

Information Memorandum Transmittal Office of Self-Sufficiency Programs



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Number: SS-IM-21-023

Issue date: 11/15/2021

Topic: Other

Due date:

Subject: Temporary Protected Status for Haitian Nationals

Applies to (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input checked="" type="checkbox"/> Area Agencies on Aging: Type B | <input type="checkbox"/> Health Services |
| <input checked="" type="checkbox"/> Aging and People with Disabilities | <input type="checkbox"/> Office of Developmental Disabilities Services (ODDS) |
| <input checked="" type="checkbox"/> Self Sufficiency Programs | <input type="checkbox"/> ODDS Children's Intensive In Home Services |
| <input type="checkbox"/> County DD program managers | <input type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input type="checkbox"/> Support Service Brokerage Directors | <input type="checkbox"/> Other (<i>please specify</i>): |
| <input type="checkbox"/> ODDS Children's Residential Services | |
| <input type="checkbox"/> Child Welfare Programs | |

Message:

On May 22, 2021, the Department of Homeland Security (DHS) granted Temporary Protected Status (TPS) for Haitian nationals who resided in the United States (US) as of May 21, 2021.

Haitian nationals who are granted TPS may not qualify for the same federal or state programs as Cuban/Haitian entrants. The information below is a refresher regarding the processes and resources in place to support this community.

Q: What is the definition of Temporary Protected Status (TPS)?

A: Individuals granted TPS are permitted to remain temporarily in the US because their home nation is suffering under armed conflict, environmental disaster, or other "extraordinary or temporary" conditions. This guidance applies to federally funded programs and requirements may be different for programs or benefits paid through state funding.

Q: What is the definition of a Cuban/Haitian Entrant?

A: Cuban/Haitian Entrants are those granted legal status under Section 501(e) of the Refugee Education Assistance Act of 1980. This applies to non-citizens granted parole as a Cuban/Haitian Entrant (Status Pending) or granted any other special immigration status for Cuban or Haitian nationals. This includes any other national of

Cuba or Haiti who was *paroled* into the United States, is the subject of removal proceedings or has a pending application for asylum and an *order of removal* (final, non-appealable, and legally enforceable) has not been entered for this person. Please see [Non-Citizen Chart in OPEN](#) for additional details.

Q: What is the difference between Haitians with TPS versus Cuban/Haitian entrant status?

A: For most programs, Haitian nationals granted TPS are not eligible for public benefits unless they are granted a different qualifying status. For Health Systems Division (HSD) and Adults and People with Disabilities (APD) medical, children (under age 19) meet the non-citizen requirements for full OHP Plus, Medicare Savings Programs (MSP) and Long-Term Care (LTC) Services if all other eligibility requirements are met. Adults (age 19 and over) don't meet the non-citizen requirements and are only eligible at the Citizen Waived Medical (CWM) or CWM Plus (if pregnant) benefit level.

All Cuban/Haitian Entrants, on the other hand, meet non-citizen requirements for all programs and are eligible for benefits without having to meet the 5-year bar or waiting period if they meet all other eligibility requirements. The table below summarizes the non-citizen eligibility policy for each program:

Haitian with TPS					Haitian Entrant				
SNAP	TANF/ TADVS ERDC	REF/ REFM	Medical Under age 19	Medical Age 19 and over	SNAP	TANF/ TADVS ERDC	REF/ REFM	Medical Under age 19	Medical Age 19 and over
No	No	No	Yes	CWM or CWM Plus (pregnant)	Yes	Yes	Yes	Yes	Yes
<ul style="list-style-type: none"> • SNAP, TANF, TA-DVS, ERDC, REF/REFM: Does not meet non-citizen requirements • HSD/APD Medical: <ul style="list-style-type: none"> ○ Under age 19: Meet non-citizen requirements for OHP Plus, MSP, and LTC Services ○ Age 19+: Does not meet non-citizen requirements and only eligible at the CWM or CWM Plus (if pregnant) benefit level. 					<p>Meet non-citizen requirements for all programs and eligible for benefits without having to meet the 5-year bar or waiting period if all eligibility requirements are met.</p> <p><u>Important clarification: Benefits and employment services are not the same.</u> Not all Entrants have permission to work. In order to be eligible to receive <i>employment services</i>, Entrants have to have permission to work.</p>				

Q: How do I know the immigration status of an applicant?

A: Request to see any immigration paperwork they have like immigration cards, status letters, etc. Use VLP or SAVE to look up the status.

Note: For APD and HSD medical, the individual must attest to their immigration status and, if subject to immigration verification requirements, provide information from their immigration documentation to run VLP (no up-front immigration paperwork is required).

