

a. The agency designee responsible for the client provides counseling within ten (10) days after the client's refusal to accept a job or to participate in a training or social service program. The intent of the counseling is to provide the refugee with an understanding of the implications of his/her refusal to accept employment or training, and to encourage the refugee to accept such an opportunity.

b. The refugee's name is then given to the State Refugee Coordinator.

c. The situation is opened to discussion with the agency involved with the client, and recommendations are accepted for referral of the client to a second alternative employment/training or social service program for further counseling.

2. The above procedures are repeated a second time, if necessary, prior to the application of a sanction.

#### C. Application of Sanction

1. If the refugee recipient continues to refuse to accept employment/training or to participate in an employment/training or an employment/training related social service program, a recommendation of sanction is forwarded to the DHS eligibility worker by use of the AP 1000. A Notice of Agency Action is sent at least ten (10) days prior to the discontinuance of eligibility.

2. The sanctioned refugee has a right to a hearing in the same manner as recipients of the regular RIW, Medicaid, and GPA programs. Cash and provided to RCA recipients is discontinued following the ten-day notification period unless a hearing is requested within the ten-day notice period.

3. If the refugee requests a hearing by use of a OHHS 121 within the ten-day notice period, the payment continues until a hearing decision is rendered.

4. If a hearing is not requested, the following sanctioning periods are implemented:

~~a. three (3) payment months for the first occurrence, and~~

~~b. six (6) payment months for the second and subsequent occurrences.~~

~~5. If a hearing is requested after the ten-day notice period, the action is completed and remains in force until the decision is altered and/or reversed at the hearing. The voluntary resettlement agency, is notified of the sanction action taken.~~

~~6. If the refugee decides to accept employment/training during the ten-day notification period and the DHS eligibility worker is so notified by the client's representative by use of the AP 1000 before the end of the ten-day notification period, the assistance can continue without interruption if the client remains otherwise eligible.~~

#### FD. RIW Recipients

1. Refugee recipients of RIW who fail to participate in DHS/ORR employment or DHS RIW employment activities are subject to the RIW employment sanction procedures.

### **6.7 Refugee Requirements for Medicaid (RMA) Medical Assistance**

~~If eligibility for one of the categorical programs — FIP, SSI, or GPA — does not exist, eligibility for Refugee Medical Assistance is then determined only if the applicant has resided in the United States for eight (8) months or less. (See Sec. 0908.)~~

A. Medicaid Eligibility is evaluated first using the MAGI methodology set forth in 210-RICR-30-00-1 and the SSI standards for Community Medicaid in Section 210-RICR-40-00-1.

### **6.8 Fraud Unit Referrals**

A. Fraud referrals are processed through RI Bridges and sent to the Department of Administration (DOA), Fraud Unit who will assign an investigator.

### **6.9 Appeals and Hearing Process (EOHHS Regulation)**

A. The appeals and hearing process is handled as indicated in the rules of the General Provisions of the Executive Office of Health and Human Services (EOHHS) (210-RICR-10-05-2).

~~A. — This coverage group is refugees who have resided in the United States for eight (8) months or less, and who are ineligible for one of the categorical programs due to lack of a characteristic.~~

~~1. — To be eligible for Refugee Medicaid, a refugee must:~~

~~a. — Meet the refugee immigration and identification requirements or be the dependent child of such refugees;~~

~~b. — Meet the non financial requirements and conditions of eligibility for Refugee Cash Assistance (RCA). (Receipt of RCA is not an RMA eligibility requirement);~~

~~c. — Not have been denied or terminated from RCA due to voluntary termination from a job or a refusal of employment;~~

~~d. — Not be full time students except as allowed in 0906.20;~~

~~e. — Be beneficiaries of RCA or, for certain refugees prohibited from receiving a cash payment for a limited period of time, be eligible for some form of RCA.~~

~~2. — affordable care coverage unless he/she is already eligible for Medicaid under the medically-needy category~~

~~B. — Application for Medicaid~~

~~1. — Applications for Medicaid may occur immediately after resettlement and reflect the desire on the part of the resettlement agency/sponsor to be protected against the possibility of high medical costs if major medical needs should arise. Resettlement agency/sponsors are encouraged to apply for Medicaid for refugees on this basis.~~

~~C. — Eligibility Requirements~~

~~1. — The eligibility requirements are the normal requirements of the Medicaid Program contained in Section 0300 et seq.~~

2. Refugees may also qualify for Medicaid under a special coverage group for refugees (See Section 0342.90).

3. The receipt of cash assistance through FIP or RCA is not a requirement for either MA or RMA, as long as the refugee is otherwise eligible.

