

**Massachusetts Refugee Resettlement Program (MRRP) /  
Wilson/Fish Alternative Project (WFAP)**

**CASE MANAGEMENT MANUAL**

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# INTRODUCTION

## I. Implementation Tools of the Massachusetts Refugee Resettlement Program (MRRP)/Wilson/Fish Alternative Project (WFAP)

The Refugee Case Management Manual is one of several implementation tools available to assist program administrators and service providers in implementing and operating services provided under the Massachusetts Refugee Resettlement Program (MRRP)/Wilson/Fish Alternative Project (WFAP) #2. Each of the tools was designed with a separate but complementary purpose and function. Together, they offer a complete reference to the regulations, policies and procedures of the MRRP/WFAP.

The implementation tools of the MRRP/WFAP are outlined as follows:

Implementation Tool	Purpose
<b>1. ORI Regulations</b> <i>(121 CMR 1.00-4.00)</i>	ORI's section of the State's administrative law, the Regulations govern the Massachusetts Refugee Resettlement Program (MRRP), including the conduct of Fair Hearings. MRRP policies and directives are developed based on the Regulations. (The Regulations also set forth ORI Criminal Offender Record Information policy and procedures.) Regulations and subsequent amendments are adopted only after a public hearing or a public comment period.
<b>2. MRRP/WFAP Timelines and Flow Charts</b>	The RCA Timeline, MRRP/WFAP Services Timeline and the MRRP/WFAP Conciliation Flow Chart offer a graphic and easy-to-follow representation of important timeframes and steps involved in the provision of MRRP/WFAP benefits and services and the conciliation process.
<b>3. Refugee Case Management Manual</b>	The Refugee Case Management Manual details policies and procedures specific to those case management functions that are related primarily to the administration of Refugee Cash Assistance (RCA). (The functions addressed in the Manual are limited to: intake and eligibility determination, RCA administration, and conciliation and sanctioning.)
<b>4. MRRP/WFAP Policy Directives</b>	The Policy Directives detail program policy and procedures that are not addressed in the regulations or the Refugee Case Management Manual because they are: (a) related to case management functions other than the administration of RCA; (b) related to Refugee Employment Services; (c) temporary in nature; and/or (d) likely to change before the end of the four-year Project period.

Implementation Tool	Purpose
5. <b>MRRP/WFAP Forms and Notices</b>	The Forms and Notices are the official documents used in the operation of MRRP/WFAP services, as referenced in the Refugee Case Management Manual and Policy Directives.
6. <b>MRRP/WFAP Standard Service Contracts</b>	Standard Service Contracts provide the terms and conditions under which the contractor is to provide MRRP/WFAP services during the contract period. Contracts generally include the original proposal, the scope of services, program budget, program staffing lists, performance measures and additional contract requirements (which offer procedural information and guidance -- often administrative in nature).

*MRRP/WFAP service providers are responsible for knowing and adhering to all MRRP/WFAP policies and procedures as outlined in the ORI Regulations, the time lines and flow charts, the Refugee Case Management Manual, the policy directives, the forms and notices, and the standard service contracts of the MRRP/WFAP.*

## **A. How to Use the Refugee Case Management Manual**

This Refugee Case Management Manual (hereafter referred to as “the Manual”) is designed to be an instructional and informational guide for you, the case management staff at Massachusetts' Refugee Case Management Agencies. When used with the other implementation tools of the MRRP/WFAP, it offers a complete reference to the regulations, policies and procedures of the MRRP/WFAP.

The Manual puts the MRRP/WFAP Regulations (121 CMR 1.0-3.0) to practice, and is organized chronologically to take you step-by-step through the case management functions that are directly related to the administration of Refugee Cash Assistance (RCA). These functions are grouped under the following three headings:

- Intake and Eligibility Determination
- Administration of Refugee Cash Assistance (RCA)
- Finding of Noncompliance, Conciliation and Sanctioning

For easy reference, the information in each section of the Manual is organized to answer the following four questions about the specific case management component addressed in the section:

- What is it?
- When is it done?
- Who does it?

- How is it done?

ORI/MRRP Forms and Notices are referenced by name and number throughout the Manual. At the end of each section, the case management component is broken down into a series of action steps assigned to individual MRRP/WFAP staff positions involved in carrying out the component, and a checklist of responsibilities for the refugee family. This format will provide quick and easy access to information you will need to do your jobs well.

The Manual, and the MRRP/WFAP Regulations from which it was built, offer a basic framework within which you will be expected to provide and coordinate services to new refugee enrollees (including new refugee arrivals from overseas, Cuban/Haitian entrants/parolees, refugee secondary migrants, asylees, Amerasians, and certified victims of trafficking). What it does not take into consideration and *cannot* address on a statewide basis, are the many factors that create such rich diversity in refugee programming across the Commonwealth: the unique traits and characteristics of specific refugees and refugee groups, geographic differences in approaches to refugee resettlement, local economic conditions, and individual management styles, to name just a few. We encourage you to approach your jobs as Case Managers in the MRRP with sensitivity, creativity and resourcefulness to develop service strategies that *do* take into account all of the many variables that influence the specific needs of your refugee clients. It is up to you to take the basic framework provided by the MRRP Regulations and the procedures outlined in this Manual, and build a program that effectively addresses the needs of your refugee clients. This Manual is designed simply to serve as the foundation from which to begin.

## **II. Glossary of Terms**

Following are the definitions of several key terms that are used frequently throughout this Manual. For the complete set of definitions applicable to the Massachusetts Refugee Resettlement Program (MRRP)/Wilson/Fish Alternative Project (WFAP), please refer to the MRRP Regulations 121 CMR 2.130.

**Active Participant:** An “active participant” is defined as a person with whom a service provider has regular, continuous, and direct involvement in program activities.

**Assistance Unit:** those refugees whose needs are considered in determining eligibility for and the amount of a Refugee Cash Assistance grant and who are eligible to receive Refugee Cash Assistance and Refugee Medical Assistance. All persons who are required to be in the Assistance Unit must be included in the Filing Unit. See 121 CMR 2.510 for a description of who must be in the Assistance Unit.

<b>Date of Entry:</b> (also referred to as Date of Arrival” in Manual)	the date the refugee entered the United States. For Cuban and Haitian entrants/parolees, this is the date entrance status is “Date granted. For asylees, this is the date asylee status is granted. For victims of trafficking, this is the date certification is granted. The Assistance Unit may contain individuals who have different dates of entry. Disputes regarding dates of entry are resolved by documentation from the U.S. Citizenship and Immigration Service rather than by fair hearing.
<b>Durable Self-Sufficiency:</b>	means that the Assistance Unit’s gross income exceeds 450% of the Federal Poverty Level.
<b>Filing Unit:</b>	those people whose income must be considered in determining the eligibility of and the grant amount for the Assistance Unit. This includes the members of the Assistance Unit and anyone else who have a legal obligation to financially support a member of the Assistance Unit.
<b>Matching Grant period:</b>	Refugees resettled under the Matching Grant program receive cash assistance and in-kind support from the resettling VOLAG for a period of 4 to 6 months after arrival in the U.S. During this period of Matching Grant assistance (referred to in this Manual simply as the Matching Grant period), refugees are not eligible for RCA, RCM, CRES, VST or TAG/F services, but <i>are</i> eligible for RMA. In most instances, the Matching Grant period encompasses the first 120 days after arrival in the U.S., but for a small number of refugees, the Matching Grant period may extend through the 180 <sup>th</sup> day after arrival.
<b>Participant:</b>	a member of an Assistance Unit who participates in an activity designed to help the Assistance Unit achieve durable self-sufficiency as described in the Family Employment Plan.
<b>Refugee:</b>	For purposes of the MRRP (and this Manual), the term “refugee” encompasses the following: (1) individuals admitted under Section 207 of the Immigration and Nationality Act, (2) asylees, (3) Cuban/Haitian entrants/parolees, (4) certain Amerasians and (5) certified victims of trafficking.
<b>Refugee Employment Services:</b>	For purposes of the MRRP (and this Manual), the term “Refugee Employment Services” encompasses the following programs: Comprehensive Refugee Employment Services (CRES), Targeted Assistance Grant/Formula (TAG/F), Vocational Skills Training (VST) and the Employment Support Services Program (ESSP), unless otherwise noted.

### **III. Overview of the Massachusetts Refugee Resettlement Program (MRRP)**

The Massachusetts Refugee Resettlement Program (MRRP), administered by the Office for Refugees and Immigrants (ORI), is a comprehensive system of refugee services and benefits primarily funded by the Office of Refugee Resettlement, to support the effective resettlement of refugees in the State and to promote the full participation of these new Americans in the economic, civic, social and cultural life of the Commonwealth. The close coordination and delivery of MRRP benefits and services reflects the collaboration of ORI, Voluntary Resettlement Agencies (Volags) and Mutual Assistance Associations (MAAs) -- the three "pillars" of resettlement -- working together with other State agencies, a diverse network of refugee service providers, mainstream service providers and employers.

Under the MRRP service system, culturally and linguistically appropriate services are available to assist Massachusetts refugees at every point along a continuum that starts before they arrive in the U.S. and does not end until they have fully integrated -- economically, socially and culturally -- into the new communities in which they have resettled. MRRP benefits and services currently include:

#### **A. Wilson/Fish Alternative Project (WFAP)**

Under the umbrella of the larger MRRP service system, the Wilson/Fish Alternative Project (WFAP) offers Refugee Case Management Services, Refugee Cash and Medical Assistance, and Refugee Employment Services to assist newly arriving refugees to become self-sufficient as soon as possible after their arrival in the U.S.

The long-term goal of the MRRP/WFAP is *durable* family self-sufficiency for *all* new arrivals to Massachusetts. Toward this end, MRRP/WFAP services and benefits support two primary strategies: 1) early employment as a vital first step toward basic self-sufficiency and 2) post-employment services as the means by which refugees will move from entry level employment to durable self-sufficiency. Under the MRRP/WFAP, every employable refugee is expected to find a job within the shortest time possible after arrival in the U.S. and to develop many of the skills s/he will need to achieve a basic level of self-sufficiency while working on that first job.

Respecting the importance of the family unit in the lives of most newly arrived refugees, the MRRP/WFAP supports multiple wage earner strategies that take into account the needs and employment potential not just of the employable individual, but of the refugee family as a whole, by way of a Family Employment Plan. Under the MRRP/WFAP, all family members are potential contributors to the Family Employment Plan, regardless of their employability.

## **1. Refugee Case Management (RCM)**

Integrating the many individual components of the State's refugee resettlement program around the goal of durable family self-sufficiency is a comprehensive, community-based case management system. Case management is the cornerstone of the MRRP/WFAP, coordinating access to, and tracking participation in, all MRRP/WFAP benefits and services. The purpose of case management is threefold:

- to prescribe benefits and services which are customized and appropriate to the specific needs of each newly arriving refugee family;
- to ensure that services are provided in a coordinated, effective and timely manner; and
- to contribute to the early employment and ultimately, to the attainment of durable self-sufficiency of both individual and family.

Services coordinated through the MRRP case management system actually begin *before* a refugee family has arrived in the U.S. and continue for the first five years after arrival, or until the family has achieved durable self-sufficiency (450% of the Federal Poverty Level), whichever comes first.

## **2. Refugee Cash and Medical Assistance (RCMA)**

Through the MRRP Case Management system, some refugees may access Refugee Cash Assistance (RCA) benefits, a program of financial support available to assist in meeting basic needs while refugees are looking for, or preparing for, work (up to the end of the eighth month after arrival in the U.S.). Refugees are also assisted through the MRRP Case Management system in accessing temporary medical coverage for up to eight months after arrival in the U.S., through either the Refugee Medical Assistance (RMA) program or MassHealth.

## **3. Refugee Employment Services (RES)<sup>1</sup>**

In order to continue to be eligible for RCA and other MRRP benefits and services, employable new arrivals are required to participate in Refugee Employment Services. Almost immediately after arrival, MRRP participants are referred to Refugee Employment Services through the case management system.

Refugee Employment Services are prioritized to support the early employment of participants with strong post-employment services designed to result in a job upgrade or increase in wages soon after the working refugee begins the first job. MRRP Pre-Employment Services are short-term and designed to support a new refugee arrival's transition into the work force. Once an MRRP participant goes to work, he or she gains almost unlimited access to an array of Post-Employment

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<sup>1</sup> The generic term "Refugee Employment Services (RES)," used throughout this Manual, refers interchangeably to CRES, TAG/F, VST and ESSP, unless otherwise noted.

Services options to support personal and professional goals and durable family self-sufficiency.

Offering both pre- and post-employment services designed to assist employable refugees at every point on the continuum from arrival in the U.S. to achievement of durable self-sufficiency, Refugee Employment Services include the following:

- **Comprehensive Refugee Employment Services (CRES):** CRES programs currently offer pre- and post-employment job services integrated with English language and literacy training necessary to obtain and retain/upgrade employment, and assistance in accessing pre- and post-employment recertification/certification opportunities available through mainstream services.
- **Targeted Assistance Grant/Formula (TAG/F) Services:** TAG/F services include pre- and post-employment job services integrated with English language training, Vocational Skills Training and Vocational English Language Training (VELT).
- **Employment Support Services Program (ESSP):** ESSP services (funded through the Department of Transitional Assistance) currently include pre-employment job services and are provided only for TAFDC recipients with time limited benefits.
- **Vocational Skills Training (VST):** VST services currently include short-term pre- and post-employment skills training designed to provide the participant with job-targeted skills in a specific marketable vocation.

## **B.Additional MRRP Benefits and Services**

Additional benefits and services currently available through the MRRP include the following:

**Refugee Health Services:** 1) Refugee Health Assessment Program, provided through an interagency agreement with the Department of Public Health (DPH), offers medical assessment and testing; follow-up; immunization; and referral to primary care. 2) Refugee Preventive Health Education Program assists refugees to successfully connect with the Massachusetts health care system following the Refugee Health Assessment.

**Post Resettlement Community Services (PRCS):** Services offered by Mutual Assistance Associations (MAAs) through PRCS include: 1) community education and orientation, 2) cultural orientation, 3) social services/family support and 4) outreach/screening/referrals for asylees and secondary migrants.

**Unaccompanied Refugee Minor Program (URMP):** provides special services and benefits for unaccompanied refugee minors (age 21 and under), including foster care services and a residential treatment program, through an interagency agreement with the Department of Social Services (DSS).

**Discretionary Programs:** Through discretionary grants from ORR, ORI periodically funds a variety of additional programs and services designed to augment the MRRP “core” refugee services. These discretionary programs typically address non-employment related needs which impact a refugee’s prospects for attaining sustained self-sufficiency and full integrating (both economically and socially) into his/her new homeland. Mutual Assistance Associations play a pivotal role in providing services to further assist families in adjusting to life in the U.S. While availability of a specific discretionary program may vary from year to year, discretionary programs have historically included: outreach, screening and referral services; community education and orientation; mental health services; elder services; ethnic community self-help; and family/community strengthening.

## **IV. The Case Management Function within MRRP**

### **A. The Concept of MRRP Case Management**

MRRP case management offers a single point of accountability for the progress of each incoming refugee family along a continuum of MRRP services that start before the refugee family arrives in the U.S. and do not end until the family achieves durable self-sufficiency (or has been in the U.S. for 60 months). All MRRP services are linked, and access to MRRP services is centralized, through the case management component.

### **B. The Scope of MRRP Case Management Services**

Case management services funded through the Massachusetts Refugee Resettlement Program (MRRP) include the following:

1. Orientation of sponsors and anchor families
2. Eligibility determination and intake into the MRRP
3. Orientation of new MRRP enrollees
4. Development of the Family Employment Plan (FEP)
5. Administration of Refugee Cash Assistance (RCA)
6. Administration of MRRP In-Kind Emergency Assistance (for asylees, Cuban/Haitian entrants/parolees, and certified victims of trafficking who do not receive R & P assistance)

7. Application for Refugee Medical Assistance (RMA) and MassHealth, administered by the Department of Medical Assistance (DMA)
8. Referral to Health Assessment Services<sup>2</sup>
9. Referral to MRRP Pre- and Post-Employment Services
10. Referral to MAAs for services including direct social services (such as community education, cultural orientation, family support), and assistance in accessing mainstream services.
11. Referral to other support services, as needed
12. Assistance with housing issues in order to ensure that housing does not become a barrier to employment and durable self-sufficiency.
13. Monitoring of family progress toward employment plan goals, and initiation of changes to plan, as needed
14. Administration of Early Employment Incentives (EEI)
15. Coordination of services with providers
16. Tracking, reporting, recordkeeping and case maintenance

### **Related Services Which Are *Not* Provided Under The MRRP**

In addition to the assistance and services provided directly from within the MRRP, refugees have access to the following additional programs and services which supplement MRRP services and activities, and offer vital support to refugee families as they strive to achieve self-sufficiency.

### **Reception and Placement (R & P) Activities funded by the U.S. Department of State**

All Refugee Case Management agencies are VOLAGs, voluntary agencies who resettle refugees and provide for their basic needs during the first month after arrival in the U.S. under a Cooperative Agreement with the U.S. Department of State. If you are a Case Manager at a Massachusetts VOLAG, you will, in all likelihood, be performing Reception and Placement (R & P) duties. At the same time, you will be providing services funded under the MRRP. While many R & P functions are related to and directly impact a

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<sup>2</sup> Only for clients who were not referred to Health Assessment Services through the R & P program

refugee family's involvement in MRRP, it is important to note that the MRRP does not fund R & P activities. R & P activities are separate and distinct from MRRP services.

The following R & P services are *not* provided/funded through the MRRP:

- **Pre-Arrival Services** - Assuming responsibility for sponsorship, arranging placement of refugees, and orientation of co-sponsors.
- **Reception Services** - Arranging travel of refugees to resettlement sites, meeting refugees at the airport, and providing transportation to living quarters.
- **Basic Needs Support** - For the first thirty (30) days after arrival, providing housing, furnishings, food and other basic necessities and clothing; referral to health assessment services; assistance in applying for Social Security cards and in registering children for school; and transportation to job interviews and to job training.
- **Community Orientation** - During the 90-day initial reception and placement period after arrival, orienting refugees to:
  - the role of the voluntary agency and any other group or individual assisting in sponsorship;
  - public services and facilities;
  - personal and public safety;
  - public transportation;
  - standards of personal hygiene and public health;
  - the health care system in the resettlement area;
  - the availability of other publicly supported refugee services; and
  - information on permanent resident alien status and family reunion procedures.

### **Matching Grant Program**

The Matching Grant Program is a public/private partnership agreement between a VOLAG and ORR under which refugee resettlement costs are shared by the government and a local community. VOLAGs who resettle refugees under the Matching Grant program must provide cash assistance and in-kind support for refugees for an additional 90-150 days beyond the normal 30 day period in a Reception and Placement Agreement. (See *Glossary of Terms*, beginning on page 6.) Consequently, refugees resettled under the Matching Grant program are not eligible for RCA, MRRP Case Management, CRES, VST or TAG/F services until the end of the Matching Grant period.

Matching Grant refugees are therefore not eligible for Early Employment Incentives (EEI). **Matching Grant refugees are eligible, however, to receive Refugee Medical Assistance (RMA) during the Matching Grant period.**

Under the Matching Grant, the VOLAG is responsible for developing a Resettlement Plan with the principal objective of placing a refugee in employment within the Matching Grant period. When a Matching Grant refugee does not achieve early employment within the Matching Grant period and subsequently applies for benefits and/or services under the MRRP, it is your responsibility to develop a Family Employment Plan (FEP) that recognizes and builds on the employment preparation and job search activities already provided the refugee and/or family through the Matching Grant. In these instances, the FEP will serve as an extension of the Matching Grant Resettlement Plan.

### **Eligibility Determination and Cash Assistance to Refugees on TAFDC and SSI**

The MRRP does not provide eligibility determination or administration of cash assistance benefits for refugee recipients of TAFDC or SSI benefits, although most TAFDC recipients are mandatory participants in MRRP Refugee Employment Services. They are, therefore, case managed through the MRRP. All TAFDC recipients will continue to receive cash assistance benefits through the local offices of the Department of Transitional Assistance (DTA). SSI clients will receive their cash assistance through SSA, and may participate voluntarily in Refugee Employment Services when their participation is part of the family's plan to become self-sufficient.

### **C. The Role of the Case Manager within the MRRP**

The effectiveness of the MRRP in helping refugee families to achieve self-sufficiency will rest in large part on the effectiveness of the individuals who will carry out the work of the case management system on a day to day basis -- its Case Managers. If the goal of the MRRP is self-sufficiency for incoming refugee families, your mission must be to *empower* program participants with the information, the tools and the skills they will need to become self-sufficient. Part of your work will be to help families to recognize and build on the resources they already have, both within themselves as individuals and within the family as a whole. Another will be to identify and access MRRP and community resources that match individual and family needs along the shortest path to family self-sufficiency.

Your job description would be incomplete without also looking at the work you will do as a *coordinator* of MRRP benefits and services. As Case Manager, you control access to MRRP services and benefits. You will oversee *all* MRRP service components, and serve as the human link between the family and the different MRRP benefits and services available to help refugees to become self-sufficient. You have both the authority and the responsibility to ensure that participants access services as quickly as possible after arrival and adhere to a Family Employment Plan (FEP) designed to result in family self-sufficiency. Your success will, in many instances, depend on your ability to

select and coordinate a team of MRRP service providers, each of whom will fulfill a specific function in the FEP. In order for you to do your job well, all members of the team must be doing their own jobs effectively. Although team members may share employment and self-sufficiency goals, you represent the single point of accountability in the MRRP as the one player in the system who will follow family members from the day they arrive in their new homeland until they have achieved durable self-sufficiency. Ideally, your relationship with each refugee family will be a working partnership based on mutual trust and respect. Through collaboration and joint problem-solving, you will work with the family to develop and carry out a self-sufficiency strategy that speaks to the family's unique circumstances, resources and needs. As an advisor, you will help families to be able to act independently and make good decisions on their own behalf, every step of the way.

