

March 3, 2022

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY WELFARE DIRECTORS LETTER

This letter provides County Welfare Departments with information on ongoing COVID-19 flexibilities for Refugee Cash Assistance, Entrant Cash Assistance, Refugee Support Services, Services for Older Refugees, and the state Trafficking and Crime Victims Assistance Program for the period beginning October 1, 2021, and ending September 30, 2022.



KIM JOHNSON
DIRECTOR

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DEPARTMENT OF SOCIAL SERVICES
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GAVIN NEWSOM
GOVERNOR

March 3, 2022

ALL COUNTY WELFARE DIRECTORS LETTER

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: EXTENSION OF FLEXIBILITIES FOR REFUGEE CASH ASSISTANCE, ENTRANT CASH ASSISTANCE, REFUGEE SUPPORT SERVICES, SERVICES TO OLDER REFUGEES, AND TRAFFICKING AND CRIME VICTIMS ASSISTANCE PROGRAM CASH ASSISTANCE

REFERENCE: TITLE 45, CODE OF FEDERAL REGULATIONS (CFR) §§ [400.43](#), [400.51\(A\)](#), [400.53\(A\)](#), [400.59](#), [400.66](#), AND [400.75](#), OFFICE OF REFUGEE RESETTLEMENT (ORR) POLICY LETTER (PL) [PL 21-08](#), MANUAL OF POLICIES AND PROCEDURES (MPP) SECTION [40-105.26](#), [42-431.23](#), [70-105](#); ALL COUNTY WELFARE DIRECTORS LETTER (ACWDL) DATED [DECEMBER 2, 2021](#) AND [DECEMBER 15, 2020](#)

This letter provides County Welfare Departments (CWDs) with guidance on implementing the fifth extension in flexibilities for Refugee Cash Assistance (RCA), Entrant Cash Assistance (ECA), Refugee Support Services (RSS), Services to Older Refugees (SOR), and Trafficking and Crime Victims Assistance Program (TCVAP) Cash Assistance benefits, relating to the impact of the Coronavirus Disease 2019 (COVID-19) pandemic. These waivers do not extend RCA benefits beyond 8-months or RSS beyond the 60-month time limits.

Background

Due to the continuance of the COVID-19 pandemic and emergence of new variants, on September 29, 2021, the United States (U.S) Health and Human Services, Office of Refugee Resettlement (ORR) issued [PL 21-08](#), Continued Flexibilities Related to COVID-19, through September 30, 2022, allowing for continuing and new waivers regarding recipient access to benefits and services. The waivers permitted under the authority of PL 21-08 are herein referred to as the “Stage 5” continued flexibilities.

These waivers include the allowance of verbal attestations in eligibility determinations, exclusion of certain forms of COVID-19 emergency assistance when determining

eligibility and grant amounts, flexibilities regarding participation in employment services, and provision of interim RCA payments for eligible applicants with pending Temporary Assistance for Needy Families (TANF)/CalWORKs cases who are unable to complete application requirements due to COVID-related delays. Under ORR PL 21-08, the California Department of Social Services (CDSS) has obtained authority to temporarily suspend 45 CFR §§ [400.43](#), [400.59](#), [400.66](#), and [400.75](#), effective October 1, 2021, and ending September 30, 2022.

I. Stage 5 Eligibility Documentation Requirements

The Stage 5 extension continues the flexibilities in verification of eligibility for the RCA/ECA, RSS, and SOR programs under 45 CFR § 400.43 regarding immigration status. CWDs may refer to the [ACWDL dated December 15, 2020](#), regarding immigration verification requirements and instructions for verbal attestations. These waivers also apply to Humanitarian Parolees and other arrivals from Afghanistan as outlined in the [ACWDL dated December 2, 2021](#).

II. COVID-19 Pandemic Emergency Payments

Under the Stage 5 extension, certain federal, state, and local government emergency assistance payments relating to the COVID-19 pandemic are excluded from consideration as income in the month of receipt and as an asset for 12 months following receipt for RCA/ECA programs. CWDs may refer to the ACWDL dated December 15, 2020 and ORR PL 21-08 regarding 45 CFR § 400.59 and 400.66 for details on the COVID-19 emergency assistance income exclusion.

III. Stage 5 Participation in Employment Services

If local conditions and public health guidance so require, Stage 5 flexibilities allow CWDs to temporarily waive 45 CFR § 400.75, which conditions a recipient's receipt of aid on participation in employability services. CWDs are highly encouraged to continue utilization of remote case management and learning to assist recipients in meeting employment requirements. CWDs must clearly document in case notes the need for the temporary waivers and regularly re-verify with recipients that the waivers are necessary due to COVID-related issues.

IV. Interim RCA Payments

Under 45 CFR § 400.51(a) and § 400.53(a), CWDs are required to determine an individual is ineligible for TANF/CalWORKs prior to providing RCA benefits. Where possible, the CWDs shall assess and grant good cause, as appropriate, to CalWORKs applicants in lieu of interim RCA payments when SSN applications and approvals are delayed due to COVID-related issues. However, if this is not an option, Stage 5

flexibilities allow CWDs the option to issue interim RCA payments to TANF/CalWORKs applicants whose approvals are pending or delayed due to COVID-related issues. These COVID-related delays may include the inability to apply for or receive Social Security Numbers (SSNs) due to office closures and/or restrictions (e.g., the online Social Security Administration system will not process certain social security applications and in-person appointments are limited). CWDs must document within case notes the specific COVID-related issues preventing a TANF/CalWORKs eligibility determination.

Prior to issuing interim RCA payments, the CWDs should note in the case that recipients acknowledge that if they are later approved for and receive retroactive TANF/CalWORKs payments, the CWDs must recoup the interim RCA payments issued, so there is no dual receipt of federal assistance.

TCVAP ADMINISTRATION

Unless otherwise provided, pursuant to [MPP Section 70-105](#), TCVAP-eligible individuals are entitled to benefits and services to the same extent as refugees and are subject to the same requirements (outside of legal status) as RCA recipients. With a few exceptions, the TCVAP Cash Assistance program follows the administrative rules of the RCA program, and therefore, TCVAP Cash Assistance recipients must be provided the same Stage 5 flexibilities as RCA recipients, including verbal attestations, exclusion of certain COVID-19 related emergency cash assistance, employment participation flexibilities, and interim TCVAP Cash Assistance. Per [MPP Section 40-105.26](#), TCVAP CalWORKs recipients are not required to provide SSNs since they receive state-funded benefits and are identified as exempt in [MPP Section 42-431.23](#).

Term of Waivers and Program Modifications

The waivers and program modifications in this ACWDL shall expire automatically and without further notice on September 30, 2022, or earlier upon written notice from the CDSS. Once all flexibilities and guidance in this ACWDL have expired, all requirements modified herein shall not be reinstated, unless further extended by the CDSS.

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