4. For refugees eligible for RMA, refugees must:

a. Meet the technical requirements for Medicaid eligibility; and,

b. Meet the refugee immigration and identification requirements or be the dependent children of such refugees.

c. Have income and resources within the Medicaid income limits for affordable care coverage; and,

d. If medically needy, have resources within the medically needy resource limits.

D. Extended Medicaid

1. Those persons receiving Rhode Island Medicaid, whose RIW case is discontinued because of employment or increased earnings, may be eligible for up to twelve (12) months extended medical coverage (See Section 0342.50).

RMA/GPA

Refugee individuals or couples who would be eligible for RCA/GPA but who are not receiving a cash payment, are referred to the appropriate GPA Unit for GPA Medical Only.

Medically Needy

RMA/MA Only

Those refugees whose income and resources are within the Medically Needy standards but whose only eligibility for medical coverage is their refugee status are referred to the appropriate MA Unit.

Treatment of Income

In-kind services and shelter provided by a sponsor or resettlement agency are not considered as income to the refugee when determining eligibility for RMA. Direct cash payments to the refugee from a sponsor or a resettlement agency are counted as unearned income.

Scope of Refugee Medical Assistance Services

RMA services are provided in the same manner and to the same extent as under the Rhode Island Medical Assistance program and as part of the refugee medical screening.

Eight Month Limitation for RMA

Receipt of RMA under the characteristic of "refugee" is limited to the first eight (8) months in the United States, beginning with the month the refugee initially entered the United States, or the entrant was issued documentation of eligible status by the Immigration and Naturalization Service.

Any case coded as "refugee/entrant" must be reviewed for eligibility under the normal characteristics of the Rhode Island Medical Assistance Program at the Determination of Continuing Eligibility (DOCE), whenever a change is reported or at any other contact.

#### Extended Medical Coverage

If a refugee who is receiving either RCA and/or RMA becomes ineligible by reason of increased earnings from employment, the refugee's Refugee Medical Assistance is extended, at the same level of care, until the end of the eight month limitation. In cases where a refugee obtains private medical coverage, any payment of RMA for that individual must be reduced by the amount of the third party payment.

#### Termination of Eligibility for RMA

A refugee who is terminated from RCA because of failure or refusal to participate in the employment-related requirements (Section 0906.10 and 0906.20) must also be terminated from RMA. The RMA termination applies only to the sanctioned individual.

#### NOTIFICATION

The sponsor or the resettlement agency will be notified by ORR when a refugee applies for Rhode Island Medical Assistance or Refugee Medical Assistance.

In providing notice to an applicant or a recipient to indicate that assistance has been authorized or that it has been denied or terminated, the notice must specify the program(s) to which the notice applies, clearly distinguishing between Rhode Island Medical Assistance and Refugee Medical Assistance.

Family cases eligible for Refugee Medical Assistance (RMA) only, are accepted on RMA/FIP.

Single individuals or couples who are not Aged, Blind or Disabled and who are eligible for RMA only, are accepted on RMA/GPA.

Those refugees who are not eligible for RMA/FIP or RMA/GPA may be eligible as RMA/Medically Needy. Such applicants must have income and assets within the Medically Needy standards. If eligible, such refugees are accepted on the Medical Assistance Program under the characteristic of "Refugee."

#### Eligibility Under Characteristic of Entrant

The same standards and criteria are applied to entrants as are used to determine eligibility for cash and/or Medical Assistance for refugees.

#### REFERRALS TO THE CATEGORY PROGRAMS

~~Refugee Cash Assistance (RCA) and Refugee Medical Assistance (RMA) cases should be reviewed on a regular basis to ascertain if any changes have occurred which may determine the case eligible for one of the category programs.~~

~~It is particularly important to review those cases to be deleted from RCA/FIP, RMA or RCA/GPA due to the eight (8) month limitation. However, eligibility for GPA, FIP, SSI, or MA from the ninth (9th) month onward, exists only if the applicant meets the eligibility requirements of the specified program.~~

#### ~~Referrals to Medical Assistance~~

#### ~~Refugee Applicants Who Are Ineligible For Cash Assistance For The First Four (4) Months In The United States~~

~~Refugees who are not eligible for cash assistance, either through a categorical program or RCA for the first four months in the United States due to a contractual agreement between the Federal Government and the Sponsoring Agency are, may still be eligible for MA or RMA from their initial date of entry into the United States, as long as they are otherwise eligible for either program. These individuals are identified on an AP-1000.~~

