
STATE REFUGEE OFFICE MANUAL
REFUGEE CASH ASSISTANCE PROGRAM

CHAPTER III – REFUGEE CASH ASSISTANCE PROGRAM

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I. INTRODUCTION

Refugees who resettle in the United States rarely have access to personal resources in their homeland or a source of income in this country when they first arrive. To sustain themselves until they become self-sufficient, refugees may apply for financial assistance at the local Department of Social Services (DSS).

The North Carolina **Refugee Cash Assistance (RCA) Program** was established to provide income to refugees who do not meet qualifications for Work First Cash Assistance (WFCA), Supplemental Security Income (SSI) or Matching Grant (MG). RCA is a short-term transitional program available for the first twelve months from their arrival date or the date the eligible is granted in the United States. RCA is for eligible people who do not have dependent minor children. In determining eligibility for RCA, the county DSS must comply with the policies and procedures described in this chapter of the NC Refugee Assistance Manual.

Matching Grant (MG) is a separate federal program designed to help refugees attain economic self-sufficiency within eight months (240 days) after date of arrival in the United States, without accessing public cash assistance. Participating NC refugee resettlement agencies agree to match the Office of Refugee Resettlement (ORR) grant with cash and in-kind contributions for refugees who qualify. If individuals, couples and/or families with refugee status receive Matching Grant then the individual, couple and/or family member will not be eligible for any another public cash assistance benefit such as Refugee Cash, Work First Cash Assistance, or Supplemental Security Income (SSI) while receiving MG. This is referred to as dual enrollment of a public assistance benefit, which is not acceptable.

Refugee families with dependent minor children must apply for, and if eligible, participate in the state Temporary Assistance for Needy Families (TANF) program, known in North Carolina as Work First. See Work First Manual to determine eligibility for WFCA.

Refugees sixty-five (65) years of age or older, or refugees who are blind or disabled, would meet criteria for the SSI. DSS is responsible for referring eligible individuals to the Social Security Administration for SSI benefits. See Eligibility Guidelines for exceptions.

NOTE: Throughout this Chapter, the term “refugee” will refer to all populations/groups listed below, who are ORR-eligible with a qualified status, exempt from the 5-year ban time frames and potentially eligible for RCA. See Chapter I., Section III. for detailed definitions and acceptable documentations

- Refugees
- Asylees
- Cuban and Haitian Entrants
- Certain Amerasians (from Vietnam)
- Victims of Human Trafficking
- Special Immigrant Visa (SIV) Holders from Iraq and Afghanistan.

NOTE: SIV holders and potentially transition to Lawful Permanent Residents (LPR) status within the first ninety (90) days, after date of entry into the United States.

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- Afghan Special Immigrant Parole (SI/SQ)
- Afghan individuals with Special Immigrant (SI) Conditional Permanent Residence (CPR)
- Afghan Humanitarian Parolees (AHP)
- Ukrainian Humanitarian Parolees (UHP)
- Non-Ukrainian Individuals displaced from Ukraine

NOTE: References will be made to the NC Work First Manual whenever the WFCA and RCA programs have policies and procedures in common. Exceptions or special rules for RCA will be noted.

II. ELIGIBILITY GUIDELINES

Refugees can apply for the same benefits and service programs that are available to U.S. citizens. At the time of application or during a change in situation, a refugee may only access RCA if found categorically NOT eligible for WFCA. A refugee family, and/or a refugee single parent with dependent minor children are categorically eligible for WFCA and would NOT be eligible for RCA.

The refugee individual must meet the eligibility criteria below to receive RCA assistance. After the case manager has determined that a refugee household is not eligible for WFCA, SSI, Aid to the Aged, Blind and Disabled (AABD), and MG programs, then the case manager is ready to determine eligibility for RCA.

A. ORR-Eligible Immigration Status Verification

Individuals must have the proper immigration documentation reflecting refugee status. These ORR-eligible qualified groups, potentially eligible for RCA are Refugees, Asylees, Cuban and Haitian Entrants, Certain Amerasians (from Vietnam), Victims of Human Trafficking, Special Immigrant Visa (SIV) Holders from Iraq and Afghanistan, Afghan Special Immigrant Parole (SI/SQ), Afghan individuals with Special Immigrant (SI) Conditional Permanent Residence (CPR), Afghan Humanitarian Parolees (AHP), Ukrainian Humanitarian Parolees (UHP) and Non-Ukrainian Individuals displaced from Ukraine. See Chapter I. Section III. for detailed definitions and acceptable documentations.

B. Eligibility Timeframe of Coverage

An individual can apply for RCA at the local DSS where the applicant resides within the first twelve (12) months of arrival or becoming eligible.

1. Definition(s)

- **Date of Entry** also known as Date of Arrival on the IEG. Date a non-citizen arrived in the US, usually notated on the USCIS document. For Asylees use the date asylum was granted for the actual date of entry.
- **Date of Eligibility** also known as Date Alien Status Granted, on Alien Evidence Tab of the NC FAST, Date ORR-Eligible population benefits or services start.

