

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



January 19, 2007

REFUGEE COORDINATOR LETTER NO. 06-17

TO: COUNTY REFUGEE COORDINATORS

The purpose of this letter is to clarify and provide guidance on issues that were identified when the Office of Refugee Resettlement (ORR) and the Refugee Programs Bureau (RPB) conducted their onsite visits to monitor county programs for refugee social services. To ensure effective and efficient service delivery to refugee clients, counties must abide by the following guidelines to mitigate programmatic and financial oversights.

The four issues that were identified during the monitoring visits are: Social Security Cards, I-94 Arrival/Departure Cards, Written Policies & Notifications to Refugee Clients, and Case File Records: Medical Referrals. The specific requirement for each identified issue is listed below:

Social Security Cards

ORR and RPB found that counties and service providers were maintaining copies of client's social security cards and/or social security numbers in case files, a practice that conflicts with the *Privacy Act of 1974*. Under the *Privacy Act of 1974*, "States are prohibited from denying an individual any right, benefit, or privilege provided by law because of the individual's refusal to disclose his or her social security number unless disclosure is required by federal statute." On November 16, 2000, ORR issued State Letter 00-23 (enclosed) which states, "for ORR-funded assistance and services, including employment services, disclosure of a social security number is not required by federal statute."

Counties may request that an applicant voluntarily provide his or her social security number but the reason for its use must be explained to the applicant and documented in the case files. In some situations, like employment services, where social security numbers are required, counties may choose to develop a specific form to be used for this purpose. If counties decide to develop a form, it must be included in the case file.

I-94 Arrival/Departure Cards

Federal and state monitors found during their monitoring visits that caseworkers did not include both sides of the I-94 Arrival/Departure Card in the case file as required in ORR State Letter 00-17 (enclosed). The I-94 Arrival/Departure Card contains information that is used to determine an individual's eligibility for ORR funded services and the number of months for which they can receive aid, such as refugee or asylum status and arrival date. Pertinent information that impacts eligibility may be located on either side of the document. To ensure that all relevant information on the I-94 Arrival/Departure Card is available for review during ORR and RPB monitoring visits, both sides of the I-94 Arrival/Departure must be copied and placed into the case file.

Written Policies & Notifications to Refugee Clients

During monitoring visits, ORR and RPB found that county notices and policies were available in English only and were signed by refugee clients despite disclosure during intake that the refugee client could not comprehend, speak, read, or write English. Pursuant to 45 CFR 400.55, "A state, or the agency(s) responsible for the provision of RCA must make available to refugees the written policies of the RCA program...to ensure that refugees understand what is expected of them, and what protections are available to them."

Some counties have already established a procedure for Limited-English Proficient (LEP) individuals, but this notice is to reconfirm the requirements. LEP individuals must be provided with appropriate bilingual or interpretive services in a language that the individual understands (see page 2 of enclosed All-County Letter No. 00-30). ORR and RPB require that written notices and policies given to refugee clients be provided in a culturally and linguistically appropriate language. These notices and policies need to be either translated in writing or explained verbally to the client, with the explanation documented in the client's file. If certain forms are translated in the client's native language, those forms must be used in place of the English forms. If translation forms are used, they must be signed by all parties and placed in the case file. In cases where the form has no space for a translator to sign, counties must verify somehow with either an attachment or a clear explicit comment in the case file that the document was translated to the client.

Case File Records: Medical Referrals

ORR and RPB found no description or evidence of medical services referrals for clients whose need for further treatment and follow-up care was documented in the case file.

Pursuant to 45 CFR 400.28(a), "A State must provide for the maintenance of such operational records as are necessary for federal monitoring of the State's Refugee Resettlement Program," which further include, at Parts 400.28(a) (1) and (a) (3), documentation of services and assistance provided and documentation that necessary medical follow-up services and monitoring have been provided. It is therefore, incumbent upon the county to document referrals, particularly for medical concerns. Effective immediately, counties must direct caseworkers to document medical referrals in client case files. Caseworkers should begin the practice of logging and initialing such referrals. When possible or necessary, counties should follow up on medical referrals.

In regards to the specific requirement for each of the four issues that were identified: Social Security Cards, I-94 Arrival/Departure Cards, Written Policies and Notifications to Refugee Clients, and Case File Records: Medical Referrals, counties must submit to RPB copies of their policies or instructions that they have given to their staff and contractors regarding this matter. The requirement is due no later than 45 calendar days from the date of this notice.

If you have any questions regarding these matters, please contact Lisa Vang at (916) 651-9770 or via email at Chong.Vang@dss.ca.gov or Nathan Morris at (916) 653-8545 or via email at Nathan.Morris@dss.ca.gov.

Sincerely,



THUAN NGUYEN, Chief
Refugee Programs Bureau

Enclosures

c: Constance Combs