### **Case Manager Responsibilities**

Summary: The Case Manager works with MRRP participants and their Refugee Employment Services providers to develop a strategy for durable family self-sufficiency whose short term goal is early employment for at least one family member (and two, if possible); identifies and accesses services and benefits needed by the family to remove barriers to employment and achieve the goals of the FEP; refers participants to services; and tracks family progress toward FEP goals.

#### Responsibilities with Mandated Timeframes

- |  |  |
|--|--|
| • Prior to the family's arrival:                     | Orientation of anchor family and/or sponsor to MRRP  |
| • Within 5 working days of arrival:                  | Application to the MRRP completed and dated; <sup>3</sup> refers applicants to DTA or SSA to apply for benefits and services, as appropriate; Application for RMA or MassHealth completed and forwarded to DMA |
| • Within 10 working days of the Date of Application: | Referral made for Health Assessment <sup>4</sup> ; Parts I-III of Family Employment Plan and Orientation to the MRRP completed   |

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<sup>3</sup> MRRP Application form is completed and dated, although the application *process* may be ongoing, pending the receipt of required verifications.

<sup>4</sup> Only for clients who were not referred to Health Assessment Services through the R & P program

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|--|---|
| <ul style="list-style-type: none"> <li>• Within 14 working days of the Date of Application: file</li> </ul>  | <p>Application process completed: intake and eligibility determination finalized, with all necessary verifications on file</p>                                      |
| <ul style="list-style-type: none"> <li>• Within 5 working days of receipt of verifications</li> </ul>  | <p>Notice to applicant of denial or approval of MRRP Application</p>  |
| <ul style="list-style-type: none"> <li>• Within 15 working days of the Date of Application</li> </ul>  | <p>Referral to Employment Services</p>  |
| <ul style="list-style-type: none"> <li>• Within 4 months of the date of employability (i.e., receipt of Social Security Number and Employment Authorization Document)</li> </ul> | <p>Initial job placement that qualifies as “early employment,” and administration of Early Employment Incentive (EEI), for those who are immediately employable</p> |
| <ul style="list-style-type: none"> <li>• 10 calendar days prior to denying, reducing, suspending or terminating assistance</li> </ul>  | <p>Timely notice mailed or given to client</p>  |
| <ul style="list-style-type: none"> <li>• End of 60 month period or achievement of 450% of FPL (whichever comes first)</li> </ul>   | <p>Closing of case and termination of RCM services</p>  |

Additional Responsibilities:

- Assists applicants in completing required MRRP Applications and forms, and in acquiring verifications, as needed.
- Authorizes and administers RCA benefits, MRRP In-Kind Emergency Assistance (to asylees, Cuban/Haitian entrants/parolees and certified victims of trafficking), Early Employment Incentives (EEI), Transportation Expense reimbursements and Child Care Expense reimbursements.
- Serves as liaison to DTA and/or SSA offices to develop benefits and services outside the MRRP, and to follow-up on behalf of MRRP applicants with pending applications for TAFDC or SSI benefits.
- Serves as liaison to DMA for follow-up on the RMA or MassHealth Application and issues related to RMA or MassHealth benefits. (Two weeks prior to end of eighth month after arrival, assists client in filling out Eligibility Review Verification (ERV) and submitting it to DMA.)
- Provides continued assistance to new arrivals with housing and other case management needs not adequately addressed during the 30-day R & P period.

- Assesses participant employability and job readiness, designating primary and secondary MRRP participants.
- Refers participants to other appropriate service providers for follow-up assessments if needed, and pre- and /or post-employment services, as prescribed in the FEP.
- Coordinates case management with other MRRP services through regular personal contact and the exchange of written information with service providers.
- Refers participants to MAAs as needed for additional assistance and access to mainstream services.
- Identifies community and other resources to meet service needs of participants not addressed by the MRRP.
- Advocates participant access to mainstream services.
- Monitors and documents individual and family progress toward the goals of the FEP.
- Maintains case files.
- Works with participant and service provider(s) to resolve problems before they become issues of noncompliance.
- Determines noncompliance; initiates conciliation and sanctions, as needed.
- Participates in Fair Hearing process, as needed.

Qualifications:

- Leadership
- Communication/coordination/networking skills
- Negotiation/advocacy skills
- Problem-solving abilities
- Active listening skills
- Ability to judge and make decisions that are correct and/or in the best interest of the client
- Ability to take initiative and follow through
- Awareness of/cultural sensitivity to needs of diverse groups
- Ability to work under pressure and meet deadlines/mandated timeframes
- Time management/organizational skills
- Resourcefulness/creativity

## **V. Participant Profile: Who Will You Be Serving?**

As an MRRP Case Manager, you will be working with refugees who have been in the U.S. 60 months or less and are within 450% of the Federal Poverty Level.

**RCA-Eligible:** All refugees who are ineligible for TAFDC or SSI benefits will be case managed through the MRRP. When working with refugees who are not TAFDC or SSI-eligible, the services you provide will include administration of Refugee Cash Assistance (RCA) benefits and assistance in applying for Refugee Medical Assistance (RMA) administered through the Division of Medical Assistance.

**TAFDC-Eligible:** Refugees who are eligible for TAFDC benefits will continue to receive cash assistance benefits through local DTA offices, but will be mandatory participants in Refugee Employment Services, and case managed through the MRRP.

**SSI-Eligible:** Although SSI recipients are not mandatory participants in MRRP Employment Services, you may be working with a small number whose voluntary participation in MRRP Employment Services is part of the family's plan to become self-sufficient.

## **A. Priority for Services**

Within the eligible population, first priority for services will be given to refugees who are within eight (8) months of their Date of Entry to the U.S. Among these refugees, priority for services is given to the following three groups:

**First Priority:**                    **Full cash assistance recipients** - Refugees who are receiving, or are eligible to receive, full cash assistance (RCA or TAFDC), and unemployed refugees who are not receiving cash assistance

**Second Priority:**                **Underemployed refugees** - Those who are employed part-time and receiving reduced cash assistance

**Third Priority:**                    **Employed refugees** - Employed refugees in need of services to retain employment or attain economic independence (i.e., family self-sufficiency)

**Refugees who are beyond eight (8) months** of the Date of Entry but within the 60-month eligibility period are prioritized on the basis of financial need, with priority given to low income refugees whose family income is farthest below the family's durable self-sufficiency level.

## **B. Intensity of Services**

Case management services will be most intensive until a refugee client is employed. Once the client is employed and self-sufficient (i.e., terminated from RCA), you may keep the case open for up to 60 months after arrival, as long as the client remains active in services and his/her family income is less than 450% of the FPL. Refugees may access case management services on an as-needed basis for help with job upgrading, re-employment and other post-employment service strategies.

### **Categorizing Cases by Status: Open, Inactive or Closed**

You should categorize cases by open/eligible, inactive/eligible or closed/ineligible status, as follows:

1. Open/eligible – for active clients who are within the 60-month eligibility period and within 450% of FPL (mandatory for all cases within the 8<sup>th</sup> month after arrival in the U.S., whether or not they are active in services)
2. Inactive/eligible – for inactive clients who are beyond the end of the 8<sup>th</sup> month in the U.S. but within the 60-month eligibility period and within 450% of the FPL. (You should place a case in “inactive” status when a client has been inactive in services for at least 6 months. You may opt to house inactive case files in a place that is easily accessible but separate from open cases.)
3. Closed/ineligible – for clients who are no longer eligible because:
  - a. they have exhausted the 60-month time eligibility period;
  - b. their family income exceeds 450% of the FPL;
  - c. they have been sanctioned and terminated;
  - d. they moved to another area of Massachusetts and another VOLAG; or
  - e. they moved out of state.

It is mandatory that you close the case when a client becomes ineligible by virtue of the one of the reasons listed above. If a client becomes eligible for benefits and/or services at a later date, s/he must re-apply for MRRP benefits/services.

# THE INTAKE and ELIGIBILITY DETERMINATION PROCESS

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## I. What Is It?

The intake and eligibility determination process is a series of actions you will take together with the refugee family which may result in the family's enrollment in the MRRP. These actions are related to the family's application for benefits and services funded under the Massachusetts Refugee Resettlement Program (MRRP) and your determination of the family's eligibility for MRRP services. Following this process, you will also assist refugees who are determined to be ineligible for MRRP services in accessing appropriate services through other programs.

## II. When Is It Done?

(121 CMR

2.610)

**For refugees initially resettled in Massachusetts:** The intake process into the Massachusetts Refugee Resettlement Program (MRRP) begins with the *MRRP Application for Refugee Benefits/Services*, hereafter referred to in this Manual as the MRRP Application. You must complete the MRRP Application with the refugee family within five (5) working days after their arrival in the U.S. You must notify the family immediately upon making an eligibility determination, but no later than five (5) working days after receiving all verifications needed to determine the applicant's eligibility for MRRP benefits and services. (All verifications must be submitted within 14 working days from the Date of Application.)

**For Matching Grant recipients:** Although they are not eligible for RCA, RCM or RES (CRES, TAG/F, VST or ESSP) services until the end of the Matching Grant period, newly arriving Matching Grant recipients also should complete the MRRP Application within five (5) working days after arrival. Doing so will enable eligible refugees to access RMA and will also facilitate a smooth transition to RCA, RCM and RES for Matching Grant recipients who are not employed by the end of the Matching Grant period.

**For secondary migrants, asylees and certified victims of trafficking:** The MRRP Application is filled out within two (2) working days after the client has self-referred, or has been referred by ORI, an MAA, or other referral sources<sup>5</sup> to the Refugee Case Management agency. The intake and eligibility determination process must be completed within two (2) working days of your receipt of all necessary verifications.

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<sup>5</sup> Based on current policy approved by the Office of Refugee Resettlement, all certified victims of trafficking must be referred by ORI.

### III. Who Does It?

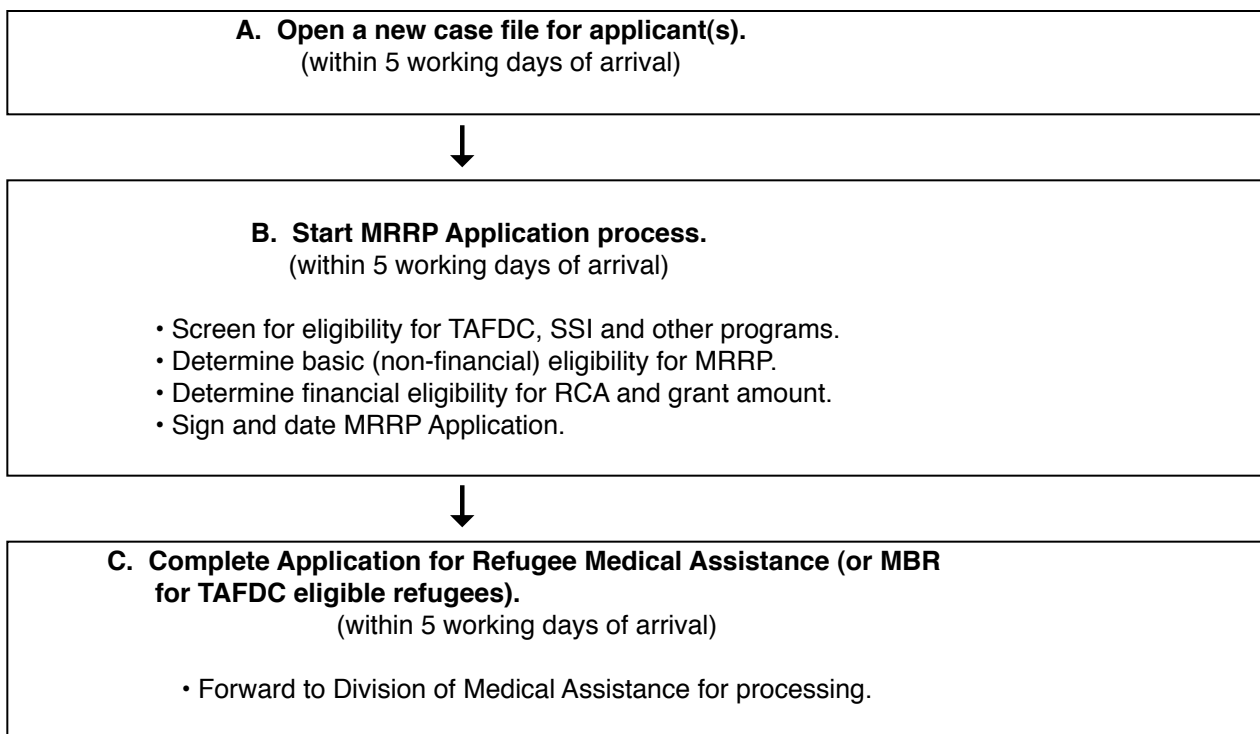
Completion of the application and intake process is primarily the responsibility of you, the Case Manager, working closely with the refugee family.

### IV. How Is It Done?

You will meet with the refugee family to determine basic (non-financial) and financial eligibility for benefits and services funded under the MRRP, screen for eligibility for TAFDC, SSI, Food Stamps and other mainstream programs of support, and refer family members to DTA and/or other agencies, as appropriate, to apply for other programs of support for which they might be eligible. The MRRP Application will serve as the primary instrument you will use to determine whether or not a family is eligible for MRRP benefits and services. The intake and eligibility determination process will focus on your completion of the form together with the refugee family and the steps you will take immediately afterward to verify information provided on the Application, to contact the family's resettling VOLAG and any other MRRP Case Management Agencies having served the family (if applicable), and ultimately to approve or deny the Application.

The flow of activities included in the intake and eligibility determination process is illustrated in the chart below. (Note that the sequence of activities reflects the order in which activities are *started*, but not necessarily completed.)

## INTAKE and ELIGIBILITY DETERMINATION PROCESS





**D. Refer applicant(s) for health assessment.**  
(within 10 working days of Date of Application)



**E. Assist applicant(s) in accessing other benefits (including MRRP In-Kind Emergency Assistance).**  
(within 5 working days of arrival initially, and as needed later)



**F. Verify information on MRRP Application.**  
(within 14 working days of Date of Application)



**G. Share information with VOLAGs that worked previously with applicant(s), if applicable.**  
(within 14 working days of Date of Application)



**H. Process MRRP Application.**  
(within 14 working days of the Date of Application)

- Approve Application; send Notice of Approval to applicant(s) within 5 working days after receiving verifications.

*or*

- Deny Application; send Notice of Denial to applicant(s) within 5 working days after receiving verifications.



**I. Schedule Orientation, Assessment and Family Employment Plan Development (Parts I-III).**  
(within 10 working days of the Date of Application)



**J. Refer participant(s) to Refugee Employment Services**  
(within 15 working days of the Date of Application)

## A. Opening the Case File

As a first step in the intake and eligibility determination process, you must open a case file for the applicant, which will be used to store all application forms, client eligibility and verification documents, as well as any other documents related to the applicant's participation in the MRRP, should he or she be determined eligible for the program. If he or she is determined ineligible for all MRRP benefits and services, the case file should be closed following the eligibility determination. If he or she is determined eligible for TAFDC and is either a mandatory or voluntary participant in MRRP Employment Services, you will need to keep the file open to store the participant's Family Employment Plan and any other information related to the individual's participation in Employment Services.

### 1. Case File Content and Organization

RCM case files must be consistent in appearance and in the organization of file contents. In order to efficiently maintain required client documentation and information, and to facilitate case file monitoring, each case file should be divided into the following seven (7) sections, each of which must contain all of the listed documents that are applicable:

- **Client Summary Profile Form** (*MRRP/ORI Form No. 15*)
- **Eligibility Documents<sup>6</sup>**

*Documents commonly used to establish eligibility for MRRP/WFAP benefits and services include (but are not limited to) the following:*

- ✓ I-94
- ✓ I-766 Employment Authorization Document
- ✓ I-688B Employment Authorization Document
- ✓ INS Form I-571 (unexpired refugee travel document)
- ✓ Order of an Immigration Judge granting asylum
- ✓ Asylum Approval Letter from a USCIS Asylum Office
- ✓ Written decision from the Board of Immigration Appeals
- ✓ I-730 Approval Letter
- ✓ I-551 (with the appropriate adjustment code)
- ✓ Foreign passport with an unexpired I-551 stamp (with appropriate adj. code)
- ✓ Certification Letter for Victims of Trafficking

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<sup>6</sup> See ORR State Letter SL00-17 for a full explanation of the documentation requirements for refugees, asylees and Cuban/Haitian entrants.

## ▪ **Employability Documents**<sup>7</sup>

*Documents commonly used to establish employability include (but are not limited to) the following:*

- ✓ Social Security card (with document establishing identity, such as a driver's license or a government ID)
- ✓ I-94 (indicating unexpired employment authorization)
- ✓ I-766 Employment Authorization Document
- ✓ I-688B Employment Authorization Document

## ▪ **Intake Documents**

- ✓ MRRP Application (and any subsequent re-assessments of eligibility)
- ✓ MBR/RMA Application
- ✓ Notice of Request for Verifications (*ORI/MRRP Notice No. 1*)
- ✓ Exemptions/waivers from participation in RES
- ✓ Rights and Responsibilities (*ORI/MRRP Notice No. 2*), in English
- ✓ Family Employment Plan (*ORI/MRRP Form No. 2*), and any subsequent modifications
- ✓ Notice of Approval/Denial of Application (*ORI/MRRP Notice No. 4 or 5*)

## ▪ **RCA-Related Documents**

- ✓ RCA Benefit Authorization Forms (*ORI/MRRP Forms No. 9 and 10*)
- ✓ Affidavit of Lost or Stolen Check form (*ORI/MRRP Form No. 12*), if applicable
- ✓ Request for Replacement Check form (*ORI/MRRP Form No. 13*), if applicable
- ✓ Overpayment Recovery Agreement Form (*ORI/MRRP Form No. 14*), if applicable
- ✓ Notice of Request for Fair Hearing (*ORI/MRRP Notice No. 6*), if applicable
- ✓ Notice of Grant Reduction/Termination (*ORI/MRRP Notice No. 8*)

## ▪ **Referrals to, and Client Participation in, Services**

- ✓ RCM Referral to RES Form(s) (*ORI/MRRP Form No. 4*)
- ✓ Referral to Volag for RCM/RCA/RMA/RHA Form, if applicable (*ORI/MRRP Form No. 8*)
- ✓ Referral to Post Resettlement Community Support Form (*ORI/MRRP Form No. 7*), if applicable
- ✓ Client Services Update form (*ORI/MRRP Form No. 16*)
- ✓ Record(s) of client participation in services

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<sup>7</sup> See INS Form M-274, *Handbook for Employers*, for a full explanation of the documentation requirements for refugees, asylees and Cuban/Haitian entrants.

- ✓ Record(s) of communication with other providers
- ✓ Transmittal for Change in Employment Status (*ORI/MRRP Form No. 17*), if applicable
- ✓ ESSP Transmittal for Employment, Retention and Referral to Post-Employment Services Form (*ORI/MRRP Form No. 18*), if applicable
- ✓ Post-Employment Follow-Up Form (*ORI/MRRP Form No. 19*), if applicable
- ✓ Recertification/Certification Training Request/Approval form (*MRRP/ORI Form No. 11*), if applicable

▪ **Conciliation-Related Documents (if applicable)**

- ✓ Transmittal Form(s) for Noncompliance (*ORI/MRRP Form No. 20*)
- ✓ Notice(s) of Conciliation (*ORI/MRRP Notice No. 9*)
- ✓ Notice(s) of Reduction/Termination of Benefits and/or Services (Noncompliance) (*ORI/MRRP Notice No. 10*)
- ✓ Conciliation Agreement(s) (*ORI/MRRP Notice No. 11a, 11b and/or 11c*)

▪ **Case Log**

- ✓ Case notes, reflecting continuous interaction with client (by date), and initialed by appropriate agency staff member

**B. Massachusetts Refugee Resettlement Program (MRRP)  
Application for Refugee Benefits/Services**

*(121 CMR 2.600-2.630)*

The *MRRP Application for Refugee Benefits/Services (ORI/MRRP Form No. 1)*, hereafter referred to in this Manual as the MRRP Application, is the form you will use to determine an applicant's eligibility for benefits and services funded under the MRRP. It must be completed *before* a refugee may access any MRRP benefit or service, including:

- Refugee Case Management (RCM);
- Refugee Medical Assistance (RMA);
- Refugee Cash Assistance (RCA);
- In-Kind Emergency Assistance;
- Comprehensive Refugee Employment Services (CRES);
- Early Employment Incentive (EEI);
- Targeted Assistance Grant/Formula (TAG/F); and
- Vocational Skills Training (VST).

You are responsible for accurately recording information provided by the refugee applicant and for completing the form, which must be signed both by you and the applicant. You must accept and process all MRRP Applications, even though some applicants may appear, at first glance, to be ineligible.

## **1. SCREENING for ELIGIBILITY for TAFDC and/or SSI (121 CMR 2.450-2.460)**

Generally, refugees who are neither TAFDC eligible nor SSI eligible may qualify for Refugee Cash Assistance (RCA) benefits, provided they have been in the U.S. for less than eight (8) months, and meet income eligibility guidelines established for the program. Refugees aged 18 through 64 with no dependent children and no physical or mental disabilities are most likely to be ineligible for TAFDC and/or SSI benefits, and therefore, eligible for RCA.

An important preliminary step to determining an applicant's financial eligibility for Refugee Cash Assistance (RCA) is to screen for eligibility for TAFDC and/or SSI. To be able to do so, you will need to know something about both TAFDC and SSI programs. Following is a brief summary of each.

### **Transitional Aid to Families with Dependent Children (TAFDC)**

Transitional Aid to Families with Dependent Children (TAFDC) is a program of cash assistance for families with children under the age of 18, or 18 years old and expected to graduate from high school before their 19<sup>th</sup> birthday. Families likely to qualify for TAFDC include:

- single-parent families;
- two-parent families where the principal wage earner is unemployed or underemployed.; and
- children who live with relatives other than their own parents.

For our purposes, any families with children under the age of 18 (or 18 and expected to graduate from high school before the 19<sup>th</sup> birthday) are presumed to be eligible for TAFDC, even though a small percentage of these families may have circumstances which will ultimately make them eligible for RCA. It is not your responsibility as Case Manager to distinguish between families with dependent children who will qualify for TAFDC and those who will not. Always assume eligibility for TAFDC until you are notified otherwise by the local DTA office.

