

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



April 27, 1988

ALL-COUNTY LETTER NO. 88-38

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY AUDITORS
ALL COUNTY FISCAL OFFICERS
ALL COUNTY ADMINISTRATIVE SERVICES OFFICERS

SUBJECT: COUNTY WELFARE DEPARTMENT ADMINISTRATIVE EXPENSE CLAIM

This is to provide time study instructions for the April through June 1988 quarter. Included is information on the Immigration Reform and Control Act (IRCA) of 1986, Independent Living Skills Program (ILSP), and the Greater Avenues for Independence (GAIN) Program.

ELIGIBILITY AND NONSERVICE WORKER TIME STUDY (DFA 43)IRCA of 1986A. General IRCA Provisions

The IRCA contained various provisions, one of which established a legalization process for certain aliens meeting specified conditions.

1. Aliens who have continuously resided in the United States (U.S.) illegally since before January 1, 1982 may apply for lawful temporary resident status. After a period of eighteen months in a temporary resident status, the alien may apply for adjustment to permanent resident status. This group of "amnesty aliens" is referred to as "Immigration and Nationality Act (INA) Section 245A" aliens.

The INA Section 245A aliens who are in temporary resident status will have an Immigration and Naturalization Service (INS) I 688 - Temporary Resident Card annotated with "245A" and an expiration date. This card is referred to as "I 688-245A." The INA Section 245A aliens who are in permanent resident status will have an INS I 551 - Resident Alien Card (I 551-245A).

2. The IRCA also provided for granting lawful temporary resident status to certain aliens who performed seasonal agricultural work in the U.S. during a specified period of time. This group is known as Special Agricultural Workers (SAWs) or "INA Section 210" aliens.

There is also a "subgroup" within the SAWs alien group. Beginning with Federal Fiscal Year (FFY) 1990 and ending with FFY 1993, there may be a Federal determination that additional aliens should be admitted to the U.S. or should otherwise acquire the status of aliens lawfully admitted for temporary residence to meet a shortage of workers to perform seasonal agricultural work. This "subgroup" may be referred to as Replenishment Agricultural Workers (RAWs) or "INA Section 210A" aliens. For time study and Administrative Expense Claim purposes, the RAWs aliens are to be treated as SAWs aliens.

The SAWs/RAWs aliens in temporary resident status will be issued an INS I 688 - Temporary Resident Card annotated with "210" or "210A" and an expiration date. This card is referred to as "I 688-210/210A." It is anticipated that INS will issue an I 551 - Resident Alien Card (I 551-210/210A) to SAWs aliens in permanent resident status.

Note: An INS Employment Authorization Card (I 688A) is issued to aliens who apply for legalization. This card does not indicate legal status.

B. State Legalization Impact Assistance Grants (SLIAG)

The IRCA also authorized SLIAG for the purpose of lessening the financial impact on State and local governments resulting from the adjustment of the eligible aliens' immigration status. The SLIAG funds may be used to fund the Nonfederal portion of an eligible, allowable expenditure. Because this additional funding is available, the time and related costs of providing specified services to the eligible population must be separately identified.

C. Time Study Instructions

1. IRCA - Nonfederal Aid to Families with Dependent Children (AFDC)

The INA Section 245A aliens and SAWs are NOT eligible for assistance payments under the Federal AFDC Program for a period of five years beginning on the date temporary resident status was granted. This five-year disqualification period is maintained even though an alien's temporary status may be changed to that of permanent status within the five-year period.

Pursuant to the State Department of Social Services' Eligibility and Assistance Standards Regulation Section 42-430.22, aliens not permanently residing in the U.S. are not eligible for assistance. Therefore, only those INA Section 245A aliens having permanent lawful resident status (I 551-245A) may be eligible for Nonfederal AFDC Programs. Because of special consideration within IRCA itself, all SAWs may be eligible for Nonfederal AFDC Programs.

Line T1: IRCA - Nonfederal AFDC-Family Group (FG)/ Unemployed (U) - Record all time spent performing Nonfederal AFDC-FG/U Program eligibility determinations and grant maintenance activities for Section 245A aliens in permanent residency status (I 551-245A) and for SAWs aliens (I 688-210/210A and I 551-210/210A).

2. IRCA - Food Stamps

The SAWs aliens may be eligible to participate, as of June 1, 1987, in the Food Stamp Program.

Section 245A aliens are prohibited from receiving Food Stamps for at least five years from the date of receiving their temporary immigration status, with one exception: as of November 7, 1988, Section 245A aliens who have permanent resident status (I 551-245A), who are aged, blind or disabled, and who are NOT Supplemental Security Income (SSI)/State Supplemental Program (SSP) recipients may be eligible for Food Stamps.

