

Manual of Policies and Procedures

SPECIALIZED PROGRAMS



**STATE OF CALIFORNIA
HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES**

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**REPATRIATED AMERICANS
REPATRIATED AMERICANS REGULATIONS**

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CHAPTER 68-100 REPATRIATE PROGRAM**68-101 STATUTORY BASE****68-101**

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- .1 The Repatriate Program of assistance to U.S. citizens and their dependents who have returned or been brought from a foreign country to the United States because of destitution of the U.S. citizen, illness of such a citizen or any of his or her dependents, or because of war, threat of war, invasion or similar crisis, and who are without available resources was established by Public Law 87-64, which added Section 1113 to Title XI of the Social Security Act. The federal rules governing this program are set forth in Title 45, Chapter II, Part 212 of the Code of Federal Regulations (CFR).
- .2 The Repatriate Program of assistance to mentally ill U.S. citizens/nationals returned from foreign countries was established by Public Law 86-571. The federal rules governing this program are set forth in Title 45, Chapter II, Part 211 of the CFR.

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NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 42 USCA Section 1313; 24 USCA Section 321 et seq.; and 45 CFR 211 and 212.

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- .1 The purpose of the Repatriate Program specified in 45 CFR 212 is to help needy citizens and their dependents, who are certified as eligible by the Department of State at the point of their return and for a temporary period thereafter, and to enable them to utilize other resources for maintenance as soon as possible. Aid is provided in order to facilitate and expedite resettlement to the extent that repatriates are able to provide for themselves or, if necessary, apply for other forms of categorical assistance.
- .2 The purpose of the Repatriate Program specified in 45 CFR 211 is to help mentally ill U.S. citizen/nationals, who are certified as eligible by the Department of State at the point of their return to the U.S., and thereafter with necessary assistance, care, and treatment for a temporary period and to make arrangements for the transfer of responsibility for such persons for continued care and treatment.

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- .3 Eligibility benefits, aid payments, and duration of assistance under the Repatriate Program specified in 45 CFR 212 shall be determined in accordance with specified requirements contained within the federal "Manual of Policies and Procedures for Administration, Temporary Assistance for U.S. Citizens Returned from Foreign Countries" (May 1984) which is herein incorporated by reference.

- .4 Eligibility, assistance, care, and treatment for mentally ill repatriates specified in 45 CFR 211 shall be determined in accordance with specified requirements contained within the federal "Manual of Policies and Procedures for Administration of Services in the Care and Treatment of Mentally Ill U.S. Citizens/Nationals Returned from Foreign Countries" (October 1, 1985) which is herein incorporated by reference.

- .5 The federal manuals referenced in .3 and .4 above shall be made available upon request through:

State of California
Department of Social Services
Disaster Response Services Bureau
744 "P" Street, MS 19-43
Sacramento, CA 95814

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- .51 Manual updates will be provided to those agencies which request manuals.

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NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 42 USCA Section 1313(a)(1); 24 USCA Section 322(a); and 45 CFR 211.3, .6, .7, .8, and .10 and 212.3, .4, and .5.

68-103	ELIGIBILITY REQUIREMENTS FOR THE NEEDY REPATRIATE SPECIFIED IN 45 CFR 212	68-103
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- .1 Eligibility for assistance under the Repatriate Program shall be in accordance with the criteria specified under Division III, Part A. (Eligibility Requirements) of the federal "Manual of Policies and Procedures for Administration, Temporary Assistance for U.S. Citizens Returned from Foreign Countries" (May 1984).

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 42 USCA Section 1313(a)(1); and 45 CFR 212.3.

68-104 ASSISTANCE UNDER THE REPATRIATE PROGRAM FOR THE NEEDY SPECIFIED IN 45 CFR 212 68-104

- .1 Repatriate assistance shall be as specified under Division III, Part B. (Assistance) of the federal "Manual of Policies and Procedures for Administration, Temporary Assistance for U.S. Citizens Returned from Foreign Countries" (May 1984).
 - .11 Repatriate assistance includes money payments, medical care, temporary billeting or lodging, transportation, and other goods and services necessary for the health or welfare of individuals. This also includes counseling and referral for employment, retraining, vocational rehabilitation, and medical services.
- .2 Aid payments, resettlement expenses and the duration of assistance shall be as specified under Division III, Part B. (Assistance) of the federal "Manual of Policies and Procedures for Administration, Temporary Assistance for U.S. Citizens Returned from Foreign Countries."
- .3 Extension of Eligibility

The county agency shall request an extension of assistance prior to the expiration of the initial 90-day period of eligibility if the repatriate is not eligible for assistance through categorical assistance programs and is prevented from attaining self-support due to age, disability, or lack of vocational training.

