

Chapter 3

REFUGEE CASH ASSISTANCE PROGRAM

A. Program Purpose

The Refugee Cash Assistance Program (RCA) provides time limited cash assistance to eligible populations that meet the financial criteria of the Temporary Assistance for Needy Families (TANF) program, but do not meet a non-financial criterion. For example, adults with no dependent children may receive RCA. Eligible populations are defined in Chapter 1.

B. RCA/TANF Relationship

1. The RCA Program mirrors the TANF Program in that the cash payment amount is the same; the right to appeal is the same; the collection of overpayment and repayment of underpayment is the same; and case transfers are the same.
2. The RCA Program does not mirror the TANF Program in that
 - a. Only income on the date of application is counted; there is a time limit on receipt of assistance; the first month of assistance is not prorated from the date of application; and there is no requirement for a social security number.
 - b. A person who quits a job or refuses employment prior to applying for RCA is not eligible for RCA. For example, upon arrival in Virginia, the applicant registered for the Matching Grant Program offered by the refugee resettlement office which assisted him upon arrival. If the applicant refused employment while participating in the MGP within 30 days prior to applying for RCA, he is ineligible for RCA.
3. Both RCA and TANF have a work requirement. For RCA the work requirement is met through registration and participation in the Refugee Social Services Employment Program (RSSEP). RSSEP services are not provided by the local DSS. RSSEP services are provided by the local non-profit agencies under contract with the Office of Newcomer Services to provide refugee employment services. Section I below explains the RCA work requirement and the required communications with the RSSEP providers.

C. Application Rules

1. The Application for Benefits serves as the application for RCA, whether made on-line, in-person, or by phone. Refugees, and agencies assisting refugees to apply for benefits, are encouraged to use the on-line application.

2. Applications from non-citizens with a refugee-eligible status are to be assessed for RCA eligibility even if RCA is not specifically referenced on the on-line or phone application or is not checked the on-line application.
3. If there is more than one person named on the application and some of the applicants are eligible for TANF and some are eligible for RCA, a separate application for RCA is not required.

For example, if an Application for Benefits includes a parent, two children under 19 who are in school, two children over 19, and an elderly relative, there would be four cases set up for that one application. There would be one TANF case for the parent and two children. There would be three RCA cases: one for each of the two children over 19 and one for the elderly adult.

4. When one application covers multiple RCA cases, the signature of either an authorized refugee resettlement staff person or the head of the refugee family household is sufficient. Multiple signatures are not required.

D. Eligibility Rules

1. The applicant is first screened for TANF eligibility.
2. An applicant is eligible for RCA if he or she meets the TANF financial requirements, does not meet one of the non-financial requirements, has documentation showing that he or she is in one of the refugee eligible groups defined in Chapter 1, and meets the RCA work requirements defined in Section I below.

Note: Matching Grant Program (MGP) payments are counted when determining eligibility for both TANF and RCA. Example: The husband (Lukas) arrives in April. He is placed in the Matching Grant Program and does not apply for cash assistance. His wife (Amara) arrives in June and applies for cash assistance. Lukas's MGP payments are counted in determining Amara's eligibility for RCA. [See the TANF Manual, TANF Grant Calculations, Appendix 3, Page 1, Step 1 and Step 2 (e)]

3. In most instances, an applicant is eligible for RCA when he or she is an adult without dependent children. Examples of when a family with children would receive RCA are when (i) there is a delay in approving the application due to TANF application system processing issues or (ii) when family is denied TANF due to no social security number.
4. When an RCA recipient becomes eligible for TANF, a new application is not required. The case is set up in ADAPT using the original application.

5. When a TANF recipient becomes eligible for RCA, a new application is not required. The TANF case is closed in ADAPT. The RCA case is set up following the agencies internal processes.
6. SAVE (System for Alien Verification for Entitlement) does not contain information about victims of trafficking. Victims of Human Trafficking (VHT) receive a Certification Letter from the federal Department of Health and Human Services, Office of Refugee Resettlement which verifies their VHT status. If there is a problem confirming the identity of an applicant who is a victim of human trafficking or if there is a question about the certification letter, do not deny the application. Call the trafficking victims verification toll-free number 866-401-5510 to confirm the validity of the certification letter.
7. There are some financial requirements that are unique to RCA.
 - a. Income on the date of application, not the average income over the application-processing period, is the criteria for financial eligibility for RCA.

