

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814
(916) 322-3141

June 4, 1985

ALL-COUNTY LETTER NO. 85-61

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: REFUGEE DEMONSTRATION PROJECT IMPLEMENTATION INSTRUCTIONS

REFERENCE: ACIN I-63-84, ACL 84-98, ACL 85-17, ACL 85-55

This letter is being transmitted to provide the County Welfare Departments (CWDs) with instructions necessary to implement the Refugee Demonstration Project (RDP).

Effective July 1, 1985, California is implementing a statewide RDP to run for three years. All counties in which there are DSS-funded or Targeted Assistance refugee employment/training programs will participate in the RDP. The RDP is 100 percent federally funded through the use of Federal Refugee Resettlement Program (RRP) cash, medical, social services and Targeted Assistance funds, and Title IV-A and Title XIX cash and medical funds. No special funding will be necessary for Food Stamp allotments. (RDP cases will be considered nonassistance for Food Stamp purposes.) Federal authority for this demonstration project is contained in 8 USC Section 1522(e)(7) (aka, the Fish/Wilson Amendment) and State enabling legislation is contained in Senate Bill 2035, Chapter 1352, Statutes of 1984.

The RDP requires that refugees who would normally qualify for aid under the Federal AFDC Program, who reside in areas in which DSS-funded and/or Targeted Assistance employment/training programs are available, and who are RDP time-eligible shall be provided cash assistance under RDP as the primary source of aid. Additionally, certain refugees currently aided in the Federal AFDC Program shall be transferred or "converted" to the RDP beginning with the July 1, 1985 implementation date.

Under the RDP, these refugee families will be required to participate in refugee employment/training programs designed to accelerate acculturation and develop employment skills. Additionally, training and work-related expenses and child care payments may be provided to encourage participation in early employment.

All RCA Program regulations shall apply unless superseded by the RDP regulations. These regulations are due to be effective July 1, 1985. Enclosed for your information is a draft copy of the RDP regulations. An advance copy of the formal regulations package will be forwarded to counties shortly under separate cover. We do not anticipate that any major changes will be made in the draft regulations package prior to its formal release.



It is critical to remember that under the Federal law allowing for the RDP, all cases while in the RDP are ineligible for both Federal AFDC and RCA.

Cuban/Haitian Entrants are not eligible for the RDP.

GENERAL CASE PROCESSING

1. All ongoing Federal AFDC refugee cases which are RDP eligible shall be converted to the RDP by September 30, 1985 (1/3 of the caseload per month).
2. Federal AFDC applications dated prior to the effective date of these regulations, when authorizing action is to take place in July 1985, shall receive an AFDC payment for that month. However, the CWD shall take steps to notify the refugee that the case will be converted to the RDP (via the stuffer notice and/or Notice of Action (NOA)).

Additionally, a face-to-face interview will be scheduled with the refugee caretaker relative or principal earner parent to present him/her with all the requirements of the RDP and consequences of noncooperation/nonparticipation. During this interview, a Central Intake Unit (CIU) Referral Form, the RS3, will be completed to refer the nonexempt caretaker relative or principal earner parent to the CIU for employment and training registration purposes. A list of the CIUs for the RDP is enclosed.

NOTE: All RDP nonexempt caretaker relatives or principal earner parents must be referred to the CIU by the CWD regardless of whether or not they are currently participating in a DSS-funded or Targeted Assistance employment/training program.

3. A new grant computation is necessary if the converted case was receiving the \$30 and one-third disregard or the additional \$30 disregard, and/or if a member of the assistance unit is a full-time student in an institution of higher education (MPP Sections 69-206 and 69-213). (See CONVERSION Section for further instructions)
4. Federal AFDC applications dated on or after July 1, 1985 shall be processed in accordance with RDP regulations.

RDP ELIGIBILITY

The following cases have eligibility for the RDP:

1. All ongoing Federal AFDC refugee cases whose caretaker relative or principal earner parent has 12 months or more of time-eligibility remaining as of July 1, 1985 (also known as converted cases); and

2. All new Federally-eligible AFDC refugee cases (applying on or after July 1, 1985) whose caretaker relative or principal earner has six months or more of time-eligibility remaining as of the date of application for assistance.

CONVERSION

1. Cases where the caretaker relative or principal earner parent is a U.S. citizen will not be converted to the RDP. Cases where the caretaker relative or principal earner parent is a refugee and the remaining parent and/or child are U.S. citizens shall be converted to the RDP when the caretaker relative or principal earner parent is RDP time-eligible. The U.S. citizen parent and child will be non-RRP-funded (MPP Section 69-203.32).
2. Cases where the caretaker relative or principal earner parent is excluded from the assistance unit shall be converted or aided under the RDP if the caretaker relative or principal earner parent is RDP time-eligible (MPP Sections 69-204.311, 69-205.11 and 69-206.211).
3. Cases which were originally not converted to the RDP and are subsequently reunited with the missing caretaker relative or principal earner parent who meets the RDP eligibility criteria shall be converted to the RDP.
4. Cases which move from a non-RDP county to an RDP county shall be converted to the RDP if eligible.
5. Cases where the only eligible child is a full-time student in an institution of higher education (see page 5) shall not be converted to the RDP.
6. Cases where the loss of the \$30 and one-third disregard or the \$30 disregard renders the case financially ineligible shall not be converted to the RDP.
7. Cases under sanction shall not be converted to the RDP until termination of the sanction period and only if the caretaker relative or principal earner parent has sufficient time-eligibility remaining as of the date aid can be restored.