~~Such refugees are referred to MA or RMA depending upon the type of cash assistance they would have been eligible to receive, either under a characteristic of FIP, GPA or SSI or RCA/FIP or RCA/GPA.~~

~~Those whose incomes are in excess of the FIP or GPA standards of need may still be eligible for RMA as Medically Needy, if they have income and resources within the Medically Needy standards.~~

#### ~~Refugee Recipients In The United States Less Than Eight (8) Months~~

~~If a refugee who is receiving RCA becomes ineligible by reason of increased earnings or from employment, his/her Refugee Medical Assistance Medicaid (RMA) is extended until the end of the eight-month limitation (see Section 0908.10). In no instance does eligibility under any refugee provision extend beyond eight (8) months from the date of entry into the United States.~~

#### ~~Refugee Families In The United States For Eight (8) Months~~

~~Eligibility for Medical Assistance Medicaid is determined for those families whose RCA is discontinued due to employment and whose eight (8) months residence expires at the same time.~~

#### ~~Categorically Eligible Families Who Have Resided in the United States Over Eight (8) Months~~

~~Those families whose FIP has been discontinued due to employment are referred to the Medical Assistance Medicaid Program for extended coverage.~~

#### ~~Recording Changes~~

~~A change to the correct program characteristic is required if the case is currently active under the characteristic of "refugee." The special information items continue to be required for all refugee/entrants, regardless of the characteristic.~~

~~indicate:~~

~~the Disposition Hearing Panel's recommendation for public assistance;~~

~~the name of the resettlement agency or the sponsor;~~

~~what assistance, whether cash or in kind, the resettlement agency or sponsor is providing the refugee; and/or~~

~~if the applicant has voluntarily quit employment or refused to accept an offer of employment without good cause within thirty (30) days immediately prior to the date of application. Persons refusing employment without good cause are not eligible for assistance.~~

#### ~~Extended Refugee Medical Assistance~~Medicaid

~~If a single individual refugee, a refugee childless couple, or a refugee family with children, who is receiving either Refugee Cash Assistance (RCA) and/or Refugee Medical Assistance~~Medicaid (RMA) ~~becomes ineligible solely by reason of increased earnings from employment, the recipient(s)'s Refugee Medical Assistance~~Medicaid ~~eligibility is extended until the expiration of the refugee's eighth (8th) month in the United States.~~

~~The level of medical coverage is the same as for those covered under Title XIX and is extended for the specified time period. The Medical Identification Card is the official medical identification.~~

#### ~~ELIGIBILITY FOR SOCIAL SERVICES~~

~~Certain specific services are identified as "Refugee Social Services" or "Targeted Assistance Services." Participation in such services is limited to those who have been in the United States for sixty (60) months or less, and, who have not yet become American citizens. Exceptions to the sixty (60) month limitation are referral and interpreter services.~~

~~Priority for participation in Refugee Social Service programs must be given to refugees receiving Refugee Cash Assistance (RCA, especially newly arriving and recently arrived refugees.~~

#### ~~ORR NOTIFICATION APPLICATIONS/TERMINATIONS~~

~~The DHS/Office of Refugee Resettlement (ORR) is notified of all refugee applications for, and termination of, assistance in the following manner:~~

##### ~~Applicants~~

~~The ORR designee is responsible for compiling a list of all refugees applying for either the regular categorical programs or the specific refugee programs. The DHS/ORR ensures that all new refugee~~



applicants for any form of assistance be reviewed at the weekly Disposition Hearing to ensure service coordination (see Section 0906.40).

#### Termination of Eligibility

The ORR designee also compiles a list of all applicants found ineligible, closed to eligibility, or removed from the assistance payment. This is accomplished by use of the AP-1000, the ORR Data Base and the InRhodes System.

#### DISPOSITION HEARINGS

The INA, Section 412(a)(6)(B) and the March 1, 1984 DHS/ORR Statement of Program Goals, Priorities and Standards mandate that a process for the periodic redetermination of recipient eligibility be established and maintained. In order to comply with the Federal Regulations, a portion of the eligibility redetermination review is used as an assessment of a recipient's efforts to participate in an appropriate social service program, complemented by an employment and/or training program, in addition to his/her willingness to accept an appropriate offer of employment during a benefit period.

