

## **Chapter 3**

### **REFUGEE CASH ASSISTANCE PROGRAM**

#### **Acronyms Used in this Chapter**

<b>LDSS</b>	<b>Local department of social services</b>
<b>ONS</b>	<b>Office of Newcomer Services</b>
<b>RCA</b>	<b>Refugee Cash Assistance Program</b>
<b>RSSEP</b>	<b>Refugee Social Services Employment Program</b>
<b>SNAP</b>	<b>Supplemental Nutritional Assistance Program</b>
<b>TANF</b>	<b>Temporary Assistance for Needy Families</b>
<b>VDSS</b>	<b>Virginia Department of Social Services</b>
<b>VNIS</b>	<b>Virginia Newcomer Information System</b>

#### **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 Program (TANF), but do not meet non-financial requirements. For example, adults with no dependent children may receive RCA.

#### **B. RCA/TANF Relationship**

1. Some RCA rules mirrors the TANF rules. For example, the cash payment amount is the same; the right to appeal is the same; the collection of overpayment, repayment of underpayment, and case transfers are the same.
2. Some RCA rules do not mirror the TANF.
  - a. Only income on the date of application is counted.
  - b. The first month of assistance is not prorated from the date of application.
  - c. A person who quits a job or refuses employment without good cause within 30 days prior to applying for RCA is ineligible for RCA.
  - d. There is a time limit on receipt of assistance.
  - e. There is no requirement for a social security number.
3. RCA and TANF have different work requirements. RCA applicants and recipients meet the RCA work requirement through registration and participation in the Refugee Social Services Employment Program (RSSEP). The Office of Newcomer Services (ONS) administers RSSEP and contracts with local non-profit agencies to provide RSSEP services.

#### **C. 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 from the date of arrival.

2. The date the eight-month eligibility period begins is not the same for each refugee-eligible status.

a. For refugees, Cuban/Haitian entrants, Afghans and Iraqis with special immigrant visas who enter the U.S. with that status, it begins the month of arrival

Note: Some Afghans and Iraqis receive SIV status after arrival in the U.S. For these individuals, eligibility begins the month the status is given.

b. For asylees, it begins the month asylum is granted.

c. For victims of human trafficking, it begins the month the certification letter is issued.

#### **D. 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.

#### **E. Application Rules**

1. The Application for Benefits serves as the application for RCA, whether made on-line, in-person, or by phone.

2. Applications from non-citizens with a refugee-eligible status are assessed for RCA eligibility even if RCA is not checked on the paper or on-line application or is not referenced in a phone application.

3. A separate Benefit Programs Application is not required if more than one person is named on the application and some of the applicants are eligible for TANF and some are eligible for RCA.

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

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

## 5. Special Data Entry Reporting Rules

The reporting of RCA enrollment data is a federal reporting requirement. Local departments of social services (LDSS) are required to enter RCA case approvals and case closure dates into the Virginia Newcomer Information System (VNIS). VNIS is a web-based tool that is accessed through FUSION <https://vnis.dss.virginia.gov/VNISWeb/>.

- a. The LDSS security officer grants VNIS access. The LDSS staff requesting access would
  - i. Complete a SAMS Request Form.
  - ii. In the VNIS Access Level section, select VIEW Cases (LDSS Caseworker).
  - iii. Leave the VNIS location fields blank.
- b. Detailed instructions for entering RCA data into VNIS is available at <http://spark.dss.virginia.gov/divisions/cvs/ons/index.cgi>. The steps include:
  - i. Use Microsoft Internet Explorer.
  - ii. Log onto VNIS using LDAP ID.
  - iii. Search using either the client's name or alien number.
  - iv. If the client is in the VNIS, skip next step.
  - v. If the client is not in VNIS, click on *New Family Case*. Enter demographic information. The *Intake Date* is the date of intake at the LDSS office. Save the record. If there is more than one client on the RCA case, add additional clients to the same case by clicking on *Add Client*.
  - vi. To enter the start and end dates, click on the RCA tab.
    - The RCA Start Date is the date the Application for Benefits was approved. Select FIPS. Click Add
    - The RCA End Date is the date the RCA case is closed. Select a termination reason. Click Add to save.

## F. Eligibility Rules

1. Screen the application for TANF eligibility before screening for RCA.
2. An applicant is eligible for RCA if the person meets the TANF financial requirements, does not meet one of the non-financial requirements, has documentation showing one of the refugee eligible groups defined in Appendix B, and meets the RCA work requirements.