ASSISTANCE UNIT COMPOSITION

The RDP assistance unit shall be established in accordance with AFDC regulations except that children who are 18 years of age or older who will not graduate from high school prior to their nineteenth birthday and who have been in the U.S. less than 18 months from their date of entry shall be established in their own RCA assistance unit, if they meet all eligibility criteria. All members of an RDP assistance unit, regardless of time-eligibility or citizenship, shall meet all RDP Program eligibility requirements in order to receive a grant.

PENALTIES

Sanctions for RDP clients shall be the same as in the AFDC Program. Thus, in an RDP-FG case only the caretaker relative will be sanctioned for three payment months for the first offense and six payment months for second and subsequent offenses. Medi-Cal eligibility automatically continues during the sanction period for all members of the RDP-FG assistance unit.

The RDP-U cases shall likewise be sanctioned for three and six payment months, except that the entire assistance unit will be under sanction during the penalty period (MPP Section 69-208.712). Medi-Cal eligibility automatically continues during the sanction period only for members of the assistance unit under 21 years of age.

The first sanction under RDP shall be considered the first offense for purposes of determining the sanction period.

There shall be no durational penalty attached to the failure/refusal of the nonexempt caretaker relative or principal earner parent to register with the CIU or EDD. The RDP case shall be ineligible for RDP benefits until he/she has registered as required.

AVAILABILITY OF SERVICES

For purposes of RDP eligibility (MPP Section 69-206.111) availability of DSS-funded employment/training programs means that there are DSS-contracted or Targeted Assistance employment/training programs in the county. Where slots are unavailable in these programs, refugees will be put on a waiting list or rereferred by the CIU to the CWD for referral to EDD-ES, as appropriate.

APPEALS

Transfer to the RDP is an appealable action. Cases which appeal shall remain in AFDC until the state hearing decision is reached. (Aid paid pending will be paid from AFDC Program funds, not RDP.) Cases with less than six months of time-eligibility remaining from the date of the state hearing decision shall remain in the AFDC Program. Cases awaiting a state hearing decision which does not involve an AFDC eligibility issue, e.g., late CA 7, shall be converted to the RDP (MPP Section 69-204.312). Any overpayment/underpayment incurred as determined by the state hearing decision shall be collected/corrected through an adjustment to the RDP grant (MPP Section 69-210).

SUPPORTIVE SERVICES

DSS plans to provide supportive services, i.e., Training-Related and Work-Related Expenses, and child care payments to mandatory RDP registrants participating in DSS-funded or Targeted Assistance employment/

training programs. The CIU will assess the need and provide the supportive services payments. The RDP recipient who refuses supportive services which would enable participation in the employment/training programs shall be reported to the CWD by the CIU. The CWD shall make a cause determination and if no good cause is found for the refusal, the individual/assistance unit shall be sanctioned (MPP Sections 69-208.61 and 69-208.7).

FULL-TIME STUDENTS

All full-time student provisions of the RCA Program apply to RDP time-eligible participants. Thus, any member of the RDP cash assistance unit who is a full-time student in an institution of higher education shall be ineligible to receive RDP and will be excluded from the RDP grant. (MPP Sections 69-206.5 and 69-213.7 are being processed for adoption separately, but will also be effective July 1, 1985.)

NOTICE OF ACTION/STUFFER NOTICE LANGUAGE

Stuffer and NOA language designed to inform refugees of potential or actual placement in the RDP and its consequence on their grant amount was released to the CWDs via ACL 85-55. Enclosed is NOA language for RDP sanction purposes. The NOA language for termination purposes will be released to the counties prior to the July 1, 1985 implementation date for the RDP. Translations of both NOA forms will be forwarded to the CWDs upon receipt by this office. All other NOA language used for RCA Program purposes is applicable to the RDP.

AID CODES

The following codes shall be used for RDP cases:

- Code 77 - Federal AFDC-FG refugee cases aided under the RDP (RDP-FG).
- Code 78 - Federal AFDC-U refugee cases aided under the RDP (RDP-U).

MANDATORY REFERRAL SYSTEM

All current program regulations and instructions regarding the RCA mandatory referral system apply to the RDP. This means that unless/until the nonexempt caretaker relative or principal earner parent has registered with the CIU, the case is ineligible for RDP payments. The RS 3 (CIU Referral Form) has been revised and is available from the State Warehouse. This new RS 3 must be used when referring all nonexempt RDP participants to the CIU.