#### Composition of the Review Panel

All refugees who are applicants for or recipients of assistance are reviewed by a panel composed of representatives of refugees and DHS/ORR designees. This review is a Disposition Hearing.

#### Purpose of the Disposition Hearing

The purpose of the disposition hearing is to make recommendations to DHS on the eligibility determinations of RCA applicants, and to ensure referral to and coordination of appropriate social service programs for each refugee applicant.

#### Disposition Hearing Procedure

The following is the Disposition Hearing procedure:

A list of all refugee applicants/recipients is compiled by the ORR designee. The list is reviewed by the DHS/ORR Office, State Coordinator, and then sent to the Disposition Hearing for review and service coordination. The ORR State Coordinator reviews the case list no later than three (3) working days prior to the date of the next hearing. For example, if the Disposition Hearing is held on a Wednesday, the list of refugee cases is reviewed by the ORR State Coordinator no later than the previous Friday.

Upon consultation and approval by ORR, the ORR designee notifies the representatives of each applicant of the requirement to attend the Disposition Hearing. The Disposition Hearing is chaired by the ORR designee who sets the agenda in consultation with ORR staff. A copy of the agenda is forwarded to ORR.

During the Disposition hearing, the ORR designee initiates an AP-1000 form for all under eight months RCA and/or RMA eligible cases. The AP-1000 form includes the following information:

~~The name of the resettlement service agency serving as the primary provider for a given case (including the name of the designated or responsible person from that agency), and if any income is being received from the resettlement agency or the sponsor;~~

~~The recommendation for financial assistance;~~

~~The recommendation for medical assistance Medicaid which should reflect the recommendation for financial assistance; However, if a refugee is not requesting or is not eligible to receive cash assistance, the recommendation indicates the level of Medical Assistance Medicaid or RMA, either Categorically, (FIP, Poverty Level, Rite Care, GPA, Aged, Blind, Disabled, or RMA/FIP, RMA/GPA) or Medically Needy.~~

~~The type of employment program participation required of the refugee;~~

~~The notification that the six (6) month Determination of Continuing Eligibility (DOCE) is due; and,~~

~~The determination of whether or not the client is complying with the Job Search requirements, listed in Section 0906.25.05.~~

~~The AP-1000 form is sent to the appropriate eligibility technician with a recommendation to approve or deny the application of RCA or to sanction the case (see Section 0802).~~

~~A copy of the signed AP-1000 form, with the determination of eligibility, is returned to the ORR designee by the casework supervisor or supervising eligibility technician.~~

~~The ORR designee is responsible:~~

~~For copying and distributing the completed AP-1000 to ORR, to the primary service provider for each case, and to the refugee's sponsoring agency or case manager; and,~~

~~To report to the ORR State Coordinator on the current status of each case (i.e., acceptance or rejection of a refugee by a service program, or refusal by a refugee to participate in an employment or training program).~~

~~The state-appointed employment or case management agency will certify, on behalf of the refugee, that s/he is in compliance with job search requirement by using the AP-1000.~~

~~Refugees not enrolled and/or participating in a program are scheduled to be reviewed at the next Disposition Hearing, at which time either recommendations for an alternative service are made to the client or sanctioning is initiated.~~

## ~~SCOPE OF REFUGEE SOCIAL SERVICES~~

~~A State must use its Social Services grant money primarily for employability services designed to enable refugees to obtain jobs with less than one year's participation in services in order to become self-sufficient as soon as possible. Grant money may not be used for projects that are not intended to lead to employment within a year.~~

~~Social Services may continue to be provided after a refugee has entered a job to help the refugee retain employment or advance to a better job.~~

~~Client priorities for services are established as below:~~

~~All newly arriving refugees during their first year in the United States;~~

~~Refugees who are receiving cash assistance;~~

~~Unemployed refugees who are not receiving cash assistance; and~~

~~Employed refugees in need of services to retain employment or to attain economic independence.~~

~~The State must ensure that women have the same opportunities as men to participate in all services funded under this part, including job placement services.~~

~~Employability Services available to refugees include the following:~~

~~Employability Services, which may be provided include development of an individual employability plan, world of work and job orientation, job clubs, job workshops, job development, referral to job opportunities, job search, and job placement and follow up.~~

~~Employability Assessment Services, including aptitude and skills testing may be provided.~~

~~On-the-Job Training may be provided when such training is provided at the employment site and is expected to result in full-time permanent, unsubsidized employment with the employer who is providing the training.~~