*Note: The RCA work requirement does not apply in all geographic areas of the state. It applies in those geographic areas that have non-profit service*

*providers under contract with ONS to provide RSSEP services. Section G identifies geographic areas where the RCA work requirement applies and the RCA work requirement rules that are specific to clients who live in those areas.*

3. In most instances, RCA recipients are adult applicants without dependent children. A family with children would receive RCA when (i) there is a delay in approving the application due to TANF application system processing issues or (ii) the TANF denial reason is no social security number.
4. A new application is not required when a RCA recipient becomes eligible for TANF. The case is set up in VaCMS using the original application. For example, the TANF denial reason is no SSN and the client subsequently provides an SSN.
5. After RCA approval, recipients must follow TANF reporting requirements for income changes.
6. A new application is not required when a TANF case closes and the recipient is eligible for RCA. For example, during the eight-month eligibility period a youth turns 18 and will not graduate before his 19<sup>th</sup> birthday. Close the TANF case and open a RCA case.
7. Financial requirements 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 applicant applies in the month of arrival or during the eight-month period after arrival. For example, a refugee arrives in April, obtains employment, and does not apply for cash assistance. In August, the refugee becomes unemployed prior to the end of the eight-month period of eligibility. The refugee applies for cash assistance. Count only income on the date of application.

- b. Do not count cash payments made to the refugee under the Department of State Reception and Placement program as income or assets.
- c. Do not count the income of a volunteer assisting a refugee. Refugee populations are not 'sponsored' as that term is defined for other non-citizen applicants.
- d. Count cash payments made to the refugee through the Department of Health and Human Services Matching Grant Program. For example, a husband arrives in April 1 and requests MG Program services. He does not apply for cash assistance. His wife arrives in June and applies for cash

assistance. Count the husband's MG Program payments in determining the wife's eligibility for RCA. [See the TANF Manual, TANF Grant Calculations, Appendix 3, Page 1, Step 1 and Step 2 (e)]

8. The applicant who is a full-time student in an institution of higher education is ineligible for RCA.
9. 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 delays in the approval of a TANF application for more than 30 days, RCA payments are made until the TANF eligibility can be determined.
  - c. For applicants who have applied for Supplemental Security Income, RCA payments continue, within the eight-month maximum period, until the client begins receiving SSI benefits. For example, a refugee is receiving a monthly RCA payment. The person receives an SSI approval notice. Send an RCA closure notice. The SSI payment amount will increase upon notice that RCA payments have ended.

## **G. RCA Work Requirement**

1. Background
  - a. Virginia's RCA Program follows TANF application and payment rules; however, it does not follow the TANF work requirements rules. Federal RCA regulations prohibit states from applying TANF work requirements to RCA applicants and recipients. There are separate regulations that define the RCA work requirement.
  - b. In Virginia, the RCA work requirement is met by registering for and participating in 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 tailored to the linguistic and cultural needs of refugee populations.
  - c. ONS administers the federal grant that funds RSSEP service delivery.
  - d. Non-profit agencies under contract with ONS provide RSSEP *in specific geographic locations in the state*. RSSEP services are not available in all geographic locations in the state.

e. Areas with RSSEP providers

- i. Central Region Chesterfield, Hanover, Henrico, Richmond City
- ii. Eastern Region Hampton, Newport News, Norfolk, Suffolk, Virginia Beach, Williamsburg
- iii. Northern Region Alexandria, Arlington, Culpeper, Fairfax, Fredericksburg, Harrisonburg-Rockingham, Loudoun, Manassas City, Manassas Park, Prince William, Spotsylvania, Stafford
- iv. Piedmont Region Albemarle, Charlottesville, Roanoke City, Roanoke County, Shenandoah Valley (Staunton, Augusta, Waynesboro)
- v. Western Region None

2. RSSEP Registration Requirement

Applicants, who live in an RSSEP service areas and do not meet an exemption requirement defined in Item 3 below, must either be registered for RSSEP or sign an RSSEP Registration form at the time of RCA application.

- a. Proof that the applicant is currently receiving RSSEP service is provided either:
  - i. By the applicant providing a copy of the RSSEP Registration at the time of application or.
  - ii. If the client does not have a copy of the RSSEP Registration form, the eligibility worker can verify RSSEP participation accessing VINIS and viewing the applicant's VNIS case information. See Section E 5 for instructions on accessing VNIS.
- b. If there is no proof the applicant registered for RSSEP, have the applicants sign the RSSEP Registration Form. See Appendix C for the RSSEP Registration form.

Note: If the RCA applicant signs the RSSEP Registration Form at the time of application, the LDSS gives the original to the client; sends a copy to the RSSEP agency within three business days the application interview; and maintains a copy for the case file. The contact information for the RSSEP service areas is on the Registration Form.

### 3. Exemption Criteria

An RCA applicant is exempt from the RCA work requirement if the applicant

- a. Does not live in an RSSEP Service Area
- b. Is 65 years of age or over
- c. Will not reach his 16th birthday within the eight-month RCA eligibility period.
- d. 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. Note this statement in the case record.

### 4. RSSEP Participation Requirements

- a. As a condition of continued eligibility for RCA, the RCA recipient must meet the RSSEP provider participation requirements.
- b. The RSSEP service provider determines whether a recipient is meeting RSSEP participation requirements. The RSSEP rules include good-cause reasons for non-participation, such as pregnancy or disability.
- c. A RCA recipient who does not meet RSSEP participation requirements without good cause is ineligible for continued receipt of RCA.
- d. A RCA recipient is considered as participating in RSSEP unless the RSSEP provider notifies the LDSS that the client is not meeting participation requirements without good cause.

