

December 15, 2020

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY WELFARE DIRECTORS LETTER

This letter provides County Welfare Departments (CWDs) with information on implementing the second extension of eligibility for extended cash assistance under the Refugee Cash Assistance (RCA), Entrant Cash Assistance (ECA), and the state Trafficking and Crime Victims Assistance Program (TCVAP) due to the continued impact of COVID-19 for the period beginning October 1, 2020 and ending January 31, 2021.



KIM JOHNSON
DIRECTOR

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DEPARTMENT OF SOCIAL SERVICES
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GAVIN NEWSOM
GOVERNOR

December 15, 2020

ALL COUNTY WELFARE DIRECTORS LETTER

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: STAGE 2 EXTENSION OF TIME ELIGIBILITY FOR REFUGEE CASH ASSISTANCE (RCA), ENTRANT CASH ASSISTANCE (ECA), AND TRAFFICKING AND CRIME VICTIMS ASSISTANCE PROGRAM (TCVAP) CASH ASSISTANCE

REFERENCE: TITLE 45, CODE OF FEDERAL REGULATIONS (CFR) §§ [400.211](#), [400.146](#), and [400.155 \(h\)](#); OFFICE OF REFUGEE RESETTLEMENT (ORR) POLICY LETTER (PL) [16-01](#), PL [20-03](#) AND PL [20-06](#); EXECUTIVE ORDERS (EOS) [N-29-20](#) AND [N-59-20](#); CALIFORNIA DEPARTMENT OF SOCIAL SERVICES (DEPARTMENT) MANUAL OF POLICIES AND PROCEDURES (MPP) SECTIONS [69-69-200 – 300](#), [70-102 - 105](#); ALL COUNTY WELFARE DIRECTORS LETTER (ACWDL) [MARCH 27, 2020](#), [MAY 4, 2020](#), [MAY 5, 2020](#), [JUNE 11, 2020](#), AND [SEPTEMBER 10, 2020](#)

This letter provides County Welfare Departments (CWDs) with information on implementing the second extension of eligibility for RCA, ECA, and TCVAP Cash Assistance benefits beyond the standard 8-month time limit. Effective October 1, 2020, this extension applies to the RCA, ECA, and TCVAP Cash Assistance programs and will end January 31, 2021.

To ensure immigrant communities are able to meet their basic needs during the coronavirus disease 2019 (COVID-19) pandemic, on April 22, 2020, the ORR issued PL [20-03](#), which provided for additional months of cash assistance for eligible ORR populations who have been impacted by the COVID-19 emergency. On September 30, 2020, the ORR issued PL [20-06](#), *Extended Assistance for ORR Populations Affected by COVID-19*, which provides an additional four months of cash benefits for ORR eligible populations who continue to experience economic impacts due to COVID-19. The waivers permitted under the authority of PL 20-06 are herein referred to as “Stage 2” time extended assistance.

The Department has obtained authority to provide a time extension of RCA benefits, temporarily suspending 45 CFR § [400.211](#) effective October 1, 2020 and ending January 31, 2021. The RCA time extension is limited to eligible RCA recipients whose date of eligibility for RCA benefits is on or after April 1, 2019 through May 31, 2020. RCA applicants whose date of eligibility is on or after June 1, 2020 are **not** eligible for the Stage 2 extension of assistance. The CWDs can only issue the standard eight months of cash assistance to these clients.

Since the federal ECA and the state TCVAP Cash Assistance programs follow the administrative rules of the RCA program, the federal extension of RCA also provides additional months of assistance to eligible ECA and TCVAP cash aid recipients whose date of eligibility for RCA benefits is on or after April 1, 2019 through May 31, 2020.

RCA, ECA and TCVAP Administration and Social Security Numbers (SSN)

The RCA, ECA, and TCVAP Cash Assistance provide cash benefits to refugee and immigrant populations for up to eight months, unless otherwise provided. These programs follow the California Work Opportunity and Responsibility to Kids (CalWORKs) program eligibility administrative rules with certain exceptions, such as specific rules regarding Social Security Numbers (SSNs).