Line T2: IRCA - Food Stamps - Record all time spent performing Food Stamp Program eligibility determinations and case maintenance activities for SAWs aliens (I 688-210/210A and I 551-210/210A); and for Section 245A aliens in permanent residency status (I 551-245A) who are aged, blind or disabled. Use this line for all Food Stamp Program activities, including those for eligible legalized aliens who are aided under other programs.

Note: Fiscal tracking of Food Stamp Coupons to eligible legalized aliens is not required as the coupons are 100 percent funded by the U.S. Department of Agriculture, Food and Nutrition Services.

3. IRCA - Medi-Cal

Amnesty (Section 245A aliens) and SAWs/RAWs aliens with legal temporary resident (LTR) status (I-688), who are aged, blind or disabled, or children under 18, are

eligible for full-scope Medi-Cal benefits. Amnesty and SAWs/RAWs aliens (I-688) who are not aged, blind or disabled, or children under 18, and aliens who have applied for LTR but whose status is pending (I-688A), are eligible only for limited-scope benefits.

Note: Those with an I-688 card who are not aged, blind or disabled, or children under 18, are ineligible for full-scope Medi-Cal benefits for five years from the date temporary resident status was granted, even if their resident status changes from temporary to permanent within that five-year period. They are entitled only to emergency and pregnancy-related services.

Line T3: IRCA - Medi-Cal - Record time spent in eligibility and case maintenance activities for the Medi-Cal Only Program for cases in which at least one of the members exhibit the I 688 card or I 688A card.

4. IRCA - General Relief

Section 245A aliens and SAWs aliens are generally eligible for the Counties' General Relief Program if they meet the County's eligibility criteria.

Line T4: IRCA - General Relief - Include all time spent performing General Relief eligibility determinations and grant maintenance activities for Section 245A aliens and SAWs aliens.

5. Time Records for Administrative Costs

The SLIAG funds may be used to pay for administrative costs that are directly related to IRCA implementation, such as planning, which were incurred after July 1, 1987. To substantiate these costs, time records must have been maintained identifying time spent on IRCA administrative activities. Once the program begins, casework hours will be used to allocate these administrative staff costs.

Beginning July 1, 1988, these clerical and administrative staff salaries and benefits will be claimed in accordance with each County's approved Annual Time Reporting Plan.

6. IRCA - County Medical Services Program (CMSP)

The State Department of Health Services (SDHS) has chosen to identify SLIAG reimbursable costs by means other than time study. Questions regarding IRCA - CMSP should be directed to SDHS.

SOCIAL SERVICES WORKER TIME STUDY (DFA 46)ILSP

All-County Letter (ACL) No. 87-161 provided program, time study, and claiming information on the ILSP. The following time study instructions supersede those contained in ACL No. 87-161.

Line EE - ILSP - Administration - Record time spent performing ILSP case management activities for Federally eligible children. Case management activities include assessing the need for ILSP services, developing the ILSP service plan, and referring the child to services.

Line FF - ILSP - Services - Record time spent providing direct services to Federally eligible children. The ILSP services include, but are not limited to, the direct provision of programs which do the following:

- o Enable participants to seek a high school diploma or its equivalent;
- o Enable participants to take part in vocational training;
- o Train in daily living skills, budgeting, locating and maintaining housing, and career planning;
- o Train in personal living skills, such as obtaining a social security card, medical history, and birth certificate;
- o Counsel individuals and/or groups;
- o Inform participants about financial aid and scholarships; and,
- o Inform participants of laws related to educational requirements for minors.

Time spent by Social Services staff and first-line supervisors on ILSP administration or services for Nonfederal foster care children must be recorded on the DFA 46, Social Services Worker Time Study, to either the Family Reunification - Nonfederal or Permanent Placement - Nonfederal Programs, lines J or K, as appropriate.

EMPLOYMENT SERVICES TIME STUDY (DFA 52)GAIN Program

Effective with the April - June 1988 quarter, GAIN Case Management activities will include the assessment and determination of a participant's need for supportive services. The determination of need for supportive services required for participation in the initial assignment occurs during the Orientation and Appraisal component. The time spent performing this activity shall be charged to the component to which the participant is being assigned. If supportive services are required for the Orientation and Appraisal component, the time spent on the assessment of need and arranging for services shall be charged to Orientation and Appraisal.

If you have any questions regarding IRCA - Medi-Cal, please contact Mr. James T. Quinn, SDHS, at (916) 323-0632. Questions regarding IRCA - CMSP should be directed to Mr. Al Cooper, SDHS, at (916) 324-4892. For all other questions, please contact the Fiscal Policy and Procedures Bureau at (916) 445-7046.


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Administration

cc: CWDA