

## SECTION I

### ADMINISTRATION

#### **A. Designations of Authority, Administrative Operations, and Eligibility**

1. The California Department of Social Services (CDSS) has been designated by the Governor of the State of California to be the agency responsible for the development of the State Plan for Refugee Assistance and Services, pursuant to Title 45 Code of Federal Regulations (CFR) Part 400.5. The plan governs the state's supervision of the Refugee Resettlement Program (RRP) and the Cuban/Haitian Entrant Program, which provide critical resources to assist participants to resettle and find employment in the United States (U.S.) so that they can become integrated and self-sufficient members of American society.

The RRP was established by the federal Refugee Act of 1980 to assist refugees and other eligible groups to resettle to the U.S. Eligible groups include refugees, asylees, Cuban/Haitian entrants, certain Amerasians from Vietnam, victims of a severe form of human trafficking who receive certification or eligibility letters from Office of Refugee Resettlement (ORR), eligible family members of certified trafficking victims, Havana parolees, Cuban medical professional parolees, and Afghan and Iraqi Special Immigrant Visa recipients. The term "refugee" used in this plan is intended to encompass all eligible groups listed above.

2. The Director of the CDSS has been designated as the State Refugee Coordinator and has the authority to ensure coordination of public and private resources for refugee resettlement in the State of California. However, Catholic Charities, Diocese of San Diego, operates a Wilson/Fish Program, as a direct grantee of the federal ORR. The Wilson/Fish Program provides cash assistance and employment services to newly-arriving refugee single adults and refugee families without children in San Diego County. The description of the Wilson/Fish Program is excluded from the State Plan because it is not subject to state supervision. However, Wilson/Fish program staff participates in state and county forums convened by the CDSS.

3. The Director of the CDSS has established the Refugee Programs Bureau (RPB) to provide day-to-day administrative and operational oversight for California's RRP.
4. While the CDSS State Refugee Coordinator has responsibility for the overall provision and oversight of RRP benefits and services statewide, the California Department of Public Health (CDPH) and the California Department of Health Care Services (CDHCS) have operational responsibility for the medical assistance portion of the RRP. On March 29, 1988, ORR granted approval for the transfer of this responsibility from the CDSS to the then-entitled California Department of Health Services, which reorganized as of July 1, 2007 into two departments, CDPH and CDHCS.

The CDPH is the state's liaison with ORR on refugee health program matters and coordinates refugee health services in California. It is the recipient of the Refugee Medical Assistance (RMA) grant, which is used to fund health screenings and RMA-funded health services. CDPH subcontracts with local health departments for the provision of health screenings, and with CDHCS for the provision of RMA-funded health services. The interagency agreement between CDPH and CDHCS that defines the scope of work and terms between these two departments regarding the provision of RMA-funded health-related services is attached (Exhibit A).

The CDSS, CDPH, and CDHCS coordinate RRP activities and meet as needed to exchange information and discuss issues affecting California's program and refugee populations.

**5. The State Coordinator:**

- Maintains a single State Plan for Refugee Assistance and Services, which includes information on medical benefits to refugees
- Submits to the ORR required performance reports, which include refugee health program information
- Ensures that the CDPH and local health programs are represented on the

State Advisory Council on Refugee Assistance and Services (SAC), a group comprised of individuals from various organizations that provides the CDSS with input on critical refugee issues and makes recommendations regarding RRP policy decisions

- Shares data on refugee arrivals to California with the CDPH
  - Ensures that the CDSS is able to access information on aided refugees from the CDHCS Medi-Cal Eligibility Data System (MEDS)
6. The RRP in California is state-supervised and county-administered. State law (Welfare and Institutions [W&I] Code Section 10800) makes the administration of public social services a county function, with the administrative responsibility placed upon the County Boards of Supervisors.

The CDSS issues regulations, guidelines, and policy directives to counties regarding the RRP in California. For counties that receive Refugee Social Services (RSS) and Targeted Assistance (TA) monies, the CDSS requires a plan from the counties that describes their use of RSS and TA funds to provide employment and social services for refugee clients. The plan must be approved by the County Boards of Supervisors and certified by the CDSS. To prepare the county plan, the County Board of Supervisors is required by W&I Code Section 13277 to design a county planning process that facilitates refugee participation and public input. The plan, at a minimum, must address how services will be delivered to refugees receiving aid in the county and provide for priority consideration for funding refugee community-based organizations (CBOs), if they demonstrate the capacity to implement the proposed programs.

To further assist counties and service providers in setting and meeting performance goals, the CDSS provides technical assistance to counties on setting yearly performance goals on the Annual Outcome Goal Plan (AOGP), a document that must be submitted to ORR. The AOGP has been incorporated into the CDSS' annual county plan certification process to ensure that it is an integral part of county refugee program planning efforts. The CDSS' provision of technical assistance also includes training to counties on reporting accurate data pertaining to performance goals.

Counties receiving RSS and TA monies designate a County Refugee Coordinator (CRC) who is responsible for planning and implementing their county's refugee program, including the Refugee Cash Assistance (RCA) program. The RCA program provides temporary cash aid to newly-arrived single adult refugees or refugee families without children that do not qualify for assistance under the California Work Opportunity and Responsibility to Kids (CalWORKs) program.

7. The CDSS, CDPH, CDHCS, and the counties that receive RSS, TA, and/or RMA monies perform monitoring activities to ensure that the administration and operation of the RRP in California is consistent with applicable federal and state laws, regulations, and policies. Those monitoring activities are described below.

- a. State Monitoring

In accordance with Title 45 CFR Part 92.40, the CDSS, CDPH, and CDHCS, will monitor grant subgrantees, subrecipients, and contract supported activities to ensure compliance with federal requirements and achievement of performance goals.

The CDSS, CDPH, and CDHCS notify each other of monitoring schedules, review findings, and county corrective action plans.