### 5. 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.

#### 6. Termination of RCA due to Failure to Meet RCA Work Registration Requirements

- a. Upon written notice from the RSSEP provider to the local DSS that an RCA recipient is not meeting RCA work 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 RCA closure within 10 days of receipt of the notice.
- c. The RSSEP agency 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 the appeal period goes beyond the eight-month eligibility period, RCA assistance must be terminated at the end of the eight-month eligibility period regardless of whether the appeal period has expired.
- e. RCA sanction period mirrors 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

1. Transfer the RCA case when an RCA recipient moves from one locality to another. A reapplication is not required.
2. RCA cases are not in VaCMS. The sending locality is to mail the case file to the receiving agency. The receiving agency conducts a desk review to verify there are no changes in the case that would affect continued receipt of RCA.
3. The RCA work requirement rules for the receiving locality.
  - a. If there is no RSSEP provider in the receiving locality, the RCA recipient is exempt from the work requirement.

- b. If there is a RSSEP provider in both the sending locality and in the receiving locality, the RSSEP provider in the sending locality will transfer the refugee to the RSSEP provider in the receiving locality.
- c. If there is no RSSEP provider in the sending locality and there is a RSSEP provider in the receiving locality, the RCA applicant must meet the RCA work requirement. RSSEP registration is required. See the Section G 2 for instructions on completion of this form.

### **I. Cash Payment Amount**

The RCA cash payment amounts are the same as TANF Program cash payment amounts. See the TANF Manual, Need and Amount of Payment Chapter.

1. An adult married couple receives the amount that a TANF assistance unit of two receives.
2. An unmarried adult would receive the amount that a TANF assistance unit of one would receive.
3. 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.
4. If one spouse arrives in the U.S. before the other spouse, add the newly arrived spouse to existing RCA case and increase the benefit level. For example, a husband arrived in U.S. in February, applied for RCA, and began receiving payments. Wife arrived in the U.S. in April and applied for RCA. Add the wife to the husband's case and increase the payment amount for an assistance unit of two. Remove the husband from the assistance unit at the end of September. Reduce the wife's payment amount to a unit of one and continue that payment for October and November, as the wife is eligible for RCA for eight months from the month of arrival. If either becomes employed, the income is counted in determining the household's eligibility for RCA.

### **J. Payment and Reimbursement Process**

1. There is no VaCMS code or Aid Category for RCA.
2. Make RCA payments through the LDSS local check writing system.
3. Follow local procedures for writing the check.
4. LDSS RCA allocations are in 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. LDSSs make LASER expenditure journal entries each month a 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. It 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 RCA are part of the Virginia Cost Allocation Plan and include LDSS staff activities that contribute to both eligibility determination and any changes to RCA eligibility.

#### **K. Check Handling Procedures**

1. If a check is returned checks, verify that the check was sent to 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 the 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, a RCA client obtains employment and notifies the local DSS of the earned income. The LDSS inadvertently does not record the notification, and the RCA case is not closed. The client continues to receive RCA payments. This is an overpayment.

2. If a RCA payment is lower than the maximum amount allowed for the assistance unit size, within 10 days of identifying the error, notify the client and record the error in the case record.

For example, an application was received from two clients with the same last name. The worker thought it was a married couple and set up one case. It was not a couple but a father 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**

Report any potential fraud to the LDSS Fraud Unit.

For example, a RCA [or TANF] applicant is participating in the Matching Grant Program (MGP). MGP provides cash assistance; however, the applicant does not include those payments in the application and the payments are not counted in determining RCA [or TANF] eligibility. The LDSS learns of the MGP payments after the applicants has received RCA payments. The Fraud Unit determines whether the non-reporting was intentional.

## **N. Notices and Appeals**

1. TANF rules regarding notification of case action apply to RCA cases. Notices or action must include an explanation of the reason for the action and a statement about the refugee's right to appeal the decision.
2. RCA applicants and recipients have a right to appeal any case action, including reduction of termination of benefits.
3. TANF appeal rules apply to RCA, with the following exceptions

- a. If RCA payments are made during the appeal period, stop the payments when the eight-month eligibility period is reached.
  - b. If the appeal is related to an RCA case closure due to the expiration of the eight-month time limit, do not continue RCA payments during the appeal period. If the hearing officer finds that the eight month time period was incorrectly calculated, payments would be made after the decision is rendered.
  - c. If 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.
4. The hearing officer's decision may be appealed to the Administrative Review Panel of the Appeals & Fair Hearings Unit. A decision is made in writing within 60 days of the date that the refugee requests a hearing.
5. Inform the refugee that free legal advice can be obtained through the local legal aid office and provide instructions on how to access those services.