
CHAPTER I: BACKGROUND

North Carolina Refugee Assistance Manual

CHAPTER I: REFUGEE ASSISTANCE BACKGROUND

I. REFUGEE ASSISTANCE OVERVIEW

Refugees are individuals fleeing from persecution in their homelands who have been designated for resettlement elsewhere in the world. In order to make determination of refugee status, representatives of the United States Citizenship and Immigration Services (CIS) conduct interviews overseas of individuals who have fled persecution. Once refugee status is established, a joint effort, conducted by the Department of State, the International Organization for Migration (IOM) and CIS, brings approved individuals to the United States for resettlement.

A. Background

The United States' humanitarian response to the unique needs of refugees was formally addressed with the enactment of The Refugee Act of 1980 (Public Law 96-212) that became effective on April 1 of that year. The Refugee Act amended the Immigration and Nationality Act (INA) to create a domestic refugee resettlement program designed to provide assistance and services to refugees resettling in the United States.

The Refugee Act established the Office of Refugee Resettlement (ORR) within the U.S. Department of Health and Human Services (DHHS) to coordinate the program at the national level. In addition, the legislation created a State Coordinator of Refugee Resettlement position in those states administering a refugee program. Federal regulations provide 100% federal financial participation for administrative and assistance costs associated with aiding refugees.

The Federal refugee program, administered by the states, consists of three distinct programs. Refugee Cash Assistance (RCA) and Refugee Medical Assistance (RMA) are two short-term public benefits programs available to refugees for the first eight months after their date of entry in the United States. Refugee Social Services are longer-term, refugee-specific programs for which refugees are eligible. Social Services primarily include employment services such as job development, job readiness and placement, job follow-up, vocational skills training, and English Language Training (ELT). Supportive services, including case management, transportation, interpretation/translation, and various social adjustment services, such as home and health management and community orientation, are also funded.

B. Eligible Recipients

Throughout this manual the term "refugee" will refer to all groups mentioned below that are eligible for Refugee Cash or Medical Assistance. Qualified individuals are as follows:

1. **Refugees** - The CIS definition of 'refugee' is:

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“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.
“

Using this definition, representatives of the U.S. Citizenship and Immigration Services (CIS) conduct interviews overseas of individuals who have fled persecution and desire to be designated as refugees. CIS then makes a determination of the individual’s refugee status. Once an individual is determined to be a refugee, a joint effort, conducted by the Department of State, the International Organization for Migration (IOM), the CIS, and National Volunteer Agencies (VOLAGS), brings certain individuals to the United States for resettlement.

2. Asylees

Asylees also meet the definition of 'refugee' for eligibility purposes. However, asylees are 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 to the CIS for asylum, a status that will acknowledge that they meet the definition of a refugee and allows them to remain in the United States. Asylees are eligible for state assistance and services *once CIS has granted asylum*.

NOTE: *Applicants* for asylum are not eligible, except for some Cuban and Haitian entrants. (See information below regarding Cuban and Haitian entrants.)

3. Certain Cuban and Haitian Entrants, as described below:

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

Any other national of Cuba or Haiti

- a. Who: (i) was paroled into the United States and has not acquired any other status under the INA; (ii) is the subject of exclusion or deportation proceedings under the INA; or (iii) has an application for asylum pending with the CIS; and
- b. With respect to whom a final, nonappealable, and legally enforceable order of deportation or exclusion has not been entered.

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4. Certain Amerasians (from Vietnam)

This status refers to 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 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 section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988.]

5. Victims of Human Trafficking

Any individual who has been subjected to “severe forms of trafficking in persons”, which includes;

- a. involvement in activity in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act is under 18 years of age; or,
- b. the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

6. Certain Special Immigrants

Afghani and Iraqi aliens who are granted Special Immigrant Status under Section 101(a)(27) of the Immigration and Nationality Act (INA). Individuals and family members granted this SI Status are eligible for entitlement programs, including Refugee Cash Assistance and Refugee Medical Assistance (RRF/MRF), and refugee social services the same as refugees admitted under section 207 of the INA.

Afghan and Iraqi individuals and family members granted this SI Status are eligible for entitlement programs, including Refugee Cash Assistance and Refugee Medical Assistance (RRF/MRF), and refugee social services and other benefits the same as refugees for a period of **eight (8) months** from the Date of Arrival.

For Iraqi/Afghan immigrants who acquire SI Status while already in the US, the date of eligibility for RRF/MRF (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 RRF/MRF. In no case can eligibility begin on a date prior to December 26, 2007.

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Lawful Permanent Residents (i.e. green card holders) who held one of the above statuses prior to adjusting to Lawful Permanent Resident.

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II. CIS DOCUMENTATION MOST OFTEN PRESENTED BY ALIENS

ELIGIBLE FOR RCA and RMA

For a comprehensive list of CIS documentation, and instructions on how to determine eligibility status, refer to *Appendix C, CIS Documentation for Aliens Eligible for RCA*. A child(ren) who arrives with a parent(s) carries the same alien status as the parent(s).

If a applicant has a document which is a(n):	Then the status is:
I-94 (Arrival/Departure Record): Coded with a reference to the following section: Section 207	Refugee, <i>Eligible</i> [See Chart #2]
I-94 (Arrival/Departure Record): Coded with a reference to the following section: Section 208	Granted Asylum, <i>Eligible</i> [See Chart #3 and Appendix I]
I-94 (Arrival/Departure Record): Coded AM-1, AM-2, or AM-3	Amerasian, LPR, <i>Eligible</i> [See Chart #5]
I-94 (Arrival/Departure Record indicating at least 12 months): Coded with Section 212 (d)(5)	Parolee; Cuban or Haitian National, <i>Eligible</i> [See Chart #'s 4a, 4b, 4c and 4d]
U. S. Passport or CIS document bearing the Endorsement "Processed for I-551, Temporary Evidence of Lawful Permanent Residence"	Permanent Resident, Lawfully Admitted for Permanent Residence (LPR), <i>Eligible</i>
I-551 (Resident Alien Card): Coded AM-1, AM-2, AM-3,	Amerasian, LPR, <i>Eligible</i> [See Chart #5]
I-551 (Resident Alien Card): Coded CH-6	Cuban/Haitian, <i>Eligible</i>
I-551 (Resident Alien Card): Coded RE6, RE7, and RE8	Other Refugees, <i>Eligible</i>

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The following documents will confirm both status and date of entry for Iraqi and Afghan Special Immigrants:

<u>Applicant</u>	<u>Documentation</u>
<u>Principal Applicant Iraqi or Afghan Special Immigrant</u>	<u>Iraqi or Afghan passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI1 and DHS stamp or notation on passport or I-94 showing date of entry</u>
<u>Spouse of Principal Applicant Iraqi or Afghan Special Immigrant</u>	<u>Iraqi or Afghan passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI2 and DHS stamp or notation on passport or I-94 showing date of entry</u>
<u>Unmarried Child Under 21 Years of Age of Iraqi or Afghan Special Immigrant</u>	<u>Iraqi or Afghan passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI3 and DHS stamp or notation on passport or I-94 showing date of entry</u>
<u>Principal Applicant Iraqi or Afghan Special Immigrant</u> <u>Principal Adjusting Status in the U.S.</u>	<u>DHS Form I-551 (“green card”) showing Iraqi or Afghan nationality (or Iraqi or Afghan passport), with an IV (immigrant visa) code of SI6</u>
<u>Spouse of Principal Applicant Iraqi or Afghan Special Immigrant in P6 Category</u>	<u>DHS Form I-551 (“green card”) showing Iraqi or Afghan nationality (or Iraqi or Afghan passport), with an IV (immigrant visa) code of SI7</u>
<u>Unmarried Child Under 21 Years of Age of Iraqi or Afghan Special Immigrant in P6 Category</u>	<u>DHS Form I-551 (“green card”) showing Iraqi or Afghan Nationality (or Iraqi or Afghan passport), with an IV (“immigrant visa”) code of SI9</u>

While the Class of Admission (COA) code SQ designates Iraqi Special Immigrants, some Afghans were issued Special Immigrant Visas or I-551s (green card) with COA SQ1, SQ2, SQ3, SQ6, SQ7, or SQ9. Country of Citizenship is determined by the passport or information on the I-551, not by the COA code. When the COA is SQ, verify whether the applicant is Afghani or Iraqi to verify eligibility for ORR benefits and services.

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III. DEFINITION OF REFUGEE ASSISTANCE TERMS

AABD – Aid to the Aged, Blind, and Disabled

AB – Aid to the Blind

Adjustment to Lawful Permanent Resident (Immigrant) Status -- Procedure requiring certain aliens, such as refugees already in the United States, to apply for a change in alien status. Aliens admitted to the United States in a refugee or parolee category are issued an I-94 Arrival/Departure Record. After residing in the USA for one year, refugees and asylees must apply to have the status changed to that of lawful permanent resident.

Adult – For determining Refugee Cash Assistance eligibility, an adult is defined as any individual age 18 or older.

Alien - Any person not a citizen or national of the United States.

Amerasian (Vietnam) -- 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 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.

AAPD – Aid to the Permanently and Totally Disabled

Asylee -- An alien in the United States or at a port of entry who is found to be unable or unwilling to return to his or her country of nationality, or to seek the protection of that country because of persecution or a well-founded fear of persecution. Persecution or the fear thereof must be based on the alien's race, religion, nationality, membership in a particular social group, or political opinion. For persons with no nationality, the country of nationality is considered to be the country in which the alien last habitually resided. Asylees are eligible to apply to adjust to lawful permanent resident status after residing one year in the USA.

Benefit Diversion – A cash assistance alternative to traditional Work First Family Assistance (WFFA). This program offers eligible families the opportunity to choose a one-time payment. This payment is equal to a maximum of three months of WFFA benefits. Other assistance includes Medicaid and Food Stamps while in the program; referrals to child support, child-care assistance; and other community and agency resources. At this time, the Benefit Diversion option is not available for Refugee Cash Assistance applicants.

Budget Unit -- Persons whose income and resources are considered in the determination of eligibility for an individual or family group. For WFFA, the Budget Unit includes everyone who is in the family unit plus financially responsible individuals. Parents or stepparents who are recipients of SSI are not included in the budget unit.

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Case Management Services -- The determination of which service(s) to refer a refugee to, referral to such service(s), and tracking of the refugee's participation in such service(s).

CHIP (Children's Health Insurance Program) -- A federal program funded under Title XXI of the Social Security Act. In North Carolina, this program is known as the NC Health Choice for Children, or NCHC.

Cuban/Haitian Entrant -- 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 Cash Assistance. This also applies to any other national of Cuba or Haiti who:

- was paroled into the United States and has not acquired any other status under the INA;
- is the subject of exclusion or deportation proceedings under the INA;
- has an application for asylum pending with the CIS; or,
- with respect to whom a final, nonappealable, and legally enforceable order of deportation or exclusion has not been entered.

Date of Entry -- date an alien arrived in the US, usually notated on the CIS document. For Refugee Program eligibility for asylees, substitute the date asylum was granted for the actual date of entry.

Deductible (sometimes called a "spenddown") -- An amount for medical expenses which must be paid or incurred by the applicant/recipient or a current budget unit member before Medicaid can be authorized. A deductible results when the countable income of the budget unit members exceeds the established income or maintenance level for the number of persons in the budget unit.

Economic Self Sufficiency -- Earning a total family income at a level that enables a family unit to support itself without receipt of a cash assistance grant.

Eligibility Information System (EIS) -- An automated system which provides support for Work First (WFFA), Special Assistance (SA), Medical Assistance (MA), Medicaid for Foster Care and Adoption Children, and Refugee Assistance Programs. It allows entry and retrieval of case and individual data required to produce assistance checks, Medicaid ID cards, and federal, state and county level management reports.