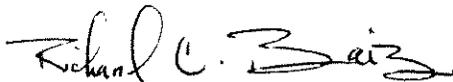
FISCAL CLAIMING INSTRUCTIONS

Special provisions have been made to allow for the separate identification of the activities and costs associated with the conversion of the eligible AFDC refugee cases to RDP as well as the new RDP cases. The eligibility workers will time study separately to RDP on the Eligibility and Non-service Time Study, DFA 43, during the normal time study month and the

costs will flow through the Administrative Expense Claim in the normal manner. Detailed time study/claiming instructions will be issued with the revised DFA 43 and Administrative Expense Claim forms for the July-September 1984 quarter.

Assistance claiming instructions for the RDP will be issued in a separate All-County Letter. An initial supply of the forms to be used for claiming RDP expenditures will also be provided at such time under separate cover.

If you have further questions, please contact your Office of Refugee Services, County Welfare Operations Consultant at (916) 322-3141 or (415) 337-8588, as appropriate. Questions on Medi-Cal eligibility should be directed to Richard Yamadera with the State Department of Health Services at (916) 324-0652.



RICHARD C. BAIZ, Deputy Director
Government and Community Relations

Enclosures

cc: CWDA
ORR-SF
DHS

(1) Repeal existing Section 40-125.6 text and adopt new .6 text to read:

40-125 PROCESSING APPLICATIONS, REAPPLICATIONS, 40-125
AND RESTORATIONS (Continued)

.6 An individual cannot receive aid under the APSB and SSI/SSP programs at the same time. The county welfare department has the responsibility of advising the APSB applicant that the SSI/SSP program, administered by the Social Security Administration, also provides for the exclusion of income and property which are essential to a blind recipient's plan for self-support. The county welfare department shall assist the person to the extent possible in his/her selection of the program which is more appropriate to his/her needs.

If the applicant does not meet the conditions of eligibility for a cash grant, the county shall, on the basis of the same application, determine whether he/she meets the conditions of eligibility for medical assistance as a medically needy person and, if so, make an appropriate certification.

Referral of Refugee Applicants

Refugee applicants eligible for a federal AFDC grant shall be referred to the Refugee Demonstration Project as their primary source of aid if they meet the criteria in MPP Section 69-206.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2; Chapter 69, Section 23, Statutes of 1981; and 8 USC 1522(e)(7).

DRAFT

(2) Adopt new Section 40-185.3 to read:

40-185 INTERPROGRAM TRANSFERS (Continued)

40-185

.3 Federal AFDC cases which contain refugees who meet the criteria found in MPP Section 69-204.31 shall be transferred interprogram to the Refugee Demonstration Project.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2 and 8 USC 1522(e)(7).

(3) Adopt new Sections 42-625.4 and .5 to read:

42-625 WIN DEMO REGISTRATION AS A CONDITION OF
AFDC ELIGIBILITY (Continued)

42-625

- .4 Applicants for AFDC who are granted aid under the Refugee Demonstration Project in lieu of AFDC, pursuant to MPP Section 40-125.6, shall have the same registration requirements as other applicants for AFDC. Such individuals shall remain registered upon transfer to the AFDC program.
- .5 Registered AFDC recipients who are transferred to the Refugee Demonstration Project pursuant to MPP Section 40-185.3 shall remain registered while receiving aid under the Refugee Demonstration Project and shall remain registered upon transfer to the AFDC program.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2 and 8 USC 1522(e)(7).

(4) Amend Sections 69-201.3 and .4 to read:

69-201 GENERAL STATEMENT (Continued)

69-201

- .3 County Welfare Departments (CWD) shall, upon notification from BSS, determine the eligibility of refugees in RRP for AFDC and, the Refugee Demonstration Project program (RDP) or Refugee Cash Assistance (RCA). Eligibility for SSI/SSP shall be determined by the Social Security Administration. The CWD shall administer these programs according to federal policy under the supervision of DSS for financial assistance and social services, and the State Department of Health Services (DHS) under interagency agreement with DSS for medical assistance.
- .4 All current AFDC program regulations apply unless specifically superseded by the RDP or RCA regulations contained herein.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2 and 8 USC Section 1522(e)(7).

(5) Amend Sections 69-203.31 and .32 to read:

69-203 DEFINITIONS (Continued)

69-203

.3 Children of Refugees

- .31 In a number of cases, children have been born in the United States to refugee parents, or have been born to a refugee and a United States citizen. These children are considered to be United States citizens by birth. However, under the following circumstances, such children are eligible for assistance (AFDC, SSI/SSP, RDP, RCA, and medical assistance) and social services funded under RRP:
- .32 United States citizen children born of a refugee and a United States citizen are not eligible for assistance or services funded by RRP if the household unit includes the United States citizen parent. In these situations, the refugee parent if eligible may receive RRP funded assistance (AFDC, SSI/SSP, RDP, RCA and/or medical assistance) and social services; and the United States citizen parent and the children if eligible may be aided under the regular (non-RRP funded) AFDC, SSI/SSP, medical assistance and/or social services programs.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2. and 8 USC Section 1522(e)(7).