**When an applicant appears to be eligible for TAFDC:** You should complete an MRRP Application for all refugees who appear to be eligible for TAFDC. (The MRRP Application serves as the application form not just for RCA, but for all MRRP benefits and services. TAFDC eligible refugees will be case managed through the MRRP. Those who are employable will be mandatory participants in Refugee Employment Services as part of their Family Employment Plan. Others may opt to participate in RES on a voluntary basis.)

Refugees who appear to be eligible for TAFDC at the time of application for MRRP benefits and services should be referred to DTA to apply for TAFDC *as soon as possible* after arrival in the U.S. (The date of eligibility for TAFDC cash assistance is the Date of Application for TAFDC benefits.) You should note your referral of the client to DTA and the date on which you made the referral in the appropriate box on the Application form.

Refugees are not eligible for RCA until they are denied TAFDC. Under no circumstances may RCA be used to provide interim cash assistance to new refugee TAFDC applicants experiencing a delay in approval of their *initial* TAFDC application. You must automatically deny such requests. (You may, however, authorize RCA for a period of up to 30 days after referring to DTA an RCA recipient whose change in family circumstances has made him/her eligible for TAFDC.)

**Following up on an Application for TAFDC:** If a TAFDC applicant has not received a written notice of approval or denial within 30 days of the date of the application for TAFDC, place a call to the local DTA office director or his or her designee to find out why. If the delay in processing the application was due to missing verifications, assist the client in securing the required verifications.

**Date of eligibility for TAFDC:** The date of eligibility for TAFDC is the Date of Application. Refugees are therefore eligible to begin receiving TAFDC benefits during the first month after arrival in the U.S.

**When a refugee has been denied TAFDC:** Verify the denial via a copy of the notice from DTA, or other written or oral communication from DTA to the Case Manager. (You must document any oral communication, including, at a minimum the date, time and the name of the person you spoke with at DTA.) Once you verify the denial, you may proceed in completing an MRRP Application with the refugee. RCA, subject to the time limitations of the program, will be retroactive to the client's Date of Entry (or date of TAFDC Application in the case of an asylee, secondary migrant, or victim of trafficking).

### **Supplemental Security Income (SSI)**

Supplemental Security Income (SSI) is the primary program of cash assistance for the elderly and the disabled. Refugees most likely to be eligible for SSI benefits will be age 65 and older and/or have a disability.

**When an Applicant Appears to be Eligible for SSI:** If a refugee appears to be eligible for SSI because of age or because he or she is unable to work due to a permanent mental or physical disability, you should complete an MRRP Application and refer the applicant to the Social Security Administration (SSA) to apply for SSI benefits. (The MRRP Application serves as the application form not just for RCA, but for all MRRP benefits and services. Some refugees who are determined eligible for SSI will be voluntary participants in MRRP Employment Services as part of their Family

Employment Plan.) You should note your referral of the client to SSA and the date on which you made the referral in the appropriate box on the Application form.

**Awaiting a decision on an application for SSI:** Refugees who have applied for SSI benefits and are financially eligible for RCA, may receive RCA, effective as of the Date of Entry, while their SSI application is pending. In order to continue receiving RCA, the refugee must submit documentation from the Social Security Administration (SSA) indicating that he or she has applied for SSI.

**When an RCA recipient is approved for SSI:** The refugee is required to notify you within one (1) working day of receiving an award letter. If the refugee fails to do so, any RCA paid after the one (1) working day will be considered an overpayment for which the refugee is liable. As soon as you are aware of the recipient's approval for SSI, notify him or her on or before the date the next check is due that RCA will be terminated as of the date SSI begins. You must also complete paper work necessary to close the RCA case (described in full on page 76 of this Manual, *How to Open, Modify, Close, Re-Open and/or Change the Address for a Refugee Cash Assistance (RCA) Case Closings*). Note that the refugee may continue to be eligible for MRRP Employment Services if his or her participation is still part of the family's plan to become self-sufficient, as outlined in the Family Employment Plan.

**Date of eligibility for SSI:** The date of eligibility for SSI is the Date of Application. Refugees are therefore eligible to begin receiving SSI benefits during the first month after arrival in the U.S.

## 2. Basic (Non-financial) Eligibility Requirements

(121 CMR 2.120, 2.420)

The next step in completing the MRRP Application is to determine whether the applicant meets the following basic (non-financial) eligibility requirements for services funded under the MRRP.

### a. Refugee Status

An applicant must show documentation<sup>8</sup> issued by the U.S. Citizenship and Immigration Service (CIS) indicating that he or she is in one of the following statuses:

- i) admitted as a *refugee* under Section 207 of the Immigration and Nationality Act (INA);
- ii) *granted asylum* under Section 208 of the INA;
- iii) admitted as a *Cuban or Haitian Entrant*, as defined under 45CFR 401.2;
- iv) admitted as an *Amerasian* from Vietnam; or
- v) certified as a victim of trafficking.

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<sup>8</sup> See ORR State Letter SL00-17, regarding Status and Documentation Requirements for federal refugee resettlement benefits.

**Note:** The term “refugee” is used generically throughout this Manual to include all of the statuses listed above.

If the applicant does not have the CIS documentation, biographical data received from the Department of State (“R & P Biodata”) can serve as a temporary replacement verification. It is your responsibility to assist the applicant in obtaining the proper documentation, as needed.

**Children of refugees**, who are not refugees themselves, including children who are U.S. citizens, are eligible for MRRP benefits and services as long as they are residing with a refugee parent and not with a parent who does not have refugee status. In these instances, you must verify the parent/child relationship with a birth record or third-party affidavit if the birth record is not available.

**Victims of trafficking**, as certified by the Office of Refugee Resettlement (ORR) are eligible for MRRP benefits and services. As part of the eligibility determination process, you must request the original Certificate of Eligibility, issued by ORR, make a copy for the client’s case file (and return the original Certificate to the refugee) and call the ORR trafficking verification line to verify eligibility.

#### **b. Length of Time in the U.S.**

A refugee is eligible to receive Refugee Cash and Medical Assistance provided under the Massachusetts Refugee Resettlement Program (MRRP) for up to 8 months after arrival in the U.S. (provided he or she meets financial eligibility requirements). Generally, refugees who have been in the U.S. for a period of 60 months or less<sup>9</sup> (and are within 450% of the Federal Poverty Level) are eligible for the following MRRP services: Refugee Case Management (RCM); Comprehensive Refugee Employment Services (CRES); Targeted Assistance Grant/Formula (TAG/F); and Vocational Skills Training (VST). Matching Grant refugees, however, are not eligible for these services during the Matching Grant period. (For more information, see *Disqualifying Factors* below.)

#### **c. Massachusetts Residency**

A refugee must be a resident of Massachusetts to be eligible for services. There is no minimal length of time a refugee must reside in Massachusetts in order to establish residence. *It is not necessary to verify Massachusetts residence during the intake process, unless you have reason to believe that the refugee may not be a resident.* Residence can then be verified using any record or document, such as a rent receipt, driver's license, utility record, pay stub or other employment record, or third-party affidavit.

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<sup>9</sup> Occasionally, through a waiver from the Office of Refugee Resettlement, ORI will waive the 60-month limitation on access to certain MRRP services, allowing extended employment services on a case by case basis only for clients who have not become U.S. citizens and who are unable to access other resources to assist them in finding or upgrading a job, and/or in retaining new or upgraded employment.

Having determined that the applicant meets basic (non-financial) eligibility requirements for MRRP benefits and services, you must then assess the family's potential eligibility for Refugee Cash Assistance (RCA), Refugee Medical Assistance (RMA), Refugee Employment Services (RES), and/or other support programs.

### **3. Financial Eligibility Requirements**

(121 CMR 2.500-2.565)

Refugees who meet basic eligibility requirements for the MRRP must also be determined financially eligible to receive Refugee Cash Assistance (RCA) benefits. Refugee Cash Assistance (RCA) is a program of financial support designed to assist in meeting the basic needs of the refugee family while its members are looking for, or preparing for work, up to the end of the eighth month after Date of Entry in the U.S. It is also available to some refugees who are exempt from participating in Refugee Employment Services (RES).

Eligibility guidelines for the program require that the refugee family's total income after allowable deductions must be less than the program's Standard of Assistance for the number of people in the assistance unit. Guidelines for counting income and using the MRRP's *Standard of Assistance Table* are included in a four-step process which you must follow to determine whether or not a family is financially eligible for Refugee Cash Assistance (RCA). Each of the four steps are outlined as follows in the same sequence as they appear on the MRRP Application. (Please consult the MRRP Application for easy reference.)

#### **a. Step 1: Determine the assistance units and filing units**

##### **Who Makes Up An Assistance Unit?**

An Assistance Unit is a group of people whose needs are considered in determining eligibility for and the amount of a Refugee Cash Assistance (RCA) grant and who may be eligible to receive RCA and/or Refugee Medical Assistance.

Refugees who live together and meet the basic (non-financial) eligibility requirements for the MRRP will be considered to be in assistance units, as follows:

- Each childless, unmarried adult 18 years of age or older is an Assistance Unit.
- Each married couple having no dependent children is an Assistance Unit.
- Dependent children under the age of 18 (including half-siblings) and their parents or adult caretakers are an Assistance Unit.
- Each emancipated minor (an individual younger than 18 who is married, divorced, or separated; has served in the armed forces; or has been emancipated by a court) is an Assistance Unit (with his/her spouse/dependents, if any).

## **Who Makes Up a Filing Unit?**

A Filing Unit is a group of people whose income must be considered in determining eligibility for and the amount of an RCA grant. The filing unit consists of the members of the Assistance Unit and anyone else in the family who has a legal obligation to support a member of the Assistance Unit. Refugees who are in the Filing Unit but not in the Assistance Unit will most often be a parent or a spouse who is no longer time eligible for MRRP benefits and/or services, or who is not a refugee.

Natural or adoptive parents have a legal obligation to support dependent children, and spouses have a legal obligation to support each other.

## **Identifying Assistance Units and Filing Units within a Family**

You will be taking applications for RCA by Assistance Unit. There may be several different assistance units and several filing units within the same family. Once you have identified all members of a refugee family, you must group them into assistance and filing units. (A worksheet is provided for this purpose on page 2 of the MRRP Application.) *You must complete a separate Application for every Assistance Unit within a family.*

If a member of the Filing Unit is not eligible for MRRP benefits and services but appears to be eligible for TAFDC, SSI or other support programs, you should refer him or her to apply for benefits at the appropriate agency(ies). If the ineligible member of the Filing Unit is not a U.S. citizen, you should advise him or her to seek legal advice regarding eligibility for public assistance, and the potential impact receipt of public assistance could have on his or her immigration status.

## Example 1:

You have just taken an MRRP Application from the following family:

Head of family:	Mikhail, age 46
Dependents:	Sasha (his wife), age 43
	Boris (his son), age 24
	Yuri (his son), age 18 (not in high school)
	Svetlana (his daughter), age 14
	Olga (his mother), age 66
	Katya (Boris' wife), age 22

There are actually four assistance and filing units in this family, but only two would likely qualify for Refugee Cash Assistance (RCA):

<b>• Assistance Unit #1 (RCA):</b>	Boris Katya	<b>Filing Unit #1:</b>	Boris Katya
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<b>• Assistance Unit #2 (RCA):</b>	Yuri	<b>Filing Unit #2:</b>	Yuri
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<b>• Assistance Unit #3 (SSI):</b>	Olga	<b>Filing Unit #3:</b>	Olga
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Olga is almost certainly SSI-eligible by virtue of her age. However, you would have to complete an MRRP Application before referring her to the Social Security Administration to apply for benefits.

<b>• Assistance Unit #4 (TAFDC):</b>	Mikhail Sasha Svetlana	<b>Filing Unit #4:</b>	Mikhail Sasha Svetlana
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Mikhail, Sasha and Svetlana appear to be TAFDC-eligible. You would, therefore, take an MRRP Application before referring them to the local DTA office to apply for TAFDC benefits. Although they will likely receive their cash assistance benefits through DTA, the Application is necessary to access MRRP Case Management (RCM) and Refugee Employment Services (RES).

**Example 2:**

You have just taken an MRRP Application from the following family:

Head of family:	Kebede, age 39 (in 13th month in U.S.)
Dependents:	Letengus (his wife), 32
	Benti (his daughter), age 17
	Tafes (his nephew), age 15
	Binyam (Benti's son), age 2

Kebede has been in the U.S. for thirteen months. His wife, Letengus has just arrived with their 17-year old daughter, Benti; Benti's 2-year old son, Binyam; and a nephew, Tafes. There are three assistance and filing units in this family, but only one would likely qualify for RCA:

<b>• Assistance Unit #1 (RCA):</b> Letengus	<b>• Filing Unit #1:</b> Letengus Kebede
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Kebede is no longer time eligible for RCA and therefore cannot be included in the Assistance Unit. However, because he has a legal obligation to support Letengus, his wife, his income must be considered in determining Letengus' eligibility for cash assistance, so he would have to be included in the Filing Unit.

<b>• Assistance Unit #2 (TAFDC):</b> Benti Binyam	<b>• Filing Unit #2:</b> Benti Binyam Kebede Letengus
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Benti and her son, Binyam, make up a separate assistance unit. Because they are likely to be TAFDC-eligible, you would refer them to the local DTA office to apply for benefits. Because, as a dependent child, both her parents are still legally obligated to support Benti, Benti's filing unit would include both her parents.

<b>• Assistance Unit #3 (TAFDC):</b> Tafes	<b>• Filing Unit #3:</b> Tafes
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Tafes would be in a separate TAFDC unit as a child living with relatives other than his parents. You would refer him to the local DTA Office with Benti and Binyam.

**b. Step 2: Determine how much countable earned and unearned income there is in the *Filing Unit*.**

*(121 CMR 2.520-2.540)*

Only certain kinds of income may be counted when determining eligibility for Refugee Cash Assistance (RCA). Before you can calculate the total income for the Filing Unit, you must first identify all sources of countable income, both earned and unearned.

**Identifying Countable Income**

You must count the following types and sources of income for each member of the Filing Unit when determining an applicant's eligibility for RCA.

- ✓ **Earned Income** - is income obtained through employment or self-employment, in cash or in-kind. Earned income may be received in any one of the following forms:
  - **wages**
  - **salary**
  - **Earned Income Credit (EIC)**
  - **tips**
  - **commissions**
  
  - **in-kind income:** income in any form other than money. Earned or unearned, it may consist of a share of crops, free services, free rent, free utilities, clothing or food, but is not limited to these.
  
  - **roomer and boarder income:** When a refugee provides a room or room and board in his or her home or rented dwelling to a person not included in the Filing Unit, he or she is considered to be self-employed. The amount received from the roomer or boarder after deducting business expenses is counted as gross earned income. A housemate's share of the mortgage or rent is not considered countable income when people are simply living together and sharing expenses. (In order for there to be countable roomer or boarder income, the person providing the room and/or board must actually be making a profit.)

**Note:** *Be sure to carefully explain to refugee clients the difference between housing a roomer and sharing a living space with someone. Encourage clients to share expenses as a way to cut costs and increase the likelihood of becoming self-sufficient sooner.*

For employees, earned income is the total *gross* amount received. For those who are self-employed, earned income is the total gross income less total business expenses. (Business expenses do not include personal expenses, such as lunches and transportation to and from work.)

- ✓ **Unearned Income** - is any income that a person does not earn by applying his/her own efforts or managerial skills. Unearned income includes, but is not limited to:

- dividends
- interest
- Unemployment Compensation payments
- pensions
- contributions
- lump sum income
- in-kind

**Notes:**

- (1) Cash assistance received through the Matching Grant program by a Filing Unit member who is not part of the Assistance Unit is considered countable unearned income.

***For example:** Alena, resettled through the Matching Grant program, is approaching the end of her fourth month in the U.S. She is unemployed and applying for RCA, for which she will become eligible at the beginning of her fifth month in the U.S. Alena was just recently re-united with her husband, Lev, when he was resettled in the U.S., also through the Matching Grant program. Although Lev is not yet eligible for RCA, he is part of Alena's filing unit. Therefore, when determining Alena's eligibility for RCA, you must count the amount of Lev's monthly assistance from the Matching Grant as unearned income.*

- (2) In-kind income received by an MRRP applicant through the Reception and Placement (R & P) Program is considered countable unearned income.

- ✓ **Lump sum income** - is a one-time non-recurring payment, such as lottery winnings, inheritances, settlements, or awards. Unless it qualifies as non-countable, as described below, it is counted as income for the month received.
- ✓ **Child Support and Alimony** - is countable income with the exception of the first \$50 in child support received on the applicant's behalf and paid to the applicant in any month.

**Identifying Non-Countable Income**

Many types and sources of income are considered non-countable for the purposes of determining an applicant's eligibility for MRRP benefits and services. Be sure to familiarize yourself with the types and sources of non-countable income, as listed in *121 CMR: 2.530: Non-countable Income* so as not to include them when calculating an applicant's income for the purposes of determining eligibility for RCA.

**Note:** Cash assistance received by a refugee through the Reception and Placement (R & P) Program is *not* countable income in the determination of eligibility for RCA, TAFDC or SSI.

## Calculating Countable Income

For each member of the Filing Unit who generates any countable income, calculate the amount of that income and convert it to a monthly amount, using the following guidelines:

### ✓ **Employment Wages**

• **paid weekly:** If the employee is paid weekly, average the paychecks received in the four consecutive weeks' prior to the Date of Application. Then multiply this figure by 4.333 to obtain an average monthly wage. If the Filing Unit member has worked less than four weeks, any wage information that is available may be used initially, and revised once four consecutive weeks of wage information is available, if necessary.

• **paid bi-weekly:** If the employee is paid bi-weekly, average the last two consecutive pay periods, and multiply this figure by 2.167 to obtain a monthly figure. If the employee is paid twice per month, simply add the last two consecutive paychecks to obtain a monthly figure.

**paid monthly:** If the employee is paid monthly, use the amount of the last monthly paycheck prior to the Date of Application.

**paid annually:** If the employee receives a contractual annual salary, take the contractual annual salary, and divide it by 12.

You may calculate an anticipated monthly wage using cumulative information on wages paid and hours worked in the year to date from pay stubs, pay envelopes, or a written statement signed by an employer if the number of weeks' pay is shown on the documentation or can be computed.

### ✓ **Self-Employment Income**

Calculate self-employment income using business records and tax returns that show the total amount of income and the total related amount of business expenses incurred over the last three consecutive months prior to the Date of Application to the MRRP. Convert self-employment income to a monthly amount by calculating gross income for the last three consecutive months, subtracting total business expenses for the period and dividing by 3. Multiply the average weekly earnings by 4.333 to obtain a monthly figure.

✓ **In-Kind Income**

If the in-kind contribution meets the full need of the Assistance Unit for at least one month, you should apply the following values to the contribution as income.

<b>Income In-Kind</b>	<b>Value per Assistance Unit</b>
Rent or mortgage - Unheated	\$102.00 per month
Rent or mortgage - Heated	\$126.30 per month
Fuel	\$27.90 per month
Utilities (other than fuel)	\$18.60 per month
Food (Individual)	\$41.80 per month

**Note:** Calculate the monthly amount of unearned in-kind income for rent, fuel or utilities only once per Assistance Unit.

✓ **Roomer and Boarder Income**

The monthly amount received from the roomer or boarder after deducting business expenses is counted as gross income. You may deduct whichever is greater -- actual business expenses or a business expense allowance of 25% of the income from roomers and 75% of the income from boarders.

✓ **Unearned Income**

Calculate unearned income that is received on other than a monthly basis by converting the amount of the unearned income to a monthly amount, using the same formulas as those for earned income, provided above.

**Verifying Income**

*(121 CMR 2.540)*

In general, you must verify all income, both earned and unearned, during the application process, whenever there is a change in the amount and when a member of the Filing Unit has started to work. General guidelines for verifying different types of income follow.

✓ **Monthly wages**

Earned income from wages must be verified at application, whenever there is a change in the amount, and at any time a member of the Filing Unit starts a new job. Use pay stubs, pay envelopes, or a written statement signed by an employer and/or client, or a verbal statement by employer and/or client, to verify earned income. The verification must show the gross wages (including tips, if applicable) and the number of hours worked. (The Refugee Employment Services provider will be responsible for verifying income for the purposes of an RCA re-determination whenever a member of the Assistance Unit is employed as a result of participation in MRRP employment services. For further instruction, see *Verification of Income and Timeframe for RCA Re-determinations*, beginning on page 66.)

✓ **Self-Employment Income**

Self-employment income must be verified on a monthly basis. Use business records and tax returns for the last three consecutive months prior to the Date of Application to verify self-employment income. The records and returns must show the total amount of income and total business expenses associated with the gross income earned.

✓ **Unearned Income**

Unearned income must be verified at application, and whenever there is a change in income. To verify unearned income, use a copy of a benefit payment check, a copy of a benefit or award letter, retirement fund documents, Social Security benefit statements, a written statement indicating the amount and frequency of the payment from the agency or person making the payment, or information received by ORI or the Case Management Agency from agencies such as the Social Security Administration (SSA), Department of Transitional Assistance (DTA) or Department of Employment and Training (DET), indicating the current amount and frequency of the payment.

**c. Step 3: Make allowable deductions from earned income.**

*(121 CMR 2.535)*

**Calculating Deductions**

Members of the Filing Unit are entitled to the following deductions from their earned income for the purposes of determining eligibility for Refugee Cash Assistance (RCA) and grant amount.

✓ **Work-Related Expense Deduction**

A member of the Filing Unit, regardless of refugee status, is entitled to a \$90 monthly deduction for work-related expenses.

Deduct \$90 from the gross monthly wages you calculated in step 2 of the eligibility determination process above.

✓ **\$30 and One-Third Disregard**

A member of the Filing Unit, regardless of refugee status, is entitled to have \$30 and one-third of their remaining gross income disregarded, after the \$90 work-related expense deduction has been taken, but before deductions for dependent care and transportation have been made.