~~English Language Instruction must emphasize English as it relates to obtaining and retaining a job. Such English Language Instruction should be provided outside normal working hours, whenever feasible. ESL must be concurrent, rather than sequential, with employment or employment-related services.~~

~~Vocational Training may include such items as driver education and training, when such items are provided as part of an individual employability plan. Such training should be provided outside normal working hours whenever feasible.~~

~~Skills Recertification, as defined in Section 0906.25.10.~~

~~Child Care, when necessary for participation in an employability service or for the acceptance or retention of employment.~~

~~Transportation, when necessary for participation in an employability service.~~

~~Translation and Interpreter Services, when necessary in connection with employment or participation in an employability service.~~

~~Case Management Services are available to refugees who are considered employable and to refugee recipients of FIP and GPA who are considered employable, provided that such services are directed toward a refugee's attainment of employment as soon as possible after arrival in the United States.~~

~~Refugee-specific services must be provided, except in the case of vocational or job skills training, or ESL, which are specifically designed to meet refugee needs and are in keeping with the rules and objectives of the refugee program.~~

~~Services must be provided to the maximum extent feasible in a manner that is culturally and linguistically compatible with a refugee's language and cultural background.~~

~~Services must be provided in a manner which includes the use of bilingual/bicultural women on service-agency staffs to ensure adequate service access by refugee women.~~

~~A family self-sufficiency plan must be developed for anyone who receives employment-related services.~~

~~The State may provide any additional services designed to strengthen the ability of refugee individuals, families, and refugee communities to achieve and maintain economic self-sufficiency, family stability, and community integration.~~

~~Other services available to refugees include the following:~~

~~Information and Referral Services:~~

~~Outreach Services, including activities designed to familiarize refugees with available services.~~

~~Social Adjustment Services, as follows:~~

~~—Emergency Services, including 1) assessment and short-term counseling to persons in a perceived crisis; 2) referral to appropriate resources; and 3) the planning of arrangement for necessary services.~~

~~—Health-Related Services, including 1) information and referral to appropriate resources; 2) assistance in scheduling appointments and obtaining services; and 3) counseling to individuals or families to help them understand and identify their physical and mental health needs and maintain or improve their physical and mental health.~~

~~—Home Management Services, including 1) formal or informal instruction to individuals or families in management of household budgets; and 2) home maintenance, nutrition, housing standards, tenants' rights and other consumer education services.~~

~~—Child Care, Transportation, and Translation and Interpreter Services may be provided when necessary for participation in a service other than an employability service.~~

~~—Case Management Services when necessary for a purpose other than in connection with employment or participation in an employability service.~~

~~Sanctions~~

A. ~~Sanctioning requirements for failure or refusal to carry out Job Search or to accept Employability Services or employment are as follows:~~

1. ~~Whenever a Voluntary Registrant (as defined in Section 0906.20) fails or refuses, without good cause, to participate in appropriate employability services, carry out job search, or accept an appropriate offer of employment, ORR or its designee may de-register the individual for up to 90 days from the date of determination that such failure or refusal has occurred.~~

2. ~~Whenever a Mandatory Registrant (as defined in Section 0906.20) fails or refuses, without good cause, to participate in an appropriate employment/training program, job interview, or accept an appropriate offer of employment or training, or has voluntarily quit a job, the sanctioning procedure in Section is required. The sanction is applied only to the individual RCA recipient who fails or refuses to meet the requirements listed above.~~

3. ~~If the sanctioned individual is the only member of the filing unit, the assistance is terminated.~~

4. ~~If the filing unit includes other members, the sanctioned individual's needs are not taken into account when determining the filing unit's need for assistance.~~

~~A person who is sanctioned from RCA due to the reasons listed, must also be terminated from RMA. (See Section 0908.10.15).~~

B. ~~Conciliation Period~~

1. ~~Prior to the application of a sanction, a conciliation period is provided, as follows:~~

a. ~~The agency designee responsible for the client provides counseling within ten (10) days after the client's refusal to accept a job or to participate in a training or social service program. The intent of the counseling is to provide the refugee with an understanding of the implications of his/her refusal to accept employment or training, and to encourage the refugee to accept such an opportunity.~~

b. ~~The refugee's name is then placed on the agenda for the next scheduled Disposition Hearing.~~

c. ~~The situation is opened to discussion, and recommendations are accepted for referral of the client to a second alternative employment/training or social service program for further counseling.~~

