

State Plan for Grants to States for Refugee Resettlement and Wilson/Fish Checklist

In order to receive refugee resettlement assistance, a state or Wilson/Fish (WF) agency must submit a State Plan or a WF application that is approved by ORR. This checklist outlines the required components of a State Plan and a WF application. A state or WF agency may include additional information.

I. ADMINISTRATION

A. Organization. 45 CFR 400.5

1. Designate the state or WF agency responsible for developing, administering, and supervising the State Plan or WF Program.
2. Identify the State Refugee Coordinator by title (designated by Governor or designee). If a WF agency, identify the WF Coordinator or State Refugee Coordinator (if applicable).
3. Describe the organizational structure and functions of the state or WF agency.

(WF agencies should refer to WF addendum for additional program application requirements.)

B. Assurances. 45 CFR 400.5

Provide an assurance the state or WF Agency will:

1. Comply with the provisions of Title IV, Chapter 2 of the Refugee Act (8 USC 1522), and official issuances of the Director.
2. Meet the requirements in 45 CFR Part 400.
3. Comply with all other applicable federal statutes and regulations in effect during the time that it is receiving grant funding.
4. Amend the State Plan or WF application to comply with ORR standards, goals, and priorities established by the Director, as needed.
5. Provide services to all ORR-eligible populations without regard to race, religion, nationality, sex, or political opinion.
6. Convene planning meetings of public and private stakeholders at least quarterly, unless exempted by ORR.
7. Provide all ORR-eligible populations with the benefits and services described in the State Plan or WF application.

II. ASSISTANCE AND SERVICES

- A. Describe how the state or WF agency will coordinate Cash and Medical Assistance (CMA) with support services to promote employment and encourage economic self-sufficiency for ORR-eligible populations.

(WF agencies should refer to WF addendum for additional program application requirements.)

- B.** Describe how the state or WF agency will ensure that language training and employment services are made available to ORR-eligible populations receiving cash assistance, including efforts to actively encourage registration for employment services.

C. Refugee Cash Assistance (RCA). 45 CFR 400 subpart E

1. Indicate whether RCA is publicly administered, or is administered through a public/private partnership (PPP) or WF program. If RCA is administered differently across the state, list the locations that are publicly administered and list the locations that are administered under the PPP program.
2. Describe how the state or WF agency will ensure that participants in the RCA program are informed about the program in a language they understand in accordance with 45 CFR 400.55.
3. Provide an assurance that the state or WF agency will follow the mediation and fair hearing standards and procedures outlined at 45 CFR 400.83.
4. Describe the criteria for an exemption from registration for employment services, participation in employability service programs, and acceptance of appropriate offers of employment.
(WF agencies should refer to WF addendum for additional program application requirements.)

States that operate a publicly administered RCA program must include information in #5 and #6 .

5. Eligibility and payment levels. 45 CFR 400.66
 - a. Describe the provisions of the state's TANF program, as delineated at 45 CFR 400.66(a), that will be used in the RCA program
 - b. Provide the TANF payment standard for case sizes 1-5.
 - c. Provide an assurance that the state will consider resources and income as outlined at 45 CFR 400.66(b)-(d).
 - d. Indicate if the state will use the date of application as the date RCA begins (not required).
6. Notification to local resettlement agency. 45 CFR 400.68
 - a. Describe how the state will promptly notify the local resettlement agency whenever an individual applies for RCA.

- b. Describe how the state will contact an applicant's sponsor or local resettlement agency concerning offers of employment in accordance with 45 CFR 400.68(b).

States that operate a PPP program must include information in #7.

- 7. Eligibility and payment levels. 45 CFR 400.50 and 400.60
 - a. Describe how the state will determine initial and on-going eligibility for RCA. Indicate the income eligibility standard established by the state after consultation with local resettlement agencies in the state.
 - b. Provide the RCA payment standard for case sizes 1-5.
 - c. Provide an assurance that the state will follow requirements related to financial eligibility and consideration of resources and income as outlined at 45 CFR 400.59.
 - d. Indicate if the PPP program provides any type of differentials or incentive payments. Describe types and levels of incentive payments.
 - e. Describe how will the state will stay within prescribed assistance and budget levels.