Note: This rule applies both when the application is made in the month of arrival and when it is made in a month following arrival. For example, a refugee arrives in April and does not apply for cash assistance because he obtains employment. He is laid off in August prior to the end of the maximum eight month RCA period. He applies for cash assistance. Only his income on the date he applies is counted. This is different than the TANF treatment of income.
 - b. Refugee populations are not 'sponsored' as that term is defined for other immigrant applicants. The income of a volunteer assisting a refugee or the resettlement office is not used in determining eligibility for the RCA program, nor is shelter or in-kind resources provided to the refugee by the refugee resettlement office.
 - c. Cash payments made to the refugee under the Department of State Reception and Placement program are not counted as income or assets.
 - d. Matching Grant Program payments made to the refugee by the refugee resettlement office under a federal Health and Human Services funded program are counted as income.
8. The application must be made within the eight month time requirements defined below.
9. The applicant cannot be a full-time student in an institution of higher education.

10. Special Considerations

- a. There is no federal requirement that RCA recipients have a social security number or show proof of application for a social security number at the time of application.
- b. If there is a situation which causes approval of a TANF application to be delayed for more than 30 days, such as a lack of a social security number or a child not meeting the school attendance requirements, RCA payments are to be made until the TANF eligibility can be determined.
- c. For applicants who have applied for Supplemental Security Income, RCA payments are to continue, within the eight month maximum period, until the SSI case benefits are actually received.

For example, Mr. and Mrs. Arani are receiving a monthly RCA payment of \$355. They receive notice that they are approved for SSI and notify the eligibility worker. An RCA closure notice is to be sent. [Note: the SSI payment amount will increase once the couple advises the Social Security Administration that they are no longer receiving RCA.]

E. Time Limits

1. There is an eight month time limit on the receipt of RCA. RCA recipients, who continue to meet TANF financial requirements, are eligible for RCA for up to eight months.
2. TANF recipients who continue to meet TANF financial requirements, but stop meeting a categorical requirement during the eight month time limit, are eligible for RCA for the remainder of client's eight month eligibility period. For example, if a youth turns 18 and will not graduate before his 19th birthday during the eight month eligibility period, the TANF case is closed and RCA case is opened. A new application is not required.
3. The date the eight month eligibility period begins depends on the status of the applicant.
 - a. For refugees, Cuban/Haitian entrants, Afghans and Iraqis with special immigrant visas, eligibility begins the month of arrival.
 - b. For asylees, eligibility begins the month in which asylum is granted.
 - c. For victims of human trafficking, eligibility begins the month the certification letter is issued.

- d. For Iraqis and Afghans with special immigrant visa status it begins either
 - i. If the applicant enters the U.S. with SIV status, eligibility begins the month of arrival.
 - ii. If the applicant received SIV status after arrival in the U.S., eligibility begins the month they are given SIV status.

F. Period of Coverage

1. The period of coverage begins on the first day of the month in which the refugee submits the Application for Benefits.
2. There are no retroactive payments back to the date of entry into the U.S.

G. Work Requirement

1. The Virginia Department of Social Service Office of Newcomer Services (ONS) administers the federal grant which funds Refugee Social Services Employment Program (RSSEP). RSSEP is a federally regulated program that provides job counseling, job application assistance, job development, job placement, job orientation, job retention, and English language instruction RSSEP services tailored to the linguistic and cultural needs of refugee populations. RSSEP services are provided in specific geographic locations by refugee resettlement offices under contract with ONS.
 - a. RCA applicants and recipients in geographic areas where there is no RSSEP service provider are exempt from the RCA work requirement.
 - b. RCA applicants and recipients in geographic areas where there is a RSSEP service provider must register for RSSEP unless otherwise exempt.
2. RSSEP Service and Non-Service Areas
 - a. RSSEP Service areas are
 - i. Central Region , Chesterfield, Hanover, Henrico, Richmond City
 - ii. Eastern Region Chesapeake, Hampton, Isle of Wight, James City, Newport News, Norfolk, Portsmouth, Suffolk, Surry, Virginia Beach, Williamsburg, York-Poquoson
 - iii. Northern Region Alexandria, Arlington, Culpeper, Fairfax, Fredericksburg, Harrisonburg-Rockingham, Loudoun, Manassas City, Manassas Park, Orange, Prince William, Rappahannock, Shenandoah County, Spotsylvania, Stafford

