



FAMILY INDEPENDENCE ADMINISTRATION
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POLICY BULLETIN #10-26-OPE

HAITIAN TEMPORARY PROTECTED STATUS

<p>Date: March 19, 2010</p>	<p>Subtopic(s): Immigration, Haiti, Earthquake</p>
<p> This procedure can now be accessed on the FIAweb.</p>	<p>The purpose of this policy bulletin is to inform Job Center and Non Cash Assistance Food Stamp (NCA FS) Center staff that the Department of Homeland Security (DHS) has designated Haiti for Temporary Protected Status (TPS) for a period of 18 months and the effect that this designation has on eligibility for individuals in this status.</p> <p>TPS is a temporary immigration status granted under federal law to aliens who are physically present in the United States and who are from certain countries designated by the DHS as unsafe to accept their return.</p> <p>Haitian individuals who have applied for or been granted TPS are NOT eligible for Cash Assistance (CA) and/or NCA FS benefits. These individuals are NOT deemed “persons residing under color of law” (PRUCOL) for purposes of Safety Net Assistance (SNA) and they are NOT deemed to be “qualified aliens” for Family Assistance (FA) and/or NCA FS eligibility.</p> <p>However, Haitian individuals who have applied for or been granted TPS are classified as PRUCOL for the purposes of Medicaid benefits. Individuals denied for CA and NCA FS benefits with denial code F92 (Ineligible Alien) must be given a separate Medicaid determination.</p>

HAVE QUESTIONS ABOUT THIS PROCEDURE?
 Call 718-557-1313 then press 3 at the prompt followed by 1 or
 send an e-mail to *FIA Call Center Fax* or fax to: (917) 639-0298

Haitians who have been granted TPS will have the following documentation:

- Form I-766 EAD coded 274a.12(a)(12) or A12; or
- Notice of Action (I-797) indicating temporary protected status has been granted.

Applicants for TPS will have the following documentation:

- Form I-766 EAD coded 274a.12(c)(19) or C19; or
- Notice of Action (I-797) showing filing of Form I-821 (Application for Temporary Protected Status) and Form I-765 (Application for Employment Authorization); and
- Receipt for required fees or copy of fee waiver request.

Haitian nationals in the U.S. who may be eligible to apply for TPS should be referred to www.uscis.gov or instructed to call USCIS toll-free at **(800) 375-5283**. Additionally, they may contact the New York State Immigration Hotline at **(800) 566-7636** for referral information provided in Haitian Creole.

Additionally, individuals should be informed and encouraged to visit the Haitian Earthquake Resource Center which offers clinics at the Center on Wednesdays and Saturdays to assist individuals in applying for TPS.

Effective Immediately

Reference:

[GIS 10 TA/DC009](#)

Related Item:

[PB #10-05-OPE](#)