The federal authorities may permit extensions up to nine more months.

 - .31 Requests for extension of assistance shall contain the information specified under Division III, Part B., Section 2.c. (Extension of eligibility period) of the federal "Manual of Policies and Procedures for Administration, Temporary Assistance for U.S. Citizens Returned from Foreign Countries.
 - .32 Requests for extension must be submitted to:

State of California
Department of Social Services
Disaster Response Services Bureau
744 "P" Street, MS 19-43
Sacramento, CA 95814

68-104	ASSISTANCE UNDER THE REPATRIATE PROGRAM FOR THE NEEDY SPECIFIED IN 45 CFR 212 (Continued)	68-104
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Upon receipt of the request, SDSS shall present the matter to federal authorities for action prior to the end of the 90-day eligibility period of Repatriate Program assistance. The Associate Commissioner for the Office of Family Assistance (OFA) will review the request, decide if assistance shall be extended, and advise the State Department of Social Services (SDSS) to notify the county agency.

This process could be delayed, depending upon the facts and circumstances of the case; therefore, the county agency should initiate the request for extension immediately upon determining that an extension will be necessary because aid cannot be continued beyond the initial 90-day eligibility period without prior authorization.

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NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 42 USCA Section 1313(c); and 45 CFR 212.4 and .5.

68-105	ELIGIBILITY REQUIREMENTS FOR THE MENTALLY ILL REPATRIATE SPECIFIED IN 45 CFR 211	68-105
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- .1 Eligibility for care, treatment, and assistance under the Repatriate Program for the mentally ill shall be in accordance with the criteria specified under Division III, Part A. (Eligibility Requirements) of the federal "Manual of Policies and Procedures for Administration of Services in the Care and Treatment of Mentally Ill U.S. Citizens/Nationals Returned from Foreign Countries" (October 1, 1985).

NOTE: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 24 USCA Section 321(d); and 45 CFR 211.3.

68-106	ASSISTANCE, CARE AND TREATMENT FOR THE MENTALLY ILL REPATRIATE SPECIFIED IN 45 CFR 211	68-106
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- .1 Assistance payments, expenses, and services shall be provided as permitted under Division III, Parts B. (Assistance) and C. (Care and Treatment) of the federal "Manual of Policies and Procedures for Administration of Services in the Care and Treatment of Mentally Ill U.S. Citizens/Nationals Returned from Foreign Countries" (October 1, 1985).

NOTE: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 24 USCA Section 322(a); and 45 CFR 211.6, .7, .8, and .10.

68-107	GENERAL PROCEDURES FOR THE REPATRIATE PROGRAMS FOR THE NEEDY AND FOR THE MENTALLY ILL	68-107
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- .1 Repatriation of both needy repatriates and/or mentally ill repatriates includes the following sequence of activities:
 - .11 Overseas U.S. Department of State staff arranges for the return of the repatriate to the U.S. and refers the repatriate case to the Office of Family Assistance (OFA) Central Office in Washington, D.C. This procedure establishes the repatriate's eligibility for assistance.
 - .12 The OFA Central Office transmits the particulars of the repatriate case to the regional OFA in which the port of entry is located.
 - .13 The regional OFA refers the repatriate case to SDSS and provides guidance in developing and implementing the plan to assist the repatriate.
 - .14 SDSS transmits detailed information to the county agency where the port of entry is located regarding the identity, time, and mode of arrival of the repatriate; whether the repatriate will require resettlement assistance or the provision of onward transportation to another county or state; the diagnosis, prognosis, any special problem and other pertinent information, such as the necessity for an escort or ambulance service in the case of the physically or mentally ill repatriate.
 - .15 The county agency representative meets with the repatriate and provides the reception and onward transportation assistance to the repatriate.
 - .16 The county agency submits reports to OFA through SDSS to secure reimbursement for repatriation expenditures.

