

**SHD Paraphrased Regulations - Refugee Programs**  
**740 Property and Income**

740-1

In RCA, "real and personal property limitations shall be those prescribed in CalWORKs program regulations" except for CalWORKs sponsored alien provisions. (§69-206.2, as revised and renumbered effective February 1, 2002)

"Any resources remaining in the applicant's country of origin shall not be considered in determining income eligibility." (§69-206.21, effective February 1, 2002)

741-1

The Office of Refugee Resettlement (ORR) by letter dated September 29, 1998, granted California a waiver which allowed the state to use the need and payment standards for the Temporary Assistance for Needy Families (TANF) program for RCA recipients. The ORR limited the waiver to 45 Code of Federal Regulations (CFR) §§45-400.62(a) and .62(b), and did "not waive the other Aid to Families with Dependent Children (AFDC) requirements referenced in the ORR regulation."

The CDSS advised counties that RCA recipients would be governed by the same need standard (MBSAC) and payment level (MAP) as CalWORKs recipients. The CDSS further stated that the granted federal waiver was limited to the MBSAC and MAP only, and not to any other RCA requirement, including the method of grant calculation. (All-County Letter (ACL) No. 98-88, November 13, 1998) Approval to use other grant calculation measures was received effective April 21, 2000. (ACL No. 00-40, June 19, 2000) Regulations to this effect were issued effective February 1, 2002. (§69-201.4)

744-2

Federal regulations, effective April 21, 2000, allowed states to operate an RCA program modeled after a state's Temporary Assistance for Needy Families (TANF) program, which in California is the CalWORKs program.

The following provisions are applicable to the current RCA program effective May 1, 2000:

- In determining income eligibility, counties must use the \$225 and 50% disregards used in the CalWORKs program (see §44-111.23); and

- Any reception and placement cash received by a refugee may not be considered in determining income eligibility (45 Code of Federal Regulations (CFR) §400.66(d)). (Voluntary resettlement agencies will still need to be contacted to inquire whether the refugee has refused an offer of employment or has voluntarily quit a job).

(All-County Letter No. 00-40, June 19, 2000 referencing 65 Federal Register 15410)

744-3

"Income" for RCA purposes uses CalWORKs rules to determine need and to compute the assistance payment, except for the CalWORKs sponsored alien provisions. (§69-206.1, as revised and renumbered effective February 1, 2002)

"Any reception any placement cash received by a refugee after their [sic] arrival into the U.S. shall not be considered in determining income eligibility." (§69-206.11, effective February 1, 2002)