Employability Plan for RCA Recipients -- A written, individualized plan for a refugee who is not exempt from work registration that sets forth a program of employment services intended to result in the earliest possible employment of the refugee.

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Employability Services for RCA Recipients – Services designed to enable an individual to obtain employment and/or improve the employability or work skills of the individual. These services include, but are not limited to, world-of-work and job orientation, job clubs, job workshops, job development, referral to job opportunities, job search, job placement and follow-up, on-the-job training, vocational training, skills re-certification, and work-related transportation.

Exemptions, RCA-Related – Criteria for exemption from registration for employment services, participation in employability service programs, and acceptance of appropriate offers of employment that apply to Refugee Cash Assistance applicants. Exemptions include a refugee who is:

- under age 18, or is age 65 or older;
- a parent or other relative who is caring for a child under age 2;
- ill or incapacitated, or is required in the home to care for another member of the household who is ill or incapacitated.

A refugee's inability to communicate in English is not a reason for exemption.

Family Unit – For determining eligibility for RCA a family unit is:

- an individual adult, age 18 or older; or
- a married couple without minor children.

Family Self-Sufficiency Plan for RCA Recipients – A required written plan for RCA recipients that addresses the employment service needs of non-exempt members for the purpose of enabling the family to become self-supporting through the employment of one or more family members.

Family Violence Option – To help raise the awareness of families who participate in Work First about the impact that violence can have on individuals and families, and to assure that all individuals seeking assistance are given the opportunity and services necessary to address the violence.

First Stop Employment Assistance – A program administered by the Employment Security Commission (ESC) established to assist applicants and participants of both Work First and Refugee Cash Assistance in becoming employed. Certain local resettlement agencies are also designated First Stop sites where refugees can register for work (see [Appendix A](#)).

Food Stamp Program – This program provides benefits to help low-income families purchase food.

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Immigration Act of 1990 -- Public Law 101-649 (Act of November 29, 1990), which increased the limits on legal immigration to the United States, revised all grounds for exclusion and deportation, authorized temporary protected status to aliens of designated countries, revised and established new nonimmigrant admission categories, revised and extended the Visa Waiver Pilot Program, and revised naturalization authority and requirements.

Immigration and Nationality Act (INA) -- The Act which, along with other immigration laws, treaties, and conventions of the USA, relates to the immigration, temporary admission, naturalization, and deportation of aliens.

Immigration and Naturalization Service (INS) – See definition for U.S. Citizenship and Immigration Services (CIS).

Job Bonus – A 100% exclusion of earned income for the first three months after a Work First recipient begins employment or after a Work First applicant begins employment or begins working 20 or more hours weekly. At this time, the Job Bonus option is not available to Refugee Cash Assistance recipients or Refugee Medical Assistance recipients.

Local Resettlement Agency/Local affiliate – An agency that contracts with the Department of State and a National Voluntary Resettlement Agency (VOLAG) to provide Reception and Placement services to refugees who reside in the state in which they operate. Services include housing, essential furnishings, food, clothing, and other basic necessities as well as case management and cultural orientation. (See [Appendix A](#) for a list of North Carolina Local Resettlement Agencies.)

Match Grant – A federal program designed to help refugees attain economic self-sufficiency within four months (120 days) after date of entry in the United States, without accessing public cash assistance. Participating local resettlement agencies agree to match the Office of Refugee Resettlement (ORR) grant with cash and in-kind contributions for refugees who qualify. Beginning upon enrollment and continuing at least until the first paycheck is received, agencies must provide a minimum of \$200 cash allowance per month or \$50 per week, or the maximum amount that will not affect Medicaid eligibility, to all adult refugees, and \$10 per week to each minor in the case.

Medicaid – A federally-funded entitlement program that provides medical assistance and benefits to individuals who meet eligibility criteria as outlined in the Family and Children’s Medicaid Manual, or in the Aged, Blind, and Disabled (Adult) Medicaid Manual.

Mutual Responsibility Agreement – Core Requirements – An agreement that outlines and describes the Work First family’s specific responsibilities and ways in which the worker will assist the family to achieve them. It includes Core Requirements and Plan of Action Requirements, and is prepared jointly and signed by both the worker and applicant. Reference [Family Support and Child Welfare Services DSS-6963A \(Rev. 02/08\)](#) and [6963B \(Rev 11/05\)](#).

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MRF – EIS code for entering Refugee Medical Assistance (RMA) activity. In this document, RMA references will often be displayed as “RMA/MRF” for cross-referencing purposes.

North Carolina Health Choice for Children (NCHC) -- North Carolina’s response to SCHIP, the State Children’s Health Insurance Program, created by Title XXI of the Social Security Act. This program provides health coverage for uninsured low-income children from birth through age 18 who meet eligibility criteria, as determined in the Family and Children’s Medicaid Manual, Section MA-3255.

Numerical Limit, Exempt from --- Those aliens accorded lawful permanent residence who are exempt from the provisions of the flexible numerical limit of 675,000 set by the Immigration Act of 1990. Exempt categories include immediate relatives of U.S. citizens, refugees, asylees (limited to 10,000 per year by section 209(b) of the Immigration and Nationality Act), Amerasians, aliens adjusted under the legalization provisions of the Immigration Reform and Control Act of 1986, and certain parolees from the former Soviet Union and Indochina.

OAA – Old Age Assistance

OASDI – Old Age, Survivors, and Disability Insurance

Office of Refugee Resettlement (ORR) -- The federal agency under the Department of Health and Human Services (DHHS) that coordinates refugee resettlement services at the national level and awards participating states funds to administer the Refugee Resettlement Program which includes Refugee Cash Assistance (RCA/RRF), Refugee Medical Assistance (RMA/MRF), and Refugee Social Services (RAP-SS).

Parolee -- An alien, appearing to be inadmissible to the inspecting officer, allowed into the United States for urgent humanitarian reasons, such as a medical emergency, or when that alien’s entry is determined to be for significant public benefit, such as, aliens who enter to take part in legal proceedings, as well as for some Cuban and Haitian Entrants. Parole does not constitute a formal admission to the United States and confers temporary status only, requiring parolees to leave when the conditions supporting their parole cease to exist. Individuals who are paroled into the USA as refugees or asylees under INA § 212(d)(5) are also eligible for refugee assistance and services.

Permanent Resident Alien - An alien admitted to the United States as a lawful permanent resident (LPR). Permanent residents are also commonly referred to as immigrants. Lawful permanent residents are legally accorded the privilege of residing permanently in the USA. They may be issued immigrant visas overseas by the Department of State or adjusted to permanent resident status by the CIS in the United States. See “Adjustment to Lawful Permanent Resident Status”.

Qualified Alien – This term was created under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) to define those non-citizens who are eligible to receive certain Federal public benefits such as Medicaid. Qualified aliens are

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potentially eligible for all Medicaid programs just like U.S. Citizens. Generally, there are two main categories of qualified aliens: (1) Lawful Permanent Resident (LPR) admitted for permanent residence under the INA, and (2) Aliens Admitted Under a Specific Political Status. Eligibility is based on the date admitted and CIS documentation of alien status. A child(ren) who arrives with a parent(s) carries the same alien status as the parent(s).

Refugee - Any person who is outside his or her country of nationality who is unable or unwilling to return to that country because of persecution or a well-founded fear of persecution. Persecution or the fear thereof must be based on the alien's race, religion, nationality, membership in a particular social group, or political opinion. People with no nationality must generally be outside their country of last habitual residence to qualify as a refugee. Refugees are subject to ceilings by geographic area set annually by the President in consultation with Congress and must apply to adjust to lawful permanent resident status after residing one year in the USA.

Refugee Act of 1980 (Public Law 96-212) – The Act that created a domestic refugee resettlement program designed to provide assistance and services to refugees resettling in the USA.

Refugee Assistance Program (RAP) – North Carolina's implementation of the Refugee Resettlement Program, funded under Title IV of the Immigration and Nationality Act, a federal program of assistance and services to refugees resettling in the USA. The North Carolina Refugee Assistance Program provides Refugee Cash Assistance and/or Refugee Medical Assistance for up to 8 months after a refugee's date of entry in the USA. Federal funding also provides for social services, targeted assistance, child welfare services, including services to unaccompanied minors, and state administrative costs.

Refugee Cash Assistance (RCA/RRF) -- Cash assistance provided to refugees who are ineligible for TANF funds via the Work First Program or other cash assistance programs. Refugee Cash Assistance is limited to eight months beginning with the first month of date of entry in the USA.

Refugee Medical Assistance (RMA/MRF) -- Medical assistance provided to refugees who are ineligible for any of the mainstream Medicaid programs {Family and Children's Medicaid, Aged, Blind, and Disabled (Adult) Medicaid (MAABD) and NC Health Choice for Children (NCHC)}. Refugee Medical Assistance is limited to eight months beginning with the first month of date of entry in the USA.

Refugee Resettlement in the USA-- Permanent relocation of refugees to the USA, allowing them to establish residence and become productive members of society. Refugee resettlement is accomplished with the direct assistance of private voluntary agencies working with the Department of State under the Reception and Placement Program (R&P) for the first 90 days of resettlement. Refugee Social Services are available through service providers under contract with the State Refugee Office via the US Department of Health and Human Services - Office of Refugee Resettlement.

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Registrant – An individual who has registered for employment services as a condition for receiving Refugee Cash Assistance.

Resettlement Agency -- See Local Resettlement Agency.

Resident – Applicant is living in the state of North Carolina voluntarily, and with the intent to remain in the state.

Responsible Person – For these purposes, a responsible person includes, but is not limited to, a representative from a local resettlement agency or National Voluntary Agency (VOLAG), a sponsor, relative, friend, agency staff member, or other personnel acting on behalf of the refugee.

RRF -- EIS code for entering Refugee Cash Assistance (RCA) activity. In this document, RCA references will often be displayed as “RCA/RRF” for cross-referencing purposes.

S.A.V.E. Verification (Systematic Alien Verification for Entitlements) – A Bureau of Citizenship and Immigration Services (CIS) system designed to aid eligibility workers in public agencies in determining an applicant’s immigration status in order to establish the person’s entitlement to receive certain federal public benefits.

Do not verify a refugee’s status via the SAVE system for RMA or RCA benefits unless the documentation appears questionable.

Special Immigrants -- Under section 1059 of the National Defense Authorization Act (NDAA), up to 50 Iraqi and Afghan translators working for the U.S. military have been eligible for special immigrant visas each fiscal year. Public Law 110-39, signed into law on June 15, 2007, amended section 1059 by expanding the coverage to certain translators working under civilian authority and by increasing the total number of principal beneficiaries from 50 to 500 for fiscal years 2007 and 2008 only. Special Immigrants are admitted as lawful permanent resident aliens (LPRs). Special Immigrants are eligible for Refugee Cash, Medical and Service benefits as well as other public benefits during their first 8 months after arrival to the same extent and with the same requirements as refugees.

Spend down -- See Deductible.

Sponsor -- An individual, church, civic organization, or other group or organizations that has agreed to help in the reception and initial placement of refugees in the USA. Refugees do not have legally binding sponsors, as no Affidavit of Support is required for the admission of refugees.

State Refugee Coordinator – An individual who is designated and authorized by the Governor or the appropriate legislative authority of the State to be responsible for coordination of public and private resources in refugee resettlement and administration of the Refugee Assistance program in that state.

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State Refugee Office – The office that oversees the implementation of North Carolina’s Refugee Assistance Program. In North Carolina, it is headquartered within the Department of Health and Human Services, Division of Social Services, Economic and Family Services Section.

Substance Abuse/Mental Health Initiative – To assist families confronted with the barriers of substance abuse and mental health issues, the Program offers screenings and follow-up for both. Screening for substance abuse is required of all participants in the WFFA, and mental health screenings are voluntary.

