

Xochitl Esparza, TANF Program Manager

**Authorized Signature**
**Number:** SS-PT-13-016

**Issue Date:** 04/15/2013

**Topic:** Cash Payments

**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):**

- All DHS employees   
  County DD Program Managers  
 Area Agencies on Aging   
  County Mental Health Directors  
 Aging and People with Disabilities   
  Health Services  
 Children, Adults and Families   
  Other (please specify): Self Sufficiency Staff

Policy/rule title:	Qualified Noncitizen (QNC) coding		
Policy/rule number(s):	OAR 461-120-0125	Release no:	
Effective date:	April 15, 2013	Expiration:	
References:			
Web Address:			

**Discussion/interpretation:** To qualify for TANF, the client must be a U.S. citizen or a qualified noncitizen. With the passage of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), better known as the Welfare Reform Act, on August 22, 1996, noncitizens were divided into two categories: unqualified noncitizens and qualified noncitizens.

Qualified noncitizens are individuals who are admitted to the United States with a lawful immigrant status and have been continuously present in the United States. The person who is granted that status either enters the United States as a lawful permanent resident or will be eligible to become a lawful permanent resident in the future. A lawful permanent resident is eligible to be naturalized as a U.S. citizen usually after five years of lawful permanent residency in the U.S.

The purpose of this transmittal is to remind staff there is a code used for qualified noncitizens who have entered the United States and have resided less than 5 years.

These are some examples of a qualified noncitizen:

- Victims of a severe form of trafficking under the Trafficking Victim's Protection Act of 2000;
- A person who is admitted to the United States as a refugee under section 207 of the INA;
- Noncitizens who are at risk of domestic violence. If one member in the filing group is at risk, the entire filing group is at risk. Thus, the benefit includes all members in the filing group;
- Iraqi and Afghan noncitizens granted special immigrant status (SIV) under section 101(a)(27) of the Immigration and Nationality Act.

For a complete list of Qualified Noncitizens refer to OAR [461-120-0125](#).

**Implementation/transition instructions:** Currently there is a case descriptor (C/D) available for TANF clients who are a Qualified Noncitizen (QNC) and have not been in the U.S. for 5 years from their date of entry (DOE).

**\*NOTE:** *Only program 2 and 82 cases should have the QNC code. Refugees and those eligible for refugee benefits do not require a QNC code.*

Cases with a Qualified Noncitizen should have QNC coded on the individuals that are Qualified Noncitizens.

Examples:

AD Bob (US citizen and payee)  
AD Judy (Qualified Noncitizen, DOE 12/2012)  
CH Aaron (Qualified Noncitizen, DOE 12/2012)  
CH Sheshe (US citizen).

AD x Bob  
C/D \_\_\_\_

AD Judy  
C/D QNC  
N/R ENT 12/2012

CH Aaron  
C/D QNC  
N/R ENT 12/2012

CH Sheshe  
C/D \_\_\_\_

QNC code is NOT needed for dates of entry (DOE) prior to 8/22/1996.

Remove the QNC code once the DOE is past 5 years.

For additional resources:

**SAVE info: On Target article**

***Class of Admission under the Immigrant Laws:***

<http://www.uscis.gov/ilink/docView/AFM/HTML/AFM/0-0-0-1/0-0-0-26573/0-0-0-32054.html>

**Training/communication plan:** Noncitizens training materials includes this information.

**Local/branch action required:** At intake or recertification, code the UCMS case with QNC for Qualified Noncitizen as appropriate. Remove the QNC code after 5 years from date of entry.

**Central Office action required:**

**Field/stakeholder review:**  Yes  No

**If yes, reviewed by:**

**Filing Instructions:**

*If you have any questions about this policy, contact:*

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