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68-107 GENERAL PROCEDURES FOR THE REPATRIATE PROGRAMS FOR THE NEEDY AND FOR THE MENTALLY ILL **68-107**
(Continued)

- .2 County agency participation in Repatriate Program activities shall begin upon notification from SDSS of the expected arrival of the repatriate, or upon confirmation of repatriate status in cases of direct requests for assistance.
- .21 The eligibility of persons requesting repatriation assistance directly from the county agency shall be established prior to rendering services by one of the following methods:
- .211 The appropriate county agency shall examine the repatriate's loan document provided by the Consular Office of the Department of State or
- .212 The appropriate county agency shall request SDSS to clear the person's eligibility through the OFA Regional Office.
- .3 County agency activities as performed by a county representative shall include the following:
- .31 Meet the repatriate;
- .32 Explain the purpose and requirements of the program;
- .33 Provide a copy of the pamphlet "Temporary Assistance for Repatriates" (1988 Reprint);

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- .331 Pamphlets are available to counties upon request. Requests should be addressed to:

State of California
Department of Social Services
Disaster Response Services Bureau
744 "P" Street, MS 19-43
Sacramento, CA 95814

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68-107	GENERAL PROCEDURES FOR THE REPATRIATE PROGRAMS FOR THE NEEDY AND FOR THE MENTALLY ILL	68-107
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- .34 Determine the specific need for assistance, based upon income and resource availability (see Section 68-103);
- .35 Provide necessary assistance to the needy repatriate (see Section 68-104) or to the mentally ill repatriate (see Section 68-106);
- .36 Secure from the repatriate a signed repayment agreement in accordance with Division IV, Part C. (Repayment by Repatriate of Cost of Assistance) of the federal "Manual of Policies and Procedures for Administration of Services in the Care and Treatment of Mentally Ill U.S. Citizens/Nationals Returned from Foreign Countries" (October 1, 1985) and Division IV, Part C. (Repayment by Repatriate of Cost of Assistance) of the federal "Manual of Policies and Procedures for Administration, Temporary Assistance for U.S. Citizens Returned from Foreign Countries" (May 1984) (see Section 68-108.11).

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 42 USCA Section 1313(a)(3); 24 USCA Section 322(a); and 45 CFR 211.6, .7, .8, and .10 and 212.4 and .5.

68-108	REPATRIATE PROGRAM ADMINISTRATIVE REQUIREMENTS	68-108
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The following federal forms shall be completed by the county agency for the Repatriate Program for the Needy specified under 45 CFR 212 and for the Repatriate Program for the Mentally Ill specified under 45 CFR 211: Form SSA-2061 (rev. 7/81), "Assistance for U.S. Citizens Returned from Foreign Countries - Report on Referral and Form SSA-3955 (rev. 7/81), "Expenditure Statement and Claim for Reimbursement".

- .1 Form SSA-2061, "Assistance for U.S. Citizens Returned from Foreign Countries - Report on Referral"
 - .11 A complete set of the SSA-2061 shall include the original and four copies of the SSA-2061, and one copy of the repayment agreement (see Section 68-107.36).
 - .111 The county agency shall give one copy of the repayment agreement to the repatriate and retain one copy.
 - .112 In cases where the repatriate is unable to sign the repayment agreement, the county shall submit a statement attached to the repayment agreement indicating the circumstances surrounding the repatriate's inability to sign.

68-108	REPATRIATE PROGRAM ADMINISTRATIVE REQUIREMENTS (Continued)	68-108
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- .12 Within five days of the first contact with a repatriate, the county agency shall forward the completed set of the SSA-2061 to SDSS.

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- .13 Counties shall disregard processing instructions reflected on the SSA-2061 form itself and follow processing guidelines herein.

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- .14 The county agency shall note on the SSA-2061 its assessment of the repatriate's financial ability to make repayment, the plan for repayment, or a recommendation for waiver of repayment responsibility.