Supplemental Security Income (SSI) – A federal assistance program administered by the Social Security Administration for aged, blind, and disabled persons. SSI recipients automatically receive Medicaid.

TANF (Temporary Assistance for Needy Families) -- A revamping of the federal program formerly known as AFDC (Aid to Families with Dependent Children) under Title IV-A of the Social Security Act. It is known as Work First Family Assistance (WFFA) or simply “Work First” in NC.

Targeted Assistance Grant (TAG) – A special grant from the ORR used to supplement current available resources in providing services in localities with large refugee populations, high refugee concentrations, and high use of public assistance. TAGs are primarily used to assist in refugee employment and achievement of self-sufficiency.

Trafficking – Involvement in activity in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act is under 18 years of age; or the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

U.S. Citizenship and Immigration Services (CIS) – Created in 2003, a new bureau under the US Department of Homeland Security (DHS). It is responsible for the administration of immigration and citizenship services. The Immigration and Naturalization Service (INS) formerly provided these services.

Voluntary Resettlement Agency (VOLAG) – A nationally recognized agency that has entered into a grant, contract, or cooperative agreement with the US Department of State to provide for the Reception and Initial Placement of refugees. National VOLAG’s contract with local affiliates in various locations across the country for reception and placement services. The local agency, which operates under the auspices of the national VOLAG, is called a “local affiliate” or “local resettlement agency.” (See Appendix A for a list of local affiliates.)

Work First Family Assistance (WFFA) – The component of NC's TANF program that provides cash and medical assistance and is designed to promote self-sufficiency built upon strategies that include promoting work, requiring personal responsibility, helping families get and keep jobs, locating absent parents, and reducing out-of-wedlock births.

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Implemented in 1995, the program requires active caretakers to participate 30 hours/week in work or work-related activities.

Any refugee seeking financial assistance must be evaluated for Work First eligibility before being considered for Refugee Cash Assistance (RCA/RRF).

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IV. REFUGEE AGENCIES

A. Resettlement Agencies

A Local Resettlement Agency, or “local affiliate”, operates under the auspices of a national VOLAG (Voluntary Agency) and under contract with the U.S. Department of State to provide Reception and Placement services at the local level. The State Refugee Office and local departments of social services work in partnership with these agencies to provide the necessary continuum of services for refugees. The local resettlement agency may refer refugees to apply for public assistance benefits - most commonly, food stamps, medical, and cash assistance. When sending a refugee to apply for assistance, the local affiliate will send a Notification of Refugee Arrival and Intent to Apply for Benefits ([DSS-6247](#)). See [Appendix A](#) for a list of North Carolina Local Resettlement Agencies.

1. **Resettlement and Placement (R&P) Services:** For the first 30 days in the country, R&P services are usually provided by local resettlement agencies to refugees who arrive under Section 207. These services include help with housing, essential furnishings, food, clothing, and other basic necessities.
2. **Match Grant Program:** Some local resettlement agencies participate in the federal Match Grant Program. This program gives financial assistance to employable refugees who enroll for up to 4 months (120 days) from date of date of entry. Agency participation is optional and contingent upon the availability of funds; therefore, not all of North Carolina's local resettlement agencies participate and not all clients of a participating agency receive Match Grant. If a Match Grant Agency sends a refugee to apply for public benefits, they will also send a Notification of Refugee Arrival and Intent to Apply for Benefits ([DSS-6247](#)) noting whether or not the refugee receives Match Grant. Refugees receiving a Matching Grant are automatically ineligible for cash assistance through Work First or Refugee Cash Assistance for the duration of the Match Grant.

NOTE: Not all refugees are associated with a local resettlement agency. This does not affect eligibility for refugee benefits.

B. Service Agencies

NC refugee service providers contract directly with the State Refugee Office to provide a wide variety of ongoing refugee-specific services such as delivery of or coordination of English Language Training (ELT), translation and interpretation, case management, employment services, outreach, and Emergency Services. These services can last for 5 years or more.

1. Local Affiliates – Some local affiliates also contract to provide ongoing services to refugees after the initial R&P.
2. Non-Affiliates – Agencies who are not involved in the initial R&P, but who contract to provide ongoing services to refugees.

CHAPTER I: BACKGROUND

A listing of all agencies, local affiliates as well as non-affiliates that provide refugee-specific services in North Carolina, can be found in Appendix B, NC Refugee Service Providers. This list contains location and contact information, and includes the primary services provided and counties served by each agency. A refugee may receive services from more than one service provider.

All refugee service providers funded under contract with the State Refugee Office are available to offer assistance, within their realm of expertise, to other agencies that offer assistance to refugees in North Carolina.

CHAPTER II: REFUGEE MEDICAL ASSISTANCE PROGRAM

CHAPTER II – REFUGEE MEDICAL ASSISTANCE PROGRAM

I. INTRODUCTION

Refugees who resettle in the USA have often been living in poor conditions, many in refugee camps, with inadequate or no health care. Since restoration of good health is a key factor in becoming self-sufficient, refugees may apply for medical assistance at the local Departments of Social Services (DSS).

Refugee Medical Assistance (RMA/MRF) is the program of last resort. Therefore, the agency must first assess each *individual* refugee applicant for Family and Children’s Medicaid, Aged, Blind, and Disabled (Adult) Medicaid and NC Health Choice for Children (NCHC). Refer to the Family and Children’s Medicaid Manual and the Aged, Blind, and Disabled (Adult) Medicaid Manual.

NOTE: At age 18 a refugee is potentially eligible for Refugee Cash Assistance. Explore this option before considering Family and Children’s Medicaid (M-AF) or Family Planning MA only.

The North Carolina **Refugee Medical Assistance Program (RMA)** was established to provide health care to needy refugees who do not meet qualifications for any other health care program. RMA is a short-term transitional program available for the first eight months a refugee resides in the USA. In determining eligibility for RMA, the county DSS (herein referred to as *the agency*) must comply with the policies and procedures described in this chapter of the NC Refugee Assistance Manual. In providing RMA to refugees, the agency must provide at least the same services in the same manner and to the same extent as provided under the North Carolina Medicaid program.

NOTE: Throughout this Chapter, the term “*refugee*” will refer to all groups below, who are Qualified Aliens, and potentially eligible for RMA. See Chapter I., III. for definitions.

- Refugees
- Asylees
- Certain Cuban and Haitian Entrants
- Certain Amerasians (from Vietnam)
- Trafficking victims
- Certain Special Immigrants

CHAPTER II: REFUGEE MEDICAL ASSISTANCE PROGRAM

- Lawful Permanent Residents (LPR) who held one of the above statuses prior to adjusting to LPR status

CHAPTER II: REFUGEE MEDICAL ASSISTANCE PROGRAM

II. ELIGIBILITY GUIDELINES

A. Determine eligibility for RMA

After you have determined that a refugee individual is not eligible for Family and Children' Medicaid, Aged, Blind, and Disabled (Adult) Medicaid, or NCHC, you are ready to determine eligibility for RMA.

1. Process the application immediately and automatically for RMA/MRF eligibility.
2. Do not require additional contact with the applicant.
3. Do not change the application date.

B. To be eligible for RMA, a refugee must:

1. Be unable to meet the eligibility requirements for Family and Children's Medicaid, Aged, Blind, and Disabled (Adult) Medicaid, or NCHC. (When an applicant is potentially eligible for Family and Children's Medicaid (MAF-M), but has a deductible, authorize for MAF-M if medical expenses to meet the deductible have been incurred as of the date of application. If the deductible is not met, consider the client to be "ineligible" and take an application for MRF. Spouse to spouse income must always count. For MRF, the Income Criteria is 200% of poverty level (Appendix F).) and,
2. Be in the USA 8 months or less, or have eligible status, such as asylee, for 8 months or less; and
3. Have the proper immigration status and documentation or be the dependent child of, and part of the same family unit as, an individual who meet the proper immigration status; and
4. Not be a full-time student in an institution of higher education; and
- 5.. Live in North Carolina with the intent to remain.

<p>NOTE: References will be made, throughout this chapter, to the appropriate Section of the NC Aged, Blind, and Disabled (Adult) Medicaid Manual (MA) whenever the RMA program has policies and procedures in common. Exceptions or special rules for RMA will be noted.</p>

CHAPTER II: REFUGEE MEDICAL ASSISTANCE PROGRAM

III. APPLICATION PROCESS

A. Application and Interview

Refer to MA Sections 2300 and 2301. Apply cultural sensitivity in all communications. Apply the same NC Confidentiality Rules that pertain to the Medicaid program in the administration of the RMA program. Maintain and retain operational records in accordance with the standards established by the NC Department of Health and Human Services Policy and Procedures Manual Section IV.

Additional requirements for Refugee households

1. The agency must evaluate each member of the family individually.
2. In the RMA program, a person 18 years of age or older is considered an adult. Therefore, parent's income and resources are **not** considered in the determination of eligibility.
3. Applicant can have any person(s) of his or her choice participate in the interview.
4. Information must be presented in a language the refugee understands.
5. Explain RMA in understandable terms, ensuring that the refugee understands his rights and responsibilities.
6. Offer the refugee the opportunity to apply for food stamp benefits on the same day.
7. For refugees who came through a local affiliate, the agency must make provisions to receive from, and share with the local affiliate, the following information: (See Appendix A for a list of local affiliates.)
 - a. applicant's address,
 - b. applicant's telephone number, or where he or she can be reached,
 - c. confirmation that applicant has applied for medical assistance, and
 - d. the status and disposition of his or her application for medical assistance.
8. The refugee household has the additional responsibility to provide the name and mailing address of the referring local affiliate, if appropriate. (This does not apply to refugees who were originally settled and received Reception and Placement in a state other than NC or those who did not come through a local affiliate.)

CHAPTER II: REFUGEE MEDICAL ASSISTANCE PROGRAM

B. Processing Time Standard

You have **30 (THIRTY) DAYS** to complete the application unless there is applicant delay. The **30 CALENDAR DAYS** begin the day after the date of application and end on the day the Medicaid card or denial notice is mailed. The date of application is the date the applicant, authorized representative, or someone acting on applicant's behalf, signs the application.

C. Processing Requirements

1. **State/County Residence** – accept applicant's statement. Do not request other verification such as post-marked mail, rental/utility records, etc., as newly arrived refugees are not likely to have these.
2. **Income Criteria** – 200% of poverty level. See [Appendix F](#). For further policy on income, see [MA Section 2250](#).
3. **Resources Criteria** – See [MA Section 2230](#).

EXCEPTIONS

- Do not consider any resources remaining in the applicant's country of origin in determining eligibility.
 - Count only income from earnings, savings in US bank accounts, and other financial resources acquired *while in the USA*.
 - Base eligibility for RMA on the applicant's income and resources on the date of application. Request verification based on most recent pay statements.
 - Do not average income prospectively over the application processing period in determining income eligibility for RMA.
 - Do not count Match Grant payments as income.
 - Do not consider a sponsor's income and resources to be accessible to a refugee solely because the person is serving as a sponsor.
 - Do not consider any cash grant received by the applicant under the Department of State or Department of Justice Reception and Placement Program (R&P).
 - Do not consider in-kind services and shelter provided to an applicant by a sponsor or local resettlement agency in determining eligibility for or RMA.
4. **Rule to Apply for a Social Security Number** – **DO NOT** require that applicants for RMA provide Social Security Numbers or proof of application for an SSN.

