

## DEPARTMENT OF HEALTH SERVICES

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November 13, 1990

Letter No.: 90-95

TO: ALL COUNTY WELFARE DIRECTORS  
ALL COUNTY ADMINISTRATIVE OFFICERS

SUBJECT: REFUGEE/ENTRANT MEDICAL ASSISTANCE PROGRAM

REFERENCE: All-County Welfare Directors' Letter 89-83

On July 1, 1989, final federal regulations for the Refugee Resettlement Program became effective. These regulations complete the issuance of Refugee Resettlement Program requirements. The final regulations revised Code of Federal Regulations, Chapter 45, Part 400.

The Office of Refugee Resettlement (ORR) established these regulations which set forth the requirements for receipt of Refugee Cash Assistance (RCA), employment services, Refugee Medical Assistance (RMA), and refugee social services. The final regulations include provisions which are already in effect as part of current refugee programs, and add a new regulation to provide transitional RMA to eligible refugees.

Cuban/Haitian Entrants

Federal RMA regulations, and thus, the rest of this All County Welfare Director's Letter, apply to Cuban/Haitian entrants too. The regulations refer to their medical assistance program as Entrant Medical Assistance (EMA).

RMA eligibility requirements

Under these ORR regulations, all RCA recipients are automatically eligible for RMA, but application for or receipt of RCA is not a condition of RMA eligibility. Refugees can also apply for "RMA-Only" benefits. Eligibility for RMA-Only is limited to individuals who meet the following requirements:

- (1) Are ineligible for Medi-Cal for lack of linkage, but meet all other eligibility requirements, such as property limits, state residence, cooperation, institutional status, etc.;

- (2) meet a definition contained in the state Department of Social Services' Manual of Policy and Procedures (MPP), for either "refugee" (MPP Sections 69-203.1 and 69-203.2), "children of refugees" (MPP Section 69-203.3), or "entrant" (MPP Sections 69-301 through 69-305);
- (3) have not been denied or terminated from RCA for failure or refusal to comply with registration, employment, education or training requirements of MPP Section 69-208;
- (4) provide the name of the agency which resettled them; and,
- (5) are not full-time students in institutions of higher education, as defined by MPP Section 69-206.51, except where such enrollment is part of an employability plan developed by a county welfare department or its designee per MPP Sections 69-206.52, 69-206.53 or 69-206.54, or is part of a plan for an unaccompanied minor meeting the requirements of MPP Sections 69-213.23 or 69-213.62.

To determine RMA-Only financial eligibility, use the income and property standards for Medi-Cal (Title 22, California Code of Regulations, Articles 4-13). Do not consider in-kind services and shelter provided to a refugee by a sponsor or resettlement agency.

Promptly notify the resettlement agency whenever a refugee applies for RMA-only. If you notify the resettlement agency by phone, please be sure to note the contact in the case file. (Note: Attached to this All County Welfare Directors' Letter are copies of all MPP sections cited above. Keep in mind that MPP sections are subject to change by the Department of Social Services. Refer to a current copy of the MPP manual for future references to this material).

#### Transitional RMA Benefits

Continue the zero share-of-cost RMA eligibility of refugees discontinued from RCA solely because of increased earnings from employment. These refugees are eligible for Transitional RMA for four months or until they reach the end of their 12-month RMA time-eligibility period, whichever comes first. If RCA is discontinued for another reason or if eligibility for Transitional RMA ends prior to the twelfth month of time-eligibility, evaluate the refugees' eligibility for Medi-Cal and RMA Only, in that order, before terminating the transitional or cash-based RMA benefits. In any case, RMA eligibility cannot exceed the 12 months of time-eligibility discussed in All County Welfare Directors' Letter 89-83.

All County Welfare Directors  
All County Administrative Officers  
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Notice of Action Requirements

Since eligibility for Medi-Cal and RMA are mutually exclusive, be sure to specify each program by its proper name in your notices of action. For example, if a refugee is determined ineligible for Medi-Cal but eligible for RMA, the notice must specify clearly the determinations with respect to both Medi-Cal and RMA. We are currently preparing notices for these purposes and we will discuss them with the County Welfare Director's Medi-Cal Forms Committee by the end of the year.