2. ~~The above procedures are repeated a second time, if necessary, prior to the application of a sanction.~~

C. ~~Application of Sanction~~

1. ~~If the refugee recipient continues to refuse to accept employment/training or to participate in an employment/training or an employment/training related social service program, a recommendation of sanction is forwarded to the DHS eligibility worker by use of the AP 1000. A Notice of Agency Action is generated through INRHODES at least ten (10) days prior to the discontinuance of eligibility.~~

2. ~~\_\_\_\_\_ The sanctioned refugee has a right to a hearing in the same manner as recipients of the regular FIP, MA, and GPA programs. Cash and Medical Assistance provided to RCA recipients is discontinued following the ten-day notification period unless a hearing is requested within the ten-day notice period.~~

3. ~~\_\_\_\_\_ If the refugee requests a hearing by use of a DHS-121 within the ten-day notice period, the payment continues until a hearing decision is rendered.~~

4. ~~\_\_\_\_\_ If a hearing is not requested, the following sanctioning periods are implemented:—~~

a. ~~\_\_\_\_\_ three (3) payment months for the first occurrence, and—~~

b. ~~\_\_\_\_\_ six (6) payment months for the second and subsequent occurrences.~~

5. ~~\_\_\_\_\_ If a hearing is requested after the ten-day notice period, the action is completed and remains in force until the decision is altered and/or reversed at the hearing. The refugee's sponsor, or the voluntary resettlement agency when there is not a sponsor, is notified of the sanction action taken.~~

6. ~~\_\_\_\_\_ If the refugee decides to accept employment/training during the ten-day notification period and the DHS eligibility worker is so notified by the client's representative by use of the AP-1000 before the end of the ten-day notification period, the assistance can continue without interruption if the client remains otherwise eligible.~~

#### ~~D. \_\_\_\_\_ FIP Recipients—~~

1. ~~\_\_\_\_\_ Refugee recipients of FIP who fail to participate in DHS/ORR employment or DHS FIP employment activities are subject to the FIP employment sanction procedures.~~

### ~~RHODE ISLAND MEDICAL ASSISTANCE~~

#### ~~Application for Medical Assistance (MA)~~

~~Applications for Medical Assistance (MA) may occur immediately after resettlement and reflect the desire on the part of the resettlement agency/sponsor to be protected against the possibility of high medical costs if major medical needs should arise. Resettlement agency/sponsors are encouraged to apply for MA for refugees on this basis.~~

#### ~~Eligibility Requirements~~

~~The eligibility requirements are the normal requirements of the Medical Assistance Program contained in Section 0300 et seq.~~

~~Refugees may also qualify for Medical Assistance under a special coverage group for refugees (See Section 0342.90).~~

~~The receipt of cash assistance through FIP or RCA is not a requirement for either MA or RMA, as long as the refugee is otherwise eligible.~~

#### ~~Extended Medical Assistance~~

~~Those persons receiving Rhode Island Medical Assistance, whose FIP or Section 1931 MA case is discontinued because of employment or increased earnings, may be eligible for up to eighteen (18) months extended medical coverage (See Section 0342.50).~~

#### ~~REFUGEE MEDICAL ASSISTANCE PROGRAM~~

~~Eligibility for Refugee Medical Assistance (RMA) is limited to those refugees who are ineligible for Medical Assistance due to a lack of a characteristic. Applications for those refugees requesting only Refugee Medical Assistance (RMA) are processed according to the following procedures.~~

~~The RI Medical Assistance program provides for two levels of service, either Categorically or Medically Needy, depending on the applicants' income and resources.~~

~~For refugees eligible for RMA, the general requirements for the Categorical and Medically Needy level of services are listed below.~~

~~For both the Categorically and Medically Needy level of service, refugees must:~~

~~Meet the technical requirements for Medical Assistance eligibility; and,~~

~~Meet the non-financial requirements and conditions of eligibility for RCA. However, receipt of RCA is not an eligibility condition for RMA.~~

~~Meet the refugee immigration and identification requirements or be the dependent children of such-refugees.~~

~~Not have been denied or discontinued from Refugee Cash Assistance (RCA) due to the voluntary termination from a job or a refusal of employment (see Section 0906.10 and 0906.20).~~

~~Not be full-time students, except as allowed in Section 0906.20.~~

#### ~~For Categorically Needy~~

~~Meet the general requirements for RMA listed above; and,~~

~~Have income and resources within the Categorically Needy limits; and,~~

~~Be recipients of RCA/FIP or RCA/GPA or for certain refugees who are prohibited from receiving a cash-payment for a limited period of time, would be eligible for some form of RCA.~~