Calculate the \$30 and one-third disregard by taking the gross monthly wages remaining after the \$90 work-related expense deduction has been taken and doing the following:

- a) subtract \$30;
- b) calculate 1/3 (.3333) of the remaining gross income; and
- c) deduct this amount (in 2b above) from the remaining gross income.

✓ **Dependent Care Deduction**

**Requirements** - A member of the Filing Unit who is employed may deduct from his/her income the costs for the care of a dependent child or an incapacitated individual requiring care, if:

- the dependent child or incapacitated individual is a member of the Filing Unit;
- the provision of such care is necessary to enable the Filing Unit member to work;
- the refugee is not otherwise reimbursed for such care.

**Maximum deductions allowed** – The amount allowed as a deduction for a member of the Filing Unit who is employed full-time (35 hours per week or more) is the actual cost of dependent care, including the cost of transporting dependents to and from dependent care, up to \$175 per month, per dependent child (age two or older) or incapacitated individual. The monthly maximum deduction may not exceed \$200 for a dependent child under the age of two.

A person employed less than full-time may deduct a proportionate share of the maximum allowable deduction, according to the standards in the table below:

**Maximum Allowable Dependent Care Deduction**

Weekly Hours	Monthly Hours	MAX. DEDUCTION Dependent Age 2+	MAX. DEDUCTION Dependent under 2
1 – 10	1 – 43	\$44	\$50
11 – 20	44 – 87	\$88	\$100
21 – 30	88 – 130	\$132	\$150
31 – above	131 – above	\$175	\$200

The allowable deduction must always be the lesser of the actual cost or the maximum allowable.

When making a deduction for dependent care expenses, deduct the lesser of the actual monthly cost or maximum allowable deduction from the gross income remaining after deductions for work-related expenses and the \$30 and one-third disregard have been taken.

✓ **Transportation Expense Deduction**

**Requirements** – An employed member of the Filing Unit may deduct from his/her income the costs for transportation to and from work, as long as:

- There is no other person or agency available to pay the costs or provide the transportation at no cost to the working refugee; and
- The refugee is using the least costly mode of transportation.

**Maximum deductions allowed** – The deduction for transportation expenses may not exceed \$150.00 per month of verified transportation, and must be based on the actual cost to the participant of transportation by:

- public bus or rail; or
- private automobile, by applying the mileage rate currently allowed State employees.

When making a deduction for transportation expenses, deduct the lesser of the actual monthly cost or the maximum allowable deduction (not to exceed \$150.00 per month) from the gross income remaining after deductions for work-related expenses and the \$30 and one-third disregard have been taken.

## Verifying Expense Deductions

(121 CMR 2.535)

### ✓ **Dependent Care Deduction**

When a refugee claims a dependent care deduction, you must verify actual dependent care expenses at the same time income is verified, and when there are any changes in cost or need of dependent care. Methods for verification are as follows:

- a signed and dated statement from the dependent care provider or a canceled check or money order payable to the dependent care provider. (If none of these documents are available, you may accept a signed and dated statement from the working refugee, stating actual costs incurred for dependent care.)
- a signed and dated statement from the working refugee, stating actual costs incurred for transporting dependents to and from dependent care.
- a current statement, dated and signed by a competent medical authority to verify the incapacity of an individual in the Assistance Unit, who is not a dependent child, if applicable.

### ✓ **Transportation Deduction**

When a refugee claims a transportation deduction, you must verify actual transportation costs, at the same time income is verified, and whenever there is a change in cost or mode of transportation. To verify transportation expenses, a refugee must provide a dated statement of costs per month, indicating mode of transportation.

#### **d. Step 4: Determine financial eligibility and grant amount.**

(121 CMR 2.550)

In order to determine whether or not the applicant is eligible for RCA benefits, subtract the MRRP Standard of Assistance for the *number of people who are in the Filing Unit, but not in the Assistance Unit*, if any, from the Filing Unit's total countable income after allowable deductions. Then subtract this figure from the Standard of Assistance that corresponds to the number of people in the Assistance Unit. If the result is less than or equal to zero, the Assistance Unit is ineligible. If the result is greater than zero, the Assistance Unit is eligible to receive the resulting amount, rounded down to the next lowest dollar.

**Standard of Assistance Table**

The figures shown in the Standard of Assistance Table below are the maximum amounts that an Assistance Unit may receive as monthly Refugee Cash Assistance (RCA).

<b>Assistance Unit Size</b>	<b>Amount</b>
1	\$428.00
2	531.00
3	633.00
4	731.00
5	832.00
6	936.00
7	1,037.00
8	1,137.00
9	1,237.00
10	1,338.00
Incremental	105.00

**Summary of Calculations**

(Reference *RCA Grant Calculation Worksheet*.)

Financial eligibility and the grant amount are calculated as follows:

1. Identify the earned income of the members of the Filing Unit, excluding non-countable income. (See *Worksheet lines 6-23*.)
2. Subtract sequentially from the remaining gross earnings of each member of the filing unit the following:
  - the \$90 work-related expense deduction
  - the \$30 and one-third disregard
  - any allowable dependent care deduction
  - any allowable transportation expense deduction

(See *Worksheet lines 33-46*.)

3. Total the countable earned income remaining. *(See Worksheet line 47.)*
4. Total the countable unearned income from the Filing Unit. *(See Worksheet line 48.)*
5. Add the totals from #3 and #4. *(See Worksheet line 49.)*
6. Subtract from the total in #5 the Standard of Assistance for the members of the Filing Unit who are not in the Assistance Unit, if any. *(See Worksheet line 50.)*
7. Compare the difference in #6 to the Standard of Assistance appropriate to the Assistance Unit. If the difference in #6 is larger than the benefit standard, the Assistance Unit is ineligible. If the difference in #6 is smaller than the benefit standard, the Assistance Unit is eligible to receive the difference, rounded down to the next lowest dollar.

### **Examples for Figuring Eligibility and Grant Amount**

#### **Example #1:**

Rafi and his wife, Nazifa, were recently resettled from Afghanistan. They have no countable income. Using the Standard of Assistance Table above, they are eligible to receive the full amount of the grant for an Assistance Unit of 2, or \$531.00 per month.

**Number in Filing / Assistance Units:** 2 in Filing Unit / 2 in Assistance Unit

**Countable Income:** \$0

**Allowable Deductions:** Not applicable, with no income

**Eligibility and Grant Amount:** Eligible to receive full amount of the monthly grant for an assistance unit of 2, or \$531.00 per month.

#### **Example #2:**

Omar was resettled in Massachusetts from Somalia. He is sharing living expenses with his cousin. His only countable income is what he earns at a part-time job selling newspapers on a street corner for 15 hours per week at \$6.75 per hour.

**Number in Filing / Assistance Units:** 1 in Filing Unit / 1 in

Assistance Unit

**Countable Income:** \$438.72

Convert Omar's weekly income at \$101.25 per week selling newspapers to a monthly wage:

$$\$101.25 \times 4.333 = \$438.72$$

*Do not count income from Omar's cousin's share of the rent and other living expenses. Because they are simply sharing living expenses, this is not countable income.*

**Allowable Deductions:**

• Work-Related Expenses:	\$438.72	
	<u>- 90.00</u>	
	\$348.72	
• \$30 and 1/3 Disregard:	\$348.72	
	<u>- 30.00</u>	\$30
	\$318.72	
	<u>-106.23</u>	1/3 of \$318.72
	\$212.49	
• *Transportation Expense Deduction:	\$212.49	
	<u>- 32.50</u>	
	\$179.99	

**Countable Income:** \$179.99

\* Omar's cost of taking the subway 3 days per week:  $\$7.50 \times 4.333 = \$32.50$

**Eligibility and Grant Amount:**

Find the monthly grant amount for an Assistance Unit of 1 in the Standard of Assistance Table on page 42 of this Manual. Then subtract Omar's countable income after deductions. The difference is the monthly grant amount.

- Monthly grant amount for one person: \$428.00
- Omar's countable income: -179.99
- Omar's monthly grant amount: \$248.01

**Example #3:**

Sergei is a refugee from the Former Soviet Union (FSU) resettled in Massachusetts one year ago. He is currently working in food preparation at a restaurant for 25 hours per week at 6.75 per hour. A week ago, Sergei's wife, Yelena, their 20-year old daughter, Juliana, and Juliana's two-year old son, Mikhail, were reunited with Sergei when they were admitted to the United States as refugees from the FSU. They have no other countable income, and are living together in a subsidized apartment.

**Number in Filing / Assistance Units:**

There are two separate assistance units.

- Assistance Unit #1: Yelena
- Filing Unit: Also includes Sergei, who, as Yelena's husband, is legally responsible

for her support.

- Assistance Unit #2: Juliana and Mikhail, who will likely be eligible for TAFDC
- Filing Unit: Juliana and Mikhail

**Countable Income:**

For Assistance Unit #1: Because Sergei is no longer time eligible to receive RCA, he cannot be part of the Assistance Unit, but as Yelena's husband, must be included in the Filing Unit.

Convert Sergei's weekly income at \$168.75 per week to a monthly wage.

$$\text{\$168.75} \times 4.333 = \text{\$731.19}$$

## Allowable Deductions:

• Work-Related Expenses:	\$731.19	
	<u>- 90.00</u>	
	\$641.19	
• \$30 and 1/3 Disregard:	\$641.19	
	<u>- 30.00</u>	\$30
	\$611.19	
	<u>-203.71</u>	1/3 of \$611.19
	\$407.48	
• *Transportation Expense Deduction:	\$407.48	
	<u>- 71.00</u>	
	\$336.48	
<b>Countable Income:</b>	<b>\$336.48</b>	

\* Sergei's cost of taking a subway and bus back and forth to work five days per week (a \$71 monthly combo T pass)

## Eligibility and Grant Amount:

Using the Standard of Assistance Table on page 42 of this Manual, find the benefit standard for the one member of the Filing Unit who is not in the Assistance Unit (Sergei). Subtract this standard (\$428.00) from the countable income for the Filing Unit (\$336.48) to find the countable income for the Assistance Unit. (If the difference is less than 0, the Assistance Unit is eligible to receive the full amount of the monthly benefit standard.)

• Countable income for filing unit:	\$336.48
• Standard for filing unit member not in assistance unit:	<u>-428.00</u>
• Countable income for assistance unit:	\$ -91.52

Since the difference is less than 0, Yelena is eligible to receive the full amount of the monthly benefit standard for one person.

• Yelena's monthly grant amount:	\$428.00
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If the countable income for the Assistance Unit had been more than 0, but less than the benefit standard for one person, Yelena would have been eligible to receive the difference. For example, if the difference above had been \$91.52, instead of \$ -91.52, Yelena would have been eligible to receive \$336.48 per month.

#### 4. Signing the Application Form

Once you have completed the MRRP Application form with the refugee family, and you are confident that the family has a clear understanding of the rights and responsibilities associated with the program, both you and the head of the Assistance Unit must then sign and date the form.

### C. APPLICATION for REFUGEE MEDICAL ASSISTANCE (RMA) or MASSHEALTH

*(121 CMR 2.110, 2.130, 2.470, 2.500, 2.620, 2.635, 2.711)*

Refugee Medical Assistance (RMA) is a program of temporary medical coverage for refugees who are ineligible for Medicaid (referred to as MassHealth in Massachusetts), and have been in the U.S. eight (8) months or less. The program generally covers refugees aged 19 through 64 who are not disabled and have no dependent children. (An individual under 19 years of age with a gross income of equal to or less than 150% of the Federal Poverty Level is eligible for MassHealth.)

RMA benefits are administered by the Division of Medical Assistance (DMA) and are generally the same as benefits available under MassHealth Standard coverage.

#### Eligibility for Refugee Medical Assistance

Eligibility for RMA begins on the Date of Entry in the U.S., except for secondary migrant refugees, asylees and certified victims of trafficking, for whom RMA is effective on the Date of Application.

RMA is available to all refugees who are ineligible for MassHealth, including those who are exempt from participating in the MRRP. A refugee does not have to be receiving RCA benefits to be eligible for RMA.

**Matching Grant refugees**, though ineligible for RCA until the end of the Matching Grant period, *are* eligible to receive RMA during the Matching Grant period and up to the end of their first eight (8) months in the U.S.

#### Application for RMA by MRRP Case Manager with Client

As Case Manager, it is your responsibility to:

- 1) assist all refugees who are within eight (8) months of their Date of Entry into the U.S. to complete an Application for RMA (simultaneously while completing the client's MRRP Application); and

2) forward the completed RMA Application to DMA for processing.

### **Eligibility Determination and Authorization of Benefits by DMA**

DMA will determine the applicant's eligibility for, and authorize, RMA benefits. In addition, DMA will issue temporary and permanent MassHealth cards; process address changes; make changes to the case to correspond with changing family circumstances; and authorize transportation requests related to medical care.

DMA provides certain MassHealth publications and materials in a variety of languages native to refugee and immigrant clients. DMA helps clients to locate hospitals, clinics, medical offices and health centers with qualified interpreter services. DMA also helps clients to find bilingual doctors and nurses through telephone language line services.

### **When to Notify DMA of a Change in Client Circumstances**

You must inform the refugee client that s/he is responsible for notifying DMA of certain changes in family circumstances that impact his/her RMA case.

You must assist the refugee in notifying the DMA in writing, if and when any of the following changes in circumstances applies to the client's RMA case:

- There is a change in the client's address;
- The client becomes eligible for SSI;
- The client becomes employed and is eligible for health benefits coverage through his/her employer within the eight-month RMA eligibility period. The notice must identify the date of employment as well as the start date of health benefits eligibility to avoid premature termination by DMA; and/or
- The client's spouse becomes employed and his/her employer offers health benefits coverage for the family. The notice must identify the date of employment for the spouse as well as the start date of health benefits eligibility for the family to avoid premature termination by DMA.

When DMA receives this information, the client's application record will be updated and/or a re-determination of the client's eligibility for RMA will be completed.

### **Extended Medical Benefits**

Refugees who become ineligible for RCA because of income may continue to receive RMA through the end of their eighth month in the U.S.

## Assistance at End of RMA Period

DMA will send to clients an Eligibility Review Verification (ERV) form two weeks prior to the end of the RMA eligibility period. You must help MRRP clients who ask for help to fill out the Eligibility Review Verification (ERV) form when it appears that they will need MassHealth services at the end of the RMA eligibility period, and forward the form to DMA for processing. You must also assist these clients in choosing a managed care plan from the information provided to them by DMA.

### Refugees who are Eligible for MassHealth

A refugee who is eligible for MassHealth is not eligible for Refugee Medical Assistance. Generally, refugee families with dependent children and/or those eligible for TAFDC and SSI will be eligible for MassHealth. When a refugee appears to be MassHealth-eligible, you must:

- 1) assist the refugee in completing the application for MassHealth (*MassHealth Benefit Request (MBR)*);
- 2) forward the application to DMA for processing; and
- 3) inform the client's DTA case worker in writing that s/he has already applied for MassHealth.

The Date of Application is the date of eligibility for MassHealth.

**Note:** When an 18-year old, covered under MassHealth, turns 19 within the 8-month RMA eligibility period, you must notify DMA and assist the 19-year old client to complete an Application for RMA. (The 19-year old is eligible for RMA for the remainder of the 8-month RMA eligibility period.)

## D. REFERRAL TO HEALTH ASSESSMENT SERVICES

As part of initial resettlement, refugees, asylees, and other new, MRRP-eligible arrivals must be screened for communicable diseases and other health conditions. The Refugee Health Assessment Program (RHAP), administered by the Department of Public Health (DPH) through an Interagency Service Agreement with ORI, offers linguistically and culturally appropriate health assessment services which include: medical assessment and testing; follow-up; immunization; and referral to primary care.

You must refer all clients who were not referred to Health Assessment Services through the R & P program to health assessment services within ten (10) working days of the

Date of Application.<sup>10</sup> Whenever possible (i.e., geographically convenient/accessible), referrals must be made only to those providers who are on the Department of Public Health's (DPH's) listing of qualified Refugee Health Assessment providers. The results of the screenings will be forwarded to the Refugee and Immigrant Health Program (RIHP) at DPH.

## **E. DEVELOPMENT OF OTHER BENEFITS/SERVICES**

*(121 CMR 2.620)*

During intake into the MRRP, you will play an important role in helping applicants to access additional benefits as needed and available to assist them in meeting basic family needs not met through RCA, Refugee Case Management or Refugee Employment Services.

### **1. MRRP In-Kind Emergency Assistance for Asylees, Cuban/Haitian Entrants and Certified Victims of Trafficking**

Limited in-kind Emergency Assistance is available through the MRRP to assist eligible asylees, Cuban/Haitian entrants and certified victims of trafficking (who do not receive cash assistance through the Department of State's Reception and Placement program). This assistance is available through the client's Refugee Case Management Agency on a one-time, as needed basis to provide for basic needs including, but not limited to the following: housing, clothing, essential furniture (e.g., beds) and items needed to care for an infant or young child (e.g., crib, changing table, diapers). The total value of the in-kind assistance may not exceed the value of one month's cash assistance for the Assistance Unit. Assistance is available on a first come, first served basis, for as long as funds are available.

#### **Application for In-Kind Emergency Assistance**

When assisting asylees, Cuban/Haitian entrants and certified victims of trafficking in applying for MRRP benefits and services, you will determine the need for In-Kind Emergency Assistance. For clients who are eligible and need it, simply indicate the need for such assistance in box 19 on the first page of the MRRP Application and complete the Application for In-Kind Emergency Assistance (found on page 5 of the MRRP Application).

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<sup>10</sup> TAFDC-eligible clients must be referred to Health Assessment Services within 90 days after the date of entry into the U.S. (After 90 days, they are ineligible for Health Assessment Services through the MRRP.) RMA-eligible clients are eligible for Health Assessment Services through the MRRP until the end of the eight-month RMA eligibility period.

## **2. MRRP Housing Assistance**

MRRP Housing Assistance is available to all MRRP eligible refugees (including free and family reunion cases) with housing needs that are not covered under the Reception and Placement (R&P) Agreement (i.e., beyond the first 30 days). MRRP Housing Assistance must not supplant or duplicate housing assistance provided under R&P, but must *supplement* such services.

Housing assistance is provided to clients in need, on a case by case basis and may include any of the following, as appropriate:

- Emergency In-Kind Assistance for Asylees, Cuban/Haitian Entrants and Certified Victims of Trafficking to help secure housing if client/family is homeless or in danger of becoming homeless;
- Crisis housing assistance for homeless/imminently homeless families, including housing search assistance;
- Housing assistance referral to mainstream services/housing providers and such assistance with private/public housing application(s) as may be needed, including, but not limited to consultation and references;
- Assistance in resolving tenant/landlord conflicts;
- Relocation assistance when it is necessary for a client to access and/or maintain employment, or to redress circumstances related to affordability; and
- Cooperation with other agencies (e.g., DTA and DPH) in providing case assistance/information as requested for homeless families and other families receiving housing assistance from other agencies.

## **3. Food Stamps**

All recipients of RCA are potentially eligible to receive Food Stamps. Refer all RCA applicants to the local DTA Office to apply for Food Stamps, following completion of the MRRP Application, using the *Transmittal Form for Refugee Referral to DTA (ORI/MRRP Form No. 5)*.

## **4. Referral to Post Resettlement Community Services (PRCS)**

A range of post resettlement community services are available through Massachusetts Mutual Assistance Associations (MAAs) to address supplemental and longer term (usually non-employment related) needs of refugee families. Although not directly employment related, the community and family support provided by the MAAs through PRCS is integral to assisting refugee families in their efforts to attain a level of sustained self-sufficiency and fully integrate into their new homeland.

Services include:

- Community Education and Orientation (via community events, ethnic TV, radio and newspapers) regarding a range of issues affecting refugee communities, such as legal issues and access to services;
- Cultural Orientation to mainstream service providers such as human service agencies and school systems, to educate and sensitize them to the various refugee populations and their specific characteristics and needs;
- Social Services/Family Support including: working with families on issues related to the school system and law enforcement; interpreter/translation services; housing assistance (to refugees beyond 36 months from Date of Entry/asylum grant); mediation; domestic violence prevention; divorce/family issues; and access to mainstream social services.
- Outreach/Screening/Referral services to asylees, secondary migrants and other individuals (not currently accessing the MRRP Refugee Case Management system at the time of outreach by the MAA) who might need such services.

Refugee clients may be referred to PRCS Social Services/Family Support services at any point along the continuum following resettlement in Massachusetts, with the exception of housing assistance. Only clients who are beyond 36 months from Date of Entry/asylum grant may be referred to PRCS housing assistance services. (It is a contractual responsibility of RCM agencies to provide housing assistance services to all RCM-eligible clients who are within 36 months of the Date of Entry. Such assistance may be provided through MRRP In-Kind Emergency Assistance (for asylees, entrants/parolees and certified victims of trafficking) and/or the regular RCM core services.

To make a referral to PRCS, you must complete and send to the PRCS provider the *Referral to Post Resettlement Community Support Form (ORI/MRRP Form No. 7)*. MAAs will refer refugees to RCM services by completing and sending to the RCM Agency the *Referral to Volag for RCM/RCA/RMA/RHA Form (ORI/MRRP Form No. 8)*.

## **5. Other Support Programs**

Inform the refugee family of other programs for which they may be eligible, such as Emergency Assistance (through DTA), Housing Assistance, Fuel Assistance, utility discounts, telephone discounts, Domestic Violence Services, and/or Earned Income Tax Credit. The assistance provided by programs like these and others outside the MRRP are often integral to the family's efforts to become self-sufficient. Offer to help the family to access such benefits to the fullest extent possible, making referrals to the appropriate agencies and sharing verifications which might prove helpful to the

process. Your advocacy on the family's behalf will undoubtedly hasten refugee access to much-needed benefits and support services, and could, in some cases, open doors which might otherwise have remained closed.

## **F. Verifying Information on the Application**

*(121 CMR 2.620-2.625)*

You must verify certain oral and written statements made by the applicant(s) during the application process in order to determine the applicant(s)' eligibility for services. It is your responsibility to explain the verification process to the applicant(s), provide a list of verifications required to approve his or her Application (using *ORI/MRRP Notice No. 1*), and find out if he or she will need assistance in acquiring any of them. You should always offer to assist the applicant(s) in obtaining required verifications, if needed.