MEDS Requirements

Report transitional RMA to MEDS in this manner: When discontinuing refugees from RCA because of increased earnings from employment, transfer them to aid code 02 if they are eligible for transitional RMA. Flag these cases for termination of the transitional RMA four months after RCA ends or when they reach the end of their 12-month RMA time-eligibility period, whichever comes first.

Grant retroactive eligibility for transitional RMA to individuals discontinued from RCA who would have been eligible for continued benefits on or after July 1, 1989 under the new rules. Do so when these cases come to your attention. We will provide additional instruction on granting retroactive benefits to eligible refugees early in 1991. Please implement these changes as soon as possible but no later than December 1, 1990. We will prepare state regulations in the future.

We apologize for the delay in transmitting this letter to you. If we may be of further assistance regarding RMA policy, please call John Zapata at (916) 322-6238, ATSS 8-492-6238. Call Shirley Deasy on matters related to MEDS at (916) 445-1969, ATSS 8-485-1969.

Sincerely,

ORIGINAL SIGNED BY

Frank S. Martucci, Chief  
Medi-Cal Eligibility Branch

Enclosure

69-203	REFUGEE PROGRAMS REFUGEE RESETTLEMENT PROGRAM	Regulations
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69-203 DEFINITIONS

69-203

- .1 For purposes of determining eligibility for cash and medical assistance and social services under RRP, the following persons have been identified by the Federal Government as meeting the definition of a refugee:
  - .11 An individual from Cambodia, Laos, or Vietnam who was paroled under Section 212(d)(5) of the Immigration and Nationality Act (INA), and who possesses a Form I-94 indicating that parole status. If the Form I-94 was issued on or after June 1, 1980, it must clearly indicate that the person has been paroled as a refugee or anyone who has been granted asylum (asylee).
  - .12 An individual from Cuba who entered the United States on or after October 1, 1978, and was paroled under Section 212(d)(5) of the INS as is indicated on Form I-94. If the Form I-94 was issued on or after April 21, 1980, it must clearly indicate that the person has been paroled as a refugee or asylee.
  - .13 An individual from any country other than Cambodia, Laos, Vietnam or Cuba who was paroled under Section 212(d)(5) of the INA as a refugee, asylee or under "Parole Program" as indicated on Form I-94.
  - .14 An individual from any country admitted as a conditional entrant, prior to April 1, 1980, under Section 203(a)(7), of the INA as is indicated on Form I-94. All persons with this status are defined as refugees.  
  
Conditional entry status under Section 203(a)(7) is not related to the status which INS has granted to certain "Cuban/Haitian Entrants" who are not eligible under RRP. (Refer to Chapter 69-300.)
  - .15 An individual from any country admitted as a refugee under Section 207 of the INA as indicated on Form I-94.
  - .16 An individual from any country who has been granted asylum under Section 208 of the INA as indicated on Form I-94.
  - .17 An individual from any country who is now a permanent resident alien as indicated by a Form I-151 or I-551 (Resident Alien forms), who previously held one of the statuses specified in Section .11 through .16 above. The person must provide sufficient documentation to substantiate that he/she held one of these statuses prior to the adjustment of his/her status to that of resident alien.

	REFUGEE PROGRAMS	
Regulations	REFUGEE RESETTLEMENT PROGRAM	69-203 (Cont.)

69-203 DEFINITIONS (Continued) 69-203

.2 For purposes of determining eligibility for assistance and social services under RRP, the term "refugee" does not include:

.21 Any person with an INS status of 1) applicant for asylum (as distinguished from a person who has been granted asylum) or 2) Cuban/Haitian Entrant.

.22 Those persons who are 1) actually dependent upon a repatriated United States citizen, except as provided in 69-203.221, and 2) who meet one of the following categories of relationship with such citizen: spouse, parents, grandparents, unmarried minor (under 18 years), children including adopted children and stepchildren, unmarried adult children who are dependent because they are handicapped, including adopted children and stepchildren, spouse's parents, spouse's grandparents and minor siblings of the repatriate and spouse. Repatriated United States citizens and their dependents as defined above are included in the Repatriate program. (See MPP Division 68.)

.221 Following the first 90 days after date of entry in the United States, those dependents of repatriated United States citizens who qualify as refugees are eligible to apply under the RRP.