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EXAMPLE: Afghan Humanitarian Parolee passport stamp or I-94 is 9/15/2021 but the date an Afghan parolee departs an Operation Allies Refuge/Operation Allies Welcome (OAR/OAW) Safe Haven Military base in Fort Wayne, TX and arrives in Raleigh, NC to the community on 12/1/2021.

NOTE: In NC FAST on the Income Support Application, Alien Evidence the “Date Alien Status Granted” **must** be completed. This date may be different for Afghanistan, excluding SIV’s Holders, Asylees, Victims of Trafficking, Cuban, Haitian and Ukrainian populations. If the date is the same as the date of entry, enter the date twice both in the Date of Entry and Date Alien Status Granted fields.

2. RCA Eligible Period of Coverage

- a. **Refugee Status:** Benefits are eligible up to twelve (12) months refugee’s (Refugee, Cuban/Haitian Entrants/ Amerasians) date of arrival (date of entry) in the United States on or after October 1, 2021.
- b. **Asylum Status:** Benefits are available for up to twelve (12) months from Asylee seekers from the date asylum are granted in the United States on or after October 1, 2021.
- c. **Victims of Trafficking Status:** Benefits are available for up to twelve (12) months once certification agency provides Victims of Trafficking with the necessary documentation to be eligible to receive benefits and services on or after October 1, 2021.

NOTE: Eligibility determine prior to October 1, 2021, are eligible for 8-months.

	Afghanistan Populations excluding SIV’s Holders		Ukrainian Populations
Authorization	Afghanistan Supplemental Appropriation (ASA) Act, 2022 effective September 31, 2021		Ukraine Supplemental Appropriations Act, 2023 (AUSAA) effective May 21, 2022
Date of Entry	Afghan humanitarian parolees paroled into the U.S. on or after July 31, 2021, through September 30, 2023, or the date you received humanitarian parole, whichever is later,		Ukrainian humanitarian parolees paroled into the U.S. on or after February 24, 2022, through September 30, 2023.
Date of Eligibility	Beginning on October 1, 2021, or the date the parolee “entered the community” whichever is later.		Beginning on May 21, 2022, or the date you received humanitarian parole, whichever is later,
Eligibility Period (in months)	8	July 31, 2021, through September 30, 2021	All 12-month eligibility
	12	On or after October 1, 2021	

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C. Household Composition

The local DSS must evaluate each member of the household and determine applicant is ineligible to meet the eligibility requirements for WFCA, SSI, and MG programs. Determination of benefit amounts will be based on household size.

IF	THEN
Single individual (18 – 64)	Eligible for RCA
Single individual (65 plus)	Eligible for RCA until SSI benefits are approved
Married couple without minor children	Eligible for RCA
Single individual with minor/child/children	Ineligible for RCA
Married couple with minor child/children	Ineligible for RCA

1. Refugee Individual

A single refugee individual household must consist of one adult, with no minor children 18 years of age or older.

2. Refugee Couple

A refugee couple household must consist of a married couple (ages 18 through 65) with no minor children. Couples with no minor dependent children.

3. Refugee Family

A refugee family household with minor children, must first apply for, and if eligible, participate in the state WFCA program. See Work First Manual to determine eligibility.

4. Refugee 65 Years of Age or Older

A refugee 65 years of age or older, or a refugee who is blind or disabled, may meet the criteria for SSI. The state authorizes receipt of RCA until the refugee begins receiving SSI or until the 12-month RCA eligibility period expires, whichever comes first. A refugee applicant **may not** choose to receive RCA in lieu of SSI.

D. Institution of Higher Education

Refugees who are full-time students in an institution of higher education are not eligible for RCA.

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E. Residency Status

Proof of residency is not a condition of eligibility; accept applicant's statement of intent to reside in a county in North Carolina. Do not request other verification such as post-marked mail, rental/utility records, etc., as newly arrived refugees are not likely to have these documents.

NOTE: An individual Eligible in Another State moves to North Carolina:

1. applicant was receiving RCA benefits in another state prior to moving to NC, the local social services is responsible for contacting the prior state.
2. Notify that State the applicant has moved to NC and requesting services in NC.
3. Request eligibility dates from the out of state agency and request benefits be terminated so eligibility can be determined in NC.

**F. DSS-6247 Notification of Refugee Arrival and Intent to Apply for Benefits
Notification from Refugee Resettlement Agencies**

All refugee applicants who resettle through a NC Refugee Resettlement Agency (Appendix A) must present a DSS-6247, Notification of Refugee Arrival and Intent to Apply for Benefits form when applying for all public benefits. **This is a required form.** If applicants with Refugee, Special Immigrant Visa Holders, and/or Afghanistan populations statuses, do not present form DSS-6247, at the time of application and they were resettled through an Refugee Resettlement Agency then case manager s should not move forward. The case manager must request for the Refugee Resettlement Agency to provide a completed DSS-6247 first, at the onset of the application in addition to all other immigration documentations.