RCA applicants are not required to provide SSNs per MPP Section [69-205.22](#). The CWDs may request RCA applicants to voluntarily provide their SSNs, but 1) must inform the refugee applicants that the disclosure is voluntary, and 2) explain how the CWD intends to use the SSNs per MPP Section [69-205.221](#). The same standard applies to ECA and TCVAP recipients. Like for RCA recipients, the CWDs must inform ECA, and TCVAP applicants that SSNs are not required to access benefits but may be voluntarily provided, it is not a program requirement and disclose how they intend to use the SSNs.

RCA/ECA Stage 2 Immigration Verification Requirements

For information regarding ORR COVID-19 policies and eligibility requirements for the RCA/ECA programs, CWDs may refer to the ACWDL dated [June 11, 2020](#), which provides the initial (Stage 1) assistance extension policies under ORR PL [20-03](#). The CWDs are encouraged to determine applicant eligibility without in-person interviews and use alternative means to immediately determine eligibility using existing CWD data or records.

For the Stage 1 cash extension under ORR PL 20-03, the CWDs were instructed to accept written declarations, under penalty of perjury, of immigration status and identity, from the applicants, so long as documentation was provided within 30 days. However, the ORR has now waived the entire verification and documentation requirements set

forth in 45 CFR § [400.43](#) and ORR [PL 16-01](#) for RCA and ECA benefit eligibility determinations.

CWDs may now determine eligibility for ORR benefits using an applicant's verbal declarations, under penalty of perjury, for the following:

- Name
- Date of Birth
- Alien Registration Number
- Immigration Status
- Nationality for Cuban Haitian Entrants and SIV holders from Afghanistan and Iraq
- Date of Entry for refugees and SIV holders
- Date of Grant of Asylum or Date of Federal Certification for certified human trafficking victims
- Most Recent Address
- Acknowledgement that the individual has been economically impacted by COVID-19 through loss of wages, hours of employment, or employment.

Once an applicant provides verbal declarations attesting to their immigration status and COVID-19 related economic impact, the CWDs may determine the applicant is eligible for RCA/ECA payments. The verbal declarations must be supported with subsequent written declarations, as soon as possible, subject to the applicants' ability to provide these documents given the COVID-19 pandemic.

The CWDs must retain case notes within their data systems documenting verbal attestations were accepted in lieu of a written attestation or other verification documents of immigration status. The CWDs must also document efforts that were made to obtain the written declaration or immigration documents from the applicants.

Stage 2 Time Extended Assistance

I. Continuing Stage 2 Time Extension Cases

The CWDs must provide uninterrupted issuance of cash payments retroactive to October 1, 2020 and through January 31, 2021 for recipients who became eligible for RCA/ECA on or after April 1, 2019 through May 31, 2020, regardless of whether they received the initial cash extensions. In the absence of an automated process, the CWDs must manually rescind the discontinuances and not require recipients to reapply for RCA/ECA benefits.

September through December 2020 Time Terminations

For recipients who received their eighth month of RCA/ECA cash payment in the months of September through December 2020, CWDs must continue issuing extended cash assistance to RCA/ECA recipients through January 31, 2021. For these recipients, the CWDs must rescind the discontinuance of cash assistance as soon as possible and provide the full RCA/ECA cash payment retroactively for those months.

II. Stage 2 Reapplication Extension Cases

RCA/ECA recipients who were eligible for ORR benefits on or after April 1, 2019 through May 31, 2020 and reached their eight-month time limit on or before August 2020, may reapply for Stage 2 Time Extension benefits from October 1, 2020 through January 31, 2021. The applicants must meet the RCA/ECA eligibility requirements in order to receive Stage 2 of the extended cash assistance.

The CWDs must also confirm that the RCA/ECA applicants were economically impacted by the COVID-19 emergency. The applicants may have exited the program and then subsequently lost employment, sustained a reduction in hours, become unable to maintain current employment, or become unable to gain new employment and are unable to access other assistance such as unemployment insurance or COVID-19 pandemic unemployment assistance. These past recipients are eligible to reapply.

For refugee populations who are currently receiving other cash assistance or relief and meet the RCA/ECA Stage 2 Time Extension eligibility requirements, the CWDs may retroactively apply RCA/ECA cash payments to the original date of reapplication.

III. Stage 2 Time Extension for New Applicants

Populations who became eligible for RCA/ECA on or after April 1, 2019 through May 31, 2020 and never applied for or were determined ineligible for the Stage 1 RCA/ECA Time Extension, may now submit new applications for the Stage 2 Time Extension. This population will be eligible for the Stage 2 Extension if they have experienced economic or job loss due to the COVID-19 emergency and meet all other requirements, including income/asset requirements to receive benefits.