- RCA Program

The CDSS is required by federal RRP regulations to conduct systematic monitoring of county RCA programs. Monitoring is accomplished through a review of randomly-selected RCA case files to determine if the county:

- 1) is serving only members of eligible target groups
- 2) requires and maintains proper verification of a recipient's immigration status
- 3) is adequately informing recipients of their rights and responsibilities
- 4) has standard procedures to calculate RCA grant amounts and

determine overpayments and underpayments

- 5) follows required good cause determination, compliance, and sanctioning procedures when recipients fail or refuse to meet RCA requirements
- 6) provides adequate and timely notices of action (NOA) to inform individuals that their RCA is being granted, denied, reduced, suspended, or terminated

Each Federal Fiscal Year (FFY), the CDSS will review the RCA programs in two to three of the refugee-impacted counties on a rotating basis, in conjunction with RSS and TA monitoring visits. At a minimum, each refugee-impacted county will be reviewed once every three years. The RCA caseloads for the refugee-impacted counties (counties that receive at least 400 new arrivals in a five-year period) in California comprise approximately 90 percent of the state's total RCA cases. In addition, the CDSS will also conduct RCA reviews as needed, i.e., whenever requested by ORR, or when problems that need resolution are brought to the attention of RPB.

After completing an RCA program review, the CDSS prepares a report on findings, which is presented to the county. If significant problems are identified during a review, the report specifies the problems that were found and the steps that the county must take to remedy the problems and prevent them from recurring. The CDSS provides information regarding county reviews, findings, and the CDSS' responses and activities to the ORR in federally-required performance and progress reports.

- RSS and TA Programs

The CDSS ensures that county refugee activities supported by RSS and TA funds comply with applicable RRP requirements. To fulfill that responsibility, the CDSS requires each RSS- and TA-funded county to submit reports regarding the performance of its RSS and/or TA programs. The CDSS staff reviews these reports and, if problems are noted, contact the county to discuss their concerns and provide technical

assistance, as needed, to resolve the problems. Information on the CDSS' analysis, technical assistance provided, and follow-up activities pertaining to these county reports are forwarded to ORR.

The CDSS also conducts systematic reviews of selected RSS/TA service providers to ensure services are being provided in compliance with RSS and TA requirements, and that progress is being made toward the goal of refugee self-sufficiency. On an annual basis, the CDSS monitors selected providers in two to three of the RSS- and/or TA-funded counties on a rotating basis, in conjunction with RCA monitoring visits. At a minimum, each county RSS/TA program will be reviewed once every three years. In addition, the CDSS will also conduct RSS/TA reviews as needed, i.e., whenever requested by ORR, or when problems that need resolution are brought to the attention of RPB.

When county RSS and TA reviews indicate that a service provider is not meeting contracted performance goals, the CDSS follows up with the county to ensure that appropriate corrective action is taken.

After completing a RSS and/or TA program review, the CDSS prepares a report on findings, which is presented to the county. If significant problems are identified during a review, the report specifies the problems that were found and the steps that the county must take to remedy the problems and prevent them from recurring. The CDSS provides information regarding county reviews, findings, and the CDSS' responses and activities to the ORR in federally-required performance progress reports.

- Unaccompanied Refugee Program (URM) Program

The URM Program is a federal program that provides culturally- and linguistically-appropriate foster care, independent living, and other supportive services to refugee youth with the goal of assisting youths to become self-sufficient. The CDSS operates the URM Program in Northern and Southern California and contracts with a grantee in each area to provide the above services. The CDSS Division of Community

Care Licensing (CCL) conducts annual reviews of the URM grantees to ensure appropriate services are being provided in compliance with federal and state child welfare and licensing laws and regulations. RPB staff conduct periodic monitoring of the URM service providers to ensure that benefits and services are provided in compliance with federal/state laws, regulations, and policy guidelines for the URM Program. Copies of both the CCL and RPB reviews are provided to ORR.

- RMA Program

The CDHCS, in consultation with the CDPH, conducts annual on-site RMA case monitoring/auditing on a sample basis in selected counties. The CDHCS may also review RMA cases in any county, as needed, to ensure statewide compliance with RMA program rules. Monitoring results are provided to the counties reviewed, the CDPH, and the CDSS.

The CDPH conducts annual on-site monitoring/auditing of contracted local refugee public health programs; reviews semi-annual progress reports submitted by local programs; and reviews monthly data from the Refugee Health Electronic Information System (RHEIS) to monitor program performance. The CDPH may also conduct ad-hoc monitoring/auditing visits, as needed, to ensure compliance with RMA grant rules.

- b. County Monitoring of RSS and TA Programs

Counties are required by the CDSS to conduct reviews of their RSS and TA service providers on an annual basis. If counties identify any program deficiencies during their program reviews, they must take corrective action to remedy them. Counties must also send copies of their monitoring reports to the CDSS. The CDSS follows up on any corrective action that the county and/or service providers must take in response to findings that are identified during the annual reviews.

## **B. Organization, Interface, and Oversight in Refugee Resettlement**

### **1. State Organizations**

#### **a. California Health and Human Services Agency (HHSA)**

The HHSA oversees numerous state organizations that provide needy Californians with basic health, employment, rehabilitation, and welfare services. The departments and offices within HHSA are: Aging, Alcohol and Drug Programs, Child Support Services, Community Services and Development, Developmental Services, Emergency Medical Services Authority, CDHCS, Managed Risk Medical Insurance Board, CDPH, Rehabilitation, CDSS, the Office of Statewide Health Planning and Development, Office of Health Information Integrity, and the Office of Systems Integration. The HHSA Secretary reports to the Governor on major program policy issues in the health and welfare areas.

#### **b. CDSS**

The CDSS coordinates with a number of other state departments to carry out the California State Plan for Refugee Assistance and Services. The CDSS oversees administration of the RRP and other county-administered programs serving refugees in California; RCA, RSS, TA, CalWORKs, and the federal Supplemental Nutrition Assistance Program (SNAP), formerly the Food Stamp Program (FSP). The CDSS is also responsible for community care licensing, disability evaluations, and other social services (e.g., child protective services). The emphasis in all the CDSS programs is to ensure efficiency, effectiveness, and equity in the delivery of benefits and services at reasonable administrative costs and in a manner that complies with federal and state regulations.