- .141 A repatriate shall be deemed able to repay when income and/or resources in excess of continuing needs can be expected to become readily available within a year after self-support is attained.

- (a) Income and/or resources are to be considered readily available when under the control of the recipient and sufficient to be drawn upon for repayment.

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It is not intended that repayment deplete income and/or resources needed to become independent or to maintain independence.

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- .142 The county agency shall recommend waiver of repayment responsibilities when there is evidence that:

- (a) costs incurred are not readily allocable to the individual;
- (b) recovery would be uneconomical or otherwise impractical;
- (c) the repatriate does not have, and is not expected within a reasonable time to have, income and financial resources sufficient for more than ordinary needs;

68-108 REPATRIATE PROGRAM ADMINISTRATIVE REQUIREMENTS 68-108
(Continued)

- (d) recovery would be against equity and good conscience as determined by the county;
 - (e) the repatriate is a recipient of the Supplemental Security Income/State Supplementary Payment (SSI/SSP) Program, Aid to Families with Dependent Children (AFDC) Program, or a county General Assistance/General Relief (GA/GR) Program;
 - (f) assistance amounted to less than \$50 when such assistance provided was for small, incidental expenses, such as overnight accommodations and meals incurred in the course of reception, if no other assistance was furnished; or,
 - (g) the repatriate has died, unless there is evidence of an estate.
- .143 Waiver of repayment responsibilities for mentally ill repatriates specified under 45 CFR 211 shall be recommended when there is evidence that:
- (a) the probable recovery will not warrant the expense of collection;
 - (b) the repatriate is a recipient of SSI, AFDC, or a county GA/GR Program;
 - (c) assistance amounted to less than \$50 when such assistance provided was for small, incidental expenses, such as overnight accommodations and meals incurred in the course of reception, if no other assistance was furnished; or,
 - (d) the repatriate has died, unless there is evidence of an estate.
- .144 The county shall instruct recipients to make repayments directly to federal authorities.

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The U.S. Department of Health and Human Services (DHHS), Public Health Services is responsible for the collection of repayments for the Repatriate Program. Repayments shall be made by check or money order to the U.S. DHHS and should note that the payment is for the Repatriate Program. Payments shall be mailed to U.S. DHSS, Public Health Services, 5600 Fishers Lane, Room 16A09, Attn: Collection Officer, Rockville, MD 20857.

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.2 Form SSA-3955, "Expenditure Statement and Claim for Reimbursement"

- .21 For each repatriate case reported on Form SSA-2061, the county agency shall submit a Form SSA-3955 within five days after the close of the month. This monthly expenditure report shall be submitted in quadruplicate if funds have been expended for which the county is claiming reimbursement. A copy of a receipt or bill shall be attached to the SSA-3955 for unusual expenses such as medical bills. County agency records shall contain information and documentation necessary to support the validity of each claim.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 24 USCA Section 328, 42 USCA, Section 1313(a)(2) and (3); and 45 CFR 211.12 and .13 and 212.4 and .8.

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68-109	RECORDING REQUIREMENTS FOR THE REPATRIATE PROGRAM	68-109
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A separate fiscal record shall be established and maintained for each person for whom any expenditures are made under this program.

- .1 Records shall include sufficient and accurate information as to who was aided, the type of assistance provided, and substantiation of the need for such assistance.
- .2 Records shall be retained for three years following the date the case is closed or until resolution of any litigation, claim, negotiation, audit or other action involving records.
- .3 The Department of Health and Human Services, the Comptroller General or any of their authorized representatives shall have the right of access to all records pertaining to the Repatriate Program.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 45 CFR 211 and 212.

68-110	SAFEGUARDING INFORMATION FOR THE REPATRIATE PROGRAM FOR THE NEEDY, AND FOR THE MENTALLY ILL	68-110
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Information concerning applicants and recipients of aid and services under these programs shall be maintained in accordance with standards contained within the federal manuals specified under Sections 68-103 and 68-105.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 45 CFR 211.14 and 212.9.

68-111	NONDISCRIMINATION	68-111
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Eligible applicants for assistance under the Repatriate Programs shall not be denied benefits or otherwise subjected to discrimination on the grounds of race, color, creed, or national origin.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 45 CFR 211.15 and 212.10.