NOTE: DSS-6247, Notification of Refugee Arrival and Intent to Apply for Benefits, **is NOT a required form** for all other populations e. g. Asylees granted Asylum, Victims of Trafficking, Cuban Haitian Entrants, and Ukrainian Humanitarian Parolees (UHP). These ORR-eligible populations are individuals who are in the U.S. before their status is granted and they often will not have an established relationship with a resettlement agency. This other group is responsible for providing their demographic information. The case manager must make an agency referral by referring the applicant with to one on of the approved NC Refugee Services Providers (Appendix B) in the county in which the applicant lives.

G. Income Requirements

Case manager must determine initial eligibility and change in situation by reviewing earned and unearned income.

1. Earned Income

- Count only income from earnings, savings in United States bank accounts, and other financial resources acquired while in the United States.
- Do not consider a sponsor's income to be accessible to a refugee.

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- Do not consider any cash grant received by the applicant under the Department of State or Department of Justice Reception and Placement Program (R&P).
- The 100% Job Bonus deduction is not available for RCA cases.

2. Unearned Income

- SSI – RCA benefits will terminate once a recipient begins receiving SSI benefits.
- Matching Grant (MG) – Active MG participants are not eligible to receive RCA. When MG benefits expire, a refugee may apply and receive for RCA for the remainder of the 12-month eligibility period.

Note: If receiving unearned income, e.g., SSI or Matching Grant, the RCA application must be denied, since federal law prohibits simultaneous participation in more than one federal cash program. The refugee may still be eligible for RMA. See Chapter II, Refugee Medical Assistance Program.

H. Voluntarily Quitting Employment

As a condition of eligibility for RCA, an employable applicant may not, without good cause, within thirty (30) consecutive calendar days immediately prior to application for assistance, have voluntarily quit employment or have refused to accept an offer of employment determined to be appropriate by the NC Refugee Service Providers (RSP) or a local DSS designee (if a RSP is not in the area where the applicant resides.)

If good cause is established, and the refugee is within the twelve (12) months, eligibility coverage, then the applicant may be potentially able to receive benefits, provided all other eligibility criteria has been reviewed, evaluated, and documented.

I. Resources Requirements

- Do not consider any resources remaining in the applicant's country of origin in determining eligibility,
- Do not consider a sponsor's resources to be accessible to a refugee, and
- Do not consider in-kind services and shelter provided to an applicant by a sponsor or local resettlement agency in determining eligibility for RCA.

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III. APPLICATION PROCEDURES

A. RCA Interview

After determining applicant's eligibility, proceed using these interview guidelines. The case manager must:

1. Apply cultural sensitivity in all communications.
2. Apply the NC Confidentiality Rules for public assistance to RCA program.
3. Applicant(s) can have any person(s) of their choice participate in the interview.
4. Applicant(s) does not have to be present for interview. However, the application must be signed by the applicant or authorized representative. Get signed DSS-6236 Informed Consent for Release of Information form.

NOTE: Telephonic Application Interviews: When an applicant contacts the local Social/Human Services agency, the case manager must conduct a telephone interview with the applicant and or the applicants authorized representative to complete the NC FAST (Integrated Evidence Gathering) IEG. Case manager s must document the telephonic signature in the income support case details. An applicant or authorized representative must speak directly with a case manager to complete a telephonic application. A voicemail message requesting assistance is not an application for cash assistance. Applicants must meet all eligibility requirements for Refugee Cash Assistance.

NOTE: Mail-In/Drop-Off Application Interviews: Refugee Cash Assistance Application (DSS-6241) can be mailed to individuals who choose to apply for RMA benefits. Within three (3) business days of receipt of the DSS-6241, the case manager must contact the applicant and/or the applicants authorized representative to complete the NC IEG. Applicants must meet all eligibility requirements for RMA benefits.

5. Information must be presented in a language the applicant understands and or interpretation services must be provided. Get signed DSS-10001 Language Services Agreement form.
6. Explain RCA in understandable terms, ensuring that applicants understand their rights and responsibilities. Get signed NC FAST 20009, Rights and Responsibilities.

When completing a Face to Face, telephonic or mail-in application the following forms MUST be uploaded into NC Fast within three business days from approval; Application Signature Page(In Person) NC Fast 20009, DSS 10001, DHB 9006, DSS 8227 and DSS 8108.

7. Offer the refugee an opportunity to apply for Food and Nutrition Services (FNS) benefits on the same day.

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B. RCA Application

1. Electronic (NC FAST)

To apply for RCA, the case manager may complete the North Carolina Families Accessing Services through Technology (NC FAST) IEG. The case manager must document either the telephonic signature (of applicant or authorized representative) or the wet signature and date of the RCA application in the income support case details.

2. DSS-6241, Refugee Cash Assistance (RCA) Application (Paper)

To apply for RCA, the Refugee may complete a paper RCA Application (DSS-6241). The case manager must document either the telephonic signature (of applicant or authorized representative) or the wet signature and date of the RCA application in the income support case details.

Note: Apply online for Cash Assistance can be done via e-Pass (electronic pass). RCA applications are NOT available via e-Pass.

C. RCA Application Processing Requirements

1. Submit the Required DSS-6247, Notification of Refugee Arrival and Intent to Apply for Benefits form for Refugee, Special Immigrant Visa (SIV) Holder and Afghanistan population applicants who resettle through a Refugee Resettlement Agency (Appendix A) must present a DSS-6247, Notification of Refugee Arrival and Intent to Apply for Benefits form when applying for RCA.