The RPB, in the Welfare to Work (WTW) Division of the CDSS, administers the RRP and the Cuban/Haitian Entrant Program within the applicable federal guidelines and funding constraints and the State Plan. Its mission is to provide state-level leadership and coordination of refugee programs and services to achieve successful refugee resettlement and self-sufficiency. The RPB is committed to continuing California's leadership in the efficient

administration of the RRP and the Cuban/Haitian Entrant Program.

c. CDPH

The CDPH, Refugee Health Program (RHP) works in partnership with local health jurisdictions, CBOs, community health providers, and local resettlement agencies to meet the health needs of arriving refugees in California. In order to assist refugees to improve their quality of life and promote self-sufficiency, the RHP has established the following objectives and services:

Objectives

- prevent and control health problems of public health significance among refugee populations in order to protect the health of all Californians
- improve the general health of refugees through treatment and follow-up of medical conditions identified during the health assessment process
- promote and facilitate a better understanding of, and access to the health care system in California by collaborating with local refugee health stakeholders to improve the cultural and linguistic competency of providers and to eliminate barriers to the utilization of the health care system
- monitor and evaluate the health status of newly-arriving refugees for purposes of informing and improving national policy regarding the overseas and post-arrival health assessment process

Refugee Health Assessment Program (RHAP)

In coordination with impacted local health jurisdictions, RHP provides culturally- and linguistically-appropriate comprehensive health assessments to newly-arrived refugees, pursuant to 45 CFR Part 400.107. The RHAP focuses on screening for and prevention of communicable diseases; early diagnosis of chronic diseases and other important health conditions;

assessment of immunization status for children and adults; mental health screening; and referral to medical and mental health providers for continuity of care. The California Refugee Health Assessment, form CDPH 8418 (Exhibit B), is used to provide a comprehensive evaluation of new entrants. This form has been revised to include enhanced mental health screening protocols and will be implemented during FY 2012-13.

### RMA

The California Medical Assistance Program (Medi-Cal) is California's Medicaid program. The CDHCS/Medi-Cal Eligibility Division (MED) receives RMA funds from the RHP to provide RMA benefits to refugees who are not eligible for Medi-Cal. Medical benefits received under the RMA program are equivalent to the benefits provided under Medi-Cal, pursuant to 45 CFR Part 400.105. RMA benefits are available for a maximum period of eight months.

### Mental Health Services

Effective July 1, 2012, the California Department of Mental Health was abolished. Its services that are funded by Medi-Cal were transferred to CDHCS; licensing functions were transferred to CDSS; and a new Department of State Hospitals was created to oversee California's state mental hospitals.

The CDSS and CDPH have undertaken an effort to increase awareness and understanding of the special mental health needs of refugees. The CDSS and CDPH also coordinate with local CRCs and County Refugee Health Coordinators (CRHC) to identify strategies to reduce barriers to services and thereby increase refugee access to mental health services.

#### d. CDHCS

The CDHCS protects and promotes the health status of Californians through the financing and delivery of a number of individual health care service delivery programs, including Medi-Cal. The MED has responsibility for the

administration of Medi-Cal, pursuant to the California State Plan for Medical Assistance and Title XIX of the Social Security Act (SSA). Medi-Cal is a public health insurance program that provides needed health care services for low-income individuals, including families with children, seniors, persons with disabilities, youth in foster care, pregnant women, and low income people with specific diseases such as tuberculosis, breast cancer or HIV/AIDS. Medi-Cal is financed equally by the state and federal governments.

e. California Department of Developmental Services (CDDS)

The CDDS ensures that quality care is provided to persons with developmental disabilities or mental illnesses who have been admitted to a state hospital.

The CDHCS, using RMA funds, reimburses the CDDS for inpatient costs for time-eligible refugees when those costs are not already covered by other federal or private programs.

f. California Department of Aging (CDA)

The CDA administers a broad range of services for seniors 60 years of age and over. This is done through a statewide network of 33 Area Agencies on Aging that coordinate with local agencies to address concerns at the community level. Services include: in-home services to enable seniors to stay at home as long as possible; congregate and home-delivered meals and nutritional instruction; legal services for problems with Medicare, Supplemental Security Income (SSI), and consumer fraud; elder abuse protection; case management to link the frail elderly to community services such as transportation and housing assistance; respite care for caregivers; adult day care; and senior employment services.

The CDSS collaborates with CDA at the state level to bring about awareness of the needs of California's older refugees. The CDA provides information on services and resources for elderly refugees, which the CDSS makes available to interested organizations and local governments through the RPB website.

g. California Department of Education (CDE)

The CDE provides a wide variety of educational services to refugees, including traditional kindergarten through twelfth grade, adult education, English-as-a-Second Language (ESL), and vocational education.

## **2. Non-State Organizations**

Successful refugee resettlement is a collaborative effort requiring the cooperation and coordination of a number of organizations outside of state government. These agencies are as follows:

a. County Welfare Departments (CWD)

California's welfare programs are supervised by the CDSS and administered in the 58 California counties by CWDs. The CWDs accept applications for assistance from refugees, determine client eligibility and need, deliver benefits and services, and make referrals to other agencies and providers, as appropriate. Allowable RRP services include cash assistance, medical assistance, and county social services. The CWDs may also provide RSS and TA services to refugees directly or through subcontracts, if they are the agencies designated by the County Board of Supervisors to administer the RRP funds. In addition, most CRCs are employed by the CWDs.

b. Employment Services Providers

Providers of RSS and TA services are selected by the counties through competitive contracting processes. The public and private non-profit providers that are awarded contracts accept referrals for services from the county and provide services based on the county's refugee assistance and services plan and the client's family self-sufficiency plan.

c. VOLAGs

The voluntary resettlement agencies (VOLAGs) provide resettlement services within the first 90 days of arrival, including the following core services: pre-

arrival services, reception services, counseling, health referrals, and employment services. Each VOLAG provides a variety of optional services beyond these core services as the individual agency's ability permits.

d. Private Foundations

A number of philanthropic foundations in California, such as the California Endowment and the Blue Shield of California Foundation, play an active role in refugee resettlement. They fund agencies to provide services and to perform functions for refugees that cannot be funded with public resources. The CDSS attempts to coordinate its activities with these foundations.