CHAPTER II: REFUGEE MEDICAL ASSISTANCE PROGRAM

5. Cash Assistance - A refugee is not required to apply for, or receive Refugee Cash Assistance (RCA/RRF) as a condition of eligibility for RMA. However, all recipients of RCA/RRF are automatically eligible for RMA. Denial, reduction or termination of RCA/RRF has no affect on a refugee's RMA.
6. Alien Status - An applicant for RMA/MRF must submit evidence of documentation issued by CIS, which indicates alien eligibility status. A child(ren) who arrives with a parent(s) carries the same alien status as the parent(s). Secondary verification is not required. A list of acceptable CIS documentation most often presented by refugees is in Chapter I, II.
 - a. Ask the applicant for a **written declaration** that he or she has an immigration status that makes him or her eligible for refugee Medicaid benefits.
 - b. Review the documentation of immigration status as outlined in charts in *Appendix C*, CIS Documentation for Aliens Eligible for RMA.
 - c. If status is supported by documents, assume the applicant has a qualified status and continue determining eligibility based on other requirements. **Do not** use the SAVE system unless you are unable to confirm status from the documents presented.
 - d. If unable to confirm status from documentation supplied by client, approve RMA if other eligibility requirements are met and use other methods to verify status, such as accessing the SAVE system, or calling the NC State Refugee Office at (919) 733-4650.

CHAPTER II: REFUGEE MEDICAL ASSISTANCE PROGRAM

IV. FINALIZE APPLICATION

A. Eligibility process

Apart from the exceptions noted in III, C., above, the process for determining eligibility for RMA is the same process used for Aged, Blind, and Disabled Medicaid programs. The forms used to initiate the application process for RMA are the same as those used to initiate other medical assistance programs. Unless otherwise noted in this chapter, agency workers should reference the Aged, Blind, and Disabled (Adult) Medicaid Manual (MA) for instructions.

B. Retroactive coverage

Depending on the date of entry, eligibility for RMA may be authorized for the 1, 2, or 3 months preceding the month of application. The client must have met all eligibility requirements in the retroactive period. See [MA Section 2370](#).

C. Coverage of Refugees Who Do Not Meet State's Financial Eligibility Standards (Medicaid Deductible)

An RMA applicant whose net countable income exceeds 200% of Poverty Level Income Limit must meet a deductible before he may be authorized for Medicaid. The deductible is met by incurring medical expenses equal to the amount of the deductible. Compute the deductible for the appropriate period, up to 8 months, using the Medically Needy income limit according to the instructions provided under [MA Section 2360](#).

D. Determine Eligibility Period

Eligible applicants are entitled to receive RMA coverage for up to eight (8) full months from the date of entry in the United States. For an *asylee*, the *date of entry* is the date asylum was granted. To calculate the eligibility period:

1. Determine start date – Eligibility begins on the first day of the month application is made, unless:
 - The applicant is over the resource limit. Medicaid can be authorized once the resource is spent to within the limit, **or**,
 - The applicant is over the income limit and must meet a deductible.
2. Determine end date -- Eligibility ends eight full months after the refugee's date of entry, on the last day of that month. See VI. Review, below.
3. Assign the appropriate certification period, up to eight (8) months.

E. Notices (see [MA Section 2420](#))

CHAPTER II: REFUGEE MEDICAL ASSISTANCE PROGRAM

Once eligibility is established, notify the applicant of the results. If the applicant was referred by a local resettlement affiliate, also notify that agency of the outcome.

1. EIS does not automatically generate a notice to the RMA applicant regarding the disposition of the application.
2. The *agency must manually generate written notices* to both the client and the referring local resettlement affiliate (when applicable). Complete and mail *Notice of Benefits, DSS-8108*, to report the following. Follow instructions in [MA Section 2420](#).
 - a. that refugee has applied for assistance
 - b. benefits for which programs, if any, have been approved (i.e. Medicaid, Food Stamps, WFFA RCA/RRF, etc) as well as which programs, if any, have been denied
 - c. the status and disposition of the application, and
 - d. the reason if assistance has been *refused, denied* or *terminated*.

NOTE: If a refugee applies for other mainstream assistance programs and is determined ineligible, but eligible for RMA, the notice must specify both determinations.

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V. CHANGES IN SITUATION

- A. A change in situation is any change an individual refugee experiences that may affect the individual's eligibility for RMA.
 - B. The refugee is responsible for reporting changes. A change in situation must be reported within 10 calendar days of when the change is known.
 - C. When a refugee reports a change, or the agency becomes aware of a change from any source, make the change in benefits as early as the month following the month of change but not later than the second month after the change. Changes are effective the month after the month in which the 10-day notice expires, unless the recipient waives the 10-day notice. Follow instructions in [MA Section 2340](#).
- NOTE:** RMA applicants/recipients must receive *Timely* notice of a reduction or termination.
- D. Verify the change according to the verification procedures in the [MA Section 2340](#). Always document the change and verification.
 - E. Manually send a written timely Notice of Stopping or Changing Public Assistance, DSS-8110 to notify the household how the change affects their benefits. Follow instructions in [MA Section 2420](#).
 - F. If a refugee household reports a change of address and it is in another county, do not transfer the case. Continue to maintain the RMA in the county of application.

EXCEPTION:

DO NOT terminate RMA if reported new or additional income causes the recipient to exceed the income limit. Eligibility for RMA is based on the applicant's income and resources *on the date of application*. A refugee shall continue to receive RMA/MRF until he or she reaches the end of the 8-month eligibility period.

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VI. REVIEW

Do not send a review notice. At the end of the refugee's eighth month in the US, **terminate RMA assistance**. Evaluate to determine if the refugee is eligible for any other assistance and take the necessary applications or refer to the appropriate agency. In addition to notifying the refugee of the termination, the notice must indicate the determination of eligibility for other programs. Manually send a written timely Notice of Stopping or Changing Public Assistance, DSS-8110. (See MA [Section 2352](#))

REMEMBER:

Refugee Assistance Programs are available to refugees for the first eight months after their *date of entry*, or attaining eligible status, in the U.S.A., and *only* if they are not eligible for other mainstream social services assistance programs.

CHAPTER II: REFUGEE MEDICAL ASSISTANCE PROGRAM

VII. NOTICE AND HEARINGS PROCESS

A. All applicants for and recipients of RMA must be provided an opportunity for a hearing to contest adverse determinations. See MA [Section 2420](#).

ADDITIONAL REQUIREMENTS:

- The refugee may have a representative as well as a translator/interpreter attend the hearing.
 - The hearing decision must be provided in a language the refugee can understand or have translated/interpreted into such a language.
- B. A hearing need not be granted when RMA is terminated because the eligibility time period (8 months) imposed by law has been reached.

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VIII. RECIPIENT FRAUD AND ABUSE

County agencies must comply with Federal requirements regarding potential fraud and misrepresentation that results in medical assistance overpayments. Because Refugee Assistance is not considered a program of public assistance under N. C. G. S. 108A-24, fraud cases must be prosecuted under N. C. G. S. 14-100, "False Pretense and Cheats." Refer to [MA Section 2900](#).

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CHAPTER III – REFUGEE CASH ASSISTANCE PROGRAM

I. INTRODUCTION

Refugees who resettle in the USA rarely have access to personal resources in their homeland or a source of income in this country when they first arrive. To sustain themselves until they become self-sufficient, refugees may apply for financial assistance at the local Departments of Social Services (DSS).

Refugee families with dependent children must first apply for, and if eligible, participate in the state TANF program, known in North Carolina as Work First Family Assistance (WFFA), or Work First. See [Work First Manual](#) to determine eligibility for WFFA.

Refugees 65 years of age or older, or who are blind or disabled, would meet criteria for the Supplemental Security Income (SSI). However, since the SSI approval process is typically a lengthy one, the state authorizes receipt of RCA until the refugee applicant is approved for SSI, or until the 8-month RCA eligibility period expires--whichever comes first.

The North Carolina **Refugee Cash Assistance Program (RCA)** was established to provide income to needy refugees who do not meet qualifications for WFFA or SSI. RCA is a short-term transitional program available for the first eight months a refugee resides in the USA. In determining eligibility for RCA, the county DSS (herein referred to as *the agency*) must comply with the policies and procedures described in this chapter of the NC Refugee Assistance Manual.

NOTE: Throughout this Chapter, the term “*refugee*” will refer to all groups below, who are Qualified Aliens, and potentially eligible for RCA. See Chapter I., III. for definitions.

- Refugees
- Asylees
- Certain Cuban and Haitian Entrants
- Certain Amerasians (from Vietnam)
- Trafficking victims
- Certain Special Immigrants
- Lawful Permanent Residents (LPR) who held one of the above statuses prior to adjusting to LPR status

CHAPTER II: REFUGEE CASH ASSISTANCE PROGRAM

II. ELIGIBILITY GUIDELINES

After you have determined that the refugee household is not eligible for TANF, SSI, OAA, AB, APTD, or AABD programs, you are ready to determine eligibility for RCA. To be eligible for **RCA**, a refugee must:

- A. Be unable to meet the eligibility requirements for TANF (Work First), Supplemental Security Income (SSI), Old Age Assistance (OAA), Aid to the Blind (AB), Aid to the Permanently and Totally disabled (APTD), and Aid to the Blind and Disabled (AABD) programs; and,
- B. Be in the USA 8 months or less, or have eligible status, such as asylee, for 8 months or less; and
- C. Have the proper immigration status and documentation or be the dependent child of, and part of the same family unit as, individuals who meet the proper immigration status; and
- D. Not be a full-time student in an institution of higher education; and
- E. Live in North Carolina with the intent to remain; and
- F. Register for work; and
- G. Not, for the purpose of receiving or continuing assistance, have voluntarily quit a job or refused to apply for or accept an appropriate offer of employment or employment related training during the 30 days prior to applying for aid; and
- H. Meet the provisions of the North Carolina Work First Family Assistance program in regard to:
 1. treatment of income and resources,
 2. determination of benefit amounts based on household size and income disregards.

<p>NOTE: References will be made, throughout this chapter, to the appropriate Section of the <i>NC Work First Manual</i> whenever the Work First and RCA programs have policies and procedures in common. Exceptions or special rules for RCA will be noted.</p>

CHAPTER II: REFUGEE CASH ASSISTANCE PROGRAM

III. APPLICATION PROCESS

A. Application and Interview

Refer to Work First, Section 104. Apply cultural sensitivity in all communications. Apply the same NC Confidentiality Rules that pertain to the WFFA program in the administration of the RCA program. Maintain and retain operational records in accordance with the standards established by the NC Department of Health and Human Services Policy and Procedures Manual Section IV.

Additional requirements for Refugee households

1. An eligible refugee household may consist of a single adult, age 18 or older, or a married couple with no minor children.

NOTE: At age 18 a refugee is potentially eligible for Refugee Cash Assistance. Explore this option before considering Family and Children's Medicaid (M-AF) or Family Planning MA only.

2. Applicant can have any person(s) of his or her choice participate in the interview
3. Information must be presented in a language the refugee understands.
4. Explain RCA in understandable terms, ensuring that the refugee understands his rights and responsibilities
5. Offer the refugee the opportunity to apply for food stamp benefits on the same day.
6. For refugees who came through a local affiliate, the agency must make provisions to receive from, and share with the local affiliate the following information:
 - a. applicant's address
 - b. applicant's telephone number, or where he or she can be reached
 - c. confirmation that applicant has applied for cash assistance, and
 - d. the status and disposition of his or her application for cash assistance.
7. The refugee household has the additional responsibility to:
 - a. provide the name and mailing address of the referring local affiliate, if appropriate (this does not apply to refugees who were originally settled and

CHAPTER II: REFUGEE CASH ASSISTANCE PROGRAM

received Reception and Placement in a state other than NC or those who did not come through a local affiliate);

- b. report receipt of Match Grant. If receiving Match Grant, application for RCA/RRF must be denied since federal law prohibits simultaneous participation in both programs. (The refugee may still be eligible for Refugee Medical Assistance. Refer to Chapter II, Refugee Medical Assistance Program.);
- c. unless exempt, participate in appropriate employment services (See [V. Employment Services](#)).

