

State Plan Approval Check List

State: _____

I. ADMINISTRATION

| | Adequate | Adequate w/ change | Not Adequate |
|---|----------|-----------------------|-----------------|
| A. Authority | | | |
| 1. Designates accountable State Agency. (§400.5(a)) | _____ | _____ | _____ |
| 2. Identifies State Coordinator by title. (designated by Gov. or designee) (§400.5(d)) | _____ | _____ | _____ |
| B. Organization | | | |
| Describes organizational structure & functions. (§400.5(a)) | _____ | _____ | _____ |
| C. Assurances | | | |
| a. The State will comply with the provisions of Title IV, Chapter 2 of the Act, and official issuances of the Director (§400.5(i)(1)) | _____ | _____ | _____ |
| b. Meet the requirements in Part 400. (§400.5(i)(2)) | _____ | _____ | _____ |
| c. Will comply with all other applicable Federal statutes and regulations in effect during the time that it is receiving grant funding. (§400.5(i)(3)) | _____ | _____ | _____ |
| d. Will amend the Plan to comply with ORR standards, goals and priorities established by the Director, as needed. (§400.5(i)(4)) | _____ | _____ | _____ |
| e. Assures provision of services to all refugees without regard to race, religion, nationality, sex, or political opinion. (§400.5(g)) | _____ | _____ | _____ |
| f. Assures the State will convene planning meetings of public/private sector at least quarterly, unless exempted by ORR. (§400.5(h)) | _____ | _____ | _____ |
| g. State will use the same mediation/conciliation procedures as those for TANF if a publicly-administered RCA program. (§400.83(a)(2)) | _____ | _____ | _____ |
| h. State will use the hearings standards & procedures | _____ | _____ | _____ |

as set forth in (§400.83(b))

II. Assistance and Services

Adequate

Adequate w/
change

Not
Adequate

1. Describes how State will coordinate CMA with support services to promote employment & encourage refugee economic self-sufficiency. (§400.5(b))

2. Describes how the State will ensure that language training and employment services are made available to refugees receiving cash assistance, including State efforts to actively encourage refugee registration for employment services. (§400.5(c))

3. Describes the elements of its TANF program which will be used in its RCA program. (§400.65(b))

(a) Determination of initial and on-going eligibility treatment of income & resources, budgeting methods, need standard (§400.66(a)(1))

(b) Determination of benefit amounts (payment levels based on size of the assistance unit, income disregards) (§400.66(a)(2))

(c) Proration of shelter, utilities and similar needs. (§400.66(a)(3))

(d) Any other State TANF rules relating to financial eligibility and payments. (§400.66(a)(4))

*(e) Will not consider resources remaining in the applicant's country of origin; (§400.66(b))

*(f) Will not consider a sponsor's income & resources as accessible to the refugee solely because the person is serving as a sponsor. (§400.66(c))

*(g) Will not consider any cash grant received by the applicant under the DOS or DOJ R&P program (§400.66(d))

*(h) Will use date of application as the date RCA begins (not required). (§400.66(e))

(i) Implementation Date must be implemented by 3/21/2002 (preamble, 65 FR 15434 3rd col.)

*4. Describes the criteria for exemption from registration for employment services, participation in employability service programs, and acceptance of appropriate offers of employment. (§400.76(b))

5. State will notify promptly local resettlement agency whenever refugee applies for RCA. (§400.68(a))

6. State will contact applicant's sponsor or local resettlement agency at time of app. for RCA concerning offers of employment, etc. (§400.68(b))

C. Unaccompanied Refugee Children

Describes plan for care and supervision of URM's, including legal responsibility and/or guardianship under State Law. (§400.5(e))

D. Medical and Medical Screening

1. Describes procedure for identifying newly arrived refugees in need of care. (§400.5(f))

2. Describes system for provision of follow-up treatments or ongoing monitoring of medical conditions. (§400.5(f))

3. As part of its RMA program, a State may provide a medical screening to a refugee provided

(a) The screening is in accordance with the requirements prescribed by the Director, (§400.107(a)(1))

(b) Written approval for the screening program or project has been provided to the State by the Director. (§400.107(a)(2))

*(4) State will base RMA on the applicant's income and resources on the date of application. (§400.102(d))

*(5) Will use the 200% of poverty option as an eligibility standard for RMA. (§400.101(a)(2) & §400.101(b)(2))

*(6) Will not count R&P, MG, or RCA assistance on the date of application. (§400.102(c))

*(7) Will transfer clients who lose eligibility for Medicaid due to employment during the first 8 months to

RMA without an eligibility redetermination. _____
 (§400.104(b)) _____

*(8) Whether a refugee has been denied or terminated from RCA not used as criterion for determining that an applicant is ineligible for RMA. (§400.100(c)) _____

**E. Cuban/Haitian Program
(45 CFR Part 401)**

Each State that wishes to provide CMA to C/H entrants with refugee funds must include C/H entrants in the plan. If CHEP is not included in the plan, according to guidance contained in State Letter 94-22.

(a) State is serving C/H entrants & has included them in the Plan. _____

(b) State is not serving C/H entrants. _____

Notes:

* Items with an asterisk before the number or letter indicates that this is information we should know, but it is not specifically required in the plan (§400.5). Please try to get this information independently from the State if not provided in the State Plan.

(a) The publicly-administered program is:

(1) Statewide _____ (2) in certain locations _____
If (2) list the locations _____

(b) **Social Services:** If the State has described the social services it provides, please ensure that the services may be found in §400.154 or §400.155. If not, the State needs to submit a waiver request as described in §400.155(h).

Services described: _____ yes _____ no Are consistent with .154 and .155 _____ yes _____ no

(c) **Medical screening:** Check the QPR (Schedule B) to see if they are reporting RMA costs for health screening. If so, look in the current State Plan to see if there is a letter of approval for use of RMA to pay for medical screening from the ORR Director included. If it appears that the State is charging RMA for medical screening without approval of the Director, inform the State that a State Plan revision is required with a budget and budget narrative. Set a date by which RMA/Medical screening revision will be sent to ORR for review.

Report Medical screening costs on QPR _____ no _____ yes

Has letter of approval to charge RMA for medical screening _____ no _____ yes (date)

Needs to get approval _____ no _____ yes

(d) **Citizenship and naturalization preparation services and assistance in obtaining Employment**

Authorization Documents (EADs) may now be provided under social services, but watch that they do not include the actual **fee** to INS as part of the cost.

(e) **RMA eligibility** -- look to ensure that they reference that eligibility for Medicaid and **SCHIP** will be determined before eligibility for RMA.

Includes appropriate reference to **SCHIP** _____ no _____ yes

(f) **Limited English Proficient (LEP) Guidance and Language Materials:** §400.55 was amended to clarify that translations of written policies, notices, and determinations in refugee languages must be provided to recipients in both public/private RCA programs and publicly-administered programs. Please note whether the State has included a reference to this section's requirements in the State Plan and whether it meets the requirements.

Reference to §400.55 _____ no _____ yes, if yes, _____ adequate _____ Not adequate

ORR State Letter 00-18, also requires that States revise their State Plan and submit it by November 8, 2004 to include policies on serving LEP refugees.