#### ~~For Medically Needy~~

~~Meet the general requirements for RMA listed above; and,~~

~~Have income and resources within the MA Medically Needy income and resource limits.~~

~~At the Disposition Hearing, the AP-1000, Refugee Registration for Public Assistance, is completed to note the correct level of service, as follows:~~

#### ~~Categorically Needy RMA/FIP~~

~~Refugee families who would be eligible for RCA/FIP but who are not receiving a cash payment, are referred to the appropriate FIP/MA Unit.~~

#### ~~RMA/GPA~~

~~Refugee individuals or couples who would be eligible for RCA/GPA but who are not receiving a cash payment, are referred to the appropriate GPA Unit for GPA Medical Only.~~

#### ~~Medically Needy~~

#### ~~RMA/MA Only~~

~~Those refugees whose income and resources are within the Medically Needy standards but whose only eligibility for medical coverage is their refugee status are referred to the appropriate MA Unit.~~

#### ~~Treatment of Income~~

~~In-kind services and shelter provided by a sponsor or resettlement agency are not considered as income to the refugee when determining eligibility for RMA. Direct cash payments to the refugee from a sponsor or a resettlement agency are counted as unearned income.~~

#### ~~Scope of Refugee Medical Assistance Services~~

~~RMA services are provided in the same manner and to the same extent as under the Rhode Island Medical Assistance program and as part of the refugee medical screening.~~

#### ~~Eight Month Limitation for RMA~~

~~Receipt of RMA under the characteristic of "refugee" is limited to the first eight (8) months in the United States, beginning with the month the refugee initially entered the United States, or the entrant was issued documentation of eligible status by the Immigration and Naturalization Service.~~

~~Any case coded as "refugee/entrant" must be reviewed for eligibility under the normal characteristics of the Rhode Island Medical Assistance Program at the Determination of Continuing Eligibility (DOCE), whenever a change is reported or at any other contact.~~

#### ~~Extended Medical Coverage~~

~~If a refugee who is receiving either RCA and/or RMA becomes ineligible by reason of increased earnings from employment, the refugee's Refugee Medical Assistance is extended, at the same level of care, until the end of the eight month limitation. In cases where a refugee obtains private medical coverage, any payment of RMA for that individual must be reduced by the amount of the third party payment.~~

#### ~~Termination of Eligibility for RMA~~



~~A refugee who is terminated from RCA because of failure or refusal to participate in the employment-related requirements (Section 0906.10 and 0906.20) must also be terminated from RMA. The RMA termination applies only to the sanctioned individual.~~

#### ~~NOTIFICATION~~

~~The sponsor or the resettlement agency will be notified by ORR when a refugee applies for Rhode Island Medical Assistance or Refugee Medical Assistance.~~

~~In providing notice to an applicant or a recipient to indicate that assistance has been authorized or that it has been denied or terminated, the notice must specify the program(s) to which the notice applies, clearly distinguishing between Rhode Island Medical Assistance and Refugee Medical Assistance.~~

#### ~~REPORTING REQUIREMENTS~~

##### ~~REPORTING REQUIREMENTS FOR REFUGEE/ENTRANT——~~

~~The information listed in Sections 0910.10 through 0910.25 is required for all refugees regardless of the length of time in the United States. These sections provide special information items to be recorded through INRHODES.~~

##### ~~ALIEN/REFUGEE PANEL~~

~~This panel is used to establish a deprivation factor of Refugee for AFDC, when the categorical factors of death, absence, incapacity or unemployment, are not applicable.~~

~~Items to be completed include the following: Item 1—Person Name~~

~~INRHODES automatically inserts the name of the head of the household. This name can be changed but it must match exactly the name of a household member.~~

~~Item     2—     Country of Origin~~

<del>01</del>	<del>Gambodia</del>	<del>07</del>	<del>Near East (Iran,</del>
<del>02</del>	<del>Laos</del>		<del>Iraq, Afghanistan)</del>
<del>03</del>	<del>Hmong</del>	<del>08</del>	<del>Latin America</del>
<del>04</del>	<del>Vietnam</del>	<del>09</del>	<del>Africa</del>
<del>05</del>	<del>Soviet Union</del>	<del>99</del>	<del>Other</del>
<del>06——</del>	<del>Eastern Europe</del>		