The CWDs are encouraged to collaborate with their local county [Resettlement Agencies](#), [Ethnic Community-Based Organizations](#), or [County Refugee Forums](#) to inform refugee, asylee, and immigrant communities of the Stage 2 Time Extension,

which is limited and time-sensitive. The CWDs should inform communities that they may be eligible to receive additional RCA/ECA benefits and should reapply immediately, particularly asylees who may have never applied for cash assistance and may not be aware of the availability of benefits.

Stage 2 Time Extension Reporting Interviews

As a condition of aid, recipients of the Stage 2 Time Extension are required to comply with the same SAR-7 and 12-month redetermination requirements as CalWORKs recipients unless otherwise provided. The CWDs are reminded to provide all available existing communication options, such as telephonic interviews, and grant good cause where the recipients are unable to comply with requirements due the impact of COVID-19.

Many of the CalWORKs redetermination forms cover issues and supportive services not applicable to RCA/ECA recipients. However, at minimum, CWDs should include the following forms and publications in the RCA/ECA redetermination package.

Link	Form/Publication
<u>CW 2223</u>	Demographic Questionnaire (SOGI)
<u>CF 23 CR/SAR</u>	CalFresh Benefits –How to Report Household Changes
<u>GEN 1365</u>	Notice of Language Services
<u>PUB 13</u>	Your Rights Under California Welfare Programs
<u>PUB 183</u>	Information Brochure - “Free Medical and Dental Check-Up” CHDP
<u>PUB 275</u>	Family Planning Brochure
<u>SAWS 2 PLUS</u>	Statement of Facts for Cash Aid, CalFresh and Medi-Cal Services Program
<u>EBT 2216</u>	Surcharge Free and Direct Deposit Notice

Since RCA/ECA recipients are mandated under SAR-7 requirements to continually report income changes above their RCA/ECA Income Reporting Threshold, recipients who have already submitted signed 12-month recertification/renewal packages for other benefit programs, such as CalFresh or Medi-Cal, do not need to resubmit this information again for RCA/ECA redeterminations. CWDs may utilize existing recertification/renewal information reported by the recipients within the last six months to conduct redetermination. If no additional information or clarification is needed, then the CWD is not required to contact the recipients.

If CWDs do not have the client's required eligibility information or if additional information is needed to confirm eligibility, per PL 20-06, the ORR allows the CWDs to contact the recipients and obtain verbal attestations to conduct the redetermination. Verbal attestations must be supported by written declarations or documentation as soon as possible. The CWDs are required to document the acceptance of a verbal attestation and their effort to obtain written declarations or verifying documentation in the case notes.

Participation in Employment Services for RCA/ECA

CWDs are highly encouraged to utilize existing flexibilities to assist clients in meeting employment requirements. For further guidance on employment service flexibilities, refer to the ACWDL dated [March 13, 2020](#). Counties should continue to ensure all RCA/ECA recipients are enrolled in and referred for employment services and English classes. If local public health guidance does not allow for in-person training, counties should utilize virtual services to conduct employment training and English classes. However, if both Welfare-to-Work and EDD resources are unavailable, pursuant to ORR PL 20-06, CWDs may waive the requirement that RCA/ECA recipients participate in employability services, until local conditions and public health guidance allow for such activities.

Stage 2 Time Extension Tracking and Data Reporting Requirements

State and CWDs are required to continue maintaining operational records as necessary for federal monitoring purposes. The Department recommends CWDs retain records for all issuances of extended RCA/ECA payments beyond the eight-month federal limit, since it is still subject to ORR and Department monitoring. CWDs should use the required state and federal forms for the report of ORR-6 data to document the extended RCA/ECA caseloads.

Stage 2 TCVAP Cash Assistance

The ORR Stage 2 extension of time eligibility for the RCA/ECA benefits also applies to the TCVAP Cash Assistance recipients. For information regarding TCVAP eligibility determination guidelines, refer to [ACIN I-07-15](#). TCVAP Cash Assistance recipients who applied for benefits on or after April 1, 2019 through May 31, 2020, are eligible to receive a time extension of benefits from October 1, 2020 until January 31, 2020. TCVAP Cash Assistance recipients who applied for benefits on or after June 1, 2020, are **not** eligible for the time extension, and cash benefits remain at eight months with no time extensions.