B. Processing Time Standard

You have **30 (THIRTY) DAYS** to complete the application unless there is applicant delay. The **30 CALENDAR DAYS** begin the day after the date of application and end on the day the check or denial notice is mailed. The date of application is the date the applicant, authorized representative, or someone acting on applicant's behalf, signs the application.

C. Processing Requirements

1. **State/County Residence** – accept applicant's statement. Do not request other verification such as post-marked mail, rental/utility records, etc., as newly arrived refugees are not likely to have these.
2. **Income and Resources** – the determination of initial and on-going eligibility (treatment of income and resources, budgeting methods, need standard). Follow instructions in WFFA [Sections 114](#) and [115](#).

EXCEPTIONS

- Do not consider any resources remaining in the applicant's country of origin in determining eligibility,
 - Count only income from earnings, savings in US bank accounts, and other financial resources acquired *while in the USA*
 - Do not consider a sponsor's income and resources to be accessible to a refugee solely because the person is serving as a sponsor,
 - Do not consider any cash grant received by the applicant under the Department of State or Department of Justice Reception and Placement Program (R&P),
3. **Needs Assessment** - the determination of benefit amounts (payment levels based on size of the assistance unit, income disregards). Follow instructions in WFFA [Section 114](#).

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EXCEPTIONS

- The 100% Job Bonus deduction is not available for RCA cases.
- Do not consider in-kind services and shelter provided to an applicant by a sponsor or local resettlement agency in determining eligibility for or RCA/RRF payment amount.

4. Refugee Medical Assistance (RMA/MRF) Considerations

- A refugee is not required to apply for, or receive RCA/RRF as a condition of eligibility for Refugee Medical Assistance
- All recipients of RCA/RRF are automatically eligible for Refugee Medical Assistance (RMA/MRF).
- Denial, reduction or termination of RCA/RRF is to have no affect on a refugee's RMA/MRF. If an RCA case loses eligibility because of employment earnings, transfer to RMA without a separate RMA determination for the remainder of the 8 month eligibility period. [Refer to Chapter II, Refugee Medical Assistance Program.]

5. Rule to Apply for a Social Security Number - Do not require that applicants for RCA provide Social Security Numbers or proof of application for an SSN.

6. Alien Status - An applicant for RCA/RRF must submit evidence of documentation issued by CIS, which indicates alien eligibility status. A child(ren) who arrives with a parent(s) carries the same alien status as the parent(s). Secondary verification is not required. A list of acceptable CIS documentation most often presented by refugees is in Chapter I, II.

- a. Ask the applicant for a **written declaration** that he or she has an immigration status that makes him or her eligible for refugee cash benefits.
- b. Review the documentation of immigration status as outlined in charts in Appendix C.
- c. If status is supported by documents, assume the applicant has a qualified status and continue determining eligibility based on other requirements. **Do not** use the SAVE system unless you are unable to confirm status from the documents presented.
- d. If unable to confirm status from documentation supplied by client, **approve RCA** if other eligibility requirements are met and use other methods to verify status, such as accessing the SAVE system, or calling the NC State Refugee Office at (919) 733-4650.

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IV. EMPLOYMENT SERVICES

A. Within 30 days of receipt of RCA, recipients, unless exempt, must:

1. Register with an appropriate agency providing employment services as defined in D. and E. below.
2. Go to a job interview which is arranged by that agency
3. Accept appropriate employment
4. Participate in a refugee social service or targeted assistance program which provides job or language training in the area in which the refugee resides (see Appendix A)
5. Not have quit a job or refused to participate in required employment services, without good cause, within 30 consecutive days immediately prior to the application for RCA.

If not in compliance, applicant is not eligible to participate in RCA/RRF.

Terminate RCA and automatically transfer to RMA without a separate RMA determination for the remainder of the 8-month eligibility period.

B. Exemptions to the work requirement for Refugee Cash Assistance include anyone who is:

1. Under the age of 18;
2. age 65 or older;
3. a parent or other relative who is caring for a child under two (2) ;
4. ill or incapacitated; or
5. required in the home to care for another member of the household who is ill or incapacitated.

NOTE: A refugee's inability to communicate in English is not a reason for exemption

C. Exemption Verification

1. Document age by examining the individual's I-94 or other documentation
2. Establish illness or incapacitation by,
 - a. the worker's observation and documentation of the physical and/or mental illness or incapacity of the individual, or

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- b. documentation of a psychological examination, if indicated, or
- c. a medical report from a doctor or medical facility when the individual's condition is questionable. Document findings.

D. Employment Services

Appropriate employment services are those provided by local affiliates and other authorized refugee service providers that are specifically designed to assist refugees in becoming employed (see Appendix A and B for a list of authorized refugee service providers). Refer refugees by using the Refugee Registration Certification, Employment/Refusal and Termination/Denial Notice ([DSS-5022](#)). These agencies will:

1. Provide proof of registration,
2. Develop an *Individualized Employability Plan* ([DSS-6232](#)) that sets forth a program of services intended to result in the earliest possible employment of the refugee,
3. Complete a *Family Self-Sufficiency Plan* ([DSS-6230](#)), that addresses the employment related service needs of the employable members in a family for the purpose of enabling the family to become self-supporting through the employment of one or more family members.

E. When there is no refugee-specific employment service provider in the county in which the refugee resides, the agency is responsible for the development of both the Family Self-Sufficiency and Individual Employability Plans.

F. Allow applicant to register with the local Work First approved First Stop Employment Assistance program administered by the Employment Security Commission, if he or she chooses to do so.

G. The Employability Plan must:

1. Be designed to lead to the earliest possible employment, and not be structured in such a way as to discourage or delay employment or job-seeking, and
2. Contain a definite employment goal, attainable in the shortest time period consistent with the employability of the refugee in relation to job openings in the area.

H. The employment services and employment must meet the following criteria:

1. 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 services or employment must be related to the capability of the individual to perform the task on a regular basis. Any claim of adverse effect on physical or mental health must be based on adequate medical testimony from a physician or

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- licensed or certified psychologist indicating that participation would impair the individual's physical or mental health.
3. The total daily commuting time to and from home to the service or employment site must not normally exceed 2 hours, not including the transportation of a child to and from a child care facility, unless a longer commuting distance or time is generally accepted in the community, in which case the round trip commuting time must not exceed the generally accepted community standards.
 4. When child care is required, the care must meet the standards normally required by the state in its work and training programs for Work First recipients [Reference the **NC Child Care Subsidy Manual**, DHHS, Division of Child Development].
 5. The service or work site to which the individual is assigned must not be in violation of applicable federal, state, or local health and safety standards.
 6. Assignments must not be made which are discriminatory in terms of age, sex, race, creed, color, or national origin.
 7. Appropriate work may be temporary, permanent, full-time, part-time, or seasonal work, if such work meets the other standards listed above.
 8. The wage shall meet or exceed the federal or state minimum wage law, whichever is applicable, and the wage shall not be substantially less favorable than the wage normally paid for similar work in that labor market.
 9. The daily hours of work and the weekly hours of work shall not exceed those customary to the occupation.
 10. The quality of training must meet local employers' requirements so that the individual will be in a competitive position within the local labor market. The training must also be likely to lead to employment that will meet the appropriate work criteria.
 11. No individual may be required to accept employment if:
 - a. the position offered is vacant due to strike, lockout, or other bona fide labor dispute; or
 - b. the individual would be required to work for an employer contrary to the conditions of his existing membership in the union governing that occupation, however, employment not governed by the rules of union in which she or he has membership may be deemed appropriate.
 12. If an individual is a professional in need of professional refresher training and other recertification services in order to qualify to practice his or her profession in

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the United States, the training may consist of full-time attendance in a college or professional training program, provided that such training,

- a. is part of the individual's employability plan by the agency,
- b. does not exceed one year's duration (including any time enrolled prior to application for assistance),
- c. is specifically intended to assist the professional in becoming relicensed in his or her profession, and if completed can realistically be expected to result in such relicensing. The training may only be available to individuals who are employed.

13. A refugee offered suitable employment is required to accept, without regard to whether such job would interrupt a program of services planned or in progress, unless the refugee is currently participating in a program in progress of on-the-job training, or vocational training that is being carried out as part of an approved employability plan.

I. Failure or Refusal to Accept Employment Services or Employment

If, without good cause, a non-exempt RCA recipient fails or refuses to comply with Employment Services, accept employment, or voluntarily quits a job, and:

1. The sanctioned refugee is the only member of the case, terminate cash assistance. Manually send a written timely *Notice of Stopping or Changing Public Assistance*, DSS-8110 (see Section 264 of the *NC Work First Manual*). The sanction shall remain in effect for 3 payment months for the first failure and 6 payment months for any subsequent failure. Transfer to RMA without a separate RMA determination for the remainder of the 8 month eligibility period for refugee assistance.
2. The case includes another refugee, remove the sanctioned refugee and reduce the assistance. Do not consider the sanctioned refugee's needs in determining benefits. Manually send a written *timely Notice of Stopping or Changing Public Assistance*, DSS-8110. (See Section 264 of the *NC Work First Manual*.) The sanction shall remain in effect for 3 payment months for the first failure and 6 payment months for any subsequent failure. Open a RMA case for the sanctioned refugee for the remainder of the 8 months eligibility period for refugee assistance.
3. Good cause reasons for failure to comply with employment services or voluntarily quitting a job include:
 - a. discrimination by an employer based on race, color, national origin, gender, religion, age, disability, or political beliefs;
 - b. work demands or conditions that render continued employment unreasonable, such as not being paid on schedule or being required to work overtime and not being paid for it;

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- c. acceptance of another offer of employment as long as the new job meets the minimum requirement of this provision (20 or more hours per week or earnings equivalent to federal minimum wage times 20 hours);
- d. resignation by the member under the age of 60 which is recognized by the employer as retirement;
- e. acceptance of an offer of employment of 20 hours or more per week (or equivalent earnings) which because of circumstances beyond the control of the member does not materialize or results in employment which does not meet the suitability criteria specified in V. H. above;
- f. leaving a job in connection with patterns of employment. For example, migrant farm laborers or construction workers often go from one employer to another;
- g. a significant family crisis or change, including, but not limited to, illness or death of a family member which requires the member's presence, household emergency, unavailability of transportation.

V. FINALIZE APPLICATION

Eligible applicants are entitled to receive RCA/RRF coverage for up to eight (8) full months from the date of entry in the United States. To calculate the eligibility period:

- 1. Determine start date** – Benefit payment begins on the *first day of the month* in which the application is made. Always enter in EIS, the first day of the month as the Date of Application so that the RCA benefits are not prorated, and
- 2. Determine end date** -- Eligibility ends eight months after the refugee's *date of entry*, on the last day of that month. For an asylee, the *date of entry* is the date asylum was granted.
- 3.** Assign the appropriate certification period, up to eight (8) months.

B. Notices

Once the determination of eligibility has been processed, the applicant must be notified of the results. If applicant was referred by a local resettlement affiliate, that affiliate must also be notified of the outcome.

1. EIS does not automatically generate a notice to the RCA/RRF applicant regarding the disposition of the application.
2. The *agency must manually generate written notices* to both the client and the referring local resettlement affiliate (when applicable). Complete and mail *Notice of Benefits, DSS-8108*, to report the following. Follow instructions in [WFFA Section 264.](#))

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- a. that refugee has applied for assistance
- b. benefits for which programs, if any, have been approved (i.e. Medicaid, Food Stamps, WFFA RCA/RRF, etc) as well as which programs, if any, have been denied
- c. the status and disposition of the application, and
- d. the reason if assistance has been *refused, denied or terminated*.