(6) Adopt Section 69-203.4 "Title", renumber .4 text to .41, and adopt new .42 to read:

69-203 DEFINITIONS (Continued)

69-203

.4 Cash Assistance

.41 For purposes of determining eligibility for RCA, RCA means cash assistance provided to refugees who have been determined to be ineligible for AFDC or SSI/SSP and who have resided in the United States for 18 months or less from date of entry.

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

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

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Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2 and 8 USC Section 1522(e)(7).

(7) Adopt new Section 69-204.3 to read:

69-204 SPONSOR AND COUNTY RESPONSIBILITIES (Continued) 69-204

.3 Conversion

.31 CWDs shall transfer all current time-eligible refugee federal AFDC FG/U cases to the RDP program by September 30, 1985 except as follows:

.311 Refugee federal AFDC cases whose Caretaker Relative (FG) or Principal Earner (U) has fewer than 12 months of remaining refugee time-eligibility as of July 1, 1985 shall be exempted from the conversion.

.312 Conversion of current federal AFDC RDP-eligible cases awaiting a fair hearing decision involving an AFDC eligibility issue shall be delayed until the fair hearing decision is reached. If still federal AFDC eligible, the case shall then be converted to the RDP unless the Caretaker Relative (FG) or Principal Earner (U) has fewer than six months of time-eligibility remaining.

.32 At the time of conversion from federal AFDC FG/U to the RDP, CWDs shall refer the nonexempt Caretaker Relative/Principal Earner to the Central Intake Unit (CIU) for registration.

.33 Refugee cases terminated from RDP as specified under 69-213.3 and 69-213.6 shall be transferred to federal AFDC FG/U via interprogram transfer if the RDP assistance unit is determined eligible. A new application is not required.

.331 Eligibility determinations shall include review of the number of hours worked and a redetermination of eligibility for the \$30 and 1/3 disregard.

.332 Connection with the labor force established prior to transfer to RDP shall be retained, provided that a break in aid has not occurred.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2, and 8 USC Section 1522(e)(7).

(8) Amend Section 69-205.3 to read:

69-205 ELIGIBILITY FOR SSI/SSP AND AFDC PROGRAMS (Continued) 69-205

.3 AFDC

Refugees who qualify for assistance under the federal AFDC program shall be aided under the RDP if eligible under Section 69-206. Other federal AFDC eligible refugees are to be aided under that program AFDC. For purposes of State-only AFDC-U program priority and transition, the CWD shall refer to refugee program instructions and directives issued by DSS. Those who do not qualify for the AFDC program shall have their eligibility determined for RCA, per Section 69-206. The refugee has no option as to program preference.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2 and 8 USC Section 1522(e)(7).

(9) Amend Section 69-206 "Title"; amend and renumber Section 69-206.1 text to .12, .21 text to .212, and .211 through .215 to .212(a) through (e); amend Sections .22, .3, .4; and adopt new .11, .111, and .211(a) through (f) to read:

69-206 ELIGIBILITY FOR REFUGEE DEMONSTRATION PROJECT (RDP) OR REFUGEE CASH ASSISTANCE (RCA) 69-206

.1 Eligibility Factors

.11 RDP

All eligibility requirements for the federal AFDC program, Family Group (FG) or Unemployed Parent (U), apply to RDP. Additional factors which must be considered in determining eligibility are: time eligibility (69-206.211); refugee status (69-203.1); income and resources (69-207); income eligibility (69-206.4); and registration, employment and employment-directed educational/training requirements (69-208). In addition to these factors, as a condition for receiving assistance, the applicant/recipient shall, if applicable, provide the name of his/her sponsor or responsible VOLAG.

.111 Refugees residing in areas in which SDSS-funded employment-directed educational/training programs are not available shall not be required to participate in RDP.

.12 RCA

Requirements of categorical relatedness applicable to the AFDC program are waived for aid payments assistance under RCA (see Section 69-203.41) and aid shall be granted without regard to the presence of children, age or number of hours worked. Factors which must be considered in determining eligibility are: time eligibility (69-206.212); refugee status (69-203.1); income and resources (69-207); income eligibility (69-206.4); and registration, employment and employment-directed educational/training requirements (69-208). In addition to these factors, as a condition for receiving assistance, the applicant/recipient shall, if applicable, provide the name of his/her sponsor or responsible VOLAG.

.2 Eligibility Determination

AFDC program forms shall be used for eligibility determination, unless alternate forms are approved by DSS for use by the CWD.

.21 Time-Eligibility

.211 RDP-Eligibility for RDP is limited to the first 36 months following the date of entry in the United States. The month of entry, as indicated on the INS Form I-94, is counted as the first month.