- iv. Piedmont Region Albemarle, Botetourt, Charlottesville, Franklin County, Roanoke City, Roanoke County, Waynesboro.
 - v. Western Region None
- b. RSSEP services are not provided in the following counties and cities.
- i. Central Region: Amelia, Buckingham, Caroline, Charles City, Cumberland, Essex, Fluvanna, Goochland, Hanover, Henrico, Hopewell, King & Queen, King William, Lancaster, Lunenburg, Middlesex, New Kent, Northumberland, Nottoway, Petersburg, Powhatan Prince Edward, Westmoreland
 - ii. Eastern Region: Accomack, Brunswick, Dinwiddie, Franklin City, Gloucester, Greensville-Emporia, Matthews, Northampton, Prince George, Southampton, Sussex
 - iii. Northern Region: Clarke, Fauquier, Frederick, Greene, King George, Louisa, Madison, Page, Warren, Winchester
 - iv. Piedmont Region: Alleghany-Covington, Amherst, Appomattox, Bath, Bedford, Campbell, Charlotte, Craig, Danville, Halifax, Henry-Martinsville, Highland, Lynchburg, Mecklenburg, Nelson, Pittsylvania, Rockbridge-Buena Vista-Lexington, Shenandoah Valley
 - v. Western Region: All
- c. See Appendix A, RSSEP Referral Form, for the contact information for the RSSEP service areas.
3. RCA Work Registration Requirement for RSSEP Service Areas

The guidance in this section applies to RCA applicants and recipients in RSSEP service areas.

- a. As a condition of eligibility for RCA, the applicant must.
 - i. Be determined exempt from the RCA work registration requirement by the eligibility worker (see item 5 below), or
 - ii. Present a copy of the Refugee Social Services Employment Program (RSSEP) Registration Form at the time of application. This will occur when the refugee is currently receiving services from a RSSEP service provider, or

- iii. Register for the RSSEP at the time of application. This will occur both when the
- iv. Applicant is a client of the RSSEP, but does not have a copy of the registration form at the time of application.
- v. Applicant is not a client of the RSSEP.

Note: If the RCA applicant signs the registration form at the time of the RCA application, the local department of social services sends a copy of the RSSEP Registration Form to the RSSEP agency within three business days the application interview.

4. RCA Work Registration Exemption Criteria

An RCA applicant is exempt from the RCA work registration requirement if one of the following two exemptions is met. Any applicant who does not meet one of these two exemptions is subject to the work registration requirement. Circumstances such as disability that may affect participation are addressed by the RSSEP service provider.

- a. Geographic exemption – An RCA applicant is exempt from RCA work registration if the person does not live in one of the geographic locations served by a RSSEP provider.
- b. Age exemptions -- A RCA applicant is exempt from RCA work registration if the person
 - i. Is 65 years of age or over.
 - ii. Will not reach his 16th birthday within the eight month RCA eligibility period.
 - iii. Is between the age 16 and 18 and is a full time student at an elementary or secondary school or is a full time student at a vocational or technical school. For persons attending a vocational or technical school, full time means the person is taking the number of courses the institution considers full time. The applicant's statement regarding full time school attendance is sufficient and is to be noted in the case record.

5. RCA Intake Procedures For Geographic Areas Not Served by an RSSEP Provider

- a. Determine if the applicant meets the RCA eligibility requirements defined in this chapter.

- b. Enter case approval date and demographic data, if needed, into the Virginia Newcomer Information System (VNIS). Note: When the RCA payments end, enter the case closure date in VNIS.
 - c. Follow internal office processes for local check writing.
 6. RCA Intake Procedures for Geographic Areas Served by an RSSEP Provider
 - a. Determine if the applicant meets the RCA eligibility requirements defined in this chapter.
 - b. Determine if the applicant has a signed Refugee Social Services Employment Program Registration form. If the applicant provides a copy of the signed RSSEP Registration Form. The RCA work requirement is met.
 - c. If the applicant does not have a signed Refugee Employment Registration form, have the person sign one during the application process. The form includes the name and address of the RSSEP service provider which the applicant must contact. Make two copies of the original.
 - i. Give one copy to the applicant. Explain to the applicant that
 - ♦ he or she must take the form to the employment service provider listed on the form.
 - ♦ continued receipt of RCA cash payments is dependent on the person's cooperation with and participation in the refugee employment services program.
 - ii. Put the second copy in the case file.
 - iii. Send the original to the RSSEP service provider noted on the registration form within three business days of the application interview. This referral must be made so that the RSSEP can arrange with the applicant the provision of employment services. The RSSEP service provider will contact the refugee directly if the client does not contact the service provider.
7. RCA Recipient Work Participation Requirements
 - a. As a condition of continued eligibility for RCA, a work-registered RCA recipient must meet the RSSEP service provider participation requirements.