.3 Children of Refugees

.31 In a number of cases, children have been born in the United States to refugee parents, or have been born to a refugee and a United States citizen. These children are considered to be United States citizens by birth. However, under the following circumstances, such children are eligible for assistance (AFDC, SSI/SSP, RDP, RCA, and medical assistance) and social services funded under RRP:

.331 Children born in the United States of refugee parents are eligible for cash and medical assistance and social services through RRP. Such children are to be included in the parent's case.

.312 Children who are born of a refugee and a United States citizen, who are living with the aided refugee parent only, can be aided through RRP. Such children are to be included in the refugee parent's case.

.32 United States citizen children born of a refugee and a United States citizen are not eligible for assistance or services funded by RRP if the household unit includes the United States citizen parent. In these situations, the refugee parent if eligible may receive RRP funded assistance (AFDC, SSI/SSP, RDP, RCA and/or medical assistance) and social services; and the United States citizen parent and the children if eligible may be aided under the regular (non-RRP funded) AFDC, SSI/SSP, medical assistance and/or social services programs.

REFUGEE PROGRAMS	
69-203 (Cont.)	REFUGEE RESETTLEMENT PROGRAM Regulations

69-203 DEFINITIONS (Continued) 69-203

- .33 In any household unit consisting of a refugee and a nonrefugee alien, the "nonrefugee alien" should be considered as the "United States citizen" for purposes of Sections 69-203.31 and .32.
- .34 Children of refugees who are relinquished for foster care placement shall have their eligibility for AFDC-FC determined in accordance with AFDC-FC regulations.
- .35 Minor refugee children for whom no legal relationship has been established with an adult, shall be referred to the appropriate local county government agency to establish that relationship.

#### .4 Cash Assistance

- .41 For purposes of determining eligibility for RCA, RCA means cash assistance provided to refugees who have been determined to be ineligible for AFDC or SSI/SSP and who have resided in the United States for no longer than the period of time required by federal regulations contained in 45 CFR Sections 400 et seq. or official issuances from the Director of the Federal Office of Refugee Resettlement.

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#### HANDBOOK BEGINS HERE

- .411 Federal regulations, effective October 1, 1988, set RCA time eligibility at 12 months (45 CFR Sections 400.2, 400.5, 400.203, 400.204, and 400.209).

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#### HANDBOOK ENDS HERE

- .42 For purposes of determining eligibility for RDP assistance, RDP means cash assistance provided to time-eligible refugee families who would otherwise be eligible for federal AFDC and who meet the requirements of Sections 69-204.3 and 69-206.

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#### HANDBOOK BEGINS HERE

RDP is provided under the authority of Public Law 98-473, Amendment 6965 (8 USC Section 1522(e)(7)) and required under Welfare and Institutions Code Section 13200. Certain refugee families applying for assistance and determined eligible for federal AFDC benefits must participate in RDP rather than AFDC. RDP provides cash assistance, based upon the AFDC payment standard, and a strong support service element designed to accelerate refugee acculturation and the development of employment skills.

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#### HANDBOOK ENDS HERE

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#### CALIFORNIA-SDSS-MANUAL-SP

MANUAL LETTER NO. SP-88-04

Effective 12/14/88

Rev. 53 replaces Rev. 33

69-206 (Cont.)	REFUGEE PROGRAMS REFUGEE RESETTLEMENT PROGRAM	Regulations
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69-206	ELIGIBILITY FOR REFUGEE DEMONSTRATION PROJECT (RDP) OR REFUGEE CASH ASSISTANCE (RCA) (Continued)	69-206
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.313 Married couples without children shall be in the same assistance unit.

.314 Unemancipated minor refugees shall not be established in their own assistance unit.

.4 Income Eligibility Exceptions

Income eligibility determinations shall be made in accordance with AFDC regulations except the \$30 and 1/3 or, as applicable, the \$30 disregard and sponsored alien provisions shall not apply in determining net nonexempt income.

.5 Full-time Student in an Institution of Higher Education

.51 Full-time students in a college program in an institution of higher education are not eligible for RCA or RDP.