- (a) A refugee who is within the 36-month period following date of entry in the United States is referred to as an RDP time-eligible refugee for purposes of RDP.
- (b) A refugee who has lived in the United States for more than 36 months is referred to as an RDP time-expired refugee.
- (c) Children born in the United States of refugee parents (Section 69-203.3) shall be considered time-expired based on the most recently arrived parent's expiration date or at the end of the 36th month from the child's birth date, whichever occurs sooner; however, the entire assistance unit shall remain in the RDP case until the time-expiration of the Caretaker Relative/Principal Earner.
- (d) The month of arrival, as indicated on the INS Form I-94, or the month of birth is counted as the first month in determining time-eligibility.
- (e) All refugee recipients aided under RDP shall have their time-eligibility reviewed to determine if they are still RDP time-eligible. RDP time-expired refugees shall be aided under other federal, state and/or county-funded programs, if otherwise eligible.
- (f) All refugee applicants shall have at least six months of refugee time-eligibility remaining to be eligible for RDP.

.212 RCA-Eligibility for RCA is limited to the first 18 months following the refugee's date of entry in the United States. The month of entry, as indicated on the INS Form I-94, is counted as the first month. Unaccompanied refugee children (Section 69-211) are not subject to the 18-month time-limitation.

.211(a) A refugee who is within the 18-month period following date of entry in the United States is referred to as a RCA time-eligible refugee for purposes of RCA.

.212(b) A refugee who has lived in the United States for more than 18 months is referred to as a RCA time-expired refugee.

.213(c) Children born in the United State of refugee parents (Section 69-203.3) shall be considered time-expired based on the most recently arrived parent's expiration date or at the end of the 18th month from the child's birth date, whichever occurs sooner.

.214(d) The month of arrival, as indicated on the INS Form I-94, or the month of birth is counted as the first month in determining time-eligibility.

.215(e) All refugee recipients aided under RCA shall have their time-eligibility reviewed to determine if they are still RCA time-eligible. RCA time-expired refugees shall be aided under other federal, state and/or county-funded programs, if otherwise eligible.

.22 Redetermination of Eligibility

A periodic redetermination of RDP or RCA eligibility shall be made in accordance with the procedures outlined in AFDC regulations.

.3 Family Budget Assistance Units, RCA Only

Family Budget Assistance Units (FBUs) shall be established as follows:

- .31 Parents and their children under 18 years of age shall be in the same FBU assistance unit.
 - .32 Brothers and/or sisters 18 years of age or older residing together may each be established in their own FBU assistance unit.
 - .33 Single adult refugees shall each be established in their own FBU assistance unit.
 - .34 Married couples without children shall be in the same FBU assistance unit.
- .4 Income Eligibility Exceptions

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

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2 and 8 USC Section 1522(e)(7).

(10) Amend Sections 69-207.1 and .2 to read:

69-207 INCOME AND RESOURCES

69-207

.1 Income

Income shall be considered on the same basis as in the AFDC program for determining need and computing the assistance payment, except that the \$30 and 1/3 or, as applicable, the \$30 disregard and sponsored alien provisions as it applies in the AFDC program shall not be applied to RDP or RCA cases.

.2 Resources

Real and personal property limitations shall be those prescribed in AFDC program regulations, except that the sponsored alien provisions in the AFDC program shall not be applied to RDP or RCA cases.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2 and 8 USC Section 1522(e)(7).

(11) Amend and renumber Sections 69-208.1, .2, .3, .5, and .6; and adopt new Subsections .12, .23, and .616 to read:

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

.1 General Requirements

.11 As a condition of eligibility, every RDP or RCA applicant/recipient shall as required by the CWD, either 1) register and participate with a DSS-funded or other CWD approved and referred employment-directed education/training program, or 2) register and maintain registration with the State Employment Development Department (EDD); unless the applicant/recipient is exempt per Section 69-208.4 or good cause can be established per Section 69-208.63. Each RDP or RCA applicant/recipient must also accept an offer of employment or employment-directed education/training opportunity(ies) from any source which is determined to be appropriate by the CWD, unless he/she is exempt or good cause can be established. Inability to communicate in English does not make the refugee exempt and shall not be considered good cause.

.12 RDP applicants/recipients shall accept necessary supportive services, such as training-related expenses (TRE), work-related expenses (WRE) or child care, if these services are available, when provision of these services will permit acceptance of an appropriate training or employment opportunity.

.123 The applicant/recipient must provide written verification to the CWD of his/her registration with the employment-directed education/training program or EDD.

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

.2 Employment and Employment-Directed Education/Training Requirements

- .21 The CWD shall refer all nonexempt (see Section 69-208.4) RDP or RCA applicants and recipients to the local DSS-funded or CWD approved project(s) providing employment-directed education/training for refugees. Such training must meet local employers' requirements so as to be likely to lead to employment within the local labor market. CWD referrals shall be accomplished in accordance with instructions and directives issued by DSS.
- .22 If a nonexempt RDP or RCA applicant or recipient fails to do any of the following, he/she has not met the employment and employment-directed education/training requirements:
- .221 Accept a bona fide offer of employment
 - .222 Accept a bona fide offer of employment-directed education/training, which is CWD sponsored, approved or referred; and participate in the education/training program in accordance with the criteria set by the program.
 - .223 Appear for employment interviews arranged by DSS-funded or CWD-approved employment-directed programs.
 - .224 Report to the DSS-funded or CWD-approved employment-directed program when requested to by that program.
 - .225 Accept referrals to employment interviews arranged by the DSS-funded or CWD-approved employment-directed program.
- .23 Nonexempt RDP applicants/recipients shall accept necessary supportive services offered by the SDSS-funded employment-directed program.