### **3. Stakeholder Groups**

California's RRP consists of many stakeholders that the CDSS includes in the planning and coordination of refugee services. The CDSS meets regularly with stakeholder groups as required by 45 CFR Part 400.5(h). Among the major stakeholders are the following:

a. CRCs

Each county that receives RSS and TA monies designates a CRC, who is responsible for planning and implementing the county's refugee program, including RCA. The CDSS holds quarterly meetings with CRCs to discuss and resolve refugee issues. One CRC is selected by his or her peers to be a member of the SAC.

b. SAC

The CDSS established the SAC in accordance with the requirements of the Refugee Act of 1980. The SAC holds public meetings to analyze critical issues affecting refugees and to develop and submit recommendations to the CDSS for addressing those issues; ensures citizen involvement in policy discussions that are crucial to the development of a cost-effective, sensitive, and comprehensive RRP; and advises the CDSS on matters pertaining to the administration of the RRP. Pursuant to 45 CFR Part 400.5(h), the SAC meets

on a quarterly basis, and members include representatives from local government, VOLAGs, service providers, other interested private organizations, and individuals who are involved in, or affected by, the refugee resettlement process.

To ensure that SAC membership is reflective of the communities it represents, the CDSS has implemented the following criteria for selecting members:

- Seven public positions must be filled by individuals who are selected from nominations made by mutual assistance agencies (MAAs), VOLAGs, service providers, and other interested organizations or individuals on a statewide basis. The public members serve for a term of three years.
- Eight organizational or agency positions are filled by individuals nominated by the following: The California State Refugee Forum; Joint Voluntary Agencies Committee of California (JVCC); Chief, CDPH, Refugee Health Section; County Welfare Directors Association (CWDA); CRCs; local RHP Coordinators; RPB; and the Governor's Office. The organizational or agency members serve at the pleasure of the organization that they represent.

c. Local Forums on Refugee Affairs

Local forums on refugee affairs have been established in communities with large concentrations of refugees. Membership in these forums consists of CRCs, CRHCs, and representatives from VOLAGs, MAAs, and other public and private organizations interested in refugee resettlement matters. The mission of the forums is to support local efforts that assist refugees in becoming self-reliant and make them aware of their rights and responsibilities as residents of the U.S.

Major goals of the local forums are to: Identify strengths and needs of existing and proposed programs for refugees; coordinate and plan policy development; assess the resettlement needs of California's refugee population in their area; and obtain funds for effective programs to address unmet needs.

d. JVCC

The JVCC is comprised of representatives from each VOLAG in California and coordinates with community and local officials on refugee matters.

**4. CDSS Communications with Agencies and Refugees**

The CDSS communicates through a variety of means with a wide audience, including public and private agencies, the Legislature, non-profit organizations, services providers, refugees, the general public, and other program stakeholders regarding the RRP. The CDSS uses the following methods to communicate with program stakeholders:

- All County Letters (ACLs) and All-County Information Notices (ACINs) – to provide program rule changes and policy guidance to California counties. These documents, which are subject to formal departmental review and approval, transmit information with appropriate references and background data. The ACLs and ACINs that relate to refugees are also sent to CRCs.
- Refugee Coordinator Letters – to provide information regarding refugee arrivals, refugee grant allocations, funding opportunities, and other RRP matters to CRCs.
- E-mails – to provide general RRP program information on funding opportunities, training opportunities, and refugee-related events to refugee program stakeholders.
- RPB website – to provide a wide range of RRP-related information, news, data, policies, and procedures to refugee program stakeholders and the general public.

In addition to the above, RPB and the CDSS Public Inquiry and Response Unit respond directly to correspondence, e-mails, and telephone calls regarding RRP issues and concerns from other agencies, the general public, and refugees.

### **C. Assurances**

1. Pursuant to 45 CFR Part 400.5(h)(i), which specifies the contents of the State Plan, the CDSS assures that it will:
  - a. Comply with the provisions of Title IV of the Immigration and Nationality Act of 1952, as amended, and official issuances of the Director of ORR.
  - b. Meet the requirements of 45 CFR Part 400.
  - c. Comply with all other applicable federal statutes and regulations in effect during the time the CDSS is receiving grant funding.
  - d. Amend the State Plan as necessary to comply with standards, goals, and priorities established by the Director of ORR.
2. The CDSS assures, as specified in 45 CFR Part 400.5(g), that assistance and services funded under the plan will be provided to refugees without regard to race, religion, nationality, sex, or political opinion.
3. The CDSS assures, as specified in 45 CFR Part 400.5(h), that unless exempted by the Director of ORR, it will convene meetings no less often than quarterly with representatives of: 1) local affiliates of VOLAGs; 2) local community service agencies and other agencies that serve refugees; and 3) state and local governments to plan and coordinate the appropriate placement of refugees in advance of their arrival.
4. The CDSS assures, as specified under 45 CFR Part 400.145(c), that women have the same opportunities as men to participate in all services, including job placement services.
5. The CDSS assures the application of fair and equitable mediation/conciliation procedures as required by the California court decision, Dang, et al. v. McMahon, and implemented via state regulations in the CDSS Manual of Policies and Procedures (MPP) Sections 69-208 and 69-209.

6. The CDSS assures that the hearings standards and procedures as set forth in 45 CFR Part 400.54 will also be used for RCA.
7. The CDSS assures that it will comply with 45 CFR Part 401 – Cuban/Haitian Entrant Program requirements.
8. In accordance with 45 CFR Part 400.13(b), the CDSS assures that costs associated with the administration of the RRP in California are allocated appropriately among its CMA, RSS, TA, and Refugee School Impact grants. To determine RPB staff time attributed to each federal grant, RPB conducts time studies once each quarter, calculates the percentages of time for each grant in the quarter, and then averages the percentages of the time studies for the previous four quarters to arrive at a more accurate reflection of staff time per grant.

## SECTION II

### ASSISTANCE AND SERVICES

#### A. Cash and Medical Assistance Programs and Services

##### 1. Cash Assistance

Eligible refugees may receive cash assistance benefits through the CDSS-supervised RCA, URM, and CalWORKs programs; the federally-administered Supplemental Security Income/State Supplementary Payment (SSI/SSP) program; and the county-administered General Assistance/General Relief (GA/GR) program. Eligible refugees may also receive SNAP benefits. Eligibility for the RCA and URM programs is determined pursuant to requirements contained in 45 CFR Parts 400 and 401. Eligibility for CalWORKs, SSI/SSP, and SNAP benefits is determined for refugees in the same manner as that for nonrefugees. Following is a brief description of the cash assistance programs.