### **1. Methods of Verification**

The four methods of verifying information provided by the applicant during the application process are, by order of preference:

- original documentation
- third party contact
- self-declarations by the applicant
- Case Manager's observation

#### ✓ **Original Documentation**

When the verification is made with an original document, you must make a photocopy of the document, if possible. If circumstances prevent the photocopying of a document and a copy is not available, make a notation in the case record of the date and source of the document, a summary of its contents, and the date the summary was written. The applicant must always be permitted to keep the original document.

#### ✓ **Third-Party Contact**

Third-party contact is verbal or written confirmation of an applicant's circumstances by a third party, and it may be used to verify certain types of information. Statements from third parties may be accepted in person, through the mail, and over the telephone. It is your responsibility to evaluate the acceptability of the statement as verification of the particular information. Whenever you accept a third-party statement as verification, you must record in the case record the date on which the statement was made, the information provided, and the name, address, telephone number, and position of the person making the statement.

You must obtain written consent from the applicant or participant prior to contacting a third party for verification, except when seeking information from:

- government sources or banks to verify eligibility;
- agencies serving the applicant or participant as part of the Family Employment Plan and/or
- employers.

**Information from Government Sources and Banks:** You must inform the applicant or participant that information may be requested from other sources for the purpose of verifying eligibility. These include, but are not limited to, banks and other financial institutions, the U.S. Citizenship and Immigration Services (CIS), Department of Transitional Assistance (DTA), Department of Employment and Training (DET), the Registry of Motor Vehicles (RMV), the Bureau of Vital Statistics (BVS), the Department of Revenue (DOR), the Bureau of Special Investigations (BSI), the Internal Revenue Service (IRS), the Social Security Administration (SSA) and the Department of State (DOS).

You are not required to obtain the prior approval of the applicant or participant to acquire and use information from banks or government sources to verify eligibility.

If the applicant or participant refuses to allow the case management agency to verify information by contacting a third party, assistance will be denied, terminated, or reduced unless the applicant or participant provides alternative verification.

✓ **Self-Declaration by the Applicant**

A self-declaration is a written statement of fact that may be given by the applicant or participant to verify his or her own circumstances when a verification cannot be made through documents or a third-party contact. You may accept a self-declaration as verification only after attempts to obtain original documents or third-party contacts have proven unsuccessful.

A self-declaration may be accepted as verification of the following eligibility factors:

- age
- family relationships

*A self-declaration may never be used to verify refugee status or Date of Entry.*

✓ **Case Manager's Observation**

You may verify some information by personal observation, noting the observation in the case record.

## 2. Information Requiring Verification

### ✓ Mandatory Verifications for all Applicants

Following is a list of items related to an applicant's eligibility for MRRP benefits and services, which require mandatory verification, without exception. Next to each item are acceptable sources for verification.

#### Mandatory for all Applicants

- |                         |  |
|-------------------------|--|
| • Refugee status        | • CIS documentation<br>• R & P biodata (temporary replacement until documentation is located or replaced)  |
| • Date of Entry         | • I-94<br>• R & P Biodata  |
| • Age(s)                | • I-94<br>• birth certificate<br>• R & P biodata<br>• self-declaration   |
| • Family relationships  | • R & P biodata<br>• birth certificate (showing parents' names)<br>• marriage license<br>• divorce papers<br>• adoption papers<br>• school records<br>• self-declaration |
| • Identity of applicant | • R & P biodata<br>• CIS documents<br>• driver's license<br>• marriage license<br>• employment papers<br>• third-party affidavit   |
| • Application for SS#   | • documentation from SSA<br>• phone call to SSA  |

**Identification of the Applicant** - You must establish the identity of the applicant unless your agency was the applicant's resettling VOLAG. Identity may be established using biographical data received from the Department of State ("R & P Biodata"), CIS documents, a driver's license, marriage license, employment papers, or an affidavit from a third party who knows the applicant first hand, in instances where the applicant has tried unsuccessfully to obtain other documentation.

✓ **Mandatory Verifications, If Applicable**

Following is a list of items related to some, but not all applicants' eligibility for MRRP benefits and services, which must be verified when they do apply:

**Mandatory Verifications, if Applicable**

**Exemptions from Participation in Employment Services:** (2.725 (2))

- Student status
  - signed statement from school authority
  - report card from last semester (during summer, if school statement not available)
  - course schedule for next school year (during summer, if school statement not available)
  - self-declaration
- Illness, incapacity, or Pregnancy
  - MRRP Medical Report: Good Cause Exemption
  - signed statement from medical authority stating nature and expected duration of illness, or pregnancy due date
- Employment (30 hrs/wk or more)
  - pay stubs
  - signed and dated statement from employer
- Caretaker of child under 3
  - self-declaration

**Income:** (2.540)

- Monthly wages
  - pay stubs
  - pay envelopes
  - client's or employer's written statement
  - client's or employer's verbal statement
- Self-employment income
  - business records and tax returns
- Contractual annual salary
  - signed copy of the contract
  - signed letter from employer, stating annual salary
- Unearned income
  - copy of most recent benefit payment check
  - copy of benefit or award letter
  - written statements indicating amount and frequency of payment, from person or agency making payment

**Mandatory Verifications, if Applicable**

**Deductions:**

- Dependent care
  - signed and dated letter from provider, or cancelled

- (2.535 (3)(c)) check or money order to provider
- self-declaration of costs, signed and dated
- signed and dated letter from medical verifying incapacity
- authority
- Transportation (2.535 (4)(c))
  - self-declaration of mode and costs per month, signed and dated
  - copy of signed T pass
- Other:**
  - Non-refugee child of a refugee (2.420 (3))
    - birth record
    - third-party affidavit
  - Application to SSI (2.450 (2))
    - documentation from SSA
    - phone call to SSA
  - Denial of SSI or TAFDC
    - letter from SSA or DTA Office
    - phone call to SSA or DTA Office verification until letter arrives)
- (temporary)
  - Higher Education program (2.480)
    - signed and dated letter of description from institution, reflecting length of program and employment orientation that are consistent with the Family Employment Plan

✓ **Verification, as Needed**

Following are items which you must verify *only when there is reason to doubt information provided by the applicant*:

**Verification, as Needed**

- Massachusetts residence (2.410)
  - any record or document showing the applicant's Massachusetts address, including a rent receipt, drivers' license, utility record, pay stub or record, or third-party affidavit
- employment
- Unemployed status
  - Call ORI with individual's Social Security Number. ORI will cross-check with Department of Revenue files. Call 1-800-FRAUDXX to report suspected "under the table" employment of DTA refugee clients.
- Family composition
  - statement from landlord

**3. Deadline for Submitting Verifications**

All verifications must be submitted within 14 working days from the Date of Application.

#### 4. Assisting Applicants with Verifications

**The Verification Checklist:** To ensure that all required verifications have been made with the appropriate documentation, you should use the Verification Checklist (see *ORI/MRRP Notice No. 1*), indicating whether the verification for each item has been received, or has not been received and is required. Attach copies of all documentation used for verifications to the checklist and place them in the applicant's case file.

If an applicant is missing verifications needed to complete the application process, you should always give him or her a copy of the checklist, with the missing verifications highlighted for easy reference. Review each item with the applicant, explaining what is needed, how to obtain it, and the need to submit all verifications within 14 working days of the Date of Application. Discuss alternative methods for verification, if needed.

#### **Example:**

Chantal is a secondary migrant originally resettled six months ago by the USCC affiliate in Houston. She has applied for MRRP benefits and services, but is unable to produce CIS documentation to verify her refugee status or Date of Entry. Her Case Manager informs her that she will need to apply to the CIS for replacement documents. In the meantime, the Case Manager wastes no time in placing a call to USCC in Houston to request a fax copy of Chantal's R&P biodata, which will serve as verification until the replacement documents are issued.

**If Verifications are not Submitted:** You must follow up with the applicant. If the applicant is still unable to produce the required documentation, try to obtain third-party contacts for verification of the items in question. If after following up, and after unsuccessfully attempting to contact the appropriate third parties, you are still unable to obtain the required verifications, you must deny the refugee's Application for assistance. If the applicant submits the required documentation within 30 days of a denial, you must approve his or her Application, retroactive to the Date of Application. The applicant may request a Fair Hearing, within 45 days (from the date on the official written notice of denial), if s/he is dissatisfied with the determination.

## G. SHARING INFORMATION WITH VOLAGS

(121 CMR 2.620)

If the case management agency processing the MRRP Application did not resettle the refugee applicant, you must notify the resettling VOLAG that the refugee has applied for cash assistance. If the refugee participated in MRRP with another case management agency, notify the agency with whom the refugee was previously involved and request any information available at that agency about the applicant's participation in services, as required to verify eligibility. You must advise the refugee of this disclosure requirement at the time of application.

## H. PROCESSING THE APPLICATION

(121 CMR 2.615, 2.630-2.640)

### 1. Completion of the Application Process

The Application for the MRRP must be processed within fourteen (14) working days from the Date of Application. The process is completed when all required verifications have been submitted, and the Refugee Case Management agency has approved or denied the Application. Following completion of the process, you must provide the applicant written notice of the determination within five (5) working days.

### 2. Notification of Applicant(s)

#### A Determination of Eligibility

(121 CMR 2.630)  
(ORR State Letter SL01-03)

The case management agency will notify eligible applicants in writing of the approval using the *Notice of Approval of Application (ORI/MRRP Notice No. 4)*, immediately upon determination, but no later than five (5) working days after receipt of verifications. The notice will include the effective date of eligibility, the amount of cash assistance (if any), other MRRP benefits and services for which the applicant is eligible, and will have attached to it the *Request for Fair Hearing*.

**Note:** **Matching Grant recipients** should initially be sent a *Notice of Approval* for RMA only. In the event that they subsequently “roll over” into MRRP/WFAP services at the end of the Matching Grant period, they should be sent a second *Notice of Approval*, reflecting their eligibility for whichever MRRP/WFAP benefits and/or services they qualify.

**Date of Eligibility:**

(121 CMR 2.430, 2.635)

**For refugees initially resettling in Massachusetts:** Refugees initially resettling in Massachusetts are eligible to start receiving RCA, RMA and/or other MRRP benefits/services as of the Date of Entry into the U.S. They remain time eligible for the balance of the eligibility period remaining from the Date of Entry.<sup>11</sup>

**For asylees, secondary migrants and certified victims of trafficking:** Asylees, secondary migrants and certified victims of trafficking are eligible to start receiving RCA, RMA and/or other MRRP benefits/services, as of the date initial contact is established between the client and the Refugee Case Management agency, *provided the client makes every effort to complete an MRRP Application as soon as possible after such initial contact.*<sup>12</sup> Initial contact may be established by telephone or in person, at which time the client expresses an interest in applying for refugee benefits/services, but an intake appointment may not be immediately available. This initial contact, with date, must be documented in the client’s case file.

Asylees, secondary migrants and certified victims of trafficking remain time eligible for the balance of the eligibility period remaining from the Date of Entry<sup>10</sup> (which, for asylees, is the date of asylum grant).

**For Matching Grant clients:** Refugees who are initially placed into the Matching Grant program but are either unemployed or underemployed (i.e., below 150% of the Federal Poverty Level) at the end of the Matching Grant period may be “rolled over” into MRRP and may be eligible for RCA and RES for the balance of the eligibility period remaining from the Date of Entry into the U.S.<sup>10</sup>. Employed Matching Grant clients who are below 450% of the Federal Poverty Level may also be rolled into MRRP at the end of the Matching Grant period in order to access Post-Employment Services. With respect to RMA, the date of eligibility for Matching Grant clients is the Date of Entry.

**Note:** The Date of Application is the date of eligibility for MassHealth.

**A Determination of Ineligibility**

(121 CMR 2.310, 2.630)

The case management agency will notify ineligible applicants in writing of the denial using the *Notice of Denial of Application (ORI/MRRP Notice No. 5)*, immediately upon determination, but no later than five (5) working days from the receipt of verifications. The Notice of Denial will include the reason(s) for the denial, citing the specific MRRP

<sup>11</sup> The maximum period of time eligibility for RCA and RMA is eight (8) months after Date of Entry. The maximum period of time eligibility for other MRRP benefits and services is 60 months after Date of Entry.

<sup>12</sup> In the event that the client fails to keep a timely scheduled appointment with the Case Manager to complete the MRRP Application (without good cause), the client’s date of eligibility will start as of the date s/he signs the MRRP Application.



regulations supporting the denial, and will have attached to it the *Request for Fair Hearing*.

### **Denial based on lack of verifications**

If an applicant fails to submit required verifications within 14 working days of the Date of Application, you must deny the Application. The *Notice of Denial* must list the missing verification(s) and inform the applicant that a second eligibility determination will be made based on the Date of original/first Application if the requested verifications are submitted within 30 calendar days of the date of the denial notice. If the applicant subsequently submits all required verifications within 30 calendar days of the date on the denial notice, the applicant will not be required to submit a second Application.

### **Denial based on inability to contact applicant**

After reasonable attempts, if you are unable to contact the applicant in order to make a decision, the Application will be denied. Before denying an Application, you must send a notice to the applicant at the address provided on the Application, and allow a reasonable time for response. If no response is received, or if mail is returned by the Postal Service as undeliverable, you must deny the Application.

### **Re-Application to the MRRP**

*(121 CMR 2.640)*

An individual whose Application has been denied has the right, and will be given the opportunity, to re-apply for the MRRP without delay. If a second Application is submitted, the applicant is not required to re-submit any verifications already submitted with the first Application that are not subject to change.

### **Voluntary Withdrawal**

*(121 CMR 2.630)*

The applicant may voluntarily withdraw an Application to the MRRP at any time. If an applicant requests to withdraw an Application, ask the applicant for a written request to withdraw. You must then forward written confirmation to the applicant, confirming the withdrawal, and file copies of both the client's written request and your written confirmation in the client's case file.

## **I. Scheduling Orientation, Assessment and Employment Plan Development (Parts I-III)**

*(121 CMR 2.700)*

As soon as the applicant has completed an MRRP Application, you will need to schedule an appointment for Orientation to the MRRP and development of a Family

Employment Plan (Parts I-III), -- unless the entire Assistance Unit is permanently exempt from participating in Refugee Employment Services.

## **1. Orientation to the MRRP**

As Case Manager, it is your responsibility to provide an Orientation to the MRRP for incoming refugees and their families. The orientation is an introduction to the Massachusetts Refugee Resettlement Program, and should include, at a minimum:

- an overview of services and benefits available;
- the program's expectations of the new arrival;
- participants' rights and responsibilities;
- the consequences of not fulfilling those responsibilities; and
- racial and cultural diversity of America and the American workplace.

The purpose of the Orientation is to provide MRRP participants with the information they will need to be able to make good decisions on their own behalf and take an active role in developing the Family Employment Plan that will serve as part of the family's "contract" with the MRRP for as long as they are involved with the program.

### **Rights and Responsibilities**

As part of the Orientation, you must inform the applicant of the rights and responsibilities associated with participation in the MRRP. Those rights and responsibilities are outlined for applicants and program participants in a hand-out entitled "Rights and Responsibilities." (See *ORI/MRRP Notice No. 2*.)

You should offer an applicant a copy of the "Rights and Responsibilities" hand-out in his or her native language, as needed and available. Review the hand-out with the applicant(s). Be sure that the refugee applicant understands that his or her initial eligibility and continued eligibility for MRRP services depends on his or her ability to meet the responsibilities. Once you are satisfied that he or she understands all rights and responsibilities associated with the program, have the applicant(s) sign the agreement at the end of the hand-out (in his or her native language, if available) and give him or her a copy of the signed hand-out. File the original in the applicant's case file.

### **Racial and Cultural Diversity**

When orienting applicants to the MRRP, you should address the racial and cultural diversity of the United States, especially within the context of the American workplace. Offering applicants this additional insight into the American workplace may enhance their prospects not only for employment retention, but also for a more holistic assimilation into the American society.

## 2. Assessment and Family Employment Plan (FEP) Development (Parts I-III)

As Case Manager, you must complete an initial employability assessment for each incoming family within 10 working days of the Date of Application. You will share responsibility for development of the Family Employment Plan (FEP) with the Refugee Employment Services (RES) provider. Your role in helping to develop the FEP will center on completion of an initial employability assessment (Parts I-III). You will then forward the partially completed FEP to the RES provider, who will complete a comprehensive vocational assessment (Part IV) and, with your input, will fully develop the Family Employment Plan, upon a refugee's enrollment into RES.

*You should schedule the Orientation and FEP development (Parts I-III) activities to occur as soon as possible after the family's arrival in the U.S., in order to complete these activities within 10 working days of the Date of Application.*

**Note:** **Matching Grant Clients:** Orientation to the MRRP and development of the Family Employment Plan must be completed only for Matching Grant clients who are rolling over into MRRP services at the end of the Matching Grant period.

## J. Referral to, and Participation in, Refugee Employment Services

(121 CMR 2.700)

### 1. Referral to Refugee Employment Services (RES)

You must refer all employable refugees determined eligible for MRRP benefits and/or services to a Refugee Employment Services provider for a comprehensive vocational assessment and completion of the Family Employment Plan (Parts IV and V) within 15 working days of the Date of Application. For clients who demonstrate limited reading and writing skills in their native language, this comprehensive vocational assessment must include an in-depth assessment of their literacy needs by a CRES Literacy provider.

- a. **RCA-Eligible Employable Adults:** You must refer all RCA-eligible employable adults to either CRES or TAG/F, as appropriate. Once enrolled in CRES, you may also refer RCA eligible participants to VST, if appropriate.
- b. **TAFDC-Eligible Employable Adults:** You must refer TAFDC eligible employable adults to either the ESSP or TAG/F program, as appropriate, whenever there is an available slot which the client can conveniently access. Only in the event that a referral to either the ESSP or TAG/F program is not possible (because of the unavailability of a slot/inconvenience of the program), *or*

the Case Manager and the client agree that such a referral is not appropriate, may the client be referred to the CRES program.

- c. **Considerations for Making Decision on Available Options:** Client needs must be your *primary* consideration when making a decision on the agency/ program to which you will refer the client. You must ensure that clients are offered service options and work closely with the client to review and consider all available options. Your final decision on where to refer the clients should be based on what is most appropriate, reasonable and convenient *for the client*.
- d. **Timely Transmission of the *RCM Referral to RES Form*:** When referring a client to RES, you must complete and send to the RES provider (CRES, TAG/F, ESSP, VST) the *RCM Referral to RES Form (ORI/MRRP Form No. 4)*, with the client's eligibility documents attached. You must forward the referral form as soon as possible after making the referral decision, as the client cannot be enrolled in services before the RES provider has received it.
- e. **Timely Transmission of the *MRRP Family Employment Plan (FEP)*:** You are responsible for timely transmission of the *MRRP Family Employment Plan (FEP) (ORI/MRRP Form No. 2)* to the RES program (CRES, TAG/F, ESSP, VST) to which you are referring the client. You must forward the FEP as soon as possible after completing Parts I-III, as the client cannot be enrolled in RES before the RES provider has received it.

## 2. Participation in Employment Services

### a. Mandatory Participants

(121 CMR 2.440, 2.715, 2.725)

Unless exempt, at least one member of each Assistance Unit must participate in RES, as specified in a Family Employment Plan. Participation in RES is a condition of ongoing eligibility for RCA and other MRRP benefits/services (but not a condition for RMA). You must present participation requirements, outlined in *Program Participation Requirements and Procedures, ORI/MRRP Notice No. 3*, to MRRP applicants at the time of Orientation to the MRRP.

### b. Exemptions from Participation

(121 CMR 2.725)

Some refugees who are determined to be eligible for RCA will be exempt from participating in RES, unless they choose to participate. *Inability to communicate in English does not exempt a refugee from participation.* A complete list of exemptions is included in *Program Participation Requirements, ORI/MRRP Notice No. 3*. Familiarize yourself with this list, and screen for exemptions during intake. If an entire Assistance Unit is exempt, make a notation of the exemption on the front page of the MRRP Application (box 27).

## **K. Re-Assessing Eligibility for Refugee Benefits and Services**

*(121 CMR 2.645-2.650)*

### **1. Changes Affecting Eligibility**

When a change in family circumstances affects a participant's eligibility for MRRP services and/or benefits, you must complete the *Re-Assessment of Eligibility for Refugee Benefits/Services* form included in the Application packet. Changes in family circumstances include, but are not limited to the following:

- family composition (via, for example, birth, death, marriage, divorce)
- incapacity
- change in filing unit's income or assets
- sanctioning of a member of the Assistance Unit which affects the unit's benefit payment amount, but does not render the unit ineligible

### **2. Disqualifying Factors**

*(121 CMR 2.450-2.490)*

Refugees may be **disqualified** from one or more MRRP benefit(s) and/or service(s), either temporarily or permanently, for a variety of factors which include the following:

#### **a. Eligibility for TAFDC and/or SSI**

As detailed in *Section B.1., Screening for Eligibility for TAFDC and/or SSI* beginning on page 26, refugees who are eligible for TAFDC or SSI are generally not eligible for RCA<sup>13</sup>, but are eligible for Refugee Case Management (RCM) and Refugee Employment Services (RES).

#### **b. Matching Grant refugees**

Matching Grant refugees are ineligible to receive RCM, RCA and/or RES during the Matching Grant period. Refugees who are initially placed into Matching Grant, but are either unemployed or underemployed at the end of the Matching Grant period, may be "rolled over" into MRRP, and may subsequently be eligible to receive RCA for the balance of the eight-month period remaining from the Date of Entry into the U.S. They may also be eligible to receive RCM and/or RES for the balance of the period remaining from the Date of Entry into the U.S. (Matching Grant refugees are eligible for RMA during the Matching Grant period and up to the end of their first eight (8) months in the U.S.)

#### **c. Full-time college students**

Full-time college students (unless enrolled in an English language or other training program designed to prepare the participant for employment, and lasting less than 12

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<sup>13</sup> SSI eligible refugees are eligible to receive RCA while their SSI Application is pending.

months) are ineligible for RCA, although they are eligible for RMA and may voluntarily participate in Refugee Case Management and Employment Services.