.3 EDD Registration Requirements

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

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

.321 Appear for EDD-arranged interviews with employers.

.322 Report to EDD when requested to by EDD.

.323 Accept referrals to employment interviews arranged by EDD.

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

.325 Accept a bona fide offer of employment.

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

.5 Other Requirements

As an applicant for RDP or RCA, a refugee shall not, during 30 consecutive calendar days immediately prior to the beginning date of aid have, without good cause, voluntarily quit, been discharged for willful misconduct, or refused to apply for or accept a bona fide offer of employment or employment-directed education/training, or participate in a CWD approved or referred employment-directed education/training program.

.6 Cause Determinations

.61 Conditions Under Which Cause Determinations Must Be Made

Using the criteria found in Section 69-208.62, the CWD shall make a cause determination within 10 working days of learning or being advised that the nonexempt refugee who is an RDP or RCA applicant or recipient has:

.611 Failed to register or participate with a DSS-funded or CWD approved or referred employment-directed program as required; or

.612 Failed to register or to maintain registration with EDD as required; or

- .613 Failed to comply with the requirements contained in Section 69-208.22; or
- .614 Failed to comply with the requirements contained in Section 69-208.32; or
- .615 Failed to meet the requirements contained in Section 69-208.5; or
- .616 Refused RDP supportive services necessary to permit acceptance of an appropriate work or training offer.

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

.6 Cause Determinations (Continued)

.62 Factors That Must Be Considered in Cause Determinations
(Continued)

- .626 The individual must be informed of the effect the refusal to accept or continue employment or employment-directed education/training, failure to accept supportive services where available and necessary, or failure to comply with the EDD registration requirements, without good cause, will have on his/her receipt of RDP or RCA.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2 and 8 USC Section 1522(3)(7).

(12) Amend Sections 69-208.71, .711, and .73; and adopt new .712 to read:

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

.7 Penalties for Failure or Refusal to Comply With the
Registration, Employment and Employment-Directed
Education/Training Requirements (Continued)

.71 If the nonexempt RDP or RCA applicant or recipient has refused or failed, without good cause, to meet or comply with the requirements of Section 69-208.1 through 69-208.3 and 69-208.5, the CWD shall deny or discontinue the REA benefits of for that individual.

.711 Except as provided in Section 69-208.73, a noncomplying recipient shall be ineligible for RCA benefits for three payment months for the first occurrence and six payment months for the second and subsequent occurrences from the date of discontinuance for refusal or failure to comply without good cause. Aid continues to the rest of the ~~PBB~~ assistance unit if the members are otherwise eligible.

.712 Except as provided in Section 69-208.73, the noncomplying individual shall be ineligible for RDP benefits for three payment months for the first occurrence and six payment months for the second and subsequent occurrences from the date of discontinuance for refusal or failure to comply without good cause. Aid continues to the rest of the assistance unit if the members are otherwise eligible, except that:

a. If the noncomplying individual is the unemployed parent, aid shall be discontinued to the entire assistance unit for the duration of the penalty period.

b. If the noncomplying individual is the caretaker relative, his/her aid shall be discontinued for the duration of the penalty period, and aid shall be continued to the remainder of the assistance unit in accordance with AFDC regulations.

.7 Penalties for Failure or Refusal to Comply With the
Registration, Employment and Employment-Directed
Education/Training Requirements (Continued)

.73 There is no durational penalty attached to a failure or
refusal to register with the employment,
education/training program(s) or EDD. ~~The nonemploying~~
~~individual shall be ineligible for RCA benefits until~~
~~he/she has registered as required.~~

.731 An RCA assistance unit shall be ineligible for RCA
benefits until all of the nonexempt individuals in
the applicant assistance unit have registered as
required.

.732 An RDP assistance unit shall be ineligible for RDP
benefits until the nonexempt caretaker relative
(FG) or principal earner (U) has registered as
required. Other nonexempt individuals in the
assistance unit who fail or refuse to register
shall be ineligible for RDP benefits.

Authority: Welfare and Institutions Code Sections 10553 and
10554.

Reference: Welfare and Institutions Code Division 9, Part 3,
Chapter 5.2 and 8 USC Section 1522(e)(7).

(13) Amend Sections 69-209, .3, and .6 to read:

69-209 AID PAYMENTS

69-209

Aid payments for RDP or RCA cases shall be based on AFDC regulations except that the \$30 and 1/3 or, as applicable, the \$30 disregard shall not be allowed in determining net nonexempt income.