- b. A work-registered RCA recipient who does not meet RSSEP participation requirements is ineligible for continued receipt of RCA.
 - c. The local department of social services (DSS) is to consider the RCA recipient as participating unless notified otherwise by the RSSEP.
- 8. Notification of Non-Participation
 - a. The RSSEP service provider has the responsibility to inform the client of the participation requirements and to maintain compliance information in the RSSEP case file. (See Chapter 5.)
 - b. The RSSEP provider will send written notification to the local DSS when a RCA recipient does not meet RSSEP participation requirements without good cause.
- 9. Termination of RCA due to Failure to Meet RCA Work Registration Requirements
 - a. Upon written notice from the RSSEP service provider to the local DSS that an RCA recipient is not meeting RCA work registration participation requirements, the local DSS will send the Advance Notice of Proposed Action Form (032-03-0018-31-eng) to the client, with a copy to the RSSEP service provider.
 - b. The RCA recipient has the right to appeal the determination of non-participation in a RCA work activity within 10 days of receipt of the notice.
 - c. The RSSEP has the responsibility to participate in the appeal conferences and hearing and to provide documentation to support the local DSS closure action.
 - d. RCA payments will be terminated effective on the first of the month following the issuance of the notice unless the RCA recipient appeals the action within the required timeframe. In situations in which the RCA recipient is receiving benefits during the appeal period and it goes beyond the eight month eligibility period, RCA assistance must be terminated at the end of the eight month eligibility period.
 - e. RCA sanction period's mirror TANF sanction periods. One month for the first sanction, three months for the second sanction, and six months for the third sanction.

H. Case Transfers

RCA case transfers are handled the same as TANF case transfers. A reapplication is not required. Since RCA cases are not in ADAPT, the sending locality is to mail the case file to the receiving agency. The receiving agency conducts a desk review to verify that there have been no changes in the case that would affect continued receipt of RCA.

1. If RCA recipients was subject to the RCA work requirement in the sending locality and is being transferred to a locality where RCA recipients are exempt from the work requirement, no action is needed. The Refugee Social Services Employment Program provider will advise the refugee that the RSSEP case is closed.
2. If the RCA recipient was registered for RSSEP with a provider in the geographic area of the sending locality and there is a different provider in the receiving locality, the RSSEP provider will transfer the refugee to the other provider.
3. If the RCA recipient was not subject to the RCA work requirement in the sending locality and is being transferred to a locality where RCA recipients must register for and participate in the RSSEP program, the receiving locality is to follow the Intake Procedures, Item 5 above.

I. Cash Payment Amount

1. The RCA cash payment amounts are the same as TANF Program cash payment amounts. See the TANF Manual, Need and Amount of Payment Chapter.
 - a. An adult married couple would receive the amount that a TANF assistance unit of two would receive.
 - i. If one spouse receives Supplemental Security Income, the SSI income is not counted when determining the RCA payment amount for the other spouse.
 - ii. If one spouse arrives in the U.S. before the other spouse, the newly arrived spouse is added to existing RCA case and the benefit level is increased.

Example: Husband (Marcus) arrived in U.S. in February, applied for RCA, and began receiving payments. Wife (Maria) arrived in the U.S. in April and applied for RCA. RCA mirrors TANF. Maria is added to Marcus's case and the payment amount would be the

same as for a TANF assistance unit of two. Marcus is eligible for RCA for eight months from the month of arrival. If Marcus is still receiving RCA, he would be removed from the assistance unit at the end of September. Maria would receive a payment amount for one for October and November. If during this time either becomes employed, the income is counted in determining the household's eligibility for RCA.

- b. An unmarried adult would receive the amount that a TANF assistance unit of one would receive.
 - c. In those rare situations in which a family receives RCA, the assistance unit would receive the amount that a TANF assistance unit of the same size would receive.
2. After RCA approval, recipients must follow TANF reporting requirements for income changes.