NOTE: DSS-6247, Notification of Refugee Arrival and Intent to Apply for Benefits, is **NOT a required form** for all other “refugee” populations e. g. Asylees granted Asylum, Victims of Trafficking, Cuban Haitian Entrants, and Ukrainian Humanitarian Parolees (UHP). These ORR-eligible populations are individuals who are in the U.S. before their status is granted and they often will not have an established relationship with a resettlement agency

2. ORR-Eligible, Qualified Status – RCA applicant must submit evidence of documentation issued by USCIS, which indicates eligibility status. Secondary verification is not required. A list of acceptable USCIS documentation most often presented by refugees is in Chapter I, Section II.

- a. Verify the documentation of immigration status.
- b. If status is verified by documents, the applicant has a qualified status, and the Case manager shall continue determining eligibility based on other requirements. **Do not use Systematic Alien Verification for Entitlements (SAVE) as a form of primary or secondary verification.**
- c. If unable to confirm status from documentation supplied by applicant, **Refer to ORR Fact Sheets (Appendices E – L)** as a secondary form of verification. ‘Refugees’ immigration status will always be verified and valid through appropriate documents. If applicants are unable to provide documentation, then they may not have adequate ‘Refugee’ immigration status.

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3. **Processing Time Standard – Applications must be processed within thirty (30) calendar days** unless there is applicant delay. The thirty (30) calendar days begin the day after the date of application and ends on the day the check or denial notice is mailed. The date of application is the date the applicant, authorized representative, or someone acting on applicant's behalf, signs the application.
4. **Requesting Information:** A DSS 8146A must be completed when it is determined information is needed for additional information/verification to determine eligibility. Provide the applicant with the DSS -8146A, Notice of Information Need To Determine Eligibility for Work First, Refugee Cash or Medical Assistance, requesting information/Verification needed to make an eligibility determination.

D. Not Required for RCA Application Processing

1. **Social Security Number** – Social Security Numbers (SSN) or proof of application for an SSN are not required for RCA applicants.
2. **Do not use Systematic Alien Verification for Entitlements (SAVE) as a form of primary or secondary verification.**

E. RCA Employment Referral Requirement

RCA recipients must be referred and participate in employability services within thirty (30) calendar days of receipt of approval RCA disposition. See Chapter III, Section V. Employment Services.

NOTE: Work First employment requirements, outcome plans or monthly participation requirements are not applicable to RCA applicants or recipients.

F. Special Considerations - Refugee Medical Assistance (RMA)

1. A refugee is not required to apply for or receive RCA as a condition of eligibility for RMA.
2. All recipients of RCA are NOT automatically eligible for RMA. Both programs are independent of each other.
3. Denial, reduction, or termination of RCA is to have no effect on a refugee's RMA. If an RCA case loses eligibility because of employment earnings or unearned income, the RMA determination remains for the remainder of the 12-month eligibility period. See Chapter II, Refugee Medical Assistance Program.

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IV. FINALIZE APPLICATION

A. Disposition of Application

Eligible applicants are entitled to receive RCA coverage for up to twelve (12) full months from the date of arrival in the United States. The eligibility period should:

1. **Determine Benefit Amount** – Benefit payment begins on the first day of the month in which the application is made. NC FAST should not prorate benefits. After approval of a case, confirm the benefits were not prorated. The RCA family size and monthly benefit amount are below:

RCA Payments Per Month	
Recipients	Payment
Individual	\$181.00
Couple	\$236.00

2. **Certification / Determination Dates** – Eligibility ends twelve months after the refugee's date of arrival or eligible status granted, on the last day of that month. In NC FAST the certification date and determination date are the same for RCA.
3. **Documentation** - Document case disposition of application in the client's case notes. Maintain and retain operational records in accordance with the standards established by the NC Department of Health and Human Services.

B. Notices

Once the determination of eligibility has been made, the applicant and Refugee Resettlement Agency (RRA), if applicable, both must be notified of the outcome.

1. A DSS-6243, Pro-Forma Notice of Approval, Denial/Withdraw and Changing, to RCA applicant regarding the disposition of the application will be system generated in NC FAST. The notice is system generated and will automatically generate after the disposition is complete. Case manager must also send copy of DSS-6243 notice to RRA if applicable.

NOTE: In the event this NC FAST system generated DSS-6243 form is disable, prints in error, prints incorrect disposition information and/or is not working the case manager MUST generate a DSS-8108, or DSS-8109 Notice of Benefits Approval/Denial, form to manually electronically complete (available on the forms website) and mailed to recipient in its place.

These forms are case manager initiated and must be complete with the disposition of the RMA application. Next, the case manager must upload the DSS-8108, DSS-8109 and DSS-8110 into the documents tab of NC FAST. The case manager must specify RCA option and cite the appropriate RCA policy reference. An approval notice must be sent to the RCA recipient and to the NC Refugee Resettlement Agency (representative).