- .1 Refugees will be eligible for recurring special needs allowances in accordance with AFDC regulations. Eligibility for nonrecurring special needs allowances exists but may be paid only for loss which has occurred subsequent to their arrival in California. Assistance for nonrecurring special needs is not to replace items of property which were left in the refugee's country of nationality.
- .2 Where there is an urgent need for assistance, the CWD shall in accordance with AFDC regulations make such provisions as are necessary to cope with the emergency by speeding up the application process and by issuing the initial grant to the refugee on an immediate need basis where apparent eligibility and immediate need exists.
- .3 Aid pending verification of refugee status shall not be authorized for purposes of RDP or RCA. The CWD shall complete a CA 6 Form on any refugee who presents questionable documentation for eligibility purposes, unless the refugee him/herself chooses to secure the appropriate documentation by contacting INS directly.
- .4 Eligibility for pregnancy special needs shall be determined in accordance with AFDC regulations.
- .5 Payments for unaccompanied refugee children shall be paid at the foster care rate established in the county.
- .6 Notwithstanding other eligibility requirements, refugee children who have been legally adopted by United States citizens are not eligible for assistance under ~~this~~ program RDP or RCA.

.7 Payments to adult refugees, who are not eligible for SSI/SSP and who in the county's judgment require nonmedical out-of-home care, shall be at the SSI/SSP nonmedical out-of-home care standards.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2, and 8 USC Section 1522(e)(7).

(14) Amend Section 69-210 to read:

69-210 OVERPAYMENT/UNDERPAYMENT ADJUSTMENTS AND FRAUD 69-210
REFERRALS

The methods outlined in AFDC regulations concerning the recoupment of overpayments, the correction of underpayments and the procedures concerning fraud shall be followed in RDP and RCA except that the \$30 and 1/3 or, as applicable, the \$30 disregard shall not be allowed in determining the net nonexempt income. Any overpayments/underpayments incurred by persons transferred from federal AFDC shall be recovered from the RDP grant.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2, and 8' USC Section 1522(e)(7).

(15) Amend Sections 69-213, .3, .5, and .6 to read:

69-213 TERMINATION OF AID

69-213

Aid payments to refugees under the RDP and RCA programs shall be discontinued in accordance with AFDC regulations and under the following circumstances:

- .1 A sponsor is meeting the full needs of the refugee or refugee family, in accordance with AFDC standards of assistance.
- .2 A refugee marries a United State citizen or other nonrefugee, including a time-expired refugee, who is able to meet the refugee's needs. In these circumstances, aid shall be discontinued for the refugee parent. Aid for the minor child(ren) in the ~~budget~~ assistance unit shall be continued unless the United States citizen or other nonrefugee stepparent is able to meet all needs of the child(ren) in accordance with AFDC standards of assistance.
- .3 A refugee becomes time-expired (per Section 69-206.212), becomes a naturalized United States citizen or otherwise loses refugee status.
- .4 A refugee fails to meet, without good cause, the registration employment and educational/training requirements (see Section 69-208).
- .5 A refugee fails to cooperate in providing sponsor or VOLAG information for purposes of determining eligibility for RDP or RCA.
- .6 When 100 percent federal funding ceases for the RDP or RCA program.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2 and 8 USC Section 1522(e)(7).

(16) Amend Section 69-215 to read:

69-215 INTERCOUNTY TRANSFERS

69-215

.1 The procedures for intercounty transfers as outlined in AFDC program regulations shall be applied in ~~this program~~ RCA and RDP.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2, and 8 USC Section 1522(e)(7).

(17) Amend Section 69-219.21 and adopt new Section .22 to read:

69-219 CLAIMING AND REIMBURSEMENT (Continued)

69-219

.2 Case Numbers - General

.21 All RCA cases, including those for unaccompanied refugee children, shall be designated with the aid codes as follows:

.211 Aid Code 01 - all refugees from Cambodia, Laos and Vietnam.

.212 Aid Code 07 - all other refugees.

.22 All RDP cases shall be designated with the following aid codes:

.221 Aid Code 77 - federal AFDC-FG eligible refugee cases aided under RDP (RDP-FG).

.222 Aid Code 78 - federal AFDC-U eligible refugee cases aided under RDP (RDP-U).

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2 and 8 USC Section 1522(e)(7).

(18) Amend Section 69-221 to read:

69-221 FAIR HEARINGS

69-221

Applicants for and recipients of RDP or RCA shall have the right to appeal adverse actions in accordance with MPP Chapter 22-000.

Authority: Welfare and Institutions Code Sections 10553 and 10554.

Reference: Welfare and Institutions Code Division 9, Part 3, Chapter 5.2 and 8 USC Section 1522(e)(7).