##### a. CalWORKs

Refugees who meet eligibility criteria for the CalWORKs program are provided time-limited cash aid and services such as employment services, skills training, adult basic education, child care, vocational assessments, mental health and substance abuse treatment, and domestic violence services to assist them find employment and become self-sufficient.

##### b. SSI/SSP

This combined federal/state program provides financial assistance to eligible aged, blind, or disabled recipients. The SSI portion of the grant is federally-funded under Title XVI of the SSA; the SSP portion is funded by the state. The federal Social Security Administration is responsible for determining eligibility, computing grants, and issuing the combined federal/state payment.

c. Cash Assistance Program for Immigrants (CAPI)

The CAPI is a state supervised program that provides cash assistance to immigrants who are otherwise eligible for SSI/SSP, but are denied or discontinued from SSI/SSP because they have exceeded the time allotted for SSI recipients to attain U.S. citizenship. Federal law allows refugees and other humanitarian immigrants to be eligible for SSI benefits for a seven-year time period without becoming a U.S. citizen. Once the seven-year time period has been reached, SSI/SSP recipients who have not attained citizenship may be denied benefits. However, since October 1, 2008, Public Law 110-328 provided a two-year extension for SSI recipients who are not citizens and an additional third year of benefits, if the recipients have a naturalization application pending at the end of the two-year extension.

d. RCA

The RCA program provides cash assistance to eligible refugees for a maximum period of eight months. The program is limited to refugees who are determined ineligible for the CalWORKs or SSI/SSP programs.

The CDSS adopted regulations necessary to align the RCA program with the CalWORKs program with respect to the eligibility determination process and benefit levels.

Pursuant to 45 CFR Part 400.75, as a condition of RCA eligibility, clients, unless exempt, must: 1) work and/or participate in employment and training services that are designed to assist refugees in becoming employed; 2) go to job interviews as directed; and 3) accept any appropriate employment offer. These mandatory participation requirements, specified in MPP Section 69-207, are explained to clients by the CWD during program orientation.

At intake, the CWD informs clients of available employment and training services and supportive services (e.g., assistance with transportation and work-related expenses). Clients are then assessed for employment and training needs by the CWD or a contracted service provider. Employment and training services generally are provided by local service providers who

have the language and cultural skills to provide effective services to refugees. These providers are required to report clients who fail to participate in employment and training services or accept appropriate employment to the CWD. If good cause is not found for non-participation, the CWD works with clients to develop compliance plans to meet participation requirements. If these clients continue to not participate, the CWD will impose financial sanctions.

Service providers offering case management and employment and training services employ staff who are culturally- and linguistically-proficient, so that the needs of their limited-English proficient refugee clientele are met. Through the arrival data provided by the U.S. Department of State (DOS) and disseminated by the RPB, counties are able to plan for the number of refugees that are resettled in their particular county. In compliance with the language requirements in 45 CFR Part 400.55, California uses this data to identify the languages of incoming refugees.

In addition, California has provided guidance through MPP Section 21-115 (“Civil Rights Nondiscrimination in Federally Assisted Programs, Title VI Civil Rights Act of 1964”) to ensure nondiscrimination toward limited-English proficient persons so that they have meaningful access to benefits and services. The CDSS policy is that the language of the individual is to be recorded in the case file. In those instances where service provider staff are not proficient in the language of a refugee, arrangements must be made for interpreter services. Service providers identify resources to implement language access programs and make the necessary arrangements for the refugee to participate in English language training while concurrently participating in employment training services. Written materials may be translated into a language that the refugee understands.

1) Determination of Initial and Ongoing Eligibility

The treatment of income and resources for the RCA program follows CalWORKs requirements, except that reception and placement cash received by a refugee from a VOLAG may not be considered in determining income eligibility for RCA.

California’s RCA program also follows required CalWORKs reporting and prospective budgeting process to determine eligibility and grant amounts. The maximum aid payment (MAP) and the minimum basic standard of adequate care (MBSAC) levels for RCA are the same as those under CalWORKs.

California is divided into two regions for MAP and MBSAC purposes. Region 1 counties have a higher MAP and MBSAC due to the higher cost of living in these counties.

<b>Region 1 Counties</b>	
Alameda	San Luis Obispo
Contra Costa	San Mateo
Los Angeles	Santa Barbara
Marin	Santa Clara
Monterey	Santa Cruz
Napa	Solano
Orange	Sonoma
San Diego	Ventura
San Francisco	

<b>Region 2 Counties</b>		
Alpine	Lake	San Bernardino
Amador	Lassen	San Joaquin
Butte	Madera	Shasta
Calaveras	Mariposa	Sierra
Colusa	Mendocino	Siskiyou
Del Norte	Merced	Stanislaus
El Dorado	Modoc	Sutter
Fresno	Mono	Tehama
Glenn	Nevada	Trinity
Humboldt	Placer	Tulare
Imperial	Plumas	Tuolumne
Inyo	Riverside	Yolo

Kern	Sacramento	Yuba
Kings	San Benito	

The attached Exhibit C is a reference guide to California's MPP sections that pertain to the RRP. The MPP sections can be accessed on-line at: [www.dss.cahwnet.gov](http://www.dss.cahwnet.gov).

2) Mandatory Participants Not Meeting Program Requirements

If RCA recipients do not meet the criteria to be exempt from RCA work registration requirements, pursuant to MPP Section 69-207.3, and fail to participate in employment and training services, go to a job interview, or accept an appropriate employment offer, the CWD must make a good cause determination. If no good cause exists, the CWD prepares a compliance plan that explains what participants must do to remain eligible for their grant. If the recipients fail to fulfill the plan requirements, the CWD sends a NOA regarding the termination of aid and imposes sanctions. The recipient may request a state hearing in accordance with MPP Section 69-210, should he or she disagree with a CWD determination.

e. The Trafficking and Crime Victims Assistance Program (TCVAP)

California Senate Bill 1569, Chapter 672, Statutes of 2006, established the state TCVAP, effective January 1, 2007, for noncitizen victims of a severe form of human trafficking, domestic violence, or other serious crimes. The TCVAP provides benefits and services (i.e., cash assistance, medical benefits, and employment services) equivalent to federally-funded benefits and services available to refugees. The program, which is 100 percent state-funded, serves a population that generally has no legal immigration status.

f. GA/GR Programs

The GA/GR program requirements and benefits vary among California's 58 counties. Benefits may include cash and/or in-kind assistance. This program is solely administered at the county level and is funded with county monies.