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Follow instructions in DSS-8108, DSS-8109, DSS-8110 to establish the following:

- a. refugee has applied for assistance,
- b. the status and disposition of the application, and
- c. the reason if assistance has been refused, denied or terminated.

NOTE: If a refugee applies for other mainstream assistance programs and is determined ineligible, but eligible for RCA, one notice must reflect the mainstream disposition and one letter must reflect the approval disposition.

2. NC FAST 20009, Client Rights and Responsibilities Form must be signed by the applicant and/or the authorized representative.
3. Case manager **MUST** make an Employment Referral, by completing Part A of DSS-5022, Refugee Work Registration Certification, Employment/Refusal and Termination/Denial Notice must be sent to the NC Refugee Services Provider agency (see Appendix B) for eligible counties.

NOTE: If County is not listed in Appendix B. the local DSS is then responsible for providing Employment Services.

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V. EMPLOYMENT SERVICES

A. Employment Referral

1. **External Referral** – DSS case managers must refer newly approved RCA recipient to an external Refugee Services Provide (RSP) within 5 days. Case manager will reference Appendix B, of the State Refugee Office Program manual to find appropriate the county in which the Refugee lives. Once the NC RSP is identified the case manager must complete Part A of the DSS-5022 ‘Refugee Work Registration Certification, Employment/Refusal and Termination/Denial Notice.’ Employment referral is not complete until Part B of the DSS-5022 is signed and dated. Do not delay processing RCA benefits, an employment referral is done in conjunction with receiving RCA benefits. **Part B needs to be returned within 10 days. DSS needs to follow-up with RSP and recipient. If no response send 8110 proposing termination of benefits. .**

2. **Internal Referral** – DSS case managers must refer newly approved RCA recipient to an Internal DSS Employment Services Social Case managers. The local DSS is responsible for providing Employment Services when a NC Refugee Service Provider **agency is not serving that county**. Once the DSS Employment Service Case manager is identified, the DSS eligibility case manager must complete Part A of the DSS-5022 ‘Refugee Work Registration Certification, Employment/Refusal and Termination/Denial Notice.’ Employment referral is not complete until Part B of the DSS-5022 is signed and dated. Do not delay processing RCA benefits, an employment referral is done in compliance with RCA benefits.

B. RCA recipients (unless exempt to the work requirement for Refugee Cash Assistance) must complete the following within thirty (30) calendar days:

1. A complete employment referral (either internal or external) is a signed and dated DSS-5022 with both sections Part A and Part B completed and filed out in its entirety.

NOTE: Referral is not complete until case manager receives a completed, signed, and dated Part B of DSS-5022, Refugee Work Registration Certification, Employment/Refusal and Termination/Denial Notice back from the NC Refugee Services Provider agency.

NOTE: The county DSS must not delay issuance of RCA benefits prior to receipt of a completed referral. Allow 10 business days from the disposition of the RCA application. This information may be found on DSS-6247 Employment Service question.

2. Participate in Refugee Support Services that provides job or language training in the area where the refugee resides. Refer refugees using DSS-5022 (Part A), Refugee Work Registration Certification, Employment/Refusal and Termination/Denial Notice. Agencies provide services that include Job Readiness Training, English Language Training (ELT), Vocational Skills Training, and Social Adjustment. See Appendix B of State Refugee Office manual.
3. Enroll in Employment Services with an appropriate RSP or local DSS.
4. Attend a job interview arranged by the agency, if applicable.

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5. Accept employment offer, if appropriate.
6. Participate in required employment services. Participant's failure or refusal to accept employability services or employment are non-compliance with employment services, i.e., an Employability Plan, and may result in ineligibility or termination of RCA benefits. If RCA recipient is also receiving RMA benefits, RMA will continue.
7. Refugee Services Provider, Employment Specialist must report this failure to comply with employment services to the local county DSS by completing DSS-5022 Part C and submit to the local DSS within 10 calendar days of non-compliance date.

C. Exemptions to the work requirement for Refugee Cash Assistance include the following individuals/populations who are:

1. under the age of 18 and attending elementary, middle, or high school, vocational or technical school (not in an instruction of higher education) as a full-time student.
2. age 65 or older,
3. a caregiver or other relative who is caring for a child under two (2) years old,
4. ill or incapacitated and a determination on the basis of medical evidence or on another sound basis that the illness or injury is serious enough to temporarily prevent entry into employment or training,
5. required in the home to care for another member of the household who is ill or incapacitated, or

NOTE: A refugee's inability to communicate in English is not a reason for exemption.

D. Exemption Verification

1. Verify age by examining the individual's I-94 or other documentation.
2. Establish illness or incapacitation by:
 - a. documentation of the physical and/or mental illness or incapacity of the individual,
 - b. documentation of a psychological examination, if indicated, or
 - c. a medical report from a doctor or medical facility when the individual's condition is questionable.

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- 3. Non-Employable Cuban/Haitian Entrants or Parolees** Non-Employable Entrants are those Entrants who cannot apply for or be granted employment authorization These are Entrants who have been issued the Department of Homeland Security (DHS) Form I-862 (Notice to Appear, or NTA) or the DHS Form I-220a (Release on Own Recognizance) only, or any other documentation placing them into removal proceedings only, and who have not been granted parole. These Non-Employable Entrants are eligible for ORR benefits and services subject to certain limitations, as long as there is no final order of removal.