~~(Romania, Czechoslovakia, Poland, Hungary, Bulgaria, Yugoslavia, East Germany, Albania)~~

~~Item 3—Alien Registration Number~~

~~Enter the A Number as the letter "A" followed by the correct seven or eight digits.~~

~~Item 5—Alien/Refugee~~

~~Enter the letter "R" for Refugee or Entrant.~~

~~Item 6—INS Verify (Y/N)~~

~~Verification that the person corresponds to the entered Alien Registration Number.~~

~~Item 7—Entry Date (MM-DD-YY)~~

~~Enter the date of entry into the United States.~~

~~For further information, see the INRHODES Manual.~~

#### ~~AP-57B REQUIREMENTS~~

~~Item 16—Payment to Vendor and Recipient~~

~~This item is used to identify refugees, who have resided in the United States not longer than eight (8) months, and who are also SSI recipients. This item must include the following information:~~

~~The designation "Refugee"; Country of Origin code;~~

<del><b>A</b></del>	<del><b>Cambodia</b></del>	<del><b>G</b></del>	<del><b>Near East (Iran, Iraq,</b></del>
<del><b>B</b></del>	<del><b>Laos</b></del>		<del><b>Afghanistan)</b></del>
<del><b>C</b></del>	<del><b>Hmong</b></del>	<del><b>H</b></del>	<del><b>Latin America</b></del>
<del><b>D</b></del>	<del><b>Vietnam</b></del>	<del><b>I</b></del>	<del><b>Africa</b></del>
<del><b>E</b></del>	<del><b>Soviet Union</b></del>	<del><b>J</b></del>	<del><b>Cuba</b></del>
<del><b>F</b></del>	<del><b>Eastern Europe</b></del>	<del><b>K</b></del>	<del><b>Haiti</b></del>

(Romania, Czechoslovakia, Poland, Hungary, Bulgaria, Yugoslavia, East Germany, Albania) and, the Date of entry in MM-DD-YY format.

#### GPA-57 REQUIREMENTS

If a refugee/entrant has not been in this country eight (8) months, such a person is eligible as a refugee without meeting the characteristics of GPA. Write the country of origin in the upper right hand margin of the GPA-57. — In Item A., 6., write the month, day and year of entry and indicate the case status as "Refugee."

The country of origin and the date of entry (month, day and year) into the United States are recorded from the I-94 card in all cases regardless of the length of time a refugee has resided in the United States.

If the person is categorically eligible to receive GPA and has resided in the United States less than eight (8) months, the same data as above must be entered on the GPA-57 to identify the case as eligible for Federal reimbursement.

#### AP-757 REQUIREMENTS

Follow the general instructions for completing the AP-757, Authorization for Medical Assistance. — All pertinent information must be entered in Sections A, B and C.

In Section B, Recipient Information Area, each recipient of Medical Assistance must be assigned an eligibility code.

#### Characteristically Eligible

For a refugee who has a standard Medical Assistance characteristic and who has resided in the United States for less than eight months, select and write in the appropriate Eligibility Code from the list in Item 7 and the correct Group Identifier Code in Item 8.

In addition, the following items must be completed:

Item 12, Citizenship/Immigration or Alien Status; Item 13, Ethnic Code; and,

Item 14, Date of Entry, must be completed.

#### Refugee Medical Assistance Only

A refugee may be eligible without a characteristic for eight months from the date of entry into the United States.

However, such refugee must meet all other requirements of the Medical Assistance Program and must have income and resources within the Medically Needy standards. — Enter code "J" in Item 7 to indicate an applicant whose only basis for eligibility is his/her refugee status. — In addition, Items 8, 12, 13 and 14, as above, must be completed.

~~This information, along with the country of origin and the name of the resettlement agency, must also be noted on the district control file.~~

~~After the eight month limit, such refugee must meet all the characteristics of Rhode Island's Medical Assistance Program for eligibility to continue.~~

#### ~~Federal Reimbursement~~

~~For a categorically eligible individual or family, federal reimbursement extends for a limited period of time from the date of entry into the United States.~~

~~For a refugee eligible for Refugee Medical Assistance only, federal reimbursement extends for eight months from the refugee's date of entry into the United States.~~

#### ~~Refugee No Longer Eligible~~

~~When a refugee is no longer eligible for Refugee Medical Assistance, enter code 07, "No longer eligible under Refugee Status" in Item 10 of Section B, in addition to the other items needed when closing a recipient or a case, as appropriate.~~