Refugees qualify for GA/GR on the same basis as other residents.

g. URM Program

The URM Program provides foster care, independent living, and other supportive services to eligible refugee minors. The CDSS supervises the program and contracts with licensed foster family agencies to provide services. These providers are selected by the USCCB and the LIRS, who have cooperative agreements with the DOS Bureau of Population, Refugees and Migration to provide placement of URMs through their affiliated offices.

In accordance with 45 CFR Part 400.115, the California URM Program ensures that legal responsibility (guardianship) is established, as appropriate, for each unaccompanied minor who is placed in California.

In California, the state supervises the child welfare and foster care programs, but the county is responsible for administering these programs. The California Superior Courts, sitting as the Juvenile Court, have the responsibility to adjudicate juvenile dependency cases (abuse, abandonment, or neglect) and juvenile delinquency cases (criminal); and issue orders granting legal guardianships for youth in these cases to parties that wish to assume financial and legal responsibility for the youth.

In cases of abuse, abandonment, or neglect, the county petitions the Juvenile Court to intervene with the family, and when appropriate, remove the youth from the custody of the parents. Then the court issues orders for the youth to be placed under the care, custody, and control of the county child welfare agency for suitable placement, and in most cases, orders that services be provided to the family in an effort to reunify the youth with the parent(s).

In cases where the youth has committed a crime or is deemed a delinquent by a Juvenile Court, the youth becomes a ward of the Juvenile Court. That court has the authority to make orders for foster care, in appropriate cases, and does not require a separate dependency proceeding.

The requirement of establishing legal responsibility for the children in the custody of the California URM Program may be met in the following manners:

- 1) Institutional Legal Guardianship: In accordance with California Probate Code Sections 1500 or 1501, protective legal guardianship may be established by the state contracted URM providers or a sub-contractor who is licensed to provide foster family services in California. The California URM Program will initiate institutional legal guardianship within 30 days of the child's placement into the URM Program.
- 2) Juvenile Court Proceedings (Dependency and Delinquency): California law permits the Juvenile Court to establish jurisdiction over a youth described by W&I Code Sections 300, 601, and 602. These youth may be placed in foster care under certain circumstances. In the cases of Juvenile Court dependents and wards who subsequently enter the URM program, the California URM Program interprets that the regulatory requirement for the state to have established "legal responsibility," under 45 CFR Part 400.115(a), has already been met because the minor is a dependent of a California county court.
- 3) Jurisdiction in another State: In cases where the child had been a ward of the juvenile delinquency system or a dependent in another state and the other state court has yet to terminate the case and/or the court of jurisdiction cannot be identified because the juvenile records are sealed, the California URM Program interprets that the regulatory requirement for the state to have established "legal responsibility," under 45 CFR Part 400.115(a), has already been met because the child had been a ward of a juvenile court or a dependent in another state. The California URM Program will make every effort to complete legal guardianship for all children in placement, but acknowledges that in some cases, events and differing jurisdictions may not allow for that.

In accordance with 45 CFR Part 400.112, the California URM Program will ensure that each URM child receives the full range of child welfare benefits and services as provided to children in mainstream foster care in the state.

These services may include foster care maintenance payments, medical assistance, support services, and any services identified as allowable in Title IV-B State Plan (Foster Care Services). The contracted providers for the California URM Program will have the primary responsibility for the URM children's welfare.

The contracted providers are responsible for all case planning services in accordance with 45 CFR Part 400.118, which include: initial assessment and development of a service plan; coordination and supervision of the activities listed in the plan; referral to service activities; and selection and placement activities to ensure the appropriate placement of the child. Case planning for the URM will also include: family reunification services; orientation, assessment, and counseling to facilitate the adjustment of the child to American culture; health screening and treatment, including medical and dental examinations and treatment; preparation for participation in American society with special emphasis on English language instruction; and occupational and cultural training to facilitate the child's social integration and to prepare the child for independent living and economic self-sufficiency.

On September 30, 2010, California enacted Assembly Bill (AB) 12 (Chapter 559, Statutes of 2010), *the California Fostering Connections to Success Act*, allowing California to implement the provisions of Public Law 110-351, the Fostering Connections to Success and Increasing Adoptions Act of 2008. Previously, California foster youth were eligible to remain in foster care until 18 years of age, unless an exception was made by the county for the youth to continue in foster care until age 19 in order to complete high school or general educational development requirements. Effective January 1, 2012, AB 12 allows California foster youth to voluntarily remain in foster care past their eighteenth birthday without a county exemption. Eventually, by January 1, 2014, youths will be able to voluntarily remain in foster care until age 21. As required by federal regulation, the URM Program will parallel the changes implemented in the mainstream foster care program by AB 12.

Mainstream foster youth ages 16-18 may receive supported housing through the state's Transitional Housing Program. The Transitional Housing Program-Plus (THP-Plus) is a housing program for emancipated foster

youth at least age 18 and up to their twenty-fourth birthday if the county of their residence participates. The THP-Plus program provides for a maximum of 24 cumulative months of housing assistance. The URM Program mirrors Transitional Housing Program and the THP-Plus with a URM Supported Housing Program, which provides equivalent benefits and services. In addition, the URM Program also provides emancipation benefits equivalent to the state Chafee Education Voucher Program, which offers financial assistance to foster youth seeking post-secondary or vocational education, and Emancipated Youth Stipends, which provide emergency assistance (i.e., car repair, emergency housing) to assist former foster youth to continue on the path to employment and self-sufficiency.

California will continue to comply with 45 CFR Part 400 Subpart H, Child Welfare Services, in providing services under the URM Program.

## **2. Benefits and Services**

### **a. SNAP**

Pursuant to the federal Food Stamp Act of 1977 and the Food, Conservation and Energy Act of 2008, the CDSS supervises the provision of SNAP benefits so that low-income Californians can buy the food they need for good health and nutrition. As of October 1, 2008, the federal FSP was renamed SNAP to reflect the changes made to better meet the needs of clients by focusing on nutrition and increasing benefit amounts. SNAP benefits can be accessed using the Electronic Benefit Transfer card and are administered through the CWD.