States that operate a publicly administered RCA program and states that operate a PPP program must include information in #8.

- 8. RCA program administration. 45 CFR 400.13
 - a. Indicate which agency is responsible for RCA eligibility (state TANF office, other agency, or private resettlement agency).
 - b. Indicate which agency is responsible for distributing RCA benefits (state TANF office, other agency, or private resettlement agency).
 - c. Describe how staff is allocated between TANF and RCA at the state level.
 - d. Describe how many full-time equivalents are allocated to RCA administration for RCA distribution.
 - e. If the state is charging CMA an indirect cost rate, describe the rate charged and if HHS is the cognizant agency.

D. Refugee Medical Assistance (RMA). 45 CFR 400 Subpart G

- 1. Applications, determinations of eligibility, and furnishing medical assistance. 45 CFR 400.93 and 400.94
 - a. Describe the process for determining eligibility for Medicaid and CHIP.
 - b. Describe how new arrivals apply for RMA. Include a description of any procedural or programmatic changes to the administration of RMA that may have resulted from changes in federal, state or local laws, regulations, or policies.

2. Consideration of eligibility for RMA. 45 CFR 400.100 through 400.104
 - a. Describe the income standard and income methodology used to determine RMA eligibility. Income standard is the maximum income one can make and still qualify for RMA. Income methodology is the method used to count income (e.g., AFDC, MAGI)
 - b. Provide an assurance that the state will consider income and resources as outlined at 45 CFR 400.102.
 - c. Provide an assurance that the state will provide continued coverage of recipients as required by 45 CFR 400.104.

3. Scope of medical services. 45 CFR 400.105 and 400.106
 - a. Provide an assurance that RMA will cover at least the same services in the same manner and to the same extent as Medicaid.
 - b. Describe any additional coverage and justify the need to provide such services. If the service is provided as part of the medical screening program, it must be described in the Refugee Medical Screening section of the State Plan.

4. RMA program administration. 45 CFR 400.13
 - a. Describe the RMA health insurance delivery system (e.g., managed care or fee-for-service). Describe direct services provided through RMA that are non-medical (e.g., interpretation and transportation). Do not include actual cost estimates.
 - b. Describe RMA program administrative services (e.g., interpretation, transportation, and RMA eligibility determination, and responsibilities of the Refugee Health Coordinator). Do not include actual cost estimates.

- E. Refugee Medical Screening (RMS). 45 CFR 400.107**
 1. Coordination of RMS program. 45 CFR 400.5(f)
 - a. Describe the procedure for identifying new arrivals in need of care. Describe the procedure established to monitor any necessary treatment or observation.
 - b. Describe state and clinic access to the CDC's Electronic Database Notification (EDN) and how this information is used during medical screening.
 - c. Describe the state's coordination of medical screenings with screening providers (e.g., official contracts with providers). Include a description of any coordination that is provided to facilitate the medical screenings and describe how this coordination is funded.

- d. Provide a description of medical screening providers categorized by type (e.g., FQHC, private clinics, local public health departments).
2. Indicate if the state is requesting to operate a medical screening program with RMA funding. This may be approval to continue operating a medical screening program or first-time approval to use RMA funding.
3. Scope of RMS services. 45 CFR 400.107
 - a. Provide an assurance that the RMS program is operated in accordance with the requirements prescribed by the Director.
 - b. Describe screening services that are covered by Medicaid. Include a description of services provided based on age and risk factors. The state medical screening protocol may be provided as an attachment for clarification.
 - c. Describe screening services outlined in ORR's medical screening checklist that are not covered by or billed to Medicaid. Include a description of services provided based on age and country of origin. Describe why Medicaid is not paying for these services, if known.
 - d. Describe additional services beyond those outlined in ORR's medical screening checklist and justify the need to provide such services.
 - e. Provide an assurance that medical screening costs are reasonable.
 - f. Describe how the state will ensure that screenings will be completed in the first 90 days, if the screening is billed to RMA.
3. RMS program administration. 45 CFR 400.13
 - a. Describe the medical screening payment model (flat rate or fee-for-service). Describe direct services provided through RMS that are non-medical (e.g., interpretation and transportation). Do not include actual cost estimates.
 - b. Describe medical screening program administrative services (e.g., interpretation, transportation, coordination, and responsibilities of the Refugee Health Coordinator). Do not include actual cost estimates.