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

- (a) 12 semester hours or 12 quarter hours per academic term in those institutions using standard semester, trimester or quarter hour systems;
- (b) 24 semester hours or 36 quarter hours per academic year for institutions using credit hours to measure progress but not using semester, trimester or quarter systems, or the prorated equivalent for programs of less than one academic year;
- (c) 24 clock hours per week for institutions using clock hours;
- (d) The following formula for those institutions using both credit and clock hours: If the sum of the following fractions is equal to or greater than one - the number of credit hours per term divided by 12 plus the number of clock hours per week divided by 24;
- (e) A series of courses or seminars which equal 12 semester hours or 12 quarter hours in a maximum of 18 weeks; or
- (f) The work portion of a cooperative education program in which the amount of work performed is equivalent to the academic workload of a full-time student.

Regulations	REFUGEE PROGRAMS	
	REFUGEE RESETTLEMENT PROGRAM	69-206 (Cont.)
69-206	ELIGIBILITY FOR REFUGEE DEMONSTRATION PROJECT (RDP) OR REFUGEE CASH ASSISTANCE (RCA) (Continued)	69-206

.512 An "institution of higher education" is a:

- (a) Public or private nonprofit educational institution which provides:
  - (1) An educational program for which it awards an associate, baccalaureate, graduate, or professional degree; or
  - (2) At least a two-year program which is acceptable for full credit toward a baccalaureate degree; or
  - (3) At least a one-year training program which leads to a certificate or degree and prepares students for gainful employment in a recognized occupation; or
- (b) Proprietary Institution of higher education which provides at least a six-month program of training to prepare students for gainful employment in a recognized occupation; or
- (c) Post secondary vocational institution which is a public or private nonprofit educational institution and provides at least a six-month program of training to prepare students for gainful employment in a recognized occupation.

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

.53 Refugees who are enrolled and participating in training programs offered at an institution of higher education on less than a full-time basis as part of an employability plan developed by the CWD or its designee, when such training is less than one year in duration, shall not be denied or discontinued from RCA or RDP when attendance in classes in a college program offered at the institution results in full-time status.

.54 If an RDP/RCA recipient is a professional in need of professional refresher training and other services in order to qualify to practice his/her licensed profession in the United States, the training may consist of full-time attendance in a college or professional training program, provided that such training:



Regulations	REFUGEE PROGRAMS REFUGEE RESETTLEMENT PROGRAM	69-208 (Cont.)
69-208	REGISTRATION, EMPLOYMENT AND EMPLOYMENT-DIRECTED EDUCATION/TRAINING REQUIREMENTS	69-208

.1 General Requirements

- .11 As an applicant for RDP or RCA, a refugee shall not, without good cause, within 30 consecutive calendar days immediately prior to the application for assistance, have voluntarily quit employment or have refused to accept an offer of employment or employment-directed education/training, or refused to participate in a CWD-approved or referred employment-directed education/training program.
- .12 As a condition for receipt of cash assistance, an applicant/recipient, who is not exempt under Section 69-208.3 shall, except for good cause shown:
  - .121 Register and participate with a DSS-funded, DSS-approved or other CWD-approved and referred employment-directed education/training program; or
  - .122 Register and maintain registration with the State Employment Development Department (EDD);
  - .123 Accept a bona fide offer of employment-directed education/training, which is CWD-sponsored, approved or referred; and participate in the education/training program in accordance with the criteria set by the program.
  - .124 Participate in a social service or targeted assistance program which the resettlement agency responsible for the initial resettlement of the refugee deems to be available or appropriate.
  - .125 Carry out job search in accordance with the criteria of Section 69-208.2.
  - .126 Appear for employment interviews arranged by the resettlement agency which was responsible for the initial resettlement of the refugee.
  - .127 Appear for employment interviews arranged by the resettlement agency which was responsible for the initial resettlement of the refugee.
  - .128 Report to the DSS-funded, DSS-approved or CWD-approved employment-directed program when requested to by the program.

69-208	REGISTRATION, EMPLOYMENT AND EMPLOYMENT-DIRECTED EDUCATION/TRAINING REQUIREMENTS (Continued)	69-208
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.129 Accept referrals to employment interviews arranged by the DSS-funded, DSS-approved or CWD-approved employment-directed program.

.130 Accept at any time, from any source, a bona fide offer of employment.

.13 Prior to approval of the application or receipt of aid the applicant/recipient must provide written verification to the CWD of his/her registration with the employment-directed education/training program or EDD.

