



FAMILY INDEPENDENCE ADMINISTRATION

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POLICY BULLETIN #06-168-ELI

(This Policy Bulletin Replaces PB #06-31-ELI)

PROCESSING NONCITIZENS APPLYING FOR OR RECERTIFYING FOR PUBLIC BENEFITS AT JOB CENTERS

Date: December 21, 2006	Subtopic(s): Immigrant Eligibility
<p> This procedure can now be accessed on the FIAweb.</p> <p>This information replaces the information given for the role of the Immigrant Liaison in PD #06-24-ELI.</p>	<p>The purpose of this bulletin is to provide Job Center staff with instructions for servicing all non-citizens applying for or recertifying for Public Assistance (PA), Medicaid (MA) and/or Food Stamps (FS).</p> <p>Previously, JOS/Workers had been instructed <u>to refer all</u> applicants/participants who appear to be a battered alien or who appear to meet the criteria for individuals permanently residing under color of law (PRUCOL) to the Immigrant Liaison to process all actions on the case.</p> <p>Effective December 26, 2006, each Job Center will have Specialized JOS workers, Immigrant Liaison Supervisors who will supervise the Specialized JOS workers, and Immigrant Liaison AJOS II's (or Center Directors' Designees) who will process every case that contains a noncitizen who is applying for or recertifying for public assistance. The <u>only exception</u> is for Legally Permanent Residents (LPR's) who have been in that status for 5 or more years. All cases where the only immigration determination concerns an LPR who has been in that status for 5 or more years will be handled by the JOS/Worker. <u>The AJOS II Immigration Liaison (or Center Director's Designee) must review all cases where a negative action (rejection, closing, line removal) will be taken on a non-citizen case for any eligibility reason.</u></p> <p>Specialized JOS's, Immigrant Liaison Supervisors and Immigration Liaison AJOS II's (or Center Directors' Designees) will be trained to identify all categories of non-citizens and ensure that the correct immigration status is determined and a correct eligibility determination is made on each case.</p>

HAVE QUESTIONS ABOUT THIS PROCEDURE?
Call 718-557-1313 then press 2 at the prompt followed by 765 or
send an e-mail to *FIA Call Center*

When a JOS/worker learns during an interview that an individual is a non-citizen, who is not an LPR with 5 or more years in that status, the worker must suspend the interview and alert his/her supervisor. The supervisor will transfer the case to the Immigrant Liaison Supervisor. The Immigrant Liaison Supervisor will then transfer the case to Specialized JOS.

The Specialized JOS worker will be responsible for interviewing, and completing initial (application) and ongoing eligibility (recertification) determinations on all noncitizen cases (except for cases that **only** contain LPR's with 5 or more years in that status) The Specialized JOS worker will complete the interview and submit the case to his/her Immigrant Liaison Supervisor for review and sign-off.

The AJOS II Immigrant Liaison must enter a case note in POS confirming that he/she determined the immigrant's eligibility for public benefits.

When a non-citizen who appears to meet the criteria for qualified battered alien status or PRUCOL criteria applies or recertifies for assistance, the Specialized JOS worker will alert the AJOS II Immigrant Liaison (or Center Director's Designee.) The Specialized JOS worker together with the AJOS II (or Center Director's Designee) will conduct the interview to assess whether the non-citizen meets the Battered Alien criteria or is eligible under PRUCOL criteria for public benefits.

The AJOS II Immigrant Liaison (or Center Director's Designee) will make a decision on both the immigration status and public benefits eligibility of the non-citizen and must note each decision by making an entry in the case file.

For non-citizen multi-suffix cases which are not in POS, each decision must be noted on the History Sheet (Form W-25.)

The Specialized JOS worker will take all other required action necessary in order to make an eligibility determination. Once an eligibility determination has been made on the application/case of a qualified battered alien or PRUCOL, it must be submitted to the AJOS II Immigrant Liaison (or Center Director's Designee) instead of the Immigrant Liaison Supervisor. The AJOS II Immigrant Liaison will be responsible for reviewing all aspects of the immigration status, making a determination of the immigration status and approving or disapproving the eligibility decision on the application/recertification.

The AJOS II Immigrant Liaison will consult with the Office of Refugee and Immigration Assistance (ORIA) when in need of guidance in processing these cases.

If the Specialized JOS worker and/or Immigrant Liaison Supervisor need additional guidance or instruction to make an immigrant determination, they should contact the AJOS II Immigrant Liaison (or Center Director's Designee.) If the AJOS II Immigrant Liaison (or Center Director's Designee) cannot make the determination, s/he should contact the Office of Refugee and Immigrant Affairs (ORIA) for additional guidance.

Center 17:

If a non-citizen calls Center 17 and seeks to be added to a Child Only Case, refer the individual to their application center where the Child Only case was established. At that Center, they will be processed in accordance with this Policy Bulletin.

Effective December 26, 2006