Haitian nationals with TPS or Haitian Entrants have documents indicating under what immigration law they were admitted, which can provide helpful information to determine their immigration status. See table below for a few examples:

Haitian with TPS	Haitian Entrant
<ul style="list-style-type: none">- I-688B or I-766 EAD may also have coding 274a.12(a)(12) or A12- I-797 Notice of Action Showing grant of TPS status- Any other verification from USCIS or the Department of Homeland Services (DHS) or other authoritative documents.	<ul style="list-style-type: none">- I-94 or paroled may say 212(d)(5), Cuban/Haitian Entrant (Status Pending), parole on/after 10/1/80, 243(h) or 241(b)(3).- I-788 code A04 or C11- I-551 card or temp. I-551 with HB6 or CH6- Cuban or Haitian passport stamp dated on/after 10/10/80- Order granting withholding of deportation/deferral of removal- I-688 and I-766 with specific asylum pending and withholding of deportation codes.

Important reminder: If medical benefits are requested, the VLP interface in ONE should be initiated prior to checking SAVE. Information returned from VLP and displayed on the VLP Response Summary screen can be leveraged to manually determine if verification requirements for REFM and SSP programs are met. Check SAVE if one of the following criteria is met:

- The VLP service is down
- An immigration RFI is generated
- Medical benefits are not requested.

For REFM and other programs such as SNAP, TANF and ERDC, if VLP or SAVE verifies the immigration information, select “Verified” in the SAVE Verification field.

Q: How do I code Haitian with TPS and Haitian Entrant in ONE?

A: See [Capturing Non-Citizen Info QRG](#) for detailed instructions. Also see below for coding guidance and screenshot examples.

Citizenship/Identity Verification Screen:

- Select No from the US Citizen dropdown menu.
- You will be directed to complete the Non-Citizen Details Screen.

The screenshot shows a web form titled "Citizenship / Identity Verification". At the top, there are navigation buttons: "< Previous", "Save", and "Next >". Below this are sections for "Individual Information" (Name, Individual #) and "Citizenship Information". In the "Citizenship Information" section, the "US Citizen?" dropdown menu is highlighted with a red box and has "No" selected. Other fields include "Date Reported" (10/20/2021), "Citizenship Start Date" (<mm/dd/yyyy>), "Verified On" (<mm/dd/yyyy>), and "Citizenship Verification" (dropdown menu).

**Non-Citizen Details Screen:
Haitians with TPS**

Capture the individual’s attested non-citizen information in the Non-Citizen Type Information section.

- Immigration Status: Select “Other”
- Country of Origin: Select “Haiti”

Note: It’s important to select “Other” instead of “Nonimmigrant” as “Other” will work for all programs. The “Nonimmigrant” selection will result in the correct determination for the SNAP program but not for the medical program for people under 19.

Non-Citizen Type Information

Immigration Status * Other
 Class of Admission(COA)

U.S. Date of Entry * 03/01/2021
 I don't know

Date Status Granted * 03/01/2021
 Date Status Granted Verification Verified by Case

Date Reported * 10/20/2021
 Country of Origin Haiti

Did the individual physically enter the United States before August 22nd, 1996?

Has the individual held one of these statuses previously? * No

- Refugee
- Asylum Granted
- Asylum Pending (Cuban/Haitians only)
- Cuban/Haitian Entrant or Parolee
- Victim of Human Trafficking or family member (T-Visa)
- Paroled - granted for at least one year (Cuban/Haitians only)
- Paroled - granted for less than one year (Cuban/Haitians only)
- Amerasians - Vietnamese
- Special Immigrant Visa (SIV) holder from Afghanistan or Iraq

Has the individual been approved for Withholding of Removal or Deportation being Withheld? * No

Does the individual meet the criteria to be Hmong/Highland Laotian? No

Immigration Information Verification * Client statemen
 Verified On * 10/20/2021

SAVE Verification * SAVE Not Run
 Verified On * 10/20/2021

Active Duty and Veteran Information

Is the individual, their spouse (alive or deceased), or their parent an honorably discharged veteran or active duty member of the US military? * No

What is the individual's relationship to the person who is an honorably discharged veteran or active duty member of the US military? *

- Spouse
- Widow/Widower(Not Remarried)
- Unmarried Dependent Child
- None of the above

Active Duty / Veteran Information Verification
 Verified On <mm/dd/yyyy>

Immigration Documents:

Enter the individual's immigration document details in the Immigration Documents section. Based on the 'Immigration Document Type' selected, a note will display identifying what information is required in order to enable the 'Request VLP Service' button for running VLP. This button will only be enabled if medical is requested.

Immigration Documents

Immigration Document Type I-766 or I-688 (Employment Authorization Card)

Note: For the immigration document type selected, complete the following fields to successfully request the VLP Service:

1. Alien Number (Required)
2. Card Number (Required)
3. Document Expiration Date (Required)

Is the name and/or birth date of the individual on the document different from the name and/or birth date on the case? No ▾

Document First Name

Document Last Name

Document Other Description

Document Middle Name

Document Birth Date 15

Document Expiration Date 15

Alien Registration Number

I94 Number

Card Number

Passport Number

Visa Number

SEVIS ID

Immigration Document RFI Needed

Citizenship Number

Naturalization Number

Country of Issuance

SEVIS ID Updated with School/Program Sponsor?