NOTE: If a refugee applies for assistance and is determined ineligible for Work First, but eligible for RCA, the notice must specify both determinations.

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VI. CHANGES IN SITUATION

- A. A change in situation is any change the refugee family unit experiences that may affect who is included in the family unit, the family's RCA payment, or whether the family unit continues to qualify for RCA. Examples include a change in who lives in the home and starting or stopping employment.
- B. The refugee family unit is responsible for reporting changes. A change in situation must be reported within 10 calendar days of when the change is known.
- C. When a family reports a change, or the agency becomes aware of a change from any source, make the change in benefits as early as the month following the month of change but not later than the second month after the change. Changes are effective the month after the month in which the 10-day notice expires, unless the family unit waives the 10-day notice. Follow instructions in WFFA Section 202.

NOTE: RCA applicants/recipients must receive *Timely* notice of a reduction or termination.

Example: You are notified on January 8 that a refugee individual who receives RCA went to work. Verify the new wages, send a timely notice, and enter the change into EIS to be effective no later than March 1.

- D. Verify the change according to the verification procedures in the Work First Manual. Always document the change and verification on the Verification Of Change In Situation form, [DSS-1662](#) (see Section 202 of NC Work First Manual, Figure 1).
- E. For income changes, refer to [Section 114](#), Income and Needs Assessment, of the NC Work First Manual.
- F. Manually send a written timely Notice of Stopping or Changing Public Assistance, [DSS-8110](#) (see Section 264 of the NC Work First Manual) to notify the household how the change affects their benefits. If the cash assistance terminates, transfer to RMA without a separate RMA determination for the remainder of the 8 month eligibility period for refugee assistance.

EXCEPTION

If a refugee household reports a change of address and it is in another county, **do not transfer the case.** Continue to maintain the RCA in the county of application.

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VII. REVIEW

Do not send a review notice. At the end of the refugee's eighth month in the US, terminate RCA assistance. Evaluate to determine if the refugee(s) is eligible for any other assistance and take the necessary applications or refer to the appropriate agency. In addition to notifying the refugee of the termination, the notice must indicate the determination of eligibility for other programs. Manually send a written timely Notice of Stopping or Changing Public Assistance, [DSS-8110](#). (See Section 264 of the NC Work First Manual.)

REMEMBER:

Refugee Assistance Programs are available to refugees for the first eight months after their date of entry in the U.S.A. and *only* if they are not eligible for other mainstream social services assistance programs such as Work First.

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VIII. NOTICE AND HEARINGS PROCESS

A. All applicants for and recipients of RCA must be provided an opportunity for a hearing to contest adverse determinations. See Section 264 of the NC Work First Manual.

EXCEPTIONS:

- The refugee may have a representative as well as a translator/interpreter attend the hearing.
 - The hearing decision must be provided in a language the refugee can understand or have translated/interpreted into such a language.
- B.** A hearing need not be granted when RCA is terminated because the eligibility time period (8 months) imposed by law has been reached.

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IX. OVERPAYMENTS AND UNDERPAYMENTS

Agencies must ensure recovery of overpayments and correction of underpayments.

- A.** If it becomes known that a refugee received an underpayment of benefits, take the steps necessary to issue the lost benefit amount to the refugee. Document the case record and issue restored benefits within 30 days of the discovery.

- B.** If it becomes known that a refugee received an overpayment of benefits:
 - 1. If the refugee is associated with a local affiliate, contact them to review the information.
 - 2. Verify the information that causes the change in benefits, i.e., wages, other income, household composition.
 - 3. Establish the amount of overpayment by determining the amount the payment should have been had the information been known.
 - 4. Request that the refugee household repay the overpayment by:
 - a. paying a lump sum for the total amount of the overpayment, or
 - b. paying cash installments – get a signed repayment agreement from the household stating the payments amounts and frequency of payment.

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X. RECIPIENT FRAUD AND ABUSE

Because Refugee Assistance is not considered a program of public assistance under N. C. G. S. 108A-24, fraud cases must be prosecuted under N. C. G. S. 14-100, “False Pretense and Cheats.” Follow procedures in Section 207 of the *NC Work First Manual*.

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I. INTRODUCTION

North Carolina's Refugee Assistance Program was established via federal funding from the US Office of Refugee Resettlement to provide refugee-specific social services defined and designated by federal regulation as being allowable for eligible refugees. Refugee services address the economic, educational, physical and psycho-social challenges facing refugees.

It is the purpose of the Refugee Assistance Program (RAP) to facilitate the effective resettlement of refugees and to assist them to achieve economic self-sufficiency as quickly as possible. The State makes available a broad range of social services that are allowable under the federal refugee resettlement program. These refugee social services are specifically designed to address those problems that are unique to the refugee's condition. Refugees struggle with being unable to communicate in English; of having to flee their homeland to escape tyranny and harm; of having traveled to a land of new people, laws and customs; and of having to start rebuilding their lives without familiarity with American systems and sometimes without any family or friends. These social services are provided to expedite the resettlement process, quickly reduce dependence on public assistance, assist refugees to become employed, acquire English language skills, and ultimately achieve self-sufficiency.

Employment services and English language training have been established as the highest priority services.

For those refugees who arrive from overseas via Cooperative Agreement with the US Department of State and a National Voluntary Agency for Reception and Placement (R&P) services, NC RAP social services are combined with those R&P services delivered by local resettlement agencies. RAP social services supplements and expands the local agency's responsibilities and ensures that duplication of services does not occur.

II. ELIGIBILITY GUIDELINES

A. General eligibility requirements

Eligibility for refugee social services is limited to those refugees who meet immigration status and identification requirements. Throughout this Chapter, the term "refugee" will refer to all groups below, who are Qualified Aliens, and potentially eligible for refugee social services.

NOTE: Income is not a criterion for receipt of refugee social services.

1. Refugees

The CIS definition of 'refugee' is:

"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

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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.

“
—

Using this definition, representatives of the U.S. Citizenship and Immigration Services (CIS) conduct interviews overseas of individuals who have fled persecution and desire to be designated as refugees. CIS then makes a determination of the individual’s refugee status. Once an individual is determined to be a refugee, a joint effort, conducted by the Department of State, the International Organization for Migration (IOM), the CIS, and National Volunteer Agencies (VOLAGS), brings certain individuals to the United States for resettlement.

2. Asylees

Asylees also meet the definition of 'refugee' for eligibility purposes. However, asylees are 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 to the CIS 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 CIS has granted asylum.*

NOTE: *Applicants* for asylum are not eligible, except for some Cuban and Haitian entrants. (See information below regarding Cuban and Haitian entrants.)

3. Certain Cuban and Haitian Entrants, as described below:

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

Any other national of Cuba or Haiti

a. Who: (i) was paroled into the United States and has not acquired any other status under the INA; (ii) is the subject of exclusion or deportation proceedings under the INA; or (iii) has an application for asylum pending with the CIS; and

b. With respect to whom a final, non-appealable, and legally enforceable order of deportation or exclusion has not been entered.

4. Certain Amerasians (from Vietnam)

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This status refers to 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 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 section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988.]

5. Victims of Human Trafficking

Any individual who has been subjected to “severe forms of trafficking in persons”, which includes;

- a. involvement in activity in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act is under 18 years of age; or,
- b. the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

6. Certain Special Immigrants

Afghani and Iraqi aliens who are granted Special Immigrant Status under Section 101(a)(27) of the Immigration and Nationality Act (INA). Individuals and family members granted this SI Status are eligible for entitlement programs, including Refugee Cash Assistance and Refugee Medical Assistance (RRF/MRF), and refugee social services the same as refugees admitted under section 207 of the INA.

Afghan and Iraqi individuals and family members granted this SI Status are eligible for entitlement programs, including Refugee Cash Assistance and Refugee Medical Assistance (RRF/MRF), and refugee social services and other benefits the same as refugees for a period of eight (8) months from the Date of Arrival.

For Iraqi/Afghan immigrants who acquire SI Status while already in the US, the date of eligibility for RRF/MRF (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 RRF/MRF. In no case can eligibility begin on a date prior to December 26, 2007.

7. Lawful Permanent Residents (i.e. green card holders) who held one of the above statuses prior to adjusting to Lawful Permanent Resident (eligible for certain specified services).

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B. CIS Documentation Most Often Presented By Aliens for Proof of Eligibility

<u>If a applicant has a document which is a(n):</u>	<u>Then the status is:</u>
<u>I-94 (Arrival/Departure Record): Coded with a reference to the following section: Section 207</u>	<u>Refugee, <i>Eligible</i></u> [See Chart #2]
<u>I-94 (Arrival/Departure Record): Coded with a reference to the following section: Section 208</u>	<u>Granted Asylum, <i>Eligible</i></u> [See Chart #3 and Appendix I]
<u>I-94 (Arrival/Departure Record): Coded AM-1, AM-2, or AM-3</u>	<u>Amerasian, LPR, <i>Eligible</i></u> [See Chart #5]
<u>I-94 (Arrival/Departure Record indicating at least 12 months): Coded with Section 212 (d)(5)</u>	<u>Parolee; Cuban or Haitian National, <i>Eligible</i></u> [See Chart #'s 4a, 4b, 4c and 4d]
<u>U. S. Passport or CIS document bearing the Endorsement "Processed for I-551, Temporary Evidence of Lawful Permanent Residence"</u>	<u>Permanent Resident, Lawfully Admitted for Permanent Residence (LPR), <i>Eligible</i></u>
<u>I-551 (Resident Alien Card): Coded AM-1, AM-2, AM-3,</u>	<u>Amerasian, LPR, <i>Eligible</i></u> [See Chart #5]
<u>I-551 (Resident Alien Card): Coded CH-6</u>	<u>Cuban/Haitian, <i>Eligible</i></u>
<u>I-551 (Resident Alien Card): Coded RE6, RE7, and RE8</u>	<u>Other Refugees, <i>Eligible</i></u>

The following documents will confirm both status and date of entry for Iraqi and Afghan Special Immigrants:

<u>Applicant</u>	<u>Documentation</u>
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<u>Principal Applicant Iraqi or Afghan Special Immigrant</u>	<u>Iraqi or Afghan passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI1 and DHS stamp or notation on passport or I-94 showing date of entry</u>
<u>Spouse of Principal Applicant Iraqi or Afghan Special Immigrant</u>	<u>Iraqi or Afghan passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI2 and DHS stamp or notation on passport or I-94 showing date of entry</u>
<u>Unmarried Child Under 21 Years of Age of Iraqi or Afghan Special Immigrant</u>	<u>Iraqi or Afghan passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI3 and DHS stamp or notation on passport or I-94 showing date of entry</u>
<u>Principal Applicant Iraqi or Afghan Special Immigrant</u> <u>Principal Adjusting Status in the U.S.</u>	<u>DHS Form I-551 (“green card”) showing Iraqi or Afghan nationality (or Iraqi or Afghan passport), with an IV (immigrant visa) code of SI6</u>
<u>Spouse of Principal Applicant Iraqi or Afghan Special Immigrant in P6 Category</u>	<u>DHS Form I-551 (“green card”) showing Iraqi or Afghan nationality (or Iraqi or Afghan passport), with an IV (immigrant visa) code of SI7</u>
<u>Unmarried Child Under 21 Years of Age of Iraqi or Afghan Special Immigrant in P6 Category</u>	<u>DHS Form I-551 (“green card”) showing Iraqi or Afghan Nationality (or Iraqi or Afghan passport), with an IV (“immigrant visa”) code of SI9</u>

While the Class of Admission (COA) code SQ designates Iraqi Special Immigrants, some Afghans were issued Special Immigrant Visas or I-551s (green card) with COA SQ1, SQ2, SQ3, SQ6, SQ7, or SQ9. Country of Citizenship is determined by the passport or information on the I-551, not by the COA code. When the COA is SQ, verify whether the applicant is Afghani or Iraqi to verify eligibility for ORR benefits and services.