COUNTY CENTRAL INTAKE UNIT (CIU) PROVIDERS
FOR PERIOD JULY 1, 1985 THROUGH JUNE 30, 1986

Alameda County Social Services Agency
401 Broadway
Oakland, CA 94607

Kathy Vida (415) 874-6218

Contra Costa Superintendent of Schools
75 Santa Barbara Road
Pleasant Hill, CA 94523

Betty DeRieux (415) 944-3445

Fresno County Economic Opportunities Commission
2100 Tulare Street, Room 313
Fresno, CA 93721

Tony Souza (209) 485-8340

Catholic Welfare Bureau of the Archdiocese of Los Angeles
1400 West Ninth Street
Los Angeles, CA 90015

Joe D. Le (213) 251-3400

Merced County Refugee Services
1020 West Main Street
Merced, CA 95340

Charles Wimbley (209) 385-7476

Refugee Services Program of the Monterey Bay Counties
1760 Fremont Boulevard, Suite B-6
Seaside, CA 93955

Carmen Domingo-Enright (408) 394-9112

Catholic Charities of the Diocese of San Bernardino
1427 North La Cadena
Colton, CA 92324

Bridgette Brooks (714) 370-0800

Sacramento Employment and Training Agency
1510 J Street, Second Floor
Sacramento, CA 95814

Gary Gomez (916) 449-1308

International Rescue Committee. Inc.
1419 University Avenue
San Diego, CA 92103

Cynthia A. Jensen (619) 299-3411

Center for Southeast Asian Refugee Resettlement - San Francisco
220 Golden Gate
San Francisco, CA 94102

Vu Duc Vuong (415) 885-2743

Catholic Charities of the Diocese of Stockton - San Joaquin
2451 Country Club Boulevard
Stockton, CA 95204

John Graykoski (209) 948-1501

Intercultural Action Center
Post Office Box 4566 709 Davis Street, Room 205
Santa Rosa, CA 95402 Santa Rosa, CA 95401

Pam Teague (707) 542-3773

Stanislaus County Welfare Department
Post Office Box 42
921 County Center No. 3 Court
Modesto, CA 95353

Ed Bearden (209) 571-6647

Catholic Community Agencies - Orange County
2110 East First Street #115
Santa Ana, CA 92705

Dorothy Brylski (714) 953-9236

(This Agency will be responsible for all voluntary applicants for services and for Refugee Cash Assistance (RCA) mandatory referrals under a contract extension covering the period July 1, 1985 through September 30, 1985.)

Orange County Social Services Agency
1055 North Main, Suite 600
Santa Ana, CA 92701

Dolores Churchill (714) 834-3255

(This Agency will be responsible for all RDP mandatory referrals and AFDC WIN-Demonstration Project referrals under a special agreement with the State Department of Social Services covering the period July 1, 1985 through September 30, 1985.)

*Santa Clara County

*The CIU has not been selected

Notice of Actic

If you have questions or want more information about this action, please contact your worker.

Case Name :
Case Number :
Worker :
Phone :
Date :

Description of the Action, Amount, Reason(s), Comments. Effective _____, the following action is being take

THE COUNTY HAS CHANGED YOUR FAMILY'S REFUGEE DEMONSTRATION PROJECT (RDP) CASH AID FOR THREE PAYMENT MONTHS FROM \$ _____ TO \$ _____.

(AID PAYMENTS COMPUTATION SECTION)

THE COUNTY HAS CHANGED YOUR FAMILY'S RDP CASH AID FOR SIX PAYMENT MONTHS FROM \$ _____ TO \$ _____.

(AID PAYMENTS COMPUTATION SECTION)

THE COUNTY IS STOPPING YOUR FAMILY'S RDP CASH AID FOR THREE PAYMENT MONTHS.

THE COUNTY IS STOPPING YOUR FAMILY'S RDP CASH AID FOR SIX PAYMENT MONTHS.

YOU WILL RECEIVE A SEPARATE NOTICE ABOUT YOUR MEDI-CAL.

YOU WILL CONTINUE TO RECEIVE ZERO SHARE-OF-COST MEDI-CAL

HERE'S WHY YOU WILL GET LESS AID:

YOU/ _____ (name) _____ FAILED WITHOUT GOOD REASON TO MEET THE EMPLOYMENT/TRAINING RULES AS FOLLOWS: _____

YOU/ _____ (name) _____ REFUSED WITHOUT GOOD REASON TO MEET THE EMPLOYMENT/TRAINING RULES AS FOLLOWS: _____

YOU MAY REAPPLY FOR RDP AT ANY TIME BUT THE EFFECTIVE DATE OF AID MAY BE NO EARLIER THAN _____ (date) _____.

Regulations. This action is required by State regulations which are available for review at the county welfare department: Manu Policies and Procedures (MPP) Section(s) 69-208.712

Medi-Cal — California Administrative Code Title 22, Section(s) _____

State Hearing. If you are dissatisfied with this action, your aid may continue unchanged if you ask for a State Hearing before effective date of the action. Read the back for important information about your right to appeal this action.

NA 290(8/82) CASH AID/MC - SANCTIONS (REFUGEE DEMONSTRATION PROJECT)