NOTE: Per Section 501 of the Refugee Education Assistance Act of 1980 (P.L. 96-422; 94 Stat. 1799; October 10, 1980) Cubans and Haitians placed into removal proceedings that have not ended with a final order of removal meet one definition of Cuban Haitian Entrant. All Cuban and Haitian Entrants are eligible for **ORR Refugee Resettlement benefits and services same as a refugee** (45 CFR § 400.43 (a)(4)).2

Non-Employable Entrants cannot engage in the Refugee Support Services (RSS) employability services described in 45 CFR §§ 400.75 and 400.154 nor can they participate in the Matching Grant Program. However, it is permissible for such Entrants to participate in those services described in 45 CFR § 400.155.

- 4. Non-Employable Entrants are eligible for ORR Refugee Cash Assistance (RCA) and Refugee Medical Assistance (RMA)**, as long as they meet the other eligibility requirements for non-employable refugees. Non-Employable Entrants should be treated as other non-employable refugees.
- 5.** Document all case actions in a detailed case note.

E. Counties with NC Refugee Service Providers (Employment Specialist)

North Carolina State Refugee Office has authorized certain entities to provide employment services to assist refugees in becoming self-sufficient. Refer refugees by using the DSS-5022 (Part A), Refugee Work Registration Certification, Employment/Refusal and Termination/Denial Notice. See Appendices B for a list of authorized NC Refugee Service Providers.

These Refugee Services Provider agencies must:

1. Complete the employment referral by signing and dating the Part B of DSS-5022, (Refugee Work Registration Certification, Employment/Refusal and Termination/Denial Notice) and returning the completed form back to the local county case manager listed in Part A of the DSS-5022, within 10 business days of disposition of RCA application.
2. Complete and sign DSS-6239A, Refugee Mutual Responsibility Agreement (MRA).
3. Ensure that RCA recipients can participate in a range of employment services tailored to meet the specific needs of each recipient.
4. Develop an DSS-6232, Individualized Employability Plan that sets forth a program of services intended to assist refugees to obtain employment.

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5. Complete a DSS-6230, **Family Self-Sufficiency Plan addressing the employment related service needs of the family members**. The purpose of the plan is to enable the family to become self-supporting through the employment of one or more family members.

F. Counties without NC Refugee Service Providers (RSP)

When a NC RSP is not **servicing the county in which the RCA** recipient is receiving benefits. The local DSS is responsible for the following:

1. Schedule an internal (DSS) interview to obtaining a signed MRA and for developing both the Family Self-Sufficiency and Individual Employability Plans when a local affiliate is not located in that county.
2. Complete and sign DSS-6239A, Refugee Mutual Responsibility Agreement (MRA).
3. Develop an DSS-6232, Individualized Employability Plan that sets forth a program of services intended to assist refugees to obtain employment. Complete the plan as much a possible as to what's specifically applicable and accessible for the RCA recipient in the county in which they live.
4. Develop a DSS-6230, **Family Self-Sufficiency Plan addressing the employment related service needs of the family members**. The purpose of the plan is to enable the family to become self-supporting through the employment of one or more family members. Complete the plan as much a possible tailored to meet the specific needs of each recipient and accessible in the county in which they live.

G. Work Registration

Case managers may allow an applicant to register with the Division of Workforce Solution/ NC Works, if the applicant chooses to do so. Registration with NC Works Career Center is not an eligibility requirement for RCA.

H. The Employability Plan must:

1. Be designed to lead to the earliest possible employment, and not be structured in such a way as to discourage or delay employment or job-seeking, and
2. Contain a definite employment goal, consistent with the employability plan for the refugee in relation to job openings in the area.
3. Be established. DSS Employment Social Case manager s is not required to conduct follow-up assessments to an employability plan. RCA benefits should never be terminated because of a follow-up assessment. RCA may only be terminated if RCA recipient fails or refuses to participate in the required employment services.

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I. Criteria for Employment Services

1. All assignments must be within the scope of the individual's employability plan. The plan may be modified to reflect changed services or employment conditions.
2. The services or employment must be related to the capability of the individual to perform the task on a regular basis. Any claim of adverse effect on physical or mental health must be based on adequate medical testimony from a physician or licensed or certified psychologist indicating that participation would impair the individual's physical or mental health.
3. The total daily commuting time to and from home to the service or employment site must not normally exceed two (2) hours, not including the transportation of a child to and from a childcare facility, unless a longer commuting distance or time is generally accepted in the community.
4. When child care is required, the care must meet the standards required by the state in its work and training programs for WFCA recipients [Reference the NC Child Care Subsidy Manual, DHHS, Division of Child Development].
5. The service or work site where the individual is assigned must not violate applicable federal, state, or local health and safety standards.
6. Assignments must not be discriminatory in terms of age, sex, race, creed, color, or national origin.
7. Appropriate work may be temporary, permanent, full-time, part-time, or seasonal work, if such work meets the other standards listed above.
8. The wage shall meet or exceed the federal or state minimum wage law, whichever is applicable, and the wage shall not be substantially less favorable than the wage normally paid for similar work in that labor market.
9. The daily hours of work and the weekly hours of work shall not exceed those customary to the occupation.
10. The quality of training must meet local employers' requirements to ensure the individual will be in a competitive position within the local labor market. The training would most likely lead to employment that will meet the appropriate work criteria.
11. No individual may be required to accept employment if:
 - a. the position offered is vacant due to a strike, lockout, or other bona fide labor dispute; or
 - b. the individual would be required to work for an employer contrary to the conditions of the employee's existing membership in the union governing that occupation, however, employment not governed by the rules of union in which the individual has membership may be deemed appropriate.
12. If an individual is a professional in need of professional refresher training and other recertification services to qualify to practice that profession in the United States, the training may consist of full-time attendance in a college or