A. Persons not eligible for refugee social services

1. Naturalized US citizens
2. Children born in the US to Qualified Aliens; they are US citizens at birth
3. Refugees less than 16 years of age.
4. Full-time students, except for employment services when needed to obtain part-time or temporary (e.g., summer) employment while a student

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III. DELIVERY AND PRIORITY PROVISION OF SERVICES

A. Service Delivery

The delivery of services under the program is made available through one of three ways: (1) the county departments of social services, (2) private, non-profit provider agencies under purchase of service contracts, or (3) directly by designated staff of the State Refugee Office.

B. Priority Provision of Services

Among the population of eligible refugees, social services are provided based on the following client priorities, except in certain individual extreme circumstances:

- Newly arrived refugees within their first year in the United States, who apply for services;
- 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

Service provision is limited to those refugees who have been in the United States less than 60 months, except for translation/interpretation, information and referral, citizenship and naturalization preparation and emergency services. Employment services and English language training have been established as the highest priority services.

NOTE: In the Targeted Assistance Program-Formula, service provision is limited to those refugees who have been in the United States less than 60 months, except for referral and interpreter services.

C. Cultural and Linguistic Competency

To ensure cultural competency, every reasonable effort should be made to hire staff or secure individuals with the same cultural background and linguistic knowledge as the larger ethnic populations that are being served. When this is not possible or for very small refugee groups, volunteers should be recruited to assist service provider staff with translation and orientation services as well as other needed social services. Provider staffs should make an effort to become familiar with the cultural values and customs of newly arriving refugees so that they can more effectively work with them.

D. Equal Access for Women

Women must not be excluded from receiving services they need and for which they are eligible.

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E. Protection of Rights and Ethical Obligations

Refugees must be informed of their rights and responsibilities and service provision must be fair and equitable. Providers must also provide clients with sufficient information to make informed choices about using the organization and its services. During the intake process described below in the **Application Process** section, clients must receive written information of their rights and responsibilities.

IV. SCOPE OF SERVICES

Social services funds are used primarily for employment services designed to enable refugees in achieving economic self-sufficiency as soon as possible. However, entered employment does not affect receipt of additional refugee social services.

A. Core Employability Services

1. Pre-Employment

Employment services provided to or with the client, including: development of a family self-sufficiency plan and individual employability plan; orientation to the world of work including completing job applications and job interviewing; skills development as well as job clubs and/or workshops; assistance with job interviews and drug screening; referral to job opportunities and placement agencies such as Employment Security Commission (ESC) for job search; and obtaining an Employment Authorization Document (EAD).

2. Job Development

Employment activities with potential employers with the aim of developing employer resources resulting in job opportunities for clients; recruitment of employers including mailing of employment services brochures; meetings; and attending and developing job fairs.

a. Initial Job Placement

First job obtained for a refugee with the assistance of the refugee service provider.

b. Current Job Placement

Each job after initial employment with the assistance of the refugee service provider.

3. Employment Follow-up

Assisting with problems on the job, explaining employee benefits, safety rules and procedures; discussing potential job upgrades; monitoring client performance; addressing language or cultural issues; immigrant status issues; and other contacts with client and employer after job placement.

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4. Employment Transportation

Development of an employment transportation plan and actual transportation provided in conjunction with employment services--whether initial acceptance or retention of employment.

B. Additional Employment Services

1. Assessment Services

Assessment of refugee's aptitude and skills for employment, vocational training or skills recertification.

2. Vocational Skills Training

Vocational skills training is training of short-term duration designed to teach refugees job-related skills that prepare them for a specific job or type of employment, such as nurse's aide, hair stylist, or tractor trailer truck driving that becomes their employability plan. Social service funds may not be used for long-term training programs such as vocational training that last for more than a year or educational programs that are not intended to lead to employment within a year.

3. On-The-Job Training

On-the-job training is provided at the employment site that is expected to result in full-time, permanent, unsubsidized employment with the employer who is providing the training.

4. Skills Recertification

Services that assist previously trained refugees to obtain skills and licenses necessary to resume practice/operation in the USA, such as for a medical nurse. Also may include short-term preparation for the General Education Diploma (GED) when the diploma is required by an employer for employment or advancement, or by a state licensing board for registration for a licensing examination.

5. Automobile Driver's Training

Includes driver education when provided as part of an individual employability plan.

6. English Language Instruction

English language training is a course of instruction for non-native English speakers equivalent to grade levels 0-6, that includes basic literacy, grammar, syntax, vocabulary and oral English with an emphasis on acquisition of survival and vocational English reading, writing and speaking skills. This includes completing the ELT assessment and ELT plan. Emphasis must be placed on English as it relates to obtaining and retaining a job.

7. English Language Training Transportation

Transportation when necessary for participation in English language instruction.

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C. Additional Refugee Social Services:

1. Outreach Services

These are activities designed to familiarize refugees with available services, to explain the purpose of these services, and facilitate access to these services.

2. Case Management Services

The process of handling, collaborating and directing the overall care of a refugee household or individual client in adjusting to a new environment and culture. This would include coordinating services with other service providers, developing appropriate service plans, providing individual and family counseling, and strengthening and supporting the ability of a refugee individual or family to achieve and maintain economic self sufficiency and family stability.

3. Information and Referral Services

Referral to appropriate resources and the making arrangements for necessary services. Individuals who cannot be served, or cannot be served promptly, are referred or connected to appropriate resources.

4. Social Adjustment

(a) Emergency Services-

- assessment and short-term case management;
- counseling to persons or families in a perceived crisis;
- referral to appropriate resources; and
- making arrangements for necessary services.

(b) Health-related Services-

- information and referral to appropriate medical resources;
- assistance in scheduling appointments and obtaining services;
- 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; and
- assistance during required treatments and follow-up

(c) Home Management Services-

- formal or informal instruction to individuals or families in management of household budgets, home maintenance, nutrition, housing standards, tenants' rights; and
- other consumer education services

5. Orientation

Formal or informal initial training in an effort to integrate the refugee individual or family into the community. Services include familiarization with location of nearest hospital, post office, library, community agency, etc. and basic acculturation.

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6. Transportation

Actual trips provided to refugees when necessary for participation in a service other than employment and ELT. Whenever possible, the least expensive option should be utilized, such as public transportation or mileage reimbursement.

7. Translation and Interpretation

Oral interpretation in conjunction with the refugee's service plan when necessary for essential activities of life, such as medical appointments, mental health counseling, applying for and training associated with public benefits, employment services, child or adult protective services, or anytime as needed in emergencies or crisis situations.

8. Citizenship and Naturalization Preparation Services

This includes English language training and civics instruction to prepare refugees for citizenship, application assistance for naturalization, assistance to disabled refugees in obtaining disability waivers from English and civics requirements for naturalization, and representation at the citizenship interview when needed and appropriate. Also included is application assistance for adjustment to legal permanent resident status or other relevant immigration documents such as Employment Authorization (EAD).

NOTE: For a complete list of social services and descriptions see [Appendix T Refugee Social Service Codes, Services, Descriptions & Units](#).

V. APPLICATION PROCESS

A. Intake Interview

All newly arriving refugees will be assessed for state funded social services. Additionally, eligible refugees residing in the service area of a state funded program, who directly request services, will also be assessed for enrollment. Particular emphasis is given to client employability, as all employable adults will be enrolled in employment services within 30 days of arrival or initial client request. Since the county department of social services (DSS) promptly notifies the refugee service provider when a refugee applies for cash assistance, a concentrated effort must be made by the refugee employment provider to prepare the cash recipient for job placement in the shortest time possible. This DSS notification assures that cash assistance recipients are known to the agency and can be enrolled in employment services within 30 days of receipt of aid. All appropriate forms mentioned below must be completed on each employable adult at the time of intake.

The service provider funded through the State Refugee Office has the responsibility for intake, initial determination and re-determination of eligibility for service(s). This includes:

- taking applications for services;
- determining the eligibility status of each individual for the service(s) requested;
- determining the period of time for which service(s) are authorized; and

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- notifying the client of the decision regarding eligibility.

B. Case Plan Development

After a refugee requests any of the refugee social services, a case plan must be developed for each client on either the NC RAP *Employability Plan* (DSS-6232) OR the NC RAP *Service Plan* (DSS-6231). The case plan provides the tool to assess and determine the client's current situation, needs and indicate which services will be provided. Once the Plan is completed and all signatures obtained, the *Employability* or *Service Plan* is executed and a copy should be maintained in the client file.

1. Service Plan

When a client request services exclusive of employment, the provider will complete the NC RAP *Service Plan* (DSS-6231) at the time the client is enrolled in a social service. Once the Plan is completed and all signatures obtained, the *Service Plan* is executed and a copy maintained in the client file.

2. Employment Plan

When a client requests employment services the following must occur:

- a. Complete the NC RAP *Employability Plan* (DSS-6232) at the time the client is enrolled in an employment-related service. The purpose of the Plan is to provide a tool for the employment staff and client to assess and evaluate the skills, abilities and interests of the client to determine potential employment opportunities and appropriate placement. It is critical and required that this Plan is completed thoroughly with each employable adult in the case who is looking for employment. Additionally, this Plan should be completed anytime a client contacts the service provider to obtain any employment service outlined in Section III of this manual. Once the Plan is completed and all signatures obtained, the *Employability Plan* is executed and a copy maintained in the client file.
- b. The NC RAP *Family Self-Sufficiency Plan* (DSS-6230) is developed with the refugee in conjunction with the *Employability Plan*. The purpose of this Plan is to provide a means to assist the client in determining the amount of income required to become economically self-sufficient and the amount of resources which will be available to the client. Employment staff must complete the Plan at initial intake prior to the provision of services and for every family for whom employment services are provided. It should also be completed anytime the client or a member of their family has a change in employment status. Additionally, this plan should be completed if the client has not been actively receiving services from the provider agency for an extended period of time but returns for any service that is provided through the NC RAP program.

