STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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REASON FOR THIS TRANSMITTAL

[ ] State Law Change
[ ] Federal Law or Regulation Change
[ ] Court Order
[ ] Clarification Requested by One or More Counties
[X] Initiated by CDSS

September 30, 2009

ALL COUNTY LETTER NO. 09-49

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY REFUGEE COORDINATORS
ALL COUNTY FOOD STAMP COORDINATORS
ALL COUNTY WELFARE-TO-WORK COORDINATORS
ALL COUNTY CONSORTIUM PROJECT MANAGERS
ALL COUNTY CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS PROGRAM SPECIALISTS
ALL COUNTY CASH ASSISTANCE PROGRAM FOR IMMIGRANTS PROGRAM MANAGERS
ALL COUNTY IN-HOME SUPPORTIVE SERVICES PROGRAM MANAGERS
ALL COUNTY FISCAL OFFICERS
ALL COUNTY CIVIL RIGHTS COORDINATORS
ALL STATE ADVISORY COUNCIL ON REFUGEE ASSISTANCE AND SERVICES MEMBERS

SUBJECT: NEW AID AND ALIEN ELIGIBILITY CODES FOR THE TRAFFICKING AND CRIME VICTIMS ASSISTANCE PROGRAM

REFERENCE: SENATE BILL (SB) 1569, CHAPTER 672, STATUTES OF 2006; WELFARE AND INSTITUTIONS CODE SECTIONS 13283, 14005.2, AND 18945; ALL COUNTY LETTER (ACL) NO. 06-60, DATED DECEMBER 21, 2006, AND 08-15, DATED APRIL 4, 2008; ALL COUNTY INFORMATION NOTICE (ACIN) NO. I-41-07, DATED AUGUST 8, 2007

This letter provides information and instructions regarding new aid and alien eligibility codes in the Medi-Cal Eligibility Data System (MEDS) for individuals who receive benefits and services under the Trafficking and Crime Victims Assistance Program (TCVAP).

The TCVAP was authorized by SB 1569 (Chapter 672, Statutes of 2006) and became effective on January 1, 2007. This program assists eligible non-citizen victims of human trafficking and domestic violence or other serious crimes by providing them with state-funded benefits and services that are equivalent to those provided to individuals who are admitted into the United States (U.S.) as refugees. In most cases, non-citizen trafficking and serious crime victims must apply to the U.S. Citizenship and Immigration Services for a T Visa or U Visa, respectively, which allows them to remain in the country legally to resolve their case and/or permanently resettle here.

Under TCVAP, eligible trafficking and serious crime victims may receive benefits and services under the following state-funded programs: TCVAP Cash Assistance (for single adults or families without children), California Food Assistance Program (CFAP), Cash Assistance Program for Immigrants (CAPI), California Work Opportunity and Responsibility to Kids (CalWORKs) and In-Home Supportive Services (IHSS). The TCVAP-eligible persons may also receive state-funded Medi-Cal that is administered by the California Department of Health Care Services (CDHCS) and services under the Healthy Families Program, which is administered by the Medical Risk Medical Insurance Board.

For more information on TCVAP eligibility, benefits, and services, please refer to ACL No. 06-60 at the following link: http://www.dss.cahwnet.gov/getinfo/acl06/pdf/06-60.pdf.

PLEASE NOTE: This population may not have social security numbers. If they meet the eligibility criteria for TCVAP benefits and services, applicants and recipients receive cash aid and services under this state-only program without having a social security number. Counties may not deny or discontinue the case because the applicant or recipient does not have a social security number. In county welfare departments where automation requires a social security number and the system allows for it, counties may enter a “pseudo” number, or they may develop other workarounds to ensure that the case is processed and the client is served. (For additional information on “pseudo” numbers, please see ACL No. 06-60, Page Nine, at the above link.)

TCVAP AID AND ALIEN ELIGIBILITY CODES

The following new aid and alien eligibility codes have been programmed into MEDS so that non-citizen trafficking and serious crime victims who receive state-funded benefits and services can be properly identified and tracked for data reporting and fiscal claiming purposes. These new codes are available for immediate use by counties.

Prior to the issuance of the new codes, counties were directed, via ACL No. 06-60, to flag these cases so that they could be identified. Counties must review all

manually-tracked cases that have been terminated since the implementation of TCVAP on January 1, 2007, to ensure that those clients received benefits under their respective programs for the amount of time allowed and that they were not improperly terminated due to coding issues.

