

**DSS ADMINISTRATIVE LETTER NO. ECONOMIC AND FAMILY SERVICES 1-2009**

**(Refugee Assistance)**

**TO:** County Directors of Social Services

**ATTENTION:** Work First and Medicaid Supervisors and Caseworkers

**DATE:** May 8, 2009

**SUBJECT:** Refugee Cash, Refugee Medical Assistance and Refugee Social Services for Afghani Special Immigrants

**EFFECTIVE:** April 1, 2009

**I. GENERAL INFORMATION**

**The purpose of this letter is to outline the procedures for handling determinations of eligibility for Refugee Cash (RRF), Refugee Medical Assistance (MRF) and refugee social services associated with the passage of Section 602, Division F of Public Law No. 111-08 regarding changes to the length of eligibility of Afghan Special Immigrants.**

**Change in Duration of Eligibility of Afghan Special Immigrants for Refugee Cash and Medical Assistance (RRF/MRF) from 6 to 8 Months**

Please note that this Administrative Letter supersedes that portion of DSS ADMINISTRATIVE LETTER NO. ECONOMIC SERVICES 1-2008 which announced **6 months** of Refugee Cash or Medical Assistance for Afghan Special Immigrants. Afghan Special Immigrants are eligible for **8 months** of Refugee Cash, Medical Assistance and Refugee Social Services based on the special immigrant's date of entry to the U.S. or date of adjustment of status if applying from within the U.S. for Special Immigrant Status.

Effective March 11, 2009, both Afghan Special Immigrants admitted to the U.S. under Section 602, Division F, Pub. L. No. 111-08, **and** those admitted under Section 1059 of the NDAA as amended, as of March 11, 2009 are eligible for **8 months** of RRF/MRF from date of entry or date of adjustment if applying domestically.

After March 11, 2009, to determine the eligibility period of Afghan Special Immigrants for RRF/MRF benefits, identify the entry date and count forward eight months to find the new date on which eligibility expires. The date of application for RRF/MRF benefits does not determine the eligibility period. The date on which RRF/MRF eligibility begins is the date on which the Afghan Special Immigrant enters the U.S. or domestically adjusts to that status.

*The 6 and 8 month periods are **not** added together. An Afghan Special Immigrant can **never** be eligible for more than 8 months of RRF/MRF benefits in total. **Important: There is no provision to provide retroactive benefits for any interrupted period.***

## II. POLICY PROCEDURES

### A. For Afghan SI cases with a 6 month eligibility period that expires April 2009

An Afghan Special Immigrant with an entry or adjustment date of November 2008 had a 6 month eligibility period that expired in April 2009. Under the new law, he is now eligible for 8 months. Benefits should be continued/reinstated for May 2009 (7<sup>th</sup> month) and June 2009 (8<sup>th</sup> month).

B. Afghan Special Immigrants whose date of entry or adjustment is December 2008 or later are eligible to receive the full 8 months of RRF/MRF benefits without interruption.

**Example:** An Afghan Special Immigrant whose date of entry to the U.S. was December 2008 was eligible for RRF/MRF benefits for 6 months until May 2009. He is now eligible for 8 months benefits. Continue/extend benefits for June 2009 and July 2009.

**Chart Illustrating Arrival Dates and Eligibility**

Date of Arrival or Adjustment of Afghan SIV	Period of Eligibility
November 2008	eligible up to April 2009 (old 6 months) eligible May 2009 (new 7 <sup>th</sup> month) eligible June 2009 (new 8 <sup>th</sup> month)
December 2008	eligible up to May 2009 (old 6 months) eligible June 2009 (new 7 <sup>th</sup> month) eligible July 2009 (new 8 <sup>th</sup> month)

### **Eligibility for RRF/MRF Benefits and Services of Family Members of Afghan Special Immigrants**

Spouses and unmarried children under the age of 21 may accompany to the U.S. or follow-to-join the Afghan Special Immigrant. A family member of an Afghan Special Immigrant who applies for RRF/MRF or Refugee Social Services should produce documentation to demonstrate identity and immigration status as an Afghan Special Immigrant. Family members admitted to the U.S. after the arrival of the principal applicant Afghan Special Immigrant spouse or parent are eligible for RRF/MRF or Refugee Social Services from their own date of entry to the U.S., not from the date of entry to the U.S. of the principal applicant.

### **Documentation of Eligibility for RRF/MRF of Afghan Special Immigrants**

Providers will be required to determine eligibility in accordance with RRF/MRF or Refugee Social Services regulations. This eligibility determination includes confirmation of the individual's status and date of entry through appropriate documentation.

**The following documents will confirm both status and date of entry for Afghan Special Immigrants:**

<b>Applicant</b>	<b>Documentation</b>
Principal Applicant Afghan Special Immigrant	Afghan passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SQ1 or SI1
Spouse of Principal Applicant Afghan Special Immigrant	Afghan passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SQ2 or SI2
Unmarried Child Under 21 Years of Age of Afghan Special Immigrant	Afghan passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SQ3 or SI3
Principal Applicant Afghan Special Immigrant Principal Adjusting Status in the U.S.	DHS Form I-551 ("green card") showing Afghan nationality (or Afghan passport), with an IV (immigrant visa) code of SQ6 or SI6
Spouse of Principal Applicant Afghan Special Immigrant in SI6 Category	DHS Form I-551 ("green card") showing Afghan nationality (or Afghan passport), with an IV (immigrant visa) code of SQ7 or SI7
Unmarried Child Under 21 Years of Age of Afghan Special Immigrant in SI6 Category	DHS Form I-551 ("green card") showing Afghan Nationality (or Afghan passport), with an IV ("immigrant visa") code of SQ9 or SI9

Iraqi Special Immigrants are not affected by Sec. 602, Division F of Pub. L. No. 111-08 and thus are not addressed in this Letter.

**III. IMPLEMENTATION INSTRUCTIONS**

This change is effective with each application taken or processed on or after April 1, 2009.

If you have any questions, please contact the State Refugee office staff via telephone at (919) 733-4650 or you may email State Refugee Consultant, Gail Andersen at [Gail.Andersen@ncmail.net](mailto:Gail.Andersen@ncmail.net).

Sincerely,



Dean Simpson, Chief  
Economic and Family Services Section