### **b. California Food Assistance Program (CFAP)**

In response to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) and the subsequent passage of the Agricultural Research, Extension and Education Reform Act of 1998 (AREERA), the CDSS has implemented a food assistance program to cover those who cannot receive benefits under PRWORA and AREERA limitations. The CFAP provides benefits in the form of food vouchers that are equivalent

to the federal SNAP benefits.

c. RMA Benefits

Each refugee is assessed for eligibility for CalWORKs, the Healthy Families Program (HFP), and Medi-Cal. If they are ineligible for these programs, then they are eligible for the RMA program for a period up to eight months and receive the same benefits as a Medi-Cal beneficiary. RMA eligibility procedures are contained in Article 24 of the Medi-Cal Eligibility Procedures Manual, which states, in part:

- 1) RMA eligibility is based on the refugee's income and resources on the date of application, and the county may not consider as income any of the following:
  - a) any property remaining in refugee's country of origin
  - b) a sponsor's income and property
  - c) in-kind services or shelter provided by the sponsor or the VOLAG
  - d) income earned after the date of application
  - e) local assistance from the CWD, a VOLAG (matching grant program), or from the DOS or Department of Justice Reception and Placement Programs
- 2) A refugee does not have to receive RCA to receive RMA benefits.
- 3) If a refugee is discontinued from RCA because of increased earnings from employment, the refugee remains on RMA without a re-determination and continues to receive RMA until the end of the eight-month eligibility period.
- 4) If a refugee who is receiving Medi-Cal and has been residing in the U.S. less than the time-eligibility period for RMA becomes ineligible for Medi-

cal because of earnings from employment, the refugee must be transferred to RMA without an RMA eligibility determination.

- 5) Asylees will receive RMA as of the date asylum is granted and not the date of entry into the U.S.
- 6) Refugee children are to be enrolled in HFP if they are eligible for Medi-Cal with a share of cost.

A Refugee Indicator Code is used to identify all refugees in California receiving aid. This information is reported to the MEDS by the CWDs, and is used by the CDHCS to claim 100 percent federal financial participation (FFP) for medical assistance provided to time-eligible refugees receiving RMA. The CDSS uses this information to claim 100 percent FFP for RCA and for allocating RSS funds.

Also, the MEDS has been programmed to terminate RCA and RMA benefits at the end of the eight-month eligibility period.

## **B. Employment Services**

For the RSS and TA programs, administrative costs are defined to include, but not be limited to: monitoring, contracting, invoicing, performance, and progress statistical reporting.

There is no federal requirement to limit the amount allowed for administrative costs under RSS, for either the state or for the counties. W&I Code Section 13275 limits RSS funds that counties may spend for administration to the amount allowed under TA, which is currently 15 percent. The amount of TA administrative costs that the state may use is limited by federal regulation (45 CFR Part 400.319 [b]) to five percent. The federal TA Formula Final Funding Notice limits administrative costs for counties to 15 percent.

### **1. RSS**

W&I Code Section 13276 requires the CDSS, after setting aside the necessary

state administrative funds, to determine which counties are eligible to receive RSS funds and to establish RSS allocations for those eligible counties.

RSS allocations are based on the number of refugee adults on aid who have been in the U.S. 60 months or less in the refugee-impacted counties (obtained from MEDS). Pursuant to state law, effective January 1, 2006, funding is allocated to these counties based on the current number of refugees receiving RCA and CalWORKs in each county, while assigning specific weights relative to each refugee's time in the U.S. When calculating each county's allocation, a weight of 1.50 is given to the number of refugees who have been in the U.S. one year or less; a weight of 1.25 is given to the number of refugees who have been in the U.S. two years or less, but more than one year; and a weight of 1.00 is given to the number of refugees who have been in the U.S. five years or less, but more than two years.

Pursuant to 45 CFR Parts 400.154 and 155, services provided to refugees by counties and their subcontractors may include:

- Employment services
- Employability assessment services
- On-the-job training
- English language instruction
- Vocational training
- Skills recertification
- Day care for children
- Transportation
- Translation and interpreter services
- Assistance in obtaining employment authorization documents
- Information and referral services
- Outreach services
- Social adjustment services
- Health-related Services

The RSS program focuses on the achievement of refugee family self-sufficiency. Therefore, in accordance with 45 CFR Part 400.156(g), RSS employability services must be provided within the framework of a family self-sufficiency plan,

which consists of individual employability plans for each employable family member. In addition, the employability services must be designed to assist refugees in becoming employed within one year. Counties are also encouraged to develop services that supplement, and are coordinated with, mainstream employment services.

Pursuant to 45 CFR Part 400.152(b), eligibility for RSS services is limited to refugees who have been in the U.S. for 60 months or less. However, citizenship and naturalization preparation, and referral and interpreter services may be provided to refugees who have been in the U.S. for more than 60 months.

Pursuant to 45 CFR Part 400.147, priority for participation in RSS services is as follows: 1) refugees during their first year in the U.S.; 2) refugees receiving cash assistance; 3) unemployed refugees who are not receiving cash assistance; and 4) employed refugees who are in need of services to retain employment or attain economic independence. For the purposes of providing RSS services, the definition of cash assistance includes RCA and CalWORKs. Cash assistance recipients also include refugees who enter services while receiving cash aid but then lose their eligibility for aid during participation.

Counties ensure that refugees receive the maximum benefit and results from services provided during the time-limited service eligibility period. To accomplish this, services are provided in a manner that is culturally- and linguistically-compatible to all refugees. Staff of local agencies providing refugee services include bilingual and bicultural women to ensure adequate access to services by refugee women. English language instruction is provided concurrently with employment-related services and is provided outside normal working hours, when feasible. Other strategies for the provision of services are outlined in the individual county plans, which are updated annually.