J. Payment and Reimbursement Process

1. There is no ADAPT code or Aid Category for RCA. The RCA Program is not included in ADAPT.
2. RCA payments are made through the local check writing system.
3. Follow local procedures for writing the check.
4. Reimbursement for the RCA payment is made through LASER budget line 819.
5. If the local agency does not have a budget line 819 allocation, estimate the amount of funds needed to cover the RCA eligibility period and make a request through the LASER Budget Request System for the amount needed to cover the RCA eligibility period.
6. Make a LASER expenditure journal entry each month an RCA payment is made. This journal entry is done the same way other expenditure entries are made. The cost code for RCA is 81901.
7. Reimbursement for the RCA expenditure is not a separate payment, but is part of the monthly LASER reimbursement. An electronic transfer is made on the last working day of the month.
8. Costs associated with the administration of the Refugee Cash Assistance Program are part of the Virginia Cost Allocation Plan and include activities

contributing to making the determination or redetermination of eligibility changes for RCA.

K. Check Handling Procedures

1. For Returned Checks – Verify that the address the check was sent to is the current address on file with the agency.
 - a. If the addresses differ, resend to the current address.
 - b. If the current address is the same as address on the returned check and the application shows that the applicant was assisted by a refugee resettlement office, contact that office to obtain a current address.
 - c. If the applicant was not assisted by a refugee resettlement office, cancel the check and update the local payment system according to local internal processes. Follow LASER/BRS procedures for returning payments.
2. For Uncashed Checks – Follow the local procedures.

L. Overpayments and Underpayments

1. If there is an RCA overpayment, the eligibility worker is to contact the client, explain the error, and request that the client repay the agency. If the client is unable or unwilling to repay the money in full, follow the TANF Manual rules regarding collection of overpayments, Chapter 500. When the payment is repaid, enter it into the LASER/BRS system.

For example: An RCA client obtains employment and notifies the local DSS of the earned income by e-mail. The e-mail is inadvertently not shared with the correct worker and the client continues to receive RCA payments for which he was not eligible. This is an overpayment which is to be recovered if possible.

2. If a client received a RCA payment amount lower than she is eligible to receive, notify the client, record the error in the case record, and correct the error within 10 days of identifying the error.

Example: An application was received from two clients with the same last name. The worker thought it was a husband and wife and set up one case. It was not a couple but a mother and adult daughter. Two cases should have been set up. Going forward, remove the daughter from the existing case and set up a separate case for her.

- a. Calculate the amount paid.
- b. Calculate amount that each should have received if separate checks had been written.
- c. Subtract b. from a.
- d. Divide by two and write a check for the mother and daughter for that amount.

M. Fraud

Any potential fraud is to be reported to the LDSS Fraud Unit. .

For example, a family with two adults is participating in the Matching Grant Program. They are told by the resettlement office not to apply for cash assistance. They apply and do not report that they are receiving MGP payments. The MGP income is not counted in determining RCA eligibility. The LDSS learns of the MGP payments after the adults have received RCA for four months of RCA payments.

N. Notices and Appeals

1. Notification of Approval or Denial
 - a. The same rules regarding timeliness for application processing, notices of approval, denial, or closure that apply to TANF cases, also apply to RCA cases.
 - i. Clients have a right to appeal a termination notice if they think an error was made. If the reason for the termination is that the client has reached the end of the eight month eligibility period, RCA payments are not made during the appeal period.
 - ii. If an agency error is made and the Advance Notice of Proposed Action was not sent within the required 10 days period prior to case closure, RCA payments beyond the eight month period are not made.
 - b. If the individual is determined ineligible for RCA, the notice must include an explanation of the reason for the ineligibility, along with a statement about the refugee's right to appeal the decision.
2. Appeals
 - a. Refugees who have applied for or are receiving RCA have a right to appeal any case action, including reduction or termination of benefits.
 - b. The same TANF appeal rules regarding timeframes and notices apply to an appeal of RCA application, with the following exceptions

- i. For an appeal of a reduction or termination unrelated to the eight month time period, RCA payments are to continue pending the decision of the hearing officer.
 - ii. If the hearing officer finds in favor of the agency, RCA payments made during the appeal period will be recovered following the TANF payment recovery guidance.
 - iii. If RCA payments are being made during the appeal period, the payments are stopped when the eight month eligibility period is reached.
 - iv. If the appeal is related to an RCA case closure due to the expiration of the eight month time limit, RCA payments do not continue during the appeal period. If the hearing officer finds that the eight month time period was incorrectly calculated, payments will be made after the decision is rendered.
- c. The hearing officer's decision may be appealed to the Administrative Review Panel of the Appeals & Fair Hearings Unit. A decision on the case will be made in writing within 60 days of the date that the refugee requests a hearing.
 - d. The refugee should be notified that free legal advice can be obtained through the local legal aid office.