F. Refugee Social Services (RSS). 45 CFR 400 subpart I

1. Describe if the state or WF program provides social services as outlined at 45 CFR 400.154 and 400.155. If not, the state or WF agency must submit a waiver request as described at 45 CFR 400.155(h).
2. Indicate if the social services described are consistent with 45 CFR 400.154 and 400.155.

3. If the state or WF agency receives RSS set-aside funding for specific services or populations, describe the target population(s) and services. Describe how these set-aside services complement services provided under RSS base funding.

Note: Citizenship and naturalization preparation services and assistance in obtaining employment authorization documents (EADs) may be provided under social services, but cannot include the actual fee to USCIS as part of the cost.

G. Unaccompanied Refugee Minors (URM) Program. 45 CFR 400 subpart H
States receiving funding to operate a URM program must include information in this section.

1. Administrative structure and state oversight. 45 CFR 400.117
 - a. Describe the administrative arrangements for the provision of services for URM with any public or private agency in the state, and the names and roles of agencies involved in the URM program. Provide location(s) of URM providers, including sub-office locations.
 - b. Describe the process for the state's review of required placement and outcome reports for URM.
 - c. Describe how the state exercises oversight responsibility for the care of URM.
 - d. Describe how the state conducts monitoring of contracted URM providers, separate from state licensing reviews. Include state procedures for monitoring contracted URM providers at least annually for state foster care standards and ORR regulations and standards.
 - e. Provide an assurance that the state will assume program accountability for all aspects of the program, including fiscal and program reporting.
 - f. Provide an assurance that URM service providers are licensed according to state requirements.
 - g. Provide an assurance that the state or county supervising and/or contracting agency for URM confer at least annually with provider agencies.
2. Legal responsibility. 45 CFR 400.115(a)
 - a. Describe the state's procedures for initiating the process of establishing legal responsibility within 30 days. Include the roles of individuals and/or entities involved in the process, and approximate timeframe from initiation to establishment of legal responsibility.
 - b. Describe the entity that takes legal responsibility of the URM (e.g. state, county, private agency) and the types of legal authority allowed by the state (e.g. custody, guardianship, conservatorship, etc.) for URM enrollment.

- c. Describe the court review and oversight process for legal responsibility that has been established, and when legal responsibility ends. Include name(s) of court(s).
 - d. Describe any voluntary placement process for older youth to remain in care beyond age 18.
- 3. Eligibility. 45 CFR 400.111 and 45 CFR 400.113
 - a. Provide an assurance that the state will serve all URM-eligible populations.
 - b. Indicate the age that foster care or other placement services end (absent continued placement on a voluntary basis). Indicate the age that youth 'age-out' from voluntary placements.
 - c. Describe triggers that would terminate eligibility from the URM program in the state.
 - d. Describe available provisions in the state which allow former foster children to return to placement and/or services. Include state policy on education and training vouchers (ETV) eligibility and participation for youth who return.
 - e. If the state provides ORR-funded independent living services or education benefits (to be indicated below), indicate the higher age that eligibility for such services and benefits end.
- 4. Scope of URM services. 45 CFR 400.116
 - a. Provide an assurance that the state will provide URMs with the same range of benefits and services as available to other foster children in the state, including services identified under the state's Title IV-B and IV-E plans.
 - b. Describe placement options available in the state, including any special arrangements to diversify the range of placement (e.g. through subcontracts, memoranda of understanding, etc.). If subcontracts/MOUs are in place, provide the name of provider, level of care, and capacity.
 - c. Describe how health coverage is provided for URMs. Include eligibility type and age parameters. If certain youth are not eligible for Medicaid or CHIP, describe the state's workaround arrangements to ensure medical coverage.
 - d. Indicate if youth who have emancipated from foster care placement services are eligible for and receive independent living services and ETVs available to other foster children in state or county custody (through the state's Chafee allocation). If no such eligibility exists, describe the state's arrangements for providing such services and benefits with ORR funding.