#### **d. Unaccompanied Refugee Minors**

Unaccompanied refugee minors receive benefits and services through the separately administered Unaccompanied Refugee Minor Program (URMP) and are therefore *ineligible* for RCM, RCA and RES.

### **3. Re-Verification of Eligibility Factors**

*(121 CMR 2.650)*

You must always verify any changes which increase the amount of the participant's benefit payment amount. You do *not* have to re-verify eligibility factors which are not subject to change, unless you have reason to doubt the validity of information provided during the application process. (For a list of such factors, see page 87 of this Manual.)

#### **Verification of Income and Timeframe for RCA Re-determinations**

You will be notified by the Refugee Employment Services (RES) provider as soon as a client has been employed, but no later than two (2) working days after the client has actually started to work. The RES provider will notify you via the *Transmittal for Change in Employment Status Form (ORI/MRRP Form No. 17)*, which provides information on the client's employment start date, wages, hours per week, benefits and the date on which the first paycheck will be issued. The RES provider will then call the client and/or the employer, no later than two (2) working days after the date on which the first check was to be issued, to verify the income amount. If, during this process, the RES provider identifies any changes to the client's employment information (as it appears on the original *ORI/MRRP Form No. 17*), the RES provider will notify you of these changes, and will send you a new transmittal form with the corrected information.

#### **Re-determination of Eligibility**

After the RES provider has verified a newly employed refugee's earned income, you must complete a re-determination of eligibility for RCA. Your re-determination must be completed within two (2) working days after you are notified that income has been verified by the RES provider, using the *Re-Assessment of Eligibility for Refugee Benefits/Services* form included in the Application packet. When completing the *Re-Assessment of Eligibility for Refugee Benefits/Services* form, describe the change in family circumstances which has affected the Assistance Unit's benefit payment amount. Complete and attach the appropriate worksheet(s) reflecting your re-calculation of the monthly benefit payment. Enter the new benefit amount on the *Re-Assessment* form, then sign and date it.

## **Calculation of Income in RCA Re-determinations**

When a refugee has started to work, his/her RES provider will notify you within two (2) working days via the *Transmittal for Change in Employment Status Form (ORI/MRRP Form No. 17)*. As soon as you receive this form, you must calculate the client's earned income for the purpose of re-determining his/her eligibility for RCA. In the event that only the first pay stub is available to verify income for an RCA re-determination, you must verify the *total* number of work hours the client is to be employed per week on a *regular* basis, as provided on the *Transmittal for Change in Employment Status Form*. If the total hours on the first pay stub are less than the regular total, you must use the total regular hours as the basis for calculating weekly income.

When the client receives his/her second pay stub, you must verify that the total number of hours worked are the same as the total number of hours indicated on the *Transmittal for Change in Employment Status Form*. If different, confirm the hours of employment with the Employment Specialist and/or the client, and complete a second re-determination, based on the updated information.

In the event that a client enters employment with work hours that vary from week to week, you must use the first pay stub to make the initial re-determination, and then verify the client's continued eligibility after receiving pay stubs covering a period of one month.

*Under no circumstances shall a client's RCA be terminated if the wages received on a first pay stub, even if only a partial payment, are less than the Standard of Assistance.*

## **When an RCA recipient's income reduces or terminates eligibility**

If a refugee's employment income is sufficient to reduce or terminate RCA for the Assistance Unit, you must inform the participant of the change in the amount of his or her monthly benefit payment via the *Notice of Grant Reduction/Termination (ORI/MRRP Notice No. 8)*. This Notice must be given or mailed to the client as soon as you have completed the re-determination but no later than two (2) working days after you have been notified that the participant's income has been verified by the RES provider, and at least ten (10) calendar days before the effective date of the grant reduction or termination. The Notice will include the effective date of the termination/reduction, reasons for the termination/reduction, the specific MRRP regulations supporting the termination/reduction, and will have attached to it the *Request for Fair Hearing*.

## **When an RCA recipient appears to have become eligible for TAFDC:**

A refugee receiving RCA may become eligible for TAFDC after the initial eligibility determination as a result of a change in circumstances. Such changes include, but are not limited to the following:

- the birth of a child
- pregnancy (third trimester)

As soon as you become aware that such a change has occurred, you must immediately refer the refugee to the local DTA office to apply for TAFDC. Complete the *Re-Assessment of Eligibility for Refugee Benefits/Services Form (ORI/MRRP Form No. 1, page 5)*. You may then authorize RCA until the start of TAFDC benefits, but for a period of no longer than 30 days after the date of your referral to the DTA office.

**When an RCA recipient is approved for TAFDC:**

Notify the refugee on or before the date the RCA check is due that his or her RCA benefits will be terminated as of the date TAFDC begins. You must also complete paperwork necessary to close the RCA case (described in full on page 76 of this Manual, *How to Open, Modify, Close, Re-Open and/or Change the Address for a Refugee Cash Assistance (RCA) Case*). Note that the refugee may continue to be eligible for MRRP Employment Services if his or her participation is part of the family's plan to become self-sufficient, as outlined in the Family Employment Plan (FEP).

**If the RCA recipient is denied TAFDC:**

If the RCA recipient is denied TAFDC, you may authorize continuation of RCA beyond the 30-day period, provided the refugee is still time eligible. (Be sure to place documentation of the denial in client's case file.)

**Case Reviews**

*(121 CMR 2.645)*

You may wish to schedule a formal case review, which may or may not include a personal interview, to check on a participant's progress toward the goals of the Family Employment Plan as part of your re-assessment of his or her continuing eligibility for RCA. (For more information on when to schedule a case review, see page 86 of this Manual.)

**Calculating a Change in the Monthly Benefit Payment**

**Example 1:**

Shamsa was resettled in Massachusetts from Somalia three months ago. Within five (5) days of his arrival, you determined him to be eligible for the monthly grant amount for a single individual in the MRRP: \$428 per month. This week, Shamsa was re-united with his wife, Amira, when she joined him in Massachusetts. (In this example, it is assumed that neither Shamsa nor Amira will enter employment within their eight-month RCA eligibility period.)

***Will Amira be determined eligible as a new single Assistance Unit? Or will Shamsa and Amira together comprise an Assistance Unit of two? And, if so, how will you reconcile their different timelines for eligibility?***

*Upon Amira's arrival in Massachusetts, you will complete a Re-Assessment of Eligibility for Refugee Benefits/Services, and calculate a new monthly grant amount for an Assistance Unit of 2. During the four months remaining in Shamsa's period of time eligibility for MRRP benefits, he and Amira will receive \$531 per month. When Shamsa has reached the end of his eighth month in the U.S. and is no longer time eligible, you will complete another Re-Assessment, decreasing the Assistance Unit to 1 for the remainder of Amira's time eligibility. Her grant amount will then be \$428.*

## V. Summary of Action Steps

### A. Case Manager

- Screen members of applicant families for eligibility for TAFDC and/or SSI. Make referrals to the Department of Transitional Assistance (DTA) or Social Security Administration (SSA), if applicable.
- Explain refugee rights and responsibilities associated with MRRP benefits and services. Give applicant(s) a copy of the *Rights and Responsibilities (MRRP/ORI Notice No. 2)* hand-out in native language, if available; have applicant(s) sign it.
- Complete MRRP Application with non-TAFDC/SSI eligible refugee families to determine eligibility for MRRP benefits and services. Complete MRRP Application with TAFDC eligible families to determine eligibility for RES only.
- Follow up on referrals to DTA or SSA to confirm approval or denial of TAFDC or SSI benefits.

- Assist RCA-eligible applicant(s) in completing *Application for Refugee Medical Assistance*, and forward to the Division of Medical Assistance (DMA) for processing.
- Assist TAFDC-eligible applicant(s) in completing the *MassHealth Benefits Request (MBR)*, and forward to DMA for processing. Notify the client's DTA caseworker.
- Refer refugee family members to health assessment screening.
- Refer all applicants to DTA to apply for Food Stamps and/or other support services for which they might be eligible.
- Refer refugee families to MAAs as needed for supplemental assistance and access to mainstream services.
- Screen for eligibility for RES (for refugees who are financially ineligible for RCA)
- Together with applicant, sign MRRP Application.
- Create case file; insert signed MRRP Application.
- Verify information provided on the Application. Complete verification checklist; attach copies of verification documents; and insert in case file.
- If applicable (i.e., if your agency did not resettle the applicant, or if the refugee participated in MRRP with another case management agency) inform VOLAGs and other Case Management agencies of the Application.
- Make eligibility determination and inform applicant of decision, in writing.
- Schedule appointment for orientation, assessment and development of Family Employment Plan (Parts I-III), if refugee is eligible for MRRP services.
- If denied MRRP benefits, refer applicant to other agencies to apply for other benefits and/or support services for which s/he may be eligible.
- Re-assess eligibility for RCA, as needed.
- Place a copy of all documents in client's case file.

## **B. Refugee Applicant(s)**

- Meet with Case Manager to complete the MRRP Application.

- Maintain scheduled appointments with Case Manager and/or staff at other agencies to apply for benefits/services funded through MRRP or other outside sources.
- Provide required documents for verifications.
- Sign Application form and disclosure form for rights and responsibilities.
- Inform Case Manager within five (5) working days of any changes in circumstances which may affect eligibility for assistance.

# Administration of Refugee Cash Assistance (RCA)

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## I. What Is It?

Refugee Cash Assistance (RCA) is a program of financial support for MRRP participants to assist them for a period of up to 8 months after arrival in the U.S. (For non-exempt participants, financial support is contingent upon their participation in Refugee Employment Services designed to assist them in looking for, or preparing for, work.)

## II. When Is It Administered?

(121 CMR 2.430, 2.610, 2.635)

Financially eligible MRRP participants may start to receive RCA within the first month after arrival in the U.S. Time eligibility for RCA begins on the date of arrival (or date of asylum grant for asylees, or date of certification for victims of trafficking) and expires at the end of the refugee's eighth month in the U.S.

Authorization of RCA benefits must occur as soon as possible after arrival. Actual payment of the first RCA check should be made on the first pay day after the date of eligibility, but no later than the 31<sup>st</sup> day after entry into the U.S.

**Refugees initially resettling in Massachusetts** are eligible to start receiving benefits as of the Date of Entry into the U.S. They will continue to be eligible for a maximum period of eight (8) months from the Date of Entry.

**Asylees** are eligible to start receiving benefits as of the Date of Application for RCA (considered to be the date of *initial contact* between asylee and the RCM agency). Asylees remain eligible for the balance of the 8-month period remaining from the date of the asylum grant.

**Matching Grant clients who are either unemployed or underemployed at the end of the Matching Grant period** are eligible to start receiving benefits as of the day following the end of the Matching Grant period. Former Matching Grant clients remain eligible for the balance of the eight-month period remaining from the Date of Entry in the U.S.

**Secondary migrants** are eligible to start receiving benefits as of the Date of Application for RCA (considered to be the date of *initial contact* between secondary migrant and the RCM agency). Secondary migrants remain eligible for the balance of the eight-month period remaining from the Date of Entry in the U.S.

**Certified victims of trafficking** are eligible to start receiving benefits as of the Date of Application for RCA. Certified victims of trafficking remain eligible for the balance of the eight-month period remaining from the date of certification.

### **III. Who Does It?**

Administration of Refugee Cash Assistance benefits, Early Employment Incentives, transportation and child care expense reimbursements is primarily the responsibility of you, the Case Manager, working under the supervision of a Case Management Supervisor. All authorizations to pay, reduce or terminate cash assistance benefits, including emergency payments and replacement checks, are subject to approval by the Case Management Supervisor before submission to ORI for processing.

### **IV. How Is It Administered?**

Eligibility for RCA benefits is determined during the intake process. Once a family has been determined eligible, either you or a Case Management Supervisor will be responsible for the following activities related to the administration of RCA benefits:

- authorizing the payment of cash assistance benefits, emergency payments, replacement checks, Early Employment Incentives, transportation and child care expense reimbursements;
- authorizing changes in benefit payment levels, as warranted;
- authorizing case closings and re-openings;
- authorizing changes of address;
- correcting overpayments and underpayments;
- conducting periodic case reviews to ensure continuing eligibility and progress toward goals outlined in the Family Employment Plan;
- reviewing cases nearing the end of time eligibility;
- providing adequate notice of any adverse actions impacting the family's cash assistance benefits; and
- administering conciliation and sanctioning, if and when necessary.

## **A. System for Authorizing Benefit Payments and Reimbursements**

You will use a simple form – the *Refugee Cash Assistance Benefit Authorization Form (ORI/MRRP Form No.10)* -- to open new cash assistance cases, modify benefit levels for existing cases, re-open cases, close cases and authorize changes of address. You must complete this form to start, end or change the amount of, any MRRP benefit payments. These include the following:

- Refugee Cash Assistance (RCA)
- transportation expense reimbursement
- child care expense reimbursement
- Early Employment Incentive (EEI)
- emergency payment

The Case Management Supervisor must also complete an *RCA Authorization Summary Report* and submit it with any *RCA Authorization Forms* you have completed for each pay period. The *Summary Report* reflects the total number of *RCA Authorization Forms* completed by Case Managers for the agency, the total number of new cases opened by the agency, the total number of cases closed, and the total amounts authorized for payment by the agency, in each payment category outlined above.

MRRP benefits payments are made by ORI twice per month: on the 1<sup>st</sup> and the 15<sup>th</sup> (or the next business day following a weekend or holiday that falls on the 1<sup>st</sup> or the 15<sup>th</sup>). Case Management Supervisors must, therefore, batch and submit completed *RCA Authorization Forms* along with an *RCA Authorization Summary Report (ORI/MRRP Form No. 9)* to ORI for processing twice per month, at least five (5) working days prior to the 1<sup>st</sup> and the 15<sup>th</sup>, in order to meet payment deadlines for each pay date. (The *Summary Report* must be completed and submitted by the Case Management agency at least five (5) working days prior to every scheduled pay date, even if the agency did not complete any *RCA Authorization Forms* during the pay period.)

Procedures for authorizing regular cash assistance payments, emergency payments, non-emergency replacement checks, changes in benefit payment levels, case closings and case re-openings are further described below.

### **1. Refugee Cash Assistance (RCA)**

#### **a. New RCA Cases**

Authorization of RCA benefits must occur immediately after a refugee has been determined eligible to receive RCA benefits (as described in detail in *The Intake and Eligibility Determination Process*, beginning on page 20). You must authorize the opening of a new RCA case and payment of cash assistance benefits to begin on the first pay date on or after the date of eligibility. A check will be issued to the client by ORI on the 1<sup>st</sup> or the 15<sup>th</sup> day of the month, whichever comes first, following receipt of the *RCA Authorization Form*, but no later than 31 days after the Date of Entry (based on the timely submission of the Authorization Form by the Case Management agency).

In the event that the Case Management agency is not able to submit the request for RCA authorization to ORI by the authorization “due date,” you must authorize and submit a retroactive payment request for the next scheduled payment issue date. An explanation for the retroactive request must accompany the authorization.

**Note:** RCA funding must not in any way replace Reception and Placement (R & P) funding provided to clients during the initial 30-day R & P period or MRRP In-Kind Emergency Assistance provided to eligible clients during the RCA period.

## **b. Modifications to Benefit Payment Levels**

Whenever an Assistance Unit has experienced a change in family circumstances or sanctioning of one of its members, and the benefit payment amount is reduced or increased as a result, you must authorize a modification to the original grant amount. Changes in family circumstances include, but are not limited to, the following: birth, death, marriage, change in case size or job placement. (If the change in circumstances or sanctioning renders the assistance unit ineligible, you must authorize a case closing, as outlined in the following section, *Case Closings*.)

As soon as you are aware that a change in circumstances has occurred, you must re-assess an Assistance Unit’s eligibility for RCA benefits (as outlined in *The Intake and Eligibility Determination Process: Re-Assessing Eligibility for Refugee Benefits and Services*, beginning on page 65) and authorize a modification to the benefit payment amount, if needed.

**Following employment:** If a newly employed client’s income is sufficient to reduce the amount of the monthly RCA payment, you must authorize a modification to the benefit payment level, within two (2) working days after you have been notified by the RES provider that the client’s income has been verified. The effective date for the modification, as specified on the *Refugee Cash Assistance Benefit Authorization Form*, must be no less than ten (10) calendar days after the *Notice of Grant Reduction/Termination (ORI/MRRP Notice No. 8)* was sent.

## **c. Case Closings**

Whenever a family becomes ineligible for RCA due to circumstances other than the expiration of time eligibility, you must authorize a case closing. Circumstances warranting a case closing include, but are not limited to the following:

- a change in family circumstances, such as birth, death, marriage, change in case size, or job placement
- sanctions imposed on a member or members of the Assistance Unit
- the relocation of the family to another state, or to another area of the state that requires a change to the RCM agency

**Following employment:** If a newly employed client's income is sufficient to close the RCA case, you must authorize a case closing, within two (2) working days after you have been notified by the RES provider that the client's income has been verified. The effective date for the case closing, as specified on the *Refugee Cash Assistance Benefit Authorization Form*, must be no less than ten (10) calendar days after the *Notice of Grant Reduction/Termination (ORI/MRRP Notice No. 8)* was sent.

**Expiration of Time Eligibility:** Using dates of arrival, ORI will automatically close the RCA case when a client has reached the end of time eligibility. You will not have to complete an authorization form to close a case, for time expired cases.

#### **d. Case Re-Openings**

Under certain circumstances, you may have to re-open cases that were closed before the expiration of time eligibility. Circumstances warranting case re-openings include, but are not limited to the following:

- when an Assistance Unit submits verifications required to confirm continuing eligibility within 30 days of a case closing for failure to submit such verifications;
- when an Assistance Unit (that is otherwise still eligible) comes back into compliance with program requirements following sanctioning, which resulted in a case closing;
- when family circumstances which prompted a case closing have changed. (For example, a case closing due to a job placement may become a case re-opening if the employed family member is laid off within the period of time eligibility y); or
- when it is necessary to authorize payment of an Early Employment Incentive earned by an Assistance Unit's member(s) whose case was previously closed (due to earnings).

#### **e. Changes of Address**

As soon as you are aware that a participant's address has changed, you must authorize a change of address for the RCA case before any additional benefit payments may be issued. You must submit the change of address on a new RCA Authorization Form before Recertification/Certification funds may be disbursed.

**How to Open, Modify, Close, Re-Open and/or Change the Address for a Refugee Cash Assistance (RCA) Case**

To open a new RCA case, modify the benefit payment amount, close a case, re-open a case, and/or authorize a change of address for a case, you and/or your supervisor (as appropriate) must take the following steps:

- Step 1:** Complete and sign a *Refugee Cash Assistance Benefit Authorization Form*.
- Step 2:** Place original in the client's case file.
- Step 3:** Submit a copy to the Case Management Supervisor for submission to ORI at least five (5) working days prior to the 1<sup>st</sup> or the 15<sup>th</sup> of the month.
- Step 4:** The Case Management Supervisor will submit the form and all other authorizations completed by the agency during the prior two-week period to ORI, together with an *RCA Authorization Summary Report*, at least five (5) working days prior to the 1<sup>st</sup> or the 15<sup>th</sup> of the month (per the Transmittal Due Date Schedule provided by the ORI Fiscal Unit).

*Note: Your timely transmission of RCA and other benefit payment authorizations (according to the ORI Transmittal Due Date Schedule) is extremely important. Late transmissions may result in unnecessary delays in the payment of benefits to clients.*

## **2. Emergency Payments**

*(121 CMR 2.610)*

The emergency payment is a source of immediate cash assistance to be used only when a refugee has urgent needs that cannot await the issuance of a check through regular means. Subject to approval by ORI, you may authorize an emergency payment to a refugee in one of the following circumstances:

- A refugee's check has been lost or stolen;
- A refugee has suddenly lost a job without notice and is eligible for RCA; or
- A secondary migrant, asylee or certified victim of trafficking has applied for assistance, is determined to be eligible, and has no other resources.

An emergency payment may not exceed \$100 or 50% of the anticipated amount of the refugee's next RCA payment, whichever is smaller.

**How to Authorize an Emergency Payment**

As soon as you are aware that a refugee has one of the three extenuating circumstances listed above, you should take the following steps to generate an emergency payment within one (1) working day:

- Step 1:** Complete and sign a *Refugee Cash Assistance Benefit Authorization Form* specifying the request for an emergency payment under "Benefit Category," and the amount for which the refugee is qualified. Include an explanation of the circumstances warranting an emergency payment.
- Step 2:** Place original in the participant's case file.
- Step 3:** Submit a copy to the Case Management Supervisor for signature and immediate submission to ORI by fax.
- Step 4:** The Case Management Supervisor should request ORI approval of the emergency payment via a faxed memo attached to the *RCA Benefit Authorization Form*.

A check will be issued to the refugee within one (1) working day of the date the refugee's eligibility for Emergency Assistance is approved by ORI.

### 3. Replacement Checks

(121 CMR 3.400-3.420)

A refugee who has reported a lost or stolen benefit check may request and receive a replacement check, unless you have reason to doubt the refugee's claim.

#### How to Authorize a Replacement Check

When a participant reports that he or she has not received or has lost a check, you may authorize the issuance of a replacement check by taking the following steps:

- Step 1:** Determine the address to which the check was mailed and whether the check has been returned to ORI.
- Step 2:** If the participant believes the check was stolen, he or she should report it to the police.
- Step 3:** Four (4) days after the issuance date, contact ORI to see whether the check has been cashed or returned *uncashed* to ORI.
- Step 4:** If the check has not been returned to ORI after four (4) days from the issuance date, ORI will take steps to immediately stop payment on the check. Advise the participant of the need to return the original check to ORI if it turns up at a later date. Complete a

*Refugee Cash Assistance Benefit Authorization* form, specifying the request for a replacement check under “Benefit Category,” and the amount for which the refugee is qualified. Also complete a *Request for Replacement Check* form (*ORI/MRRP Form No. 13*), and include an explanation of the circumstances which justify the request for a replacement check

*or*

If the original check is returned to ORI uncashed before payment has been stopped by the bank, ORI will return the check to your agency. Have the participant correct the circumstances that made the check undeliverable, and re-issue the original check.