Stage 2 TCVAP Documentation and Verification Requirements

Documentation requirements for TCVAP Cash Assistance differs from that of the RCA/ECA programs. For TCVAP Cash Assistance, the date of eligibility is the same as the date of application. TCVAP Cash Assistance recipients are not required to provide SSNs as a condition of eligibility for benefits. For general administration information regarding TCVAP eligibility determination guidelines, please refer to [ACIN I-07-15](#).

TCVAP recipients are required to provide proof of submission of a T-Visa application within 12 months from the original date of application, per MPP Section [70-103.52](#). Failure to provide this proof may result in the termination of all TCVAP benefits and assistance. However, given the ongoing COVID-19 pandemic, TCVAP Cash Assistance applicants and recipients may be unable to apply for the T-Visa or show proof of application. CWDs should review individual circumstances and provide good cause or utilize other existing remedies to continue with benefits and assistance whenever possible. TCVAP applicants and recipients who have applied for or been granted U-Visas and are unable to show documentary proof due to the pandemic, may provide the CWDs with written declarations. CWDs must follow up with the clients for official documentation under [MPP 70-104.12](#) as soon as possible.

COVID-19 Emergency Assistance Income Disregard

The CWDs should disregard certain COVID-19 emergency assistance payments (e.g. 2020 Economic Impact Payments, Refugee Support Service payments for utilities, etc.) when conducting an income/asset analysis for applicants impacted by COVID-19 in alignment with the ACWDLs dated [May 5, 2020](#), [June 11, 2020](#), and [September 10, 2020](#). These letters provide guidance to CWDs regarding the treatment of COVID-19 emergency benefits under the federal [Coronavirus Aid, Relief, and Economic Security \(CARES\) Act](#) and the Lost Wages Assistance Program provided under the [Presidential Memorandum dated August 8, 2020](#).

Stage 2 Notices for RCA/ECA and TCVAP Time Extension

The CWDs must notify the RCA, ECA and TCVAP recipients receiving extended cash assistance about the time extension and continuance of aid prior to 10 days from the issuance of cash payments. Language regarding the notice should be as follows:

Your monthly (insert RCA, ECA or TCVAP Cash Assistance) has been extended beyond the original time limit due to the impact of the COVID-19 emergency. The Stage 2 Time Extension of cash benefits will be discontinued for Client Name effective January 31, 2021.

Term of Waivers and Program Modifications

The waivers and program modifications in this ACWDL shall expire automatically and without further notice from the Department on January 31, 2021, or earlier upon written notice from the Department. Once all flexibilities and guidance in this ACWDL have expired, all requirements modified herein shall be reinstated, unless further extended by the Department.

If you have any questions or need additional guidance regarding the information in this letter, contact the Refugee Programs Bureau at (916) 654-4356 or RPB@dss.ca.gov.

Sincerely,

Original Document Signed By:

ELIANA KAIMOWITZ, Chief
Immigrant Integration Branch
Office of Equity

Enclosure

STAGE 2 TIME EXTENSION for RCA/ECA MATRIX

Types of Eligibility

Conditions and Actions Needed	RCA Continued Extension - Previous RCA recipient and ending September 30, 2020 or later	RCA Initial or Reapplication and Extension - Eligible for and/or received RCA and eligible for extension	Regular RCA 8-months (Eligible June 1, 2020 forward)
Date of Eligibility* for RCA must be within this time frame	April 1, 2019 – May 31, 2020	April 1, 2019 – May 31, 2020	June 1, 2020 – forward
Eligibility period for extended cash assistance	October 1, 2020 – January 31, 2021	October 1, 2020 – January 31, 2021	No Extension
Eligibility Determination	Not Required. <i>CalWIN counties should manually rescind discontinuances for September thru November 2020</i>	Required	Required
Approval NOA	Notice Regarding Extension	Required	Required
SAR 7 (first report)	Required	Required	Required
Sanctioning	Determine if there is Good Cause	Determine if there is Good Cause	Determine if there is Good Cause
Redetermination after 12 months period	Required only when 12-month of RCA/ECA received	Required only when 12 -month of RCA/ECA received	No redetermination Required
Terminating NOA	By January 2021	By January 2021	At the end of 8-month period

12/04/2020