STATE OF CALIFORNIA - HEALTH AND WELFARE AGENCY

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814
(916) 322-4131

August 23, 1982

ALL-COUNTY LETTER NO. 82-83

TO:

SUBJECT: CHILDREN OF REFUGEES

REFERENCE: MANUAL OF POLICIES AND PROCEDURES (MPP) SECTION 69-205.32

This letter is being issued to clarify policy regarding the eligibility of United States born refugee children for assistance and services under the Refugee Resettlement Program (RRP).

RRP Eligibility

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 (Aid to Families with Dependent Children (AFDC), Supplemental Security Income/State Supplementary Program (SSI/SSP), Refugee Cash Assistance (RCA), and medical assistance) and services (Title XX-type social services) funded under the Refugee Resettlement Program (RRP):

1. Children born in the United States of two refugee parents are eligible for financial/medical assistance and Title XX-type social services funded under RRP. Such children are to be included in the parents' assistance case.

2. Children who are born of a refugee and a United States citizen, who are living with the aided refugee parent only, are also eligible for RRP-funded assistance and services; and are to be included in the refugee parent's assistance case.

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 includes the United States citizen parent. In this situation, the refugee parent, if eligible, is to be aided under the RRP-funded programs (AFDC, SSI/SSP, RCA and/or medical assistance); and the United States citizen parent and the children, if eligible, are to be aided under the regular (non-RRP funded) AFDC, SSI/SSP and/or medical assistance.

Children of a Refugee and a Non-Refugee Alien

In any family unit consisting of a refugee parent and a non-refugee alien parent, the "non-refugee alien" should be substituted for United States citizen in the preceding paragraphs.

AFDC - Foster Care Eligibility

Refugee children who are relinquished for foster care placement shall have their eligibility for Aid to Families with Dependent Children-Foster Care (AFDC-FC) determined in accordance with MPP Section 45-200.

Time-Eligibility

1. AFDC, SSI/SSP and Medical Assistance:

   For purposes of qualifying for federal RRP fiscal reimbursement for AFDC, SSI/SSP and medical assistance benefits, children born in the United States of refugee parent(s) shall be considered time-expired upon time-expiration of the most recently arrived parent or at the end of the thirty-sixth month from the child's birth date, whichever occurs sooner.

2. Refugee Cash Assistance:

   For purposes of eligibility for RCA benefits, children born in the United States of refugee parent(s) shall be considered time-expired upon the 18-month time-expiration of the most recently arrived parent or at the end of the eighteenth month from the child's birth date, whichever occurs sooner.

   NOTE: The month of arrival, as indicated on the Immigration and Naturalization (INS) Form I-94, or the month of birth, if applicable, is counted as the first month in the United States for both 36-month and 18-month time-eligibility. The month of arrival is normally found in the bottom right corner of the INS Form I-94 document.

3. Unaccompanied Refugee Children (MPP 69-211):

   The 18-month and 36-month time eligibility criteria do not apply to unaccompanied refugee children. Federal RRP reimbursement for assistance and services provided such children is available until the unaccompanied refugee child attains the age of majority as defined by AFDC regulations.

Cuban/Haitian Entrant Children

The eligibility criteria and policies set forth above also apply to Cuban/Haitian Entrant (CHE) children. Please note, for CHEs including entrant children born in the United States' resettlement camps, eligibility begins with their date of release from Immigration Naturalization Service (INS) custody.

Should you have any questions regarding this letter, please contact your Refugee Program Consultant at (916) 322-3141 or (415) 557-8588. For questions relating to AFDC or medical assistance eligibility, please contact your AFDC or California Medical Assistance Program (Medi-Cal) consultant.

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