*or*

If the original check has been cashed, have the participant complete an *Affidavit of Lost or Stolen Check* form (*ORI/MRRP Form No. 12*), which ORI will forward to the Treasury Department. The Treasury Department will contact the client to resolve the matter.

- Step 5:** Place originals of the *RCA Benefit Authorization* and *Request for Replacement Check* forms *or* the *Affidavit of Lost or Stolen Check* form in the participant's case file.
- Step 6:** Submit copies of the *RCA Benefit Authorization* and *Request for Replacement Check* forms *or* the *Affidavit of Lost or Stolen Check* form to the designated Case Management Supervisor for immediate submission to ORI via fax.
- Step 7:** The Case Management Supervisor should seek ORI approval of the replacement check via a faxed memo attached to the *RCA Benefit Authorization* and *Request for Replacement Check* forms.

#### **4. Early Employment Incentives (EEI)**

*(121 CMR 2.712)*

MRRP participants who achieve early employment will earn incentive payments. Employment must occur within four months of the date of employability (i.e., once the participant is in receipt of his/her Employment Authorization Document and Social Security Card) to be considered “early employment.” The earlier the client goes to work, the larger the amount of the incentive payment for which s/he will qualify, as follows:

Employed within 1-2 months of the date of employability:	\$500
Employed within 3 months of the date of employability:	\$400
Employed within 4 months of the date of employability:	\$300

**Eligibility for Full Payment:** In order to receive the full amount for the first portion of the Early Employment Incentive payment, the client must be working full-time (at least 35 hours per week) at the beginning point of initial employment.

**Eligibility for Partial Payment:** Certain clients who are employed early in part-time jobs (at least 20 hours per week) will be eligible to earn half the incentive payment. Of the part-time early employed clients, only those who are secondary wage earners and are in Assistance Units where the primary wage earner is working full-time, will be eligible. Accordingly, the incentive for these clients will be as follows:

Employed within 1-2 months of the date of employability:	\$250
Employed within 3 months of the date of employability:	\$200
Employed within 4 months of the date of employability:	\$150

**Calculation of EEI Payment at the Point of Employment Retention:** The amount of the second portion of the EEI paid at the point of employment retention will be based on the employment status of the client, whether “full-time” or “part-time” at the end of the 90 day period.

**Participation in MRRP Services as a Requirement of Eligibility for EEI:** In order to be eligible for the EEI, an early employed refugee client must have accessed, at a minimum, Refugee Case Management and/or Refugee Cash Assistance, at the point of initial employment. Therefore, a client who receives only Refugee Medical Assistance is *not* eligible for the EEI.

**Time of Payment:** Half the incentive payment will be authorized for clients at the point of initial employment and half will be authorized at the 90<sup>th</sup> day of employment. The amount of the second portion of the EEI authorized at the point of 90-day retention will be based on the employment status of the client, whether “full-time” or “part-time,” at the end of the 90-day period.

### **Eligible for EEI or Not?**

- **TAFDC recipients**, including ESSP participants, *are* eligible for Early Employment Incentives.
- **Matching Grant clients** are *not* eligible for Early Employment Incentives.
- **Asylees** who are employed prior to the date of asylum grant (and prior to any subsequent enrollment in MRRP Employment Services) are *not* eligible for Early Employment Incentives.
- **Refugee high school students who are employed early in a part-time job** are *not* eligible for the EEI.
- **SSI recipients who are voluntary participants** are not eligible for the EEI.

## How to Authorize an Early Employment Incentive

As soon as a refugee and/or family has achieved one of the early employment milestones outlined above, you must take the following steps to generate payment of the first half of an Early Employment Incentive:

- Step 1:** Complete a *Refugee Cash Assistance Benefit Authorization Form*, specifying the amount of the incentive earned by the refugee.
- Step 2:** Place original in the participant's case file.
- Step 3:** Submit a copy to the Case Management Supervisor.
- Step 4:** The Case Management Supervisor will submit the form and all other authorizations completed by the agency during the prior two-week period to ORI, together with an *RCA Authorization Summary Report*, at least five (5) working days prior to the 1<sup>st</sup> or the 15<sup>th</sup> of the month (per the Transmittal Due Date Schedule provided by the ORI Fiscal Unit).

You will repeat this process to generate the second half of the EEI payment (after the refugee's 90<sup>th</sup> day of employment), when and if applicable.

**Authorizing an EEI Payment for Eligible ESSP Participants:** You will be notified by the ESSP provider when an ESSP participant enters and retains employment for 30 days, via the *ESSP Transmittal for Employment, Retention and Referral to Post-Employment Services Form (ORI/MRRP Form 18)*. The ESSP provider will also indicate on this same form whether the participant's placement qualifies as early employment (i.e., within four months of the date of employability) As soon as you are notified of the eligible ESSP participant's employment, you may authorize the first EEI payment, following Steps 1-4 above.

***It is especially important that you authorize EEI payments in a timely fashion in order to minimize case re-openings.***

**Note:** ORI will process payment of an EEI as a temporary (one-time) modification. If the client's employment results in self-sufficiency, you should close the RCA case at the time the first EEI payment is authorized. If the client will continue to be eligible for a reduced RCA payment, you should authorize a modification to the regular RCA payment amount. If the RCA case has been closed by the time the second EEI payment is authorized, the case must be re-opened and closed with the same authorization.

## 5. Transportation Expense Reimbursement

(121 CMR 2.714)

An RCA eligible participant may be reimbursed for transportation expenses which make it possible for the individual to participate in pre-employment activities as outlined in the Family Employment Plan, as long as:

- There is no other person or agency available to pay the costs or provide the transportation at no cost to the participant.
- The participant is using the least costly mode of transportation available.
- No one is deducting the same transportation from earnings for RCA calculations, as outlined in *Determining Financial Eligibility: Transportation Expense Deductions* on pages 40-41 of this Manual.

Reimbursements for transportation expenses may not exceed \$150.00 per month of verified participation and must be based on the actual cost to the participant of transportation by public bus or rail, or private automobile (applying the mileage rate currently in effect for State employees).

### How to Authorize a Transportation Expense Reimbursement

The Case Manager must take the following steps to generate a Transportation Expense Reimbursement:

- Step 1:** Have the participant provide a monthly statement of costs per day, indicating the mode of transportation.
- Step 2:** Include the monthly amount of the transportation expense reimbursement on the initial *Refugee Cash Assistance Benefit Authorization Form* you will complete to open the RCA case. (To authorize a reimbursement for a client whose RCA case is already open, submit a new *Authorization Form* for a modification, which reflects the monthly amount of the transportation expense reimbursement.) Attach a copy of the monthly statement of costs, as back-up.

Follow the same steps for authorizing a modification to the benefit payment amount, outlined on page 76 of this Manual.

## 6. Child Care Expense Reimbursements

(121 CMR 2.713)

An RCA eligible participant may be reimbursed for child care that makes it possible for him or her to participate in pre-employment activities, as outlined in the Family Employment Plan, as long as:

- There is no other public or private agency available to pay the costs or provide the care at no cost to the participant.
- No one is deducting the costs from earnings for Refugee Cash Assistance (RCA) calculations.
- The care is not provided by a person legally responsible for the child(ren).
- The care is not provided by a relative who is in the same Assistance Unit as the child.
- The provider is registered with or licensed by the Office for Child Care Services (OCCS), or not required to be registered or licensed.
- The child(ren) provided care is under 13 years old, or, if older, physically or mentally unable to care for him or herself.

Reimbursements for child care may not exceed \$2.00 per hour per child, or \$100 per week per child. The hours of child care may not exceed 10 hours per day per child, or 50 hours per week per child.

### How to Authorize a Child Care Expense Reimbursement

You must take the following steps to generate a Child Care Expense Reimbursement:

- Step 1:** Have the participant obtain a monthly statement, signed by the provider, indicating the care provided per day per child, and the hourly and weekly cost.
- Step 2:** Include the monthly amount of the child care expense reimbursement on the initial *Refugee Cash Assistance Benefit Authorization Form* you will complete to open the RCA case. (To authorize a reimbursement for a client whose RCA case is already open, submit a new *Authorization Form* for a modification, which reflects the monthly amount of the child care expense reimbursement.) Attach a copy of the monthly statement of costs, as back-up.

Follow the same steps for authorizing a modification to the benefit payment amount, outlined on page 76 of this Manual.

## B. Correcting Errors

(121 CMR 3.200-3.240)

### 1. Overpayments

An overpayment is a payment to an Assistance Unit that is ineligible, or a payment that is larger than the amount for which the Assistance Unit is eligible. Overpayments may occur as a result of ORI error; Case Management Agency error; participant error, misrepresentation, or withholding of information, including failure to report changes affecting eligibility or grant amount within five (5) working days of the change(s); or payment of assistance pending a fair hearing decision in which a reduction or termination of assistance is upheld.

#### **a. Recovery of Overpayments from Current Recipients**

You are responsible for identifying and attempting to recover overpayments. Methods of recovery include:

- recoupment, which is the recovery of an overpayment by means of a reduction in the Assistance Unit's grant;
- a lump sum payment;
- installment payments; or
- a combination of the above three options.

#### **Participant Conference**

Before seeking to recover an overpayment, you must offer the participant the opportunity for a conference to discuss the reason(s) for the overpayment, the factual basis for the overpayment and the amount overpaid, and, when appropriate, the methods of repayment available to the participant. The participant may submit information concerning the overpayment at this conference.

#### **Notification**

You must notify the participant of the overpayment at least ten (10) calendar days before acting to recoup an overpayment. A *Notice of Grant Reduction/Termination* must be sent with an explanation that the grant is being reduced due to overpayment.

#### **Amount of Recovery**

You may negotiate a plan to recover an overpayment from a current RCA recipient using one or a combination of the methods listed above, as long as the recovery plan allows the Assistance Unit to retain a monthly income equal to 90 percent (90%) of the appropriate Standard of Assistance from its assistance grant and other gross income combined. In determining gross income, earned income is calculated without applying the Work-Related Expense Deduction, Dependent Care Deduction, or \$30 and One-Third Disregard.

## b. Recovery from Previous Participants

Efforts to recover an overpayment may continue after cash assistance ends. When cash assistance ends while an overpayment is still due, or when an overpayment is discovered after the cash assistance has ended, you must attempt to negotiate a repayment agreement with the refugee for installments or a lump sum payment. Once an agreement has been reached with the participant, you must complete the *Overpayment Recovery Agreement Form (ORI/MRRP Form No. 14)*, and have the participant sign it. If you are unable to reach an agreement with the participant, or if s/he fails to follow through on an agreement, you must notify ORI. ORI may pursue the matter further (which may include taking legal action, if applicable).

### How to Recover an Overpayment

You may seek to recover an overpayment by taking the following steps:

- Step 1:** Notify the participant of the overpayment at least ten (10) calendar days before attempting to recover it, using the *Notice of Grant Reduction/Termination*. Offer the participant the opportunity to confer on the overpayment and methods of repayment available.
- Step 2:** Notify ORI Fiscal Unit of the overpayment by telephone and in writing, using the *Refugee Cash Assistance Benefit Authorization Form*. Attach an explanation of the circumstances surrounding the overpayment, including a tentative plan to recover the overpayment and a copy of the *Notice of Grant Reduction/Termination* sent to the participant.
- Step 3:** Negotiate a plan to recover the overpayment, using one or a combination of recovery methods. With the participant, complete the *Overpayment Recovery Agreement Form*. Forward a copy to ORI. (If a participant refuses to pay or fails to comply with the repayment agreement, notify ORI to arrange for the recoupment of the overpayment.)
- Step 4:** Place originals of the *Refugee Cash Assistance Benefit Authorization Form* and *Overpayment Recovery Agreement Form* in the participant's case file.
- Step 5:** Submit a copy of the *RCA Benefit Authorization Form* to the Case Management Supervisor, if applicable.
- Step 6:** The Case Management Supervisor will submit the form and all other authorizations completed by the agency during the prior two-

week period to ORI, together with an *RCA Authorization Summary Report*, at least five (5) working days prior to the 1<sup>st</sup> or the 15<sup>th</sup> of the month (per the Transmittal Due Date Schedule provided by the ORI Fiscal Unit).

- Step 7:** If the overpayment is to be recovered using a method other than a reduction in cash assistance, the participant must give the Case Manager a check or money order (made out to ORI), consistent with the terms of the *Overpayment Recovery Agreement*. The Case Manager must then send the payment to ORI with a memo explaining the circumstances.

## **2. Underpayments**

An underpayment is a payment to an Assistance Unit that is less than the amount for which the Assistance Unit is eligible, or a failure to issue a payment to an eligible Assistance Unit.

You are responsible for identifying and correcting underpayments of cash assistance.

### **How to Correct an Underpayment**

You may correct an underpayment by taking the following steps:

- Step 1:** Notify ORI Fiscal Unit of the underpayment by telephone, and in writing, using the *Refugee Cash Assistance Authorization Form*. Include an explanation of the circumstances surrounding the underpayment.
- Step 2:** Send the participant written notice that (1) includes the amount of the underpayment and (2) informs the participant of his/her right to request a fair hearing. If the participant disputes the amount of the underpayment, advise him or her of the right to request a fair hearing.
- Step 3:** Place original in the participant's case file.
- Step 4:** Submit a copy to the Case Management Supervisor.
- Step 5:** The Case Management Supervisor will submit the form and all other authorizations completed by the agency during the prior two-week period to ORI, together with an *RCA Authorization Summary Report*, at least five (5) working days prior to the 1<sup>st</sup> or the 15<sup>th</sup> of the month (per the Transmittal Due Date Schedule provided by the ORI Fiscal Unit).

The amount of the underpayment will be corrected by ORI and paid retroactively. Such retroactive payments will not be counted as income when determining eligibility and the amount of assistance.

## **C. Case Reviews**

*(121 CMR 2.645-2.655)*

You must periodically confirm a refugee's continuing eligibility for MRRP services and benefits, the accuracy of monthly RCA payment amounts, and progress toward the goals of the Family Employment Plan via a case review. Frequently, the focus of the case review will be on those eligibility factors that are subject to change over time, such as family composition, employment status, and income. During a case review, you are *not* required to reverify eligibility factors which are not subject to change. Occasionally, you may wish to schedule a personal interview with the refugee as part of the case review.

### **When to Schedule a Case Review**

You should schedule a case review when:

- changes either have occurred or are anticipated in family composition, employment status, income, or other circumstances affecting eligibility;
- there is conflicting information about the case; or
- the refugee is approaching or has passed a critical point in the Family Employment Plan.

## **Re-Verification of Information**

*(121 CMR 2.650)*

During a case review, you may reverify some of the information verified during the application process if the client has reported changes in eligibility factors, or if you are aware of changes that have occurred. Such factors include, but are not limited to:

- participation in activities required by the Family Employment Plan
- incapacity
- income
- school attendance
- work-related expenses, such as dependent care and transportation expenses.

You do *not* have to re-verify eligibility factors which are not subject to change, unless you have reason to doubt the validity of information provided during the application process. Factors which generally do not require re-verification include, but are not limited to:

- age
- identity
- family relationships

## **Review of Cases Nearing End of Time Eligibility**

*(121 CMR 2.655)*

If a refugee has not achieved self-sufficiency, you must review the case at least 30 days prior to the end of the period of time eligibility for RCA/RMA (the end of the eighth month) and refer the refugee to the Department of Transitional Assistance (DTA), the Social Security Administration (SSA) or other agency(ies), as appropriate, to apply for other support programs for which s/he may qualify. You should make referrals as soon as possible in an effort to avoid an interruption in assistance. At the time of the review, you should notify the participant in writing that his/her cash assistance benefits will terminate on the date their time eligibility for RCA expires using the *Notice of Grant Reduction/Termination*. (Also see next section, *Notification of Adverse Action*.)

## **D. Notifications/Request for a Fair Hearing**

*(121 CMR 2.660)*

### **1. Notification of Adverse Action**

Before taking any action to deny, reduce, suspend or terminate assistance, you must provide *timely notice* to participants using *the Notice of Denial of Application (ORI/MRRP Notice No. 5)*, *Notice of Grant Reduction/Termination (ORI/MRRP Notice No. 8)*

or the *Notice of Grant Reduction/Termination of Benefits and/or Services (Noncompliance) (ORI/MRRP Notice No. 10)*, as appropriate.

A notice is considered timely if it is mailed or given to the applicant or participant at least ten (10) calendar days before the proposed action is scheduled to take effect. In addition, the notice must contain:

- a statement of the intended action;
- the reason(s) for the intended action;
- a citation to the regulation(s) supporting the action;
- an explanation of the right to request a fair hearing, with the form for requesting a fair hearing;
- the circumstances under which assistance is continued if a hearing is requested; and
- a statement that if the action is upheld, assistance paid while awaiting a decision on an appeal is subject to recoupment.

## **2. Notification of Other Actions**

Notice for any of the circumstances listed below must follow the same format outlined above, but does not have to be *timely*. Under the following circumstances, you may simply give the notification to the participant, or mail it to the address of the participant or another member of the assistance unit, so that it is received on or before the date of the proposed action:

- There is factual information that a refugee has died and s/he is the only member of the Assistance Unit;
- A refugee has signed a statement that s/he no longer wishes assistance;
- The refugee has been institutionalized;
- The refugee has been determined eligible for TAFDC or SSI;
- The Case Management Agency has no knowledge of a refugee's whereabouts, and mail directed to the refugee has been returned by the Postal Service stamped "no forwarding address;" or
- A special allowance granted for a specific period is terminated, and the refugee was notified in writing upon initiation of the special allowance that it would be terminated automatically at the end of the specified period.

### 3. Notification of the Right to Request a Hearing (121 CMR 2.665-2.670)

You must provide the client with the *Notice of Request for a Fair Hearing (ORI/MRRP Notice No. 6)* whenever:

- you assist the client in applying for MRRP benefits/services;
- you take any action that affects the client’s cash assistance and/or other benefits; and/or
- the client indicates that s/he disagrees with an action taken by the Case Management agency.

This notice informs the client not only of his/her right to request a hearing and how to do so, but also of his/her right to have an authorized representative at the hearing.

You should assist the client in completing the *Request for a Fair Hearing* form (*ORI/MRRP Notice No. 6*), as needed. You should also provide information to the client on any free or low cost legal services that may be available.

#### Time Limits for Requesting a Hearing

You should also ensure that the client is aware of and understands the time limits for requesting a hearing, outlined as follows:

##### Reason for Request:

- Notice of action by Case Management agency
- Case Management agency failed to act on an Application
- Case Management agency failed to act on a request for service
- Case Management agency failed to send official written notice of an action

##### Time Limit:

- 45 days from date of official written notice
- 60 days from Date of Application
- 60 days from date of request for service
- 60 days from date of Case Management agency action

## E. Continuation of Benefits Pending Appeal

(121 CMR 2.675)

In many instances, if a refugee requests a hearing within the ten-day timely notice period, RCA will not be reduced or terminated until a decision is made after a hearing. For exceptions to this rule, see *121 CMR 2.675: Continuation of Benefits Pending Appeal*.

If a decision to reduce or terminate RCA is upheld following a hearing, ORI may recoup any RCA paid to the refugee while the appeal was pending.

## V. Summary of Action Steps

### A. Case Manager

- Determines initial and continuing eligibility for benefits and grant amount.
- Authorizes cash assistance benefit payments.
- Notifies client of approval or denial of benefits.
- Authorizes modifications to benefit payment amounts as a result of changes in family circumstances or sanctions imposed on a member or members of the Assistance Unit.
- Authorizes payment of Early Employment Incentives (EEI).
- Authorizes child care and transportation expense reimbursements.
- Authorizes case closings and re-openings.
- Corrects overpayments and underpayments.
- Reviews cases nearing end of time eligibility for RCA and RMA.
- Notifies participant(s) before taking action to deny, reduce, suspend or terminate assistance, or to correct an underpayment or overpayment.
- Provides participant(s) with the *Notice of Request for a Fair Hearing*, as required, and assists participant(s) to complete and submit (within prescribed time limits) the *Request for a Fair Hearing Form*, as needed. Also provides information to participant(s) on free or low cost legal services, as needed.
- Administers conciliation and sanctioning, if and when necessary.

## **B. Case Management Supervisor**

- Approves authorizations submitted by Case Managers.
- Batches all authorizations completed by Case Managers during the prior two-week period, completes an *RCA Authorization Summary Report*, and faxes entire package to ORI at least five (5) working days prior to the 1<sup>st</sup> or the 15<sup>th</sup> of the month.
- Seeks ORI's immediate approval and processing of authorizations for emergency payments and replacement checks.

## **C. Refugee Family**

- Cooperates in the process to determine initial and continuing eligibility for benefits.
- Notifies Case Manager within five (5) working days whenever there is a change in family circumstances.
- Reports lost or stolen checks. Requests a replacement check.
- Repays any overpayment of benefits.
- Completes and submits *Request for a Fair Hearing Form* within prescribed time limits (with Case Manager's assistance, as needed), if and when requesting a Fair Hearing.

# FINDING of NONCOMPLIANCE, CONCILIATION and SANCTIONING

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## I. What Is It?

**Finding of Noncompliance** is the formal recognition (by you and your Case Management Supervisor) that a participant is not meeting the terms of participation in the MRRP, as outlined in the *MRRP Application, Client Rights and Responsibilities, Program Participation Requirements and Procedures* and the participant's *Family Employment Plan*. In order to maintain access to MRRP benefits and services, the participant must successfully complete a formal conciliation process.

**Conciliation** is the process you and your Case Management Supervisor will follow after a participant in MRRP Pre-Employment Services is found to be noncompliant with the participation requirements of the program, including the specific terms of the Family Employment Plan. Its purpose is to give the participant(s) an opportunity to come into compliance and thereby retain eligibility for MRRP benefits and services, which assist in the achievement of self-sufficiency.

**Sanctioning** is the process you will follow to terminate MRRP benefits and/or services after a participant has failed to come into compliance and/or remain in compliance with the terms of the MRRP, following a conciliation period.