5. Case review/planning. 45 CFR 400.118
 - a. Provide an assurance that cases are reviewed every six months for the continuing appropriateness of living arrangements and services.
 - b. Describe the state's arrangements for permanency plan reviews, including those conducted in parity with the state's Title IV-B plan, addressing the full range of permanency options, including but not limited to adoption.
 - c. Provide an assurance the state will address the following elements in case plans: family reunification, placement, health screening and treatment, mental health needs, social adjustment, education/training, English language training, career planning, preparation for independent living, preservation of ethnic and religious heritage.
 - d. Provide additional information on available benefits and services, as desired.

6. Interstate movement. 45 CFR 400.119
 - a. Describe the procedures in the state for the movement of minors to other states (after initial placement and legal responsibility has been established).

Addendum: Wilson-Fish (WF) Approval Checklist

****All WF Programs must provide the information requested in the approved State Plan Checklist, following the same format. In addition, all WF Programs must address the following additional items listed in this Addendum. Please note the section in which the information is to be included.**

Section I. ADMINISTRATION

Organization. 45 CFR 400.5

1. Provide a brief history of the WF program.
2. Describe the precise location of the WF program and boundaries of the service area.
3. Describe program and fiscal oversight for the overall WF program and individual components, including oversight of sub-grantees.
4. Assure that the WF agency has a written code of conduct to ensure that administrative decisions, including the monitoring of a provider that is part of the same 501(c)(3) organizational structure as the WF agency, do not result in a conflict of interest that unduly benefits the WF agency.
5. Assure that the WF agency has a policy for resolving disputes that may arise between the WF agency and sub-agreement agencies, as well as between WF agencies, providers that are part of the same 501(c)(3), and clients.

Section II. ASSISTANCE AND SERVICES

1. Describe how activities will be coordinated among resettlement agencies, state and county agencies, and service providers in the community.
2. Describe how ORR-eligible populations residing in the project area will have appropriate access to ORR-funded cash assistance and services.
3. Describe how ORR-eligible populations will have access to other programs in the community, such as child care services, senior services, and other support programs for working families and individuals.

Sections C. 5, C. 6, C. 7 and C. 8 of the State Plan Checklist are not applicable to WF. Instead, provide the information described below.

WF Eligibility and payment levels (45 CFR 400.50 and 400.60) with the following:

- a. Describe how the WF program will determine initial and on-going eligibility for RCA. Indicate the income eligibility standard established by the WF program after consultation with local resettlement agencies in the state.
- b. Provide the RCA payment standard and the TANF rate for case sizes 1-5.

Expiration Date:

- c. Provide an assurance that the WF program will follow requirements related to financial eligibility and consideration of resources and income as outlined at 45 CFR 400.59.
- d. Describe the WF program's policy and procedures regarding the beginning of RCA eligibility, the timing of RCA payments throughout the client's eligibility period, and the (optional) use of proration.
- e. Describe how benefit payments will be structured, including RCA differential payments to TANF clients, employment incentives, and/or income disregards to be used, if any, and methods of payment, such as direct cash or vendor payments.
- f. If a differential RCA payment to TANF clients is proposed in the application, include a signed agreement between the WF agency and the state TANF agency that supports the differential requirements outlined in the WF guidelines. (In non-competing continuation years, a copy of the letter from the original application can be submitted.)
- g. Describe how the WF program will stay within prescribed assistance and budget levels.

WF RCA program administration. 45 CFR 400.13

- a. Describe how many full-time equivalents are allocated to RCA administration for RCA distribution.
- b. If WF agency is charging CMA an indirect cost rate, describe the rate charged and if HHS is the cognizant agency

WF Intensive Case Management (ICM)

- a. Describe the target population and projected number of ICM recipients.
- b. Describe how an individual will be determined to have special needs warranting ICM.
- c. Describe ICM services, to be designed and provided in accordance with the Wilson-Fish program guidelines.

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