.14 Unless the order of priority is waived by DSS, CWDs shall, when referring RDP or RCA applicants/recipients to education/training programs, give priority first to DSS-funded or DSS-approved programs and second to other CWD-approved programs. If no available education/training program can accept the applicant/recipient, the CWD shall refer the refugee to EDD for registration. Once the applicant/recipient has completed all available education/training programs, the CWD shall refer the refugee to EDD for registration.

.15 The CWD shall refer all nonexempt (see Section 69-208.4) RDP or RCA applicants and recipients to the local DSS-funded or CWD-approved project(s) providing employment-directed education/training for refugees. Such training must meet local employers' requirements so as to be likely to lead to employment within the local labor market. CWD referrals shall be accomplished in accordance with instructions and directives issued by DSS.

.16 As a condition of continued receipt of RDP or RCA, a nonexempt recipient who is employed 30 hours a week or less shall accept part-time employment-directed services, provided that such services do not interfere with the recipient's job.

.17 As a condition of continued receipt of RDP or RCA, a nonexempt recipient shall not without good cause, voluntarily quit employment.

.2 RCA Job Search Requirements

.21 An RCA recipient who meets the criteria in Sections 69-206.12 and 42-800.1 and who is not exempt under Section 69-208.4 shall carry out a job search program beginning:

.211 No later than six months after the refugee entered the United States, or

69-208 (Cont.)	REFUGEE PROGRAMS REFUGEE RESETTLEMENT PROGRAM	Regulations
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69-208 REGISTRATION, EMPLOYMENT AND EMPLOYMENT-DIRECTED  
EDUCATION/TRAINING REQUIREMENTS (Continued) 69-208

.212 At the time the refugee is determined eligible for RCA if the refugee has completed at least six months in the United States at the time of determination.

.22 A job search program shall continue for at least eight consecutive weeks and shall meet the DSS minimum requirements for job search as described below:

.221 Three supervised employee contacts per week for counties which directly administer Refugee Employment Social Services (RESS) and Targeted Assistance Programs (TAPs).

.222 For counties in which the state directly administers the RESS Program, four hours of pre-job search training during the first week. A minimum of three employer contacts per week thereafter, one of which shall be supervised.

.223 Appear for employment interviews arranged by DSS-funded, DSS-approved or CWD-approved employment-directed programs.

.224 Report to the DSS-funded, DSS-approved or CWD-approved employment-directed program when requested to by that program.

.225 Accept referrals to employment interviews arranged by the DSS-funded, DSS-approved or CWD-approved employment-directed program.

.23 For counties which have an RCA caseload, but do not have RESS and/or TAPs available, the job search requirement shall be met by mandatorily referring RCA recipients to EDD-Job Services.

.24 The CWD must document job search activities in the case file.

### .3 EDD Registration Requirements

.31 When it is determined that no available DSS-funded or CWD approved project(s) providing employment-directed services can accept the applicant or recipient, the CWD shall refer these nonexempt (see Section 69-208.4) RDP or RCA or applicants and recipients to EDD for registration. The CWD shall use EDD approved forms for referral, and clearly indicate on the form that the person is a refugee.

.32 If a nonexempt RDP or RCA applicant or recipient fails to do any of the following, he/she has not met or maintained the EDD registration requirements:

.321 Appear for EDD-arranged interviews with employers.

Regulations	REFUGEE PROGRAMS REFUGEE RESETTLEMENT PROGRAM	69-208 (Cont.)
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69-208	REGISTRATION, EMPLOYMENT AND EMPLOYMENT-DIRECTED EDUCATION/TRAINING REQUIREMENTS (Continued)	69-208
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.322 Report to EDD when requested to by EDD.

.323 Accept referrals to employment interviews arranged by EDD.

.324 Accept a bona fide offer of employment-directed education/training to which referred to by EDD, and participate in the education/training program in accordance with the criteria set by the program.

.325 Accept a bona fide offer of employment.