## II. When Is It Done?

(121 CMR 2.660, 2.805-2.810)

A formal **finding of noncompliance** must be issued within two (2) working days after the participant has been reported to be noncompliant (either by you, as Case Manager, or by the participant's RES provider).

The **conciliation** process must start within two (2) working days after a participant's Case Manager or RES provider has determined that s/he is noncompliant with program participation requirements, or has refused a reasonable job offer without good cause. A **finding of noncompliance** must then be made by a participant's case management agency and communicated to the participant via a *Notice of Conciliation* mailed out within one (1) working day after the Case Manager or Refugee Employment Services provider has reported an instance of noncompliance. The **entire conciliation process** must last no longer than ten (10) working days following the date of the *Notice of Conciliation* mailed to the participant.

The process of **sanctioning** begins immediately following the completion of an unsuccessful conciliation period with the mailing of a timely notice to terminate MRRP benefits and/or services. Consistent with the requirement of timely notice, the termination of services and/or benefits may not actually occur until at least ten (10) days after the notice is mailed or given to the participant.

### III. Who Does It?

You, the Case Manager, are responsible for making a finding of noncompliance, with the approval of your Case Management Supervisor. You are also responsible for arranging and facilitating the conciliation process with the participant, and administering sanctions, if needed.

### IV. How Is It Done?

#### A. Overview

When an MRRP participant violates the terms of his/her Family Employment Plan, voluntarily terminates employment or refuses an appropriate offer of employment, s/he sets into motion a series of actions which may result in:

- the participant's return to compliance and continued access to MRRP benefits and services;

*or*

- sanctions to the participant, and a subsequent loss of benefits and/or services.

These actions, related to the finding of noncompliance, the conciliation process and its outcome, and the implementation of sanctions, are summarized in the *Conciliation Flowchart* on the next page, and detailed in sections B-F that follow.



## **B. Finding of Noncompliance**

(121 CMR 2.730-2.800)

### **What Constitutes Noncompliance?**

A member of an Assistance Unit who is not exempt from participation is non-compliant if:

- s/he, as a primary or secondary participant, is not meeting the terms of his/her participation in the MRRP, as outlined in the Family Employment Plan;

or

- s/he, as a primary participant, has terminated employment or refused an appropriate offer of employment without good cause.

Any unemployed client who is enrolled in pre-employment level services is subject to the participation requirements of the program and is therefore considered to be non-compliant if s/he fails to meet those participation requirements or refuses an appropriate offer of employment without good cause. (This includes participants who are no longer time eligible for RCA.)

### **What Constitutes Good Cause for Noncompliance?**

In some instances, a participant may have good cause for failure to cooperate, failure to participate, or failure to maintain or accept employment or Employment Services. Good cause exists under any of the following conditions:

- The training agency or employer discriminates on the basis of age, sex, race, sexual orientation, religion, ethnic origin, or physical or mental handicap, or has sexually harassed an employee. The participant must verify discrimination by submitting his or her own dated and signed statement. When appropriate, the Case Management agency may make third-party contacts for further verification.
- The wage offered by an employer is below the federal or state minimum wage laws. The participant must verify the employer's failure to pay the minimum wage by submitting his or her own dated and signed statement. When appropriate, the Case Management agency may make third-party contacts for further verification.
- The task(s) required of the participant on a regular basis are detrimental to, or exceed, the participant's physical or mental health capacity. The participant must submit a dated and signed statement by a competent medical authority to verify the physical or mental condition.
- Transportation to and from the training or employment site cannot be reasonably arranged. The participant must verify the inaccessibility of the site by submitting his or her own dated and signed statement. If the participant does not

have access to private transportation, the Case Management agency should make an independent verification by contacting an appropriate transportation official, or by looking at public transportation schedules.

- The training or work site violates established health and safety standards. The participant must submit a written statement from the appropriate local, state or federal enforcement agency or board, if available, to verify the unhealthy or unsafe conditions. If such a statement is unavailable, the participant may verify the condition with his or her own dated and signed statement. When appropriate, the Case Management agency may make third-party contacts for further verification.
- The job offered requires that the participant work more than eight (8) hours per day, or 40 hours per week. The participant must verify the work hours by submitting his or her own dated and signed statement. When appropriate, the Case Management agency may make third-party contacts for further verification.
- The position offered is vacant due to a strike, lock-out or other *bona fide* labor dispute. The Case Management agency must require evidence of a strike, lock-out or other labor dispute by a written statement from either the labor or management collective bargaining representative. If unable to obtain such a statement, the Case Management agency must require a written, dated and signed statement from the participant. When appropriate, the Case Management agency may make third-party contacts for further verification.
- The position offered does not have Workers' Compensation Insurance. The participant must verify the lack of Workers' Compensation Insurance by submitting his or her own dated and signed statement. When appropriate, the Case Management agency may make third-party contacts for further verification.
- Appropriate child care is needed and not available. The participant must verify the need for and lack of appropriate child care by submitting his or her own dated and signed statement. When appropriate, the Case Management agency may make third-party contacts and personal observations for further verification.
- Actions or omissions made by an employer, or conditions in the workplace which make it unreasonably difficult for the participant to accept or maintain employment. When appropriate, the Case Management Agency may make third-party contacts and personal observations for further verification.
- A job that was promised as a full-time position proves instead to be an on-call or variable part-time position.

## Reporting of Noncompliance

When a Refugee Employment Services provider determines that an actively enrolled client (primary or secondary participant) is noncompliant, the RES provider must, within two (2) working days, fill out and send to you, the client's Case Manager, a *Transmittal Form for Noncompliance (ORI/MRRP Form No. 20)*, outlining the date(s) and cause(s) of noncompliance.

In most cases, it will be the RES provider who reports an instance of noncompliance to you, the client's Case Manager. However, there may be some instances in which you may need to initiate a report of noncompliance yourself. A client's refusal to respond to your request to do a re-determination of eligibility is an example of one such instance.

## Responding to a Report of Noncompliance from an RES Provider

You (with the input of your Case Management Supervisor) must respond to a report of noncompliance from an RES provider by taking the following steps:

- Step 1:** As soon as you have received a *Transmittal Form for Noncompliance (ORI/MRRP Form No. 20)*, you must notify your Case Management Supervisor of the client's noncompliance, and contact the client to obtain an explanation. You may then wish to contact the RES provider to further discuss the situation.
- Step 2:** You must then meet with your Case Management Supervisor to review all information provided by both RES provider and client, including the terms of the Family Employment Plan, and determine whether the participant had good cause, or whether service provider error may have caused the report of noncompliance.
- Step 3:** Your Case Management Supervisor must either approve the finding of noncompliance, or deny it, within two (2) working days after you have received the *Transmittal Form for Noncompliance (ORI/MRRP Form No. 20)*. In either case, you must fax the *Transmittal Form* back to the RES provider with the outcome of the finding.
- Step 4:** You will place the original *Transmittal Form for Noncompliance* in the client's case file.

## When You as Case Manager Have Initiated a Report of Noncompliance

As soon as you have completed a *Transmittal Form for Noncompliance*, you must immediately notify your Case Management Supervisor of the client's noncompliance, attempt to contact the client and his/her RES provider, as appropriate, and follow the procedure outlined above in Steps 1-4.

## Finding of Noncompliance

A report of noncompliance (generated either by you or an RES provider) becomes a formal *finding of noncompliance* only after your Case Management Supervisor approves it (as reflected on the *Transmittal Form for Noncompliance, B. Finding*). The issuance of a formal finding of noncompliance (via the signed *Transmittal Form for Noncompliance*) triggers the conciliation process.

### C. The Conciliation Process

(121 CMR 2.805)

Once a finding of noncompliance is approved by the Case Management Supervisor, you and your Supervisor (as appropriate) must initiate and carry out a formal conciliation process by taking the following steps:

- Step 1:** You must immediately (within one working day) initiate a formal conciliation process by sending a written *Notice of Conciliation (ORI/MRRP Notice No. 9)* to, and scheduling a Conciliation Conference with, the participant. It must include an explanation of the reason(s) for the finding of noncompliance, a description of the conciliation process, an appointment date for the Conciliation Conference, the consequences of failure or refusal to cooperate, the right to have a representative present, the right to have supervisory staff present, the timelines for action, the consequences of continued noncompliance, and participant's right to appeal an adverse finding.
- Step 2:** You and your Case Management Supervisor must conduct a Conciliation Conference with the participant. The goal of the Conciliation Conference should always be to resolve the situation so that the Case Management agency will not have to take any further action. During the Conference, you should carefully explain to the participant the grounds for the finding noncompliance, the steps the participant must take to come back into compliance and the penalties for failing to take those steps. The participant should be given every opportunity to clarify his or her actions or inactions, including the opportunity to establish good cause even if it was previously rejected.
- Step 3:** If the participant succeeds in establishing good cause, you must withdraw the finding of noncompliance, inform the participant verbally and in writing, update the *Transmittal Form for Noncompliance*, fax it to the RES provider and place the original in the participant's case file.

*or*

If the finding of noncompliance is not withdrawn and the participant agrees to come back into compliance, s/he must sign a *Conciliation Agreement (ORI/MRRP Notice No. 11a, b or c)*, which reflects the client's agreement to participate in RES as required in the FEP and/or to accept the next reasonable job offer. *The Conciliation Agreement* must clearly state the penalty for further noncompliance. You and the Case Management Supervisor must also sign the Agreement.

**Step 4:** Give the participant a copy of the *Conciliation Agreement*, place the original in the participant's case file and forward a copy to the RES provider.

The conciliation process, including the Conciliation Conference, must be concluded within ten (10) calendar days from the date on which the *Notice of Conciliation* was given or mailed to the participant.

Note: *A formal conciliation process must be initiated and carried out following each formal finding of noncompliance (as approved by the Case Management Supervisor on the Transmittal Form for Noncompliance), no matter what the reason for the noncompliance.*

#### **How Can a Participant Come Back into Compliance? (121 CMR 2.800)**

A participant may come back into compliance by following the procedures outlined below.

**When the noncompliance is for failure to meet the requirements of the Family Employment Plan:** The Assistance Unit or member must meet the requirements of the FEP or agree to a revised plan, and otherwise cooperate with the terms of participation in the MRRP.

**When the noncompliance is for terminating employment or refusing an appropriate offer of employment:**

- **First incident of noncompliance for this reason:** The participant must return to, or accept the job if it is still available. If the job is unavailable, the participant must agree to accept the next available appropriate offer of employment, and agree to changes in the Family Employment Plan.
- **Second incident of noncompliance for this reason:** The only way the participant can come back into compliance is to return to, or accept the job, if it is still available.

## **D. After Conciliation**

### **Probationary Period**

Clients who successfully complete the conciliation process (i.e., participate in a Conciliation Conference and sign a Conciliation Agreement) are considered to be in a probationary status until the point at which they leave the program in good standing, via employment (or otherwise).

#### **What Happens if a Participant Goes out of Compliance during the Probationary Period?**

If a participant, *for any reason*, violates the terms of the Conciliation Agreement and is unable to show good cause, s/he is considered again to be noncompliant. Because the participant is in a probationary status (under the original finding of noncompliance), it is not necessary to complete a second *Transmittal Form for Noncompliance*. Instead, you (or the RES provider, as appropriate) must document the participant's return to noncompliance on the original *Transmittal Form for Noncompliance (Part C., Probationary Status)* and immediately fax a copy of the updated form to the other party (Case Manager or RES provider).

In such an instance, the conciliation is considered unsuccessful and the client is subject to immediate sanctions, as described below in Section E., *Sanctioning*.

### **Outcome of the Conciliation Process**

Every formal finding of noncompliance and subsequent conciliation process must conclude with an outcome – either successful or unsuccessful – which is recorded on both the *Transmittal Form for Noncompliance* and the *Conciliation Agreement*, following a client's termination from the program.

A second finding of noncompliance may be issued for the same client only after the first finding of noncompliance and its subsequent conciliation process has culminated in a final outcome (i.e., successful or unsuccessful/sanctioned and terminated).

#### **Successful Conciliation**

*(121 CMR 2.805)*

The conciliation will be considered successful if:

- after conciliation, the Case Management Agency withdraws the finding of noncompliance, based on additional or corrected information provided by the participant during the conciliation process;

*or*

- during conciliation, the participant agrees to the steps required to correct the noncompliance (as outlined in the Conciliation Agreement) and to revisions in the Family Employment Plan that reflect those steps, *and remains* in compliance until s/he positively terminates from the program.

### **Unsuccessful Conciliation**

The conciliation will be considered unsuccessful if:

- the participant failed to attend a Conciliation Conference and/or sign a Conciliation Agreement during the conciliation period; or
- the Case Management Agency finds the participant has violated the terms of the Conciliation Agreement after the conciliation period has ended.

Following an unsuccessful conciliation, you must take immediate steps to sanction the participant.

## **E. Sanctioning**

*(121 CMR 2.810)*

### **1. Sanctions**

#### **After First Unsuccessful Conciliation (for any reason):**

- For nonexempt primary participants: the participant's portion of Refugee Cash Assistance (RCA), as well as access to other MRRP services and benefits (other than Refugee Medical Assistance) will be terminated for a period of no less than six (6) months. After that, if still time eligible, the participant may re-apply for services.
- For secondary participants: access to all MRRP services, other than RCA and RMA, will be terminated for a period of no less than six (6) months. After that, if still time eligible, the participant may re-apply for services.

#### **After Second Unsuccessful Conciliation (for any reason):**

- For all participants: If services are re-instated and there is a second finding of noncompliance, the participant will be barred from services (and Recertification/ Certification benefits) for a period of two (2) years. After that, the participant may again re-apply for services if still time eligible.

### **After Third Unsuccessful Conciliation (for any reason):**

- For all participants: If services are re-instated for a second time and there is a third finding of noncompliance, the participant will be denied services permanently.

## **2. Implementing Sanctions**

Following an unsuccessful conciliation, you must take immediate steps to sanction the participant, as follows:

- Step 1:** Before taking any action to terminate benefits and/or services, attempt to contact the participant by phone to determine whether s/he has good cause<sup>14</sup> for the continued noncompliance. In the absence of good cause, continue with steps 2-4.
- Step 2:** Mail a timely *Notice of Reduction/Termination of Benefits and/or Services (Noncompliance)*.
- Step 3:** Inform the RES provider that the conciliation process was not successful by sending an updated copy of the *Conciliation Agreement*, reflecting an unsuccessful outcome.
- Step 4:** Close or reduce<sup>15</sup> the RCA case, if applicable, ten (10) calendar days after mailing the *Notice of Reduction/Termination of Benefits and/or Services (Noncompliance)*, following the steps outlined on page 76 of this Manual.

## **F. Common Scenarios for Conciliation and Sanctioning**

Within the guidelines for conciliation and sanctioning previously outlined in sections A-E, following are some common scenarios.

### **Successful Conciliation:**

#### **Scenario 1: Conciliation process completed; no sanctions implemented.**

Participant is found to be noncompliant.



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<sup>14</sup> "Good cause" is defined on pages 95-97 of this Manual.

<sup>15</sup> In an Assistance Unit of more than one, the sanction will terminate only the noncompliant member's portion of RCA. The other member(s) of the Assistance Unit will continue to receive benefits/services, provided they remain in compliance.

Participant signs Conciliation Agreement, agrees to return to class or take the next appropriate job offer.



Participant remains in compliance and gets a job.

**Scenario 2: Good cause established at Conciliation Conference; no sanctions implemented.**

Participant is found to be noncompliant.



Participant establishes good cause at Conciliation Conference.



Case Manager withdraws finding of noncompliance; informs RES provider.



Participant returns to services (unless participant's good cause constitutes an exemption from participation, e.g., a medical exemption).

**Scenario 3: Conciliation process completed; terms of Conciliation Agreement violated; good cause established; no sanctions implemented.**

Participant is found to be noncompliant for refusing a job offer without good cause.



Participant signs Conciliation Agreement, agrees to take the next appropriate job offer.



Participant takes a job, then quits two (2) days later, with good cause.



Participant establishes good cause when Case Manager calls before taking steps to implement sanctions (e.g., "full-time" position proves to be on-call with few and varied work hours)



Participant remains in probationary status until s/he takes a job.

**Unsuccessful Conciliation (first time):**

**Scenario 1: Conciliation process not successfully completed; sanctions implemented.**

Participant is found to be noncompliant.



Participant refuses to cooperate in conciliation process and/or sign a Conciliation Agreement.

↓  
*Notice of Reduction/Termination of Benefits and/or Services (Noncompliance)* mailed to participant.  
↓  
Participant loses access to benefits and services for at least six (6) months from date of Notice.  
↓  
After six months, participant re-applies for MRRP/WFAP benefits/services and returns to services.

**Scenario 2: Conciliation process completed; terms of Conciliation Agreement violated; sanctions implemented.**

Participant is found to be noncompliant.  
↓  
Participant signs Conciliation Agreement, agrees to return to class or take the next appropriate job offer.  
↓  
Participant takes a job, then quits two (2) days later without good cause.  
↓  
*Notice of Reduction/Termination of Benefits and/or Services (Noncompliance)* mailed to participant.  
↓  
Participant loses access to benefits and services for at least six (6) months from date of Notice.  
↓  
After six months, participant re-applies for MRRP/WFAP benefits/services and returns to services.

**Unsuccessful Conciliation (second time):**

**Scenario 1: Conciliation process not successfully completed by participant previously sanctioned once; sanctions implemented a second time.**

After returning to services following a sanctioning, participant is found to be noncompliant a second time.  
↓  
Participant refuses to cooperate in conciliation process and/or sign a Conciliation Agreement.  
↓  
*Notice of Reduction/Termination of Benefits and/or Services (Noncompliance)* mailed to participant.



Participant loses access to services (and Recertification/Certification benefits) for at least two (2) years from the Date of Notice.



After two (2) years, participant re-applies for MRRP/WFAP benefits/ services and returns to services.

**Scenario 2: Conciliation process completed by participant previously sanctioned once; terms of second Conciliation Agreement violated; sanctions implemented.**

After returning to services following a sanctioning, participant is found to be noncompliant a second time.



Participant signs Conciliation Agreement, agrees to return to class and participate as required.



Participant fails to return to class without good cause.



*Notice of Reduction/Termination of Benefits and/or Services (Noncompliance)* mailed to participant.



Participant loses access to services (and Recertification/Certification benefits) for at least two (2) years from the Date of Notice.



After two (2) years, participant re-applies for MRRP/WFAP benefits/ services and returns to services.

**Unsuccessful Conciliation (third time):**

**Scenario 1: Conciliation process not successfully completed by participant previously sanctioned twice; sanctions implemented a third (and final) time.**

After returning to services following a second sanctioning, participant is found to be noncompliant a third time.



Participant refuses to cooperate in conciliation process and/or sign a Conciliation Agreement.



*Notice of Reduction/Termination of Benefits and/or Services (Noncompliance)* mailed to participant.



Participant permanently loses access to all services (and Recertification/Certification benefits).

**Scenario 2: Conciliation process completed by participant previously sanctioned twice; terms of second Conciliation Agreement violated; sanctions implemented.**

After returning to services following a second sanctioning, participant is found to be noncompliant a third time.



Participant signs Conciliation Agreement, agrees to take the next appropriate job offer.



Participant refuses a job offer without good cause.



*Notice of Reduction/Termination of Benefits and/or Services (Noncompliance)* mailed to participant.



Participant permanently loses access to all MRRP benefits and services.

## V. Summary of Action Steps

### A. RES Provider

- Completes and submits to the Case Manager a *Transmittal Form for Noncompliance (ORI/MRRP Form No. 20)* after an incident.
- Terminates participant from RES after notification by the Case Manager that the conciliation process was not successful.

### B. Case Manager

- Makes a decision that a participant is in noncompliance and starts the conciliation process, *or* responds to a report of noncompliance by calling the RES provider and participant to discuss the matter.
- Reviews the report of noncompliance and any additional information gathered during phone calls to the RES provider and participant(s) with the Case Management Supervisor.

- Determines either a finding of good cause on the part of the participant(s) or a finding of noncompliance, with the Case Management Supervisor's concurrence.
- In the event of a finding of good cause, informs the participant(s) verbally and in writing, and informs the RES provider via the updated *Transmittal Form for Noncompliance*.
- In the event of a finding of noncompliance, mails a *Notice of Conciliation (ORI/ MRRP Notice No. 9)* to participant(s) and schedules a Conciliation Conference. Informs the RES provider via the *Transmittal Form for Noncompliance*.
- Meets with participant(s) and Case Management Supervisor at Conciliation Conference.
- Signs Conciliation Agreement with participant(s) and Case Management Supervisor. Forwards a copy of the Agreement to the RES provider.
- Following a successful conciliation during which the participant demonstrated good cause, withdraws finding of noncompliance;

*or*

following execution of a Conciliation Agreement, agrees to FEP revisions which will correct the noncompliance. Forwards a copy of the updated FEP to, and follows up with, the RES provider on participant's compliance with the revised FEP.

- Following an unsuccessful conciliation, issues a timely notice informing participant(s) of the termination of MRRP services and/or benefits, as appropriate to the situation.
- Informs the RES provider by sending an updated copy of the Conciliation Agreement, reflecting an unsuccessful outcome.
- Closes RCA case, if applicable; closes RCM case for specified period.

### **C. Case Management Supervisor**

- Reviews *Transmittal Form for Noncompliance* and any other information gathered by the Case Manager about an incident.
- With Case Manager, approves a finding of good cause for the participant(s), or a finding of noncompliance.
- Attends Conciliation Conference with Case Manager and participant(s).
- Signs *Conciliation Agreement* with Case Manager and participant(s).
- Approves Case Manager's decision to withdraw a finding of noncompliance, to approve a plan to correct noncompliance, or to issue a finding that the conciliation was unsuccessful.

### **D. Refugee Family**

- Meets with Case Manager and Case Management Supervisor for conciliation.
- Follows steps outlined by Case Manager at the Conciliation Conference and in the *Notice of Conciliation (ORI/MRRP Notice No. 9)* to come back into compliance.
- Signs *Conciliation Agreement* with Case Manager and Case Management Supervisor.
- Complies with program participation requirements..