3. English Language Training Plan

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English language training programs are designed to develop listening, speaking and writing skills essential for securing and maintaining employment in the United States. These programs help refugees move toward economic self-sufficiency and socio-cultural competency in their daily lives. Providers must adhere to the following ELT requirements and procedures:

- a. Develop the NC RAP Client (ELT) Service Plan (DSS-6233) at intake. The ELT staff and the client use the Plan to determine ELT goals and to list the steps that will be taken to attain those goals. Complete the Plan at the time the client enters into a state funded ELT service. This form should be kept in the ELT section of the client's case file.
- b. The NC RAP ELT Learner Initial Assessment Form (DSS-6234) is used to assess the client's English language proficiency and English literacy, and to determine the appropriate level of English Language Training to be provided by the refugee service provider. The Form should be completed by the ELT staff upon client arrival and prior to enrollment in ELT classes. When this is not possible, the assessment must be completed within the first ten (10) days of class. This form should be completed a 2nd time upon exiting the program or at the end of 6 months (whichever comes first). The 2nd assessment should be used as a tool to determine the progress of the client. If the client continues to remain in the ELT class after the 2nd assessment, the instructor may use other ELT Assessment forms based on the curriculum that is being used with the client. This form should be kept in the ELT section of the client's case file.
- c. ELT Case File Documentation:
 - Progress notes updating ELT information must be kept in the client's case file for other staff to utilize when working with the client.
 - The ELT section of the *Quarterly Review (DSS-6235)* must be kept updated with quarterly information regarding the client and their ELT status. This form should be kept in the client's case file for other staff to utilize when working with the client.
 - Include in the client's ELT case file should be Proof of Eligibility and a completed *Clients Rights (DSS-6237)*.
- d. If a case is closed and then reopened, a new ELT Service Plan must be completed along with a new ELT Assessment to determine the present status of the client. Both documents should be used to meet the current needs and placement for the client. These forms should be kept in the client's file for other staff to utilize when working with the client.
- e. Service providers will arrange English instruction using varied approaches depending on the needs of the refugee. Providers should arrange instruction at times and places convenient to refugees. ELT instruction

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must be held concurrent with employment and coordinated with employment services for employable adults.

f. Service providers must utilize established adult education programs, computer assisted English, on-site neighborhood training, one-on-one tutors, work site training, formal class language training and volunteer one-on-one tutors.

g. Service providers must ensure that the ELT program addresses:

- Special needs for refugee women (e.g. childcare, transportation);
- Strategies to ensure refugees continue to participate in ESL classes; after they go to work;
- ELT classes in locations accessible to refugees and in timeframes outside normal working hours; and
- Offering classes on both Basic and Advanced levels

4. Confidentiality and Clients Rights

Workers engage applicants in a non-judgmental explanation of roles and responsibilities resulting in a mutual, written understanding of what individuals expect. At initial intake, clients receive and are helped to understand a written summary of their rights and responsibilities, including:

- a description of the client's rights, including the obligations the organization has to the client;
- basic expectations for the use of the organization's services;
- hours that services are available;
- rules, expectations, and other factors that can result in discharge or termination of services; and
- a clear explanation of how to register complaints, grievances, or appeals.

a. The NC RAP *Informed Consent for Release of Information Form (DSS-6236)* is completed to ensure that the refugee client has complete understanding of his or her right to not allow information about them to be released or obtained by outside entities without their written consent. After all signatures are secured, the Form is included in the client file onsite with the service provider and a copy given to the client.

b. The NC RAP *Client Rights Form (DSS-6237)* is completed at intake to help him or her understand rights afforded to them when enrolled in state funded social services. After all signatures are secured, the Form is included in the client file onsite with the service provider and a copy given to the client.

c. The NC RAP *Refugee Mutual Responsibility Agreement (DSS-6239A)* and the *Plan of Action Requirements (DSS-6239-B)* are completed at intake when a client is enrolled in state funded employment services. Employment staff

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and the client review the Mutual Responsibility Agreement and develop the Plan of Action with the commitment of each party to abide by the responsibilities and conditions outlined.

VI. ONGOING ASSESSMENT AND DOCUMENTATION

Case Records are required for each client served in the NC Refugee Assistance Program. At a minimum, all required forms outlined in this Chapter must be completed and confidentially maintained onsite at the service provider location. These files must be well organized and document all services received by the client through the NC RAP program. To demonstrate ongoing assessment and progress of each client, use the following forms:

A. Quarterly Reviews

The NC RAP *Quarterly Review Form (DSS-6235)* is a tool for the refugee service provider to evaluate the progress and current situation of the client receiving services in the Refugee Assistance Program. The form should be completed 90 days after the client's arrival or the date the client enrolls in the program and every 90 days thereafter, as long as the client is being actively served under the Program. The refugee service provider's case manager, employment counselor, and/or ELT instructor assigned to the client should complete the form. This form should be kept in the client's case file for other staff to utilize when working with the client.

B. Case Notes

Case and progress notes must be completed and kept current for each client that has entered into a state funded service. Case file notes should include date of service, service code, type of contact (office/home visit, phone call, email, etc), and units of service for each service provided. Additionally, information should be included regarding the consequence of the service or activity and plan, if any, for subsequent follow-up. These case notes should be kept in the client's case file for other staff to utilize when working with the client.

VII. ADMINISTRATIVE AND PERFORMANCE REPORTING

Each service provider funded by the NC State Refugee Office (SRO) is required to submit specific documentation to fulfill its contractual obligations. These requirements include the management and report of specific service data as a condition of reimbursement and maintaining status as a service provider with the State.

The SRO, with State support, developed the NC Refugee Information System (RIS) to assist service providers with reporting responsibilities. Service providers enter and retrieve data from the statewide automated data system and produce mandatory performance reports.

Several periodic reports are submitted to the SRO to demonstrate effective goal planning and performance as required by the federal Office of Refugee Resettlement:

A. Annual Outcome Goal Plan

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Service providers submit a plan documenting program goals for the purposes of developing and improving services to refugees. Service providers project annual service goals for the 12 upcoming months and produce performance results for the prior 12 months on the Annual Goal Plan (AGP) or other narrative format.

B. Periodic Performance Reports

Service providers submit semi-annual, trimester, and monthly performance reports to demonstrate progress toward program goals at each interval. Specific instructions are outlined in the service provider contract.

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CHAPTER V - REFUGEE ASSISTANCE MONITORING

I. CASH ASSISTANCE

A. Introduction

To help ensure the integrity of the Refugee Cash Assistance Program, a formal monitoring process has been developed. This process will address the significant eligibility criteria needed to ensure appropriate and adequate assistance/services. A standardized monitoring tool will be used. Mandatory monitoring will be every other year for counties with an error rate of 5% or less. However, the NC State Refugee Office reserves the right to require monitoring more frequently should any significant problems arise in those counties in the off year. Local departments with the largest number of RCA cases will be monitored by the NC State Refugee Office; a select number of counties with smaller caseloads will self-monitor with the monitoring tool in this Chapter and submit results to the Refugee Office.

B. Sample

The State Refugee Office will monitor on-site those local departments of social services with the largest RCA cases in the prior SFY. A sample size of not less than 15 will be selected for review from a three month period. The monitoring sample size will depend on the size of the county, previous performance, and other factors identified by the Refugee Office. In no instance will the sample size for these counties be less than 15 per year, unless the total number of recipients falls under that number, nor more than 35.

In all other counties which had at least one RCA recipient, the sample size of no less than one and no more than 10 records will be randomly selected by the NC State Refugee Office for county self-monitoring.

C. Process

Cash Assistance cases will be selected for review from the monthly REFUGEE CASES AND RECIPIENTS BY PROGRAM report prepared by the Planning and Information Section within the NC Division of Social Services. The NC State Refugee Office will monitor the refugee cash assistance cases in one of two ways:

1. The first method will involve local DSS staff completing the monitoring instrument.

- a.. The NC State Refugee Consultant for Program Benefits will select the cases to be reviewed and the month/s for which eligibility is to be reviewed. The county will then be notified in writing of the cases selected for review
- b. Within 45 days after notification of the selected cases, a county supervisor or lead worker will complete the monitoring tool for each case and photocopy appropriate documentation to support the findings, i.e. alien status documents, EIS screen prints, wage verification, etc.
- c. Upon completion of the monitoring tool, the county will send each completed form with appropriate supporting documentation to the NC State Refugee Office.

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- d. The NC State Refugee Consultant for Program Benefits will analyze the monitoring results from the counties. If there are findings of non-compliance, a report with the findings will be prepared and mailed to the respective county.
 - e. Within 60 days of receipt of the monitoring report, the county must prepare a corrective action plan and submit it to the NC State Refugee Consultant for Program Benefits who will later verify that such corrective action was implemented by the county.
- 2. The second method for monitoring will involve onsite monitoring by the NC State Refugee Office.**
- a. The NC State Refugee Consultant for Program Benefits will conduct an onsite visit to the local department of social services. In this situation, the Refugee Consultant will directly review the case files and view verifications onsite.
 - b. Findings will be noted within the comment section of the monitoring forms along with the method of verification. Significant findings will be communicated both verbally at the end of visit and later in writing via a written monitoring report.
 - c. If a particular county is found to have areas of non-compliance, a corrective action plan is required and must be submitted to the State Refugee Office within 60 days. The NC State Refugee Consultant for Program Benefits will later verify that required corrective action was implemented.

3. Annual Summary

An annual RCA monitoring report will be produced noting statewide results. Monitoring forms, related verification information, compliance findings, corrective action plans/follow-up and related correspondence will be maintained in the NC Refugee Program Office located at 325 N. Salisbury Street, Raleigh, NC. Such records will be maintained according to the state's record retention policy.

4. Instructions For RCA Monitoring

- a. Complete the *RCA Monitoring Guide*, ([DSS-6238](#)).
Answer all questions fully. If *Not Applicable* (NA), give reason.
#3 – The first countable month is the month of arrival, or for asylees, the month asylum was granted. For instance, a refugee's Date of Arrival is March 12 and he applies for RCA on April 20. March is the first month and the eighth month is October.
#9 – If a refugee agency is providing Employment Services, there should be verification, such as a statement from the refugee case manager or a copy of the [DSS-5022](#), *Refugee Work Registration Certification, Employment/Refusal and Termination/Denial Notice* ([DSS-5022](#)), in the record. If a refugee provider does not serve the area, copies of the *Individualized Employability Plan* ([DSS-6232](#)) and *Family Self-Sufficiency Plan* ([DSS-6230](#)) as completed by the county should be in the record.
- b. Copy of alien status verification. (I-94, EAD, Asylum Letter, etc.)
- c. Copy of any income, resource and Employment Services verification.

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- d. EIS printout showing Application Date, Date of Approval or Date of Denial and reason, payment history, household composition and any other pertinent data.
- e. Copy of FSIS printout showing Application Date for Food Stamp Program, Date of Approval or Date of Denial and reason, household composition, payment history, and any other pertinent data.
- f. Send each completed form with appropriate supporting documentation to:
 - NC DHHS/DSS/Refugee Assistance Program
 - ATTN: Gail Andersen
 - 325 N. Salisbury St.
 - 2405 MSC
 - Raleigh, NC 27699-2405

CHAPTER V: REFUGEE ASSISTANCE PROGRAM MONITORING

II. REFUGEE SOCIAL SERVICES

A. Introduction

To help ensure the integrity of the Refugee Assistance social services programs, refugee service providers are subject to monitoring conducted by State Refugee Office (SRO) staff to address fiscal, administrative and programmatic contract compliance.

The NC State Refugee Office (SRO) has instituted a number of strategies to measure performance continuously among refugee service providers. Overall success is measured based on achievement along performance indicators at periodic intervals. A system of weekly, monthly, trimester, semi-annual and annual benchmarks help the SRO to track and monitor performance.

The statewide integrated Refugee Information System (RIS) allows for data input of all services and activities received by clients. Service providers and the SRO use this system to monitor the performance of their efforts.

B. Sample

SRO staff monitors the appropriate use of the RIS system by **each** service provider who input and export data weekly. Also, SRO staff performs desktop monitoring reviews monthly to ensure steady progress towards achieving semi-annual, trimester and annual goals. These monthly reviews include financial assessments to determine appropriate spending patterns.

C. Onsite Monitoring Process

Onsite monitoring visits are conducted periodically with service providers. The State Refugee Office and service provider determine a mutually agreeable time for the onsite visit to occur. The monitoring visit will include an administrative review, client record reviews, limited fiscal review, observation of service delivery, interviews with key personnel, clients and community partners such as employers.

The monitoring sample will consist of refugee client files randomly selected with allowances for duplication and/or programmatic coverage. Sample size depends on the amount of the contract and the number of clients served in the sample month reviewed. Each client file in the sample will be reviewed to ensure inclusion of applicable required documentation. Significant findings will be communicated both verbally at the time of an exit interview and in writing within 30 days after the monitoring visit. If the findings require a refugee service provider to implement corrective action, it must be submitted to the State Refugee Office within 30 days after receipt of the report. SRO staff will follow up after submission of the Corrective Action Plan to verify that corrective action has been implemented.

Monitoring forms, related verification information, compliance findings, corrective action plans, follow-up documentation and related correspondence will be maintained in the NC Refugee Program Office located in the Albemarle Building, 325 N. Salisbury Street, Raleigh, NC. Such records will be maintained according to the state's record retention policy.