.4 Refugees Exempt from Registration, Employment and Employment-directed Education/Training Requirements:

- a. A person under 16 years of age.
- b. A person age 65 or older.
- c. A person 16 or 17 years of age who is a full-time student as defined by the age chapter of the AFDC regulations.
- d. A person 18 years of age who is a full-time student in a secondary school (12th grade or below) or in equivalent level of vocational or technical training as defined by the age chapter of the AFDC regulations, if the person is expected to complete 12th grade or the training program prior to his/her 19th birthday.
- e. A person who is at least 16 but not yet 18 years and participating full time in vocational or technical school or training which is considered appropriate by the CWD.
- f. A person who is ill or injured, when his/her illness or injury is verified by a physician's written statement that the illness or injury is serious enough to temporarily prevent his/her entry into employment or an employment-directed education/training program.
- g. A person who is incapacitated, when it is determined that the physical or mental impairment, by itself or in conjunction with age, prevents the individual from engaging in employment or participating in an employment-directed education/training program. The criteria for determination of incapacity as outlined in MPP Section 41-430.2 shall be applied.

	REFUGEE PROGRAMS	
Regulations	REFUGEE RESETTLEMENT PROGRAM	69-209 (Cont.)

69-208 REGISTRATION, EMPLOYMENT AND EMPLOYMENT-DIRECTED EDUCATION/TRAINING REQUIREMENTS (Continued) 69-208

- h. A person whose presence in the home is required on a substantially continuous basis because of the physical or mental impairment of another member in the household, when verified by a physician's written statement.
- i. The parent or other relative of a child under six who is personally providing care for the child with only very brief and infrequent absences from the child.
- j. A person who is working more than 30 hours a week in unsubsidized employment which is expected to last a minimum of 30 days. This exemption continues to apply if there is a temporary break in full-time employment which is expected to last no longer than 10 workdays.
- k. A person who is pregnant and it has been medically verified that the child is expected to be born in the month in which registration would otherwise be required or within the next three months.

.5 Renumbered to Section 69-208.1 by SDSS Manual Letter No. SP-90-01, effective 4/2/90.

69-209 CAUSE DETERMINATIONS 69-209

.1 General

If recipient fails or refuses to participate/cooperate in the RDP/RCA program as required, the CWD shall make a cause determination.

.2 Conditions Under Which Cause Determination Shall Be Made

Using the criteria found in Section 69-209.3, the CWD shall make a cause determination within 10 working days of learning or being advised that the nonexempt refugee who is an RDP or RCA applicant or recipient has:

- .21 Failed or refused to register or participate with a DSS-funded or CWD approved or referred employment-directed program as required; or
- .22 Failed or refused to register or to maintain registration with EDD as required; or
- .23 Failed or refused to meet the requirements contained in Section 69-208.11.
- .24 Failed or refused to comply with the requirements contained in Sections 69-208.12, 69-208.16 and 69-208.17; or

69-213 (Cont.)	REFUGEE PROGRAMS REFUGEE RESETTLEMENT PROGRAM	Regulations
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69-213	UNACCOMPANIED REFUGEE MINORS (Continued)	69-213
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- .121 a parent or;
- .122 a close nonparental adult relative who is willing and able to care for the child, or;
- .123 an adult with a clear and court-verifiable claim to custody of the minor.
- .13 Has no parent(s) in the United States.
- .2 An unaccompanied minor continues to meet the criteria for unaccompanied minor and is eligible for child welfare services and foster care payments until the minor:
  - .21 Is reunited with a parent; or
  - .22 Is united with a nonparental adult, either relative or nonrelative, willing and able to care for the child to whom legal custody and/or guardianship is granted; or
  - .23 No longer meets the age requirements of MPP Section 42-101.1.
- .3 Procedures for establishing legal responsibility for the unaccompanied minor with an appropriate court, if action by a court is required, shall be initiated by the CWD within 30 days after the minor arrives at the location of resettlement.
- .4 Responsibility for the care, custody and control of unaccompanied refugee minors shall be established under Welfare and Institutions Code Section 300 or Probate Code Sections 1500 or 1501.
- .5 Placement of unaccompanied refugee minors in foster care shall be made in accordance with Foster Care regulations, Division 30 of the Manual of Policies and Procedures (MPP), and eligibility for foster care payments shall be made in accordance with MPP Division 45, Chapter 200.
- .6 In addition to the case planning requirements of Division 30, the CWD shall plan for the provision of the following services to unaccompanied minors.
  - .61 Orientation, assessment, and counseling to facilitate the adjustment of the child to American culture; and

	REFUGEE PROGRAMS	
Regulations	REFUGEE RESETTLEMENT PROGRAM	69-214 (Cont.)

