

DSS ADMINISTRATIVE LETTER NO. ECONOMIC AND FAMILY SERVICES 7-2010

(Work First)

TO: County Directors of Social Services
ATTENTION: Work First Managers and Supervisors

SUBJECT: Iraqi and Afghan Special Immigrant Status

DATE: March 1, 2010

I. GENERAL INFORMATION

On December 19, 2009, The Department of Defense Appropriations Act, P.L. 111-118 was signed into law, which granted Iraqi and Afghan Special Immigrants (SIV) resettlement assistance, federal benefits and entitlements for the same extent and time period as refugees. The new legislation supersedes prior legislative authority that provided special immigrant status for a time-limited period.

Iraqi and Afghan Special Immigrants are now considered qualified immigrants and are not subject to the 5- year disqualification period. **Iraqi and Afghan Special Immigrants must meet all program requirements to receive Work First benefits and services.**

II. IMPLEMENTATION INSTRUCTIONS

A. New Applications

Iraqi and Afghan special immigrants will possess an immigrant visa and/or the following documentation:

- Iraqi or Afghan passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) category SI1, SI2, SI3, or SQ1, SQ2, SQ3 and DHS stamp or notation on passport or I-94 showing date of entry.
- DHS Form I-551 ("green card") showing Iraqi or Afghan nationality (or Iraqi or Afghan passport), with an IV (Immigrant Visa) code for this category S16, SI7, SI9 or SQ6, SQ7, SQ9

Use original documentation from U.S. Citizenship and Immigration Services (USCIS) to determine the immigration status for each family member who is applying for Work First, always validate that

documentation using SAVE procedures. (Refer to SAVE instructions in the Work First User Manual.)

If the documents presented have expired or the individual is unable to present any documents evidencing their immigration status, refer the individual to the local USCIS office to obtain documentation of status. Until the documentation of status is obtained, consider the individual as an unqualified immigrant and ineligible to receive Work First.

B. Ongoing Cases

Ongoing cases remain eligible through their current certification period. Prior to the end of the certification period, send the family a letter explaining that they may be eligible for continuing benefits and offer them an appointment for a review. If the family wishes to receive additional Work First benefits, conduct a review as described in Work First Manual Section 201.

C. Closed Cases

Families whose 8-month eligibility period ended prior to December 19, 2009 may reapply and may receive additional benefits, if eligible, beginning the date of the reapplication. (Refer to Family and Children's Medicaid Manual for information regarding retroactive Medicaid benefits.)

D. Cases Denied or Terminated after December 19, 2009

If there are cases, where benefits were denied or terminated on or after December 19, 2009 due to the 8-month time period, immediately contact the families and inform them of their potential eligibility for additional benefits.

III. EFFECTIVE DATE

This change is effective March 1, 2010 and applies to reviews, changes in situation, applications, and re-applications.

Review the Refugee Status Code (REF CODE) and Citizenship/Identity Code to determine if there are cases affected by the change in policy. Document all actions taken in the case record.

If there are questions, contact your Work First Program Consultant.

Sincerely,

Dean Simpson

Dean Simpson, Chief
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DS/sdm

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Work First Local Support

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