Agencies conducting intake services are designated by the county. It is the responsibility of the designated agencies to determine the services that a refugee needs to become self-sufficient and to manage the refugee through those services. Intake and assessment activities include the following:

- Determination of eligibility for services
- Assessment of employability
- Development of service plans
- Referrals to other services
- Monitoring participant progress in programs

Counties must ensure that refugee women have the same opportunities as men to participate in RRP services, including job placement. Child care is an allowable service under RSS; however, if a refugee is receiving CalWORKs, child care services should be utilized through the CalWORKs program given the amount of RSS funding is limited.

## **2. TA Program**

The CDSS allocates TA funds to counties pursuant to the amounts determined by ORR. Pursuant to 45 CFR Part 400.315(b), counties are required to use their TA funds to provide employment-related services for refugees who have been in the U.S. 60 months or less, with the exception of referral and interpreter services. Additionally, 45 CFR Part 400.314, requires that TA programs serve refugees in the following order of priority: 1) cash assistance recipients; 2) unemployed refugees who are not receiving cash assistance; and 3) employed refugees in need of services to retain employment or attain economic independence.

Refugees may receive TA services after job placement as part of a family self-sufficiency plan to help the refugee retain employment and/or to obtain a higher paying job and move toward self-sufficiency.

## **3. Discretionary Projects**

The CDSS competes for various refugee discretionary funds, such as the Older Refugee Discretionary Grant and the Refugee School Impact Grant, to help meet the special needs of California's refugee population.

### **C. Support of MAAs**

The MAAs are private, non-profit organizations that have been established and operated by refugees. The ORR requires that not less than 51 percent of the Board of Directors or the governing board of the MAA be comprised of both men and women who are recent refugee arrivals or former refugees.

The CDSS recognizes the strength and potential of refugee MAAs as resources in the RRP and:

- Encourages counties to utilize MAAs as service providers to the maximum extent possible
- Recognizes the special strengths of MAAs to deliver services in a manner that is culturally-and linguistically-compatible with refugees
- Encourages sound working relationships among counties, MAAs, and service providers to enhance communication and facilitate resolutions
- Encourages and assists MAAs and other refugee community leaders to actively participate in the development of the county plan and to provide input to various local forums, coalitions, and community groups on refugee issues

## SECTION III

### PANDEMIC INFLUENZA PLANNING

The CDSS issued ACIN No. I-77-06, dated November 7, 2006, to inform the counties and the RRP stakeholders of pandemic influenza planning activities at the state level and to instruct counties to include the needs of refugees in county pandemic planning activities. The CDPH is the lead agency in California for pandemic planning and works with the county refugee health coordinators (CRHC) to ensure that refugee health-related issues are addressed. The CDSS will coordinate with the CDPH to develop refugee-related disaster and emergency response activities, which include pandemic flu planning and response procedures.

The CDSS and the CDPH will provide updates on California's pandemic flu planning activities to the ORR via the state's trimester performance reports, or as directed by the ORR.

#### CRHCs Responsibilities

The CRHCs will:

- Review and disseminate new or updated pandemic influenza educational materials and/or develop/translate information, including fact sheets, that are accurate and culturally- and linguistically-appropriate
- Continue ongoing activities to coordinate with County Offices of Emergency Services to streamline pandemic influenza planning activities and include procedures in local response plans that address the needs of refugees and other limited-English speaking persons
- Conduct health assessments, including screening to identify newly-arriving refugees who may be exhibiting flu-like symptoms. Pandemic flu prevention and education is provided at the point of initial health screening

## CDPH/CDSS Responsibilities

The CDPH, in collaboration with the CDSS, will:

- Continue to network with program stakeholders to evaluate state planning activities related to development and translation of refugee-appropriate educational and other informational materials
- Continue to collaborate with the CDPH Emergency Preparedness Office to ensure statewide plans address the cultural and linguistic needs of refugees
- Provide any updated information to program stakeholders on protocols and procedures pertaining to surveillance, containment, and prevention of pandemic flu
- Continue to review and analyze existing RHEIS and MEDS data to determine the state's current and anticipated refugee populations. This data will be used to guide ongoing planning activities to ensure that they meet the needs of California's diverse refugee populations
- Implement training, as needed, to inform and educate program stakeholders about any updates on pandemic influenza and to encourage participation in the preparedness planning process at the state and local levels

Continue to work with refugee service providers to identify new community leaders and involve them in preparedness planning activities

- Encourage the CRHCs and CRCs to collaborate with local emergency preparedness coordinators. The goal will be to foster a state and local community network to ensure that refugee populations have a voice in the preparedness process
- Continue working with the national Association of Refugee Health Coordinators (ARHC), the Refugee Health Information Network (RHIN), the Centers for Disease Control and Prevention (CDC), and other stakeholders to promote

culturally- and linguistically-appropriate outreach, education materials, and awareness activities for refugee populations

- Continue to offer ongoing technical assistance and consultation to the CRHCs, VOLAGs, and MAAs in the development and implementation of their Continuity of Operations plans to ensure that critical services to refugees continue uninterrupted during a pandemic flu or other emergency

### CDSS' COOP/COG Plan

The California Emergency Management Agency, previously the Governor's Office of Emergency Services requires that each state department develop the COOP/COG plans to ensure that they are prepared to fulfill their essential functions in the event of a disaster.

In February 2004, the CDSS contracted with a consulting firm with expertise in the field of emergency management planning to prepare the CDSS' COOP/COG plan. Using this plan as a basis, the CDSS Welfare to Work (WTW) Division, which includes the RPB, developed a simplified COOP/COG plan to specify the actions that the WTW Division will take in response to a significant disaster or emergency. Depending on the severity of the incident and the response needed, the WTW Division management may be required to continually update federal officials on the state's situation, request federal program waivers, determine and implement alternative procedures to meet state and federal mandates, etc. (Refer to Exhibit E).

The CDSS will maintain a current list of the CRCs, which will be used to contact the CRCs during a disaster or emergency to provide counties with program information and assistance and/or to obtain information on refugee issues and needs at the county level.

**SECTION IV**

**SUBMISSION OF THE STATE PLAN**

Review and signature of Governor or designee

This plan was reviewed and signed by the Governor's designee, the California State Refugee Coordinator, California Department of Social Services.

***Original signed by Stan Cagle for Todd Bland***

***10/12/12***

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TODD BLAND

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Date

Deputy Director

Welfare to Work Division

California Department of Social Services