69-213 UNACCOMPANIED REFUGEE MINORS (Continued) 69-213

- .62 Preparation for participation in American society with special emphasis on English language instruction and occupational as well as cultural training as necessary to facilitate the child's social integration and to prepare the child for independent living and economic self-sufficiency.
- .7 After the initial placement of an unaccompanied minor, the procedures for interstate movement, MPP Section 30-366, that govern the movement of nonrefugee foster care cases to other states also apply to the movement of unaccompanied minors to other states.
- .8 Unaccompanied refugee minor cases shall be claimed under RCA. The time limit applicable to RCA cases required in Section 69-203.41 does not apply.

69-214 TERMINATION OF AID 69-214

Aid payments to refugees under the RDP and RCA programs shall be discontinued in accordance with AFDC regulations and under the following circumstances except that the number of hours worked shall not be a basis for termination:

- .1 A sponsor is meeting the full needs of the refugee or refugee family, in accordance with AFDC standards of assistance.
- .2 A refugee marries a United States citizen or other nonrefugee, including a time-expired refugee, who is able to meet the refugee's needs. In these circumstances, aid shall be discontinued for the refugee parent. Aid for the minor child(ren) in the assistance unit shall be continued unless the United States citizen or other nonrefugee stepparent is able to meet all needs of the child(ren) in accordance with AFDC standards of assistance.
- .3 A refugee becomes time-expired (per Section 69-206.21), becomes a naturalized United States citizen or otherwise loses refugee status.
- .4 A refugee fails to meet, without good cause, the registration, employment and educational/training requirements (see Section 69-208).
- .5 A refugee fails to cooperate in providing sponsor or VOLAG information for purposes of determining eligibility for RDP or RCA.
- .6 Before September 30, 1989, if 100 percent federal funding for cash assistance only ceases for the RDP or RCA program.

Regulations	CUBAN/HAITIAN ENTRANT PROGRAM	69-305
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**69-300 CUBAN/HAITIAN ENTRANT PROGRAM 69-300**

**69-301 GENERAL STATEMENT 69-301**

In accordance with Title V (Fascell-Stone Amendment) of the Refugee Education Assistance Act of 1980 (Public Law 96-422, October 10, 1980 as interpreted in 45 CFR Part 401), there is hereby established a Cuban/Haitian Entrant Program (CHEP) to provide eligible Cubans and Haitians with medical assistance, cash assistance, and social services.

CHEP is separate and apart from the Refugee Resettlement Program (RRP), however, the objectives, administration, the level of Federal Financial Participation, program eligibility criteria and case maintenance policies are identical to those of the RRP. There is a special cash assistance program within CHEP for Cuban and Haitian Entrants known as Entrant Cash Assistance (ECA). Eligibility criteria for ECA benefits shall be the same as those outlined in RRP regulations, MPP Chapter 69-200, except that the definition of a refugee is not applicable to CHEP or ECA. All current AFDC Program regulations apply unless superseded by the Entrant Cash Assistance Program regulations contained herein, or the RRP regulations in Chapter 69-200.

**69-303 DEFINITION OF CUBAN/HAITIAN ENTRANTS 69-303**

- .1 Cubans and Haitians who possess an INS Form I-94 which states "Cuban/Haitian Entrant (Status Pending)".
- .2 Haitians who possess an INS Form I-94 which states that the person is a citizen of Haiti who has been either "Paroled" or granted "Voluntary Departure" status.
- .3 Cubans who possess an INS Form I-94 which meets all of the following requirements: a) states that the person is a citizen of Cuba; b) states that the person was "Paroled" on or after April 21, 1980; and c) does NOT contain the words "Outstanding Order of Exclusion".
- .4 County Welfare Departments (CWD) shall use the more specific definitions and documentation requirements furnished by the Department of Social Services (DSS), as received from the Office of the Refugee Resettlement.

**69-304 TIME-ELIGIBILITY 69-304**

Time eligibility for Cuban Haitian Entrant's, including entrant children born in United States resettlement camps, begins with their date of parole (release from INS custody).

**69-305 TERMINOLOGY 69-305**

The term ECA refers to the federally-funded program of cash assistance which is available to Cuban or Haitian Entrants who do not meet the categorical requirements of other state/federal cash assistance programs (AFDC or SSI/SSP).