

3. Identification Of Refugees In RAPIDS

Individuals who are receiving assistance as refugees must be coded appropriately in RAPIDS.

It is extremely important that all refugees be coded appropriately.

4. Registering For Employment Services

It is a condition of eligibility that all employable refugees who apply for the AFDC-Related Medicaid or the Refugee Assistance Program must register for work. All refugees applying for AFDC-Related Medicaid must register with the **WorkForce West Virginia** unless they are exempt from registration according to Item 6 below,

5. Procedures For Registering For Employment

Follow the same procedures that are found in Item E. of this section,

6. Work Registration Exemptions

The following individuals are exempt from registering for Employment Services:

- A child under 16 years of age.
- A child 16-18 and in school full time.
- A person who is ill, disabled or over 65 years of age. The determination of illness or disability must be verified by a doctor's statement.
- A person whose presence in the home is required because of illness or disability of another member of the household. This must be verified by a doctor's statement.
- A caretaker who is caring for a child under the age of 3. Only one parent or other relative in a case may be exempt.
- Any member of the AG who is enrolled and participating in a training program. The training program must be part of an employability plan which has been approved by DFA and/or Migration and Refugee Services and intended to have a definite short-term (less than one year) employment objective.
- Spouse of a registrant

NOTE: Inability to communicate in English does not exempt the client from registering.

The following changes apply to the work registration exemption for the JOBS Program:

- The age of the child in number 5 above is changed to age 3.
- A caretaker under the age of 20 without a high school diploma is mandatory regardless of the age of the child.
- The spouse of a registrant is not exempt.

7. Refusal To Register For Employment Service

It is a condition of eligibility for AFDC-Related Medicaid that the refugee register with **WorkForce West Virginia** unless exempt. If a refugee who is a mandatory registrant refuses to register, the refugee is to be sanctioned.

8. Income

At the time of application and each re-determination, the sponsor should be contacted to determine the amount of income, if any, he voluntarily contributes to the refugee. Also the name and address of the sponsor should be recorded in the case record.

If the refugee has excessive income for AFDC-Related Medicaid or RCA, the Worker will evaluate the client for the Medicaid or RMA programs.

9. Assets

Assets will be treated in the same manner as any other applicant. If an asset is located in the refugee's homeland and is not available to the refugee, then these assets would not be treated as assets available to meet the needs of the client.

D. ELIGIBILITY FOR REFUGEE CASH ASSISTANCE AND REFUGEE MEDICAL ASSISTANCE

The state must determine Medicaid and SCHIP eligibility under its Medicaid and SCHIP state plans for each individual member of a family unit that applies for medical assistance.

A state that provides Medicaid to medically needy individuals in the state under its state plan must determine a refugee applicant's eligibility for Medicaid as medically needy.

A state must provide medical assistance under the Medicaid and SCHIP programs to all refugees eligible under its state plan.

E. REGISTERING FOR EMPLOYMENT

1. WorkForce West Virginia

Recipients of RDA are not eligible for WV WORKS, therefore, they must register with **WorkForce West Virginia**.

A referral must be made to the Office of Migration and Refugee Services (OMRS). The same sanctions and time limits apply when a refugee fails to register with **WorkForce West Virginia** as with failure to comply with SNAP. However, with RCA cases, the Worker must notify OMRS by memorandum of the refugee's failure to register at the address below.

Office of Migration and Refugee Services
1116 Kanawha Boulevard, East
Charleston, West Virginia 25301
Phone: (304) 343-1036

Within 3 working days of the receipt of the memorandum, a Worker from OMRS will counsel with the refugee to explain the implication of his refusal and the sanctions that will be implemented as a result of his failure to register.

If the refugee agrees to register, he and his family will remain eligible for the program. If he still refuses to register, OMRS will notify the appropriate Worker by memorandum and the sanctions will apply the same as for all other applicants.

2. Refusal To Cooperate With **WorkForce West Virginia**

In order to be eligible to receive assistance through the Refugee Cash Assistance Program, the refugee must cooperate with **WorkForce West Virginia**.

The following situations constitute failure to cooperate:

- The refugee refuses to answer a "call in" to **WorkForce West Virginia** or OMRS.
- The refugee fails to supply **WorkForce West Virginia** and OMRS with supplemental information regarding employment status.
- The refugee fails to report to an employer to whom he has been referred by **WorkForce West Virginia** or OMRS.

The refugee fails to accept a bona fide offer of suitable employment to which he has been referred by **WorkForce West Virginia** or OMRS.

- The refugee fails to continue suitable employment.
- The refugee refuses to participate in an available and appropriate social service or training program or English as a Second Language program (ESL).

If the refugee refuses to cooperate with BEP, they will send a notice to the Worker and the Refugee Social Service Agency. The following steps will be taken:

- The Supervisor will send a memorandum to the service provider, OMRS, explaining the refugee's refusal to cooperate with **WorkForce West Virginia**.
- OMRS will then determine if the refugee had good cause for not cooperating. The reasons for good cause can be found below.
- If the service provider determines that the recipient has good cause, then the Worker will send a memorandum to the Supervisor stating that fact and no negative action will be taken.

If OMRS determines that the refugee did not have good cause, then the Sanctions will apply as applied to other applicants.

3. Criteria For Determining Suitable Work

The following criteria should be taken into consideration when determining what is suitable work for the refugee:

- The wage should not be less than the state minimum wage. If the job is exempt from the wage laws, the wage shall correspond with normal wages for similar work, but never less than three-fourths of the state minimum wage.
- Daily and weekly hours of work shall not exceed those customary to the occupation.
- No individual shall be required to accept employment if the position offered is vacant due to a strike, lockout, or other bona fide labor dispute.
- The individual shall be required to work for an employer contrary to his existing membership in the union governing the occupation. However, employment not governed by the rules of a union in which he has membership may be deemed appropriate.

If a refugee who is receiving refugee medical assistance receives increased earnings from employment, the increased earnings shall not affect the refugee's continued medical assistance eligibility. The refugee shall continue to receive refugee medical assistance until he reaches the end of his or her time-eligibility period for refugee medical assistance, in accordance with CFR 400.100(b). In cases where a refugee obtains private medical coverage, any payment of RMA for that individual must be reduced by the amount of the third party payment.

G. SNAP ELIGIBILITY

All refugees who apply for SNAP are considered as aliens lawfully admitted for permanent residence and are to be treated as any other SNAP applicant. However, participation is limited to 5 years from entry into the United States.

H. REFERRALS FOR SERVICE

The Worker will contact OMRS for all refugees, approved or denied for any program, and submit it to the SAVE Coordinator and the Refugee Resettlement Program.

The Department of Health and Human Resources has a purchase of services contract with OMRS. The purpose of this agreement is to provide necessary services to enable the refugee to become self sufficient as soon as possible. Emphasis is placed on employment services, job placement, ESL training, counseling, translation by the bilingual staff and cultural adjustment.

After the initial referral to the SAVE Coordinator, all referrals pertaining to service needs or to the refugee's refusal to cooperate with **WorkForce West Virginia** by refusing to participate in any available and appropriate training or employment program or in ESL classes, will be made directly to the OMRS at the address below. This may be done by a brief memorandum or phone call. The OMRS will respond to the local worker after counseling the refugee or providing the service requested.

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1116 Kanawha Boulevard, East
Charleston, West Virginia 25301
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