Counties must begin coding new non-citizen trafficking and serious crime victim cases and all continuing cases that have been tracked manually, as soon as possible. Following are the specific codes and descriptions that apply to the type of case and service:

TCVAP Aid Code:

1V: TCVAP state-funded cash assistance

TCVAP Alien Eligibility Codes:

W: Non-citizen victim of trafficking who is in the process of applying for a T Visa
Applicant for TCVAP who is taking steps to file for a T Visa and/or is taking steps to become certified by the federal Office of Refugee Resettlement (ORR) for federal benefits.

X: Non-citizen victim of domestic violence or other serious crimes who has filed a U Visa application

Y: Non-citizen victim of domestic violence or other serious crimes whose U Visa has been approved

The alien eligibility codes W, X, and Y are not exclusive to TCVAP state-funded cash assistance (aid code 1V). They may be used with the aid code of any program for which the non-citizen applicant/recipient is eligible. For example, if a mother with a U.S. citizen child has applied for a U Visa and is otherwise eligible, the aid code would be 3E as the mother is eligible for state-only CalWORKs while the U.S. citizen child is eligible for federally-funded CalWORKs. The alien eligibility code would be X.

CALWORKS ELIGIBILITY

Counties are required to determine if individuals claiming the status of a non-citizen victim of trafficking, domestic violence, or other serious crimes are eligible for state-funded CalWORKs. Eligibility for adults and children must be determined independently. A parent's status as a non-citizen victim of trafficking, domestic violence or other serious crimes does not eliminate the need for the child to separately meet the eligibility requirements. If the child was not a trafficking victim, the child (or someone on behalf of the child) must apply for T Visa derivative status, prepare to apply

for T Visa derivative status, take steps to meet the conditions for federal benefits eligibility, or apply for U Visa derivative status in order to be eligible for state-only CalWORKs. If the child does not meet one of these eligibility conditions, he/she is ineligible for state-funded CalWORKs.

Once the county determines eligibility for the adult and the child for state-funded CalWORKs benefits, the county shall use aid codes of 3E, 3G, 3H, 3L, 3M, 3U, or 3W, and the alien eligibility code, as appropriate.

For example, if both the parent and the child are victims of trafficking, domestic violence, or other serious crimes, the aid code would be 3L, as the parent and child are not federally-eligible but are eligible for state-only CalWORKs. The alien eligibility code would be W, X, or Y.

FOOD STAMPS ELIGIBILITY

As indicated in ACL 06-60, noncitizens determined eligible for state-funded benefits under the provisions of SB 1569, who would be ineligible for federal food stamp (FS) benefits solely based on their noncitizen status, shall be eligible for FS benefits under the CFAP as outlined in Manual of Policies and Procedures Section 63-403.

CLAIMING EXPENDITURES

To allow counties to report expenditures for the TCVAP program, the CA 800 Automated Assistance Claims will be amended to include Aid Code 1V. Claiming instructions will be provided to the counties through the CA 800 Automated Assistance Claims Excel Workbook monthly notice.

ELIGIBILITY FOR FEDERAL BENEFITS

The following refugee/alien indicator code has also been developed for T Visa applicants who obtain federal certification as a trafficking victim from ORR.

Refugee/Alien Indicator Code:

O: <u>Non-citizen victim of severe forms of trafficking who has been certified by the federal ORR</u>

If a recipient is in TCVAP and receives ORR certification, the county must terminate these individuals from state-funded benefits and transition them into federally-funded programs for which they are eligible. These cases would be identified with the aid code for the federally-funded program and the new refugee/alien indicator code above.

For example, a single adult who has applied for a T Visa and is receiving TCVAP cash assistance would be coded as follows: aid code 1V and alien eligibility code W. After he/she receives ORR certification of trafficking status, the county terminates the individual's TCVAP cash assistance benefits and moves him/her into the federally-funded Refugee Cash Assistance (RCA) program. The case would then be coded as aid code 01 (RCA) and refugee/alien indicator code O.

If you have any questions regarding the TCVAP aid, alien eligibility, and refugee/alien codes, please contact the appropriate program staff, as identified below:

Refugee Resettlement Program:
Ms. Janet Sandlin, Manager, Policy Unit, Refugee Programs Bureau, at (916) 654-1246.

CalWORKs Program:
Please contact your CalWORKs County Consultant at (916) 654-1322.

Food Stamp Program:
Mr. David Badal, Manager, Food Stamp Policy Bureau, at (916) 653-5528.

Sincerely,

Original Document Signed By:

CHARR LEE METSKER
Deputy Director
Welfare to Work Division