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professional training program, provided that such training:

- a. is part of the individual's employability plan by the agency,
- b. does not exceed one year's duration (including any time enrolled prior to application for assistance),
- c. is specifically intended to assist the professional in becoming relicensed in that specific profession, and if completed can realistically be expected to result in such relicensing. The training may only be available to individuals who are employed.

- 13.** A refugee offered suitable employment is required to accept, without regard to whether such job would interrupt a program of services planned or in progress, unless the refugee is currently participating in a program in progress of on-the-job training, or vocational training that is being carried out as part of an approved employability plan.

J. Failure or Refusal to Accept Employment Services or Employment

If, without good cause, a non-exempt RCA recipient fails or refuses to comply with Employment Services, accept employment, or voluntarily quits a job, and:

1. The sanctioned refugee is the only member of the case, terminate cash assistance. Generate a DSS-8110, Notice of Stopping or Changing Public Assistance. If the RCA recipient is also receiving RMA benefits, RMA will continue and be uninterrupted.
2. The case includes another refugee, remove the sanctioned refugee, and reduce the assistance. Do not consider the sanctioned refugee's needs in determining benefits. Generate and send a DSS-8110, Notice of Stopping or Changing Public Assistance. The sanction shall remain in effect for three (3) payment months for the first failure and six (6) payment months for any subsequent failure. Open an RCA case for the sanctioned refugee for the remainder of the twelve (12) months eligibility period for refugee assistance, if applicable.
3. Good cause reasons for failure to comply with employment services or voluntarily quitting a job include:
 - a. discrimination by an employer based on race, color, national origin, gender, religion, age, disability, or political beliefs;
 - b. work demands or conditions that render continued employment unreasonable, such as not being paid on schedule or being required to work overtime and not being compensated;
 - c. acceptance of another offer of employment provided the new job meets the minimum requirement of this provision (20 or more hours per week or earnings equivalent to federal minimum wage times 20 hours);
 - d. resignation by the member under the age of 60 which is recognized by the employer as retirement.
 - e. acceptance of an offer of employment of 20 hours or more per week (or equivalent earnings) which because of circumstances beyond the control

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of the member does not materialize or results in employment which does not meet the suitability criteria specified in Section V;

- f. leaving a job in connection with patterns of employment. For example, migrant farm laborers or construction case managers often go from one employer to another: or
- g. a significant family crisis or change, including, but not limited to, illness or death of a family member that requires the member's presence, household emergency, or unavailability of transportation.

VI. CHANGE IN SITUATION

A. A change in situation is any change the refugee family unit experiences that may affect who is included in the family unit, the family's RCA payment, or whether the family unit continues to qualify for RCA. Examples include but are not limited to the following:

- 1. Change in household composition, i.e. addition of children
- 2. Change in employment, i.e., starting or stopping employment
- 3. Change in unearned income i.e., Matching Grant ending, SSI beginning

NOTE: The RRA is responsible for reporting changes in situation to the local DSS. These include obtaining employment, receipt of earned and/or unearned income and/or change in household and/or disability. Any agency reporting the change, must complete and submit to the county DSS the following:

- DSS-8113, Wage Verification Form verifying RCA recipient employment wages, and
 - Part C of the DSS-5022 indicating the change. This change is not complete until both Part C and Part D are signed and dated.
4. **Documentation** - Case managers must document case's actions in client's case note. Maintain and retain operational records in accordance with the standards established by the NC Department of Health and Human Services.

EXCEPTION:

If a refugee household reports a change of address and now resides in another county, **do not transfer the case.** Instead, continue to maintain the **RCA** case in the county of application. The RCA program does not provide recertification or reviews or benefits.

EXAMPLE:

The RCA recipient began working on April 4, 2022 and reported the change on April 6, 2022. The change was reported timely. The change should be in effect no later than the June payment.

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Responsibility Belongs to	Action	Dates
	Date of change	04/04/22
<ul style="list-style-type: none"> • RCA Recipient • NC Refugee Service Provider 	+ Ten (10) calendar days	04/14/22
<ul style="list-style-type: none"> • DSS 	+ Ten (10) business days from date of DSS-8110	04/28/22
	Effective the following month	05/2022
	First month of overpayment	06/2022

- B.** The RCA recipient is responsible for reporting changes. A change in situation must be reported within ten (10) calendar days of when the change is known.
- C.** The NC Refugee Service Provider must complete Part C of DSS-5022, Refugee Work Registration Certification, Employment/Refusal and Termination/Denial Notice and submit the form to the DSS within ten (10) calendar days of learning of the change. Changes are effective the month after the month in which the 10-day notice expires unless the family unit waives the **10-day notice**. Follow instructions in WFCA Section 202.

