State of California—Health and Human Services Agency
Department of Health Services

California
Department of
Health Services

SANDRA SHEWRY
Director

ARNOLD SCHWARZENEGGER
Governor

February 17, 2005

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY ADMINISTRATIVE OFFICERS
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS
ALL COUNTY MENTAL HEALTH DIRECTORS
ALL COUNTY MEDS LIAISONS

Letter No.: 05-03

SUBJECT: Trafficking Victims Protection Reauthorization Act of 2003
Reference: All County Welfare Directors Letters No.: 01-49E

The purpose of this letter is to inform you that Victims of a Severe Form of Trafficking will continue to receive federally funded benefits and services to the same extent as refugees.

The Trafficking Victims Protection Reauthorization of 2003 (Pub. L. No. 108-193) reauthorizes and amends the original Act granting trafficking victims refugee benefits and services.

Effective December 19, 2003, certain family members are also eligible for these benefits. Individuals who are awarded Derivative T Visas (T-2, T-3, T-4 or T-5) are eligible for refugee cash and medical assistance, TANF, Medicaid and Food Stamps provided they are otherwise eligible.

If an individual is awarded a Derivative T Visa and is under 21 years of age on the date the T Visa application is filed, the Derivative T Visas are available to the individual's spouse, children, unmarried siblings under 18 years of age on the date of application, and parents. If the individual is over 21 years of age, the Derivative T Visas are available to the individual's spouse and children.

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Sacramento, CA, 95899-7417
(916) 552-9430 Fax (916) 552-9478

Application for Benefits:

1. When a Derivative T Visa Holder applies for CalWORKs, Medi-Cal, Food Stamps, Refugee Cash Assistance or Refugee Medical Assistance, or any other federally administered public assistance programs, follow normal procedures for determining eligibility as you would for other refugees except that now you can accept the non-immigrant T-2, T-3, T-4, or T-5 Visas.

2. Call the toll-free Trafficking Verification Line at (866) 401-5510 to notify the federal Office of Refugee Resettlement of the benefits for which the individual has applied.

3. Date of Entry for Eight-month Refugee Medical Assistance benefits is:

   a. For an individual who enters the United States on the basis of a Derivative T Visa, the Date of Entry is the one that is stamped on their passport or I-94 Arrival Record.

   b. For an individual who is already present in the United States with a Derivative T Visa, the Date of Entry is the Notice Date on the I-797, Notice of Action of approval of the Visa.

4. For purposes of refugee tracking on the Medi-Cal Eligibility Data System, enter the Refugee/Alien Indicator Code of "R" as for Victims of Severe Forms of Trafficking.

If you have any questions, please contact Ms. Elena Lara at (916) 552-9513.

Original signed by

Tameron Mitchell, R.D., M.P.H., Chief
Medi-Cal Eligibility Branch