

/s/Mark Anderson

Authorized Signature

Number: SS-PT-08-011

Issue Date: 02/21/2008

Topic: Other

Transmitting (check the box that best applies):

- New Policy
 Policy Change
 Policy Clarification
 Executive Letter
 Administrative Rule
 Manual Update
 Other: _____

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 | <input type="checkbox"/> Health Services |
| <input checked="" type="checkbox"/> Children, Adults and Families | <input checked="" type="checkbox"/> Seniors and People with Disabilities |
| <input type="checkbox"/> County DD Program Managers | <input type="checkbox"/> Other (please specify): |

Policy/Rule Title:	Guidance on Iraqi and Afghani Special Immigrants		
Policy/Rule Number(s):		Release No:	
Effective Date:	Immediately Upon Receipt	Expiration:	
References:	SS-AR-08-002		
Web Address:			

Discussion/Interpretation: Per Public Law 110-161 and Public Law 110-181 Afghani and Iraqi Special Immigrants, as of December 26, 2007, are eligible for refugee resettlement assistance, entitlement programs and other benefits as refugees, except the period of eligibility cannot exceed the following limits:

- For Afghani refugees – a six-month eligibility period;
- For Iraqi refugees – an eight-month eligibility period

The six- or eight-month eligibility period, or the “window of eligibility,” begins the month the immigrant enters the US as a special immigrant, or the month that the special immigrant status was granted (if they were already in the US and had their immigration status changed). The six- or eight-month limit applies to all programs.

In addition, for FS policy only, the law providing for this special eligibility sunsets on 9/30/2008. Therefore, eligibility for FS benefits must end on 9/30/2008 – even if the six-month limit has not been reached.

Iraqi and Afghani Special Immigrants meet the alien requirements for ERDC, FS, MAA, MAF, REF, REFM, OHP, OSIP, OSIPM, QMB, and TANF benefits. If they meet the other eligibility criteria for the program, they may be eligible for benefits as set forth in this policy transmittal.

For medical eligibility, first consider all non-REFM Medicaid programs. If not eligible, consider REFM. If the individual is eligible for retroactive medical, the effective date can go back 90 days, but not prior to the date of entry (or the date the status was granted) and not prior to December 26, 2007 (the effective date of Public Law 110-161). Retroactive medical would then be included in the six-month or eight-month eligibility period.

All special immigrants who reside in Multnomah, Washington, or Clackamas counties are not eligible to receive cash assistance or employment services through their local DHS office, but must be referred to a local voluntary agency for resettlement.

Iraqi and Afghani Special Immigrants hold an I-551 card, Visa, or I-94 stamp in their passport showing they are lawful permanent residents, or an Immigrant Visa with SI1, SI2, SI3, SI6, SI7, SI9, SQ1, SQ2, SQ3, SQ6, SQ7, or SQ9 status codes. The I-551, Visa, or I-94 stamp will show the country of origin or nationality as Iraq or Afghan. Refer questions and concerns regarding this new requirement to the Refugee Program central office staff (the phone number is below).

Remember to complete a SAVE/WEB1 for all Iraqi and Afghani Special Immigrants.

Example 1

Date of entry was 11/23/07, and the **Afghani** client has an I-94 stamp showing entry status of Special Immigrant SI1. The six-month timeframe, or the “window of eligibility,” begins with November and ends April 30 (month six). The date of request or filing date is 1/12/08. Follow normal application timeframes and eligibility for each program.

For food stamps, the certification period is 1/1/08 through 4/30/08.

Medical assistance cannot begin until the date of request (1/12/08) unless eligible for retroactive medical, and cannot extend past April 30. If eligible for retroactive medical, it cannot begin prior to 12/26/07. At the end of the six-month eligibility period, or the “window of eligibility,” redetermine eligibility for the immigrant as CAWEM. A timely reduction or closure notice must be sent.

For TANF, the family may be eligible from 1/12 through 4/30. Review the immigrant’s status to determine if they meet a qualified alien status for continued TANF eligibility in April.

Example 2

Date of entry was 5/23/08, and the **Afghani** client has an I-94 stamp showing entry status of Special Immigrant SI1. The six-month time frame begins with May and ends with October. The date of request or filing date is 6/12/08.

For food stamps, the certification period is 6/1/08 through 9/30/08, because the special eligibility ends 9/30/08 for the food stamp program.

For Medicaid, the immigrant may be eligible for medical assistance from 6/12/08 through 10/31/08. If eligible for retroactive medical, benefits can go back up to 90 days, but cannot begin earlier than 5/23/08, the date of entry. At the end of the six-month eligibility period, or the “window of eligibility,” redetermine the immigrant’s eligibility for CAWEM, effective November 1 if otherwise eligible.

For TANF, the family may be eligible from 6/12/08 through 10/31/08. Review the immigrant’s status to determine if they meet a qualified alien status for continued TANF eligibility in October.

Example 3

Date of entry was 11/23/07, and the **Iraqi** client has an I-94 stamp showing entry status of Special Immigrant SI1. The eight-month time frame is November through June. The date of request or filing date is 1/12/08.

For food stamps, the certification period is 1/1/08 through 6/30/08.

For Medicaid, the immigrant may be eligible for medical assistance from 1/12/08 through 6/30/08. If eligible for retroactive medical, the eligibility period could begin 12/26/07, when the new law went into effect. At the end of the eight-month eligibility period, redetermine eligibility for CAWEM, to be effective July 1 if otherwise eligible.

For TANF, the family may be eligible from 1/12/08 through 6/30/08. Review the immigrant’s status to determine if they meet a qualified alien status for continued TANF eligibility in June.

Implementation/Transition Instructions: Review this policy transmittal and use this policy to determine if an Iraqi or Afghani Special Immigrant meets the citizenship/alien status requirements. Carefully set the redetermination date or the recertification ending date so it does not exceed six or eight months from date the person received the special immigrant status.

Training/Communication Plan: Local offices to review the policy transmittal with all Case Managers and FS/ERDC/medical workers.

Local/Branch Action Required: Please review the applications or denial actions for any Iraqi or Afghan Special Immigrants who applied for benefits prior to receipt of this policy transmittal. If eligible, restore benefits back to the correct date, either the date of request, or for FS — the filing date. For all benefits, the restoration date cannot be prior to December 26, 2007. If the benefits were approved, review the certification period to ensure the end date is correct. If the food stamp certification period is too long, set up a tickler to send notice and end the benefits for this Special Immigrant in the sixth or eighth months.

Central Office Action Required: Respond to questions regarding this policy.

Field/Stakeholder review: Yes No

If yes, reviewed by:

Filing Instructions:

If you have any questions about this policy, contact:

Contact(s):	Refugee Program (REF/REFM) (503) 947-5261 Tony Scott (503) 945-6101 (Salem) Neeru Kanal (971) 673-5774 (Portland) Food Stamp Program (FS) (503) 945-6105 Anne Hilgers (503) 945-7018 Dawn Myers (503) 945-6220 Sarah Lambert (503) 947-5105 Eliza Devlin (503) 945-6092 Sandy Ambrose (503) 945-5826 Rosanne Richard ERDC Program (503) 945-5729 Cassie Day (503) 945-6110 Shiela Carter (503) 945-6087 Rhonda Prodzinski Medicaid Program: MAA, MAF and OHP (503) 947-5129 Michelle Mack (503) 945-6106 Joyce Clarkson (503) 945-6072 Carol Berg OSIP and QMB (503) 945-6410 Michael Avery (503) 945-5856 Jennifer deJong TANF Program (503) 945-6542 Paulina Layton (503) 945-7016 Xochitl Esparza		
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