Select Document to Attach for VLP Request (5.0 MB) Browse

Supported File Formats: .pdf, .jpg, .png

Request VLP Service

Haitian Entrant:

Capture the individual’s attested non-citizen information in the Non-Citizen Type Information section.

- Immigration Status: Select “Cuban/Haitian Entrant or Parolee”
- Country of Origin: Select “Haiti”

Non-Citizen Type Information

Immigration Status* Cuban/Haitian Entrant or Parolee Class of Admission(COA) [dropdown]

U.S. Date of Entry* 01/01/2005 [calendar] I don't know

Date Status Granted* 01/01/2005 [calendar] Date Status Granted Verification Verified by Ca [dropdown]

Date Reported* 10/20/2021 [calendar] Country of Origin Haiti [dropdown]

Did the individual physically enter the United States before August 22nd, 1996? [dropdown]

Has the individual held one of these statuses previously? [dropdown]

- Refugee
- Asylum Granted
- Asylum Pending (Cuban/Haitians only)
- Cuban/Haitian Entrant or Parolee
- Victim of Human Trafficking or family member (T-Visa)
- Paroled - granted for at least one year (Cuban/Haitians only)
- Paroled - granted for less than one year (Cuban/Haitians only)
- Amerasians - Vietnamese
- Special Immigrant Visa (SIV) holder from Afghanistan or Iraq

Has the individual been approved for Withholding of Removal or Deportation being Withheld?* No [dropdown]

Does the individual meet the criteria to be Hmong/Highland Laotian? No [dropdown]

Immigration Information Verification* Client statement [dropdown] Verified On* 10/20/2021 [calendar]

SAVE Verification* SAVE Not Run [dropdown] Verified On* 10/20/2021 [calendar]

Immigration Documentation:

Enter the individual's immigration document details in the Immigration Documents section. Based on the 'Immigration Document Type' selected, a note will display identifying what information is required in order to enable the 'Request VLP Service' button for running VLP. This button will only be enabled if medical is requested.

Immigration Documents

Immigration Document Type: **I-94 (Arrival/Departure Record) in Unexpired Foreign Passport**

Note: For the immigration document type selected, complete the following fields to successfully request the VLP Service:

- 1.Document Expiration Date (Required)
- 2.I94 Number (Required)
- 3.Passport Number (Required)
- 4.Country of Issuance (Required)
- 5.Visa Number (Optional)
- 6.SEVIS ID (Optional)

Is the name and/or birth date of the individual on the document different from the name and/or birth date on the case?

Document First Name Document Middle Name

Document Last Name Document Birth Date

Document Other Description

Document Expiration Date

Alien Registration Number Citizenship Number

I94 Number Naturalization Number

Card Number

Passport Number Country of Issuance

Visa Number

SEVIS ID SEVIS ID Updated with School/Program Sponsor?

Immigration Document RFI Needed

Select Document to Attach for VLP Request (5.0 MB)

Supported File Formats: .pdf, .jpg, .png

Q: What resources are available for Haitians granted Entrant Status?

A: Participants can contact their resettlement agency. These agencies offer case management:

- Catholic Charities 503-231-4866
- Lutheran Community Services North West 503-231-7480
- Sponsors Organized to Assist Refugees (SOAR) 503-284-3002
- Salem for Refugees 503-714-1339
- Catholic Unity Services of Lane County 541-345-3628

For those Haitian entrants who have permission to work, the TANF JOBS program, SNAP Employment and Training, and Immigrant and Refugee Community Organization (IRCO) Employment Program have additional work-related resources.

Q: What other resources can we offer specifically to Haitians granted TPS who are not eligible for SNAP or other ODHS/OHA benefits?

A: There are not specific Haitian resources besides the general community resources. See [211Info](#), Aging and Disability Resource Connection of Oregon (ADRC) 1-855-ORE-ADRC and local general community resources.

For medical, Haitian TPS individuals who are approved only for the CWM benefit will be referred to the Federally Facilitated Marketplace (FFM) for an Advanced Premium Tax Credit (APTC) determination. If eligible, they can use their APTC to help with the cost of purchasing and enrolling in a private Marketplace insurance plan. They can call the FFM at 1-800-318-2596 (TTY: 1-855-889-4325).

If you have any questions about this information, contact:

Contact(s): SNAP Policy APD Medicaid Policy HSD Medicaid Eligibility	
Phone:	Fax:
Email: SNAP.POLICY@dhsosha.state.or.us APD.medicaidpolicy@dhsosha.state.or.us HSD.medicaleligibilitypolicy@dhsosha.state.or.us	