NOTE: RCA applicants/recipients must receive Timely notice of a reduction or termination of benefits.

After change has been evaluated in NC FAST, the case manger must complete Part D of DSS-5022, Refugee Work Registration Certification, Employment/Refusal and Termination/Denial Notice and A DSS-6243, Pro-Forma Notice of Approval, Denial/Withdraw and Changing, to RCA applicant regarding the disposition of the application will be system generated in NC FAST. If the DSS-6243 form does not generate then manually complete a DSS-8110, Notice of Stopping or Changing Public Assistance and return the forms to the NC Refugee Service Provider.

- D.** Verify the change according to the verification procedures in the Work First Manual. Always document the change and verification on DSS-1662D, Verification of Change in Situation Form. See Section 202 of NC Work First Manual, Figure 1 for an example.
- E.** For income changes, See Section 114, Income and Budgeting, of the NC Work First Manual.
- F.** A DSS-6243, Pro-Forma Notice of Approval, Denial/Withdraw and Changing, to RCA applicant regarding the disposition of the application will be system generated in NC FAST. If the DSS-6243 does not generate, the case manager must manually send DSS-8110, Notice of Stopping or Changing Public Assistance to notify the household how the change affects their benefits. If the cash assistance terminates. The RMA determination is separate and should remain in effective for the remainder of 12-month eligibility period.
- G.** **Documentation** - Case manager must document case activity in the client's case note.

VII. REVIEW

At the end of the refugee's twelve month in the US, terminate RCA assistance. A review notice is not necessary, **but a DSS - 8110 needs to be sent to the client terminating benefits at the end of the twelve month certification period**. Instead, evaluate to determine if the refugee(s) is eligible for any other assistance and take the necessary applications or refer to the appropriate agency. A DSS-6243, Pro-Forma Notice of Approval, Denial/Withdraw and Changing, to RCA applicant regarding the disposition of the application will be system generated in NC FAST. In the event the system generated form is not worker, issued in error, or **missing** then the worker must manually

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send a DSS-8110, Notice of Stopping or Changing Public Assistance.

VIII. NOTICE AND HEARINGS PROCESS

- A.** All applicants and recipients of RCA must be provided an opportunity for a hearing to contest adverse determinations.
- The refugee may have a representative, as well as a translator/interpreter, attend the hearing.
 - The hearing decision must be provided in a language the refugee can understand or have translated/interpreted into such a language.
- B.** A hearing need not be granted when RCA is terminated because the eligibility time period (12 months) imposed by law has been reached.

IX. OVERPAYMENTS AND UNDERPAYMENTS

Agencies must ensure recovery of overpayments and correction of underpayments. If a refugee received an underpayment of benefits, take the following steps to issue the lost benefit amount to the refugee.

1. Document the case record.
 2. Issue restored benefits within thirty (30) days of the discovery.
- A.** If a refugee received an overpayment of benefits take the following steps:
1. Contact the local affiliate, if applicable.
 2. Verify the information that causes the change in benefits, i.e., wages, other income, household composition.
 3. Determine the overpayment amount.
 4. Request the refugee household repay the overpayment by:
 - a. paying a lump sum for the total amount of the overpayment, or
 - b. paying cash installments – obtain a signed repayment agreement from the household stating the payments amounts and frequency of payment.

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- B.** County Responsible Overpayments (CROP). If a county is responsible for an overpayment (Agency Error - AE), the overpayment must be reported and recouped by the state office for adjustment to comply with program regulations. For programs like RCA that are not a part of NC FAST Enterprise Program Integrity (EPI), a county must take the following steps to report the overpayment:
1. Submit a completed a DSS-8201, County Responsible Overpayment to the Controller's Office when a County Responsible Overpayment (CROP) is identified.
 2. The Controller's Office will then enter the CROP adjustment into NC FAST, manually.
 3. The DSS-8201, County Responsible Overpayment form is located on the NC DHHS forms website. A link to the form is <https://policies.ncdhhs.gov/divisional/social-services/forms/dss-8201-county-responsible-overpayment>
- C.** State Responsible Overpayments (SROP), a county must take the following steps to report the overpayment:
1. Notify the Controller's Office in writing by sending a letter to the Refugee program staff for approval. Do not use the DSS-8201 Form .
 2. Once approved by Refugee program staff, the request can be forwarded to the Controller's Office.
 3. The Controller's Office will enter the SROP adjustment into NC FAST manually.

X. RECIPIENT FRAUD AND ABUSE

Refugee Assistance is not considered a program of public assistance under N. C. G. S. 108A-24; therefore, fraud cases must be prosecuted under N. C. G. S. 14-100, "False Pretense and Cheats." Follow procedures in Section 207 of the NC Work First Manual.

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