FAMILY INDEPENDENCE ADMINISTRATION

Seth W. Diamond, Executive Deputy Commissioner

James K. Whelan, Deputy Commissioner
Policy, Procedures and Training

Lisa C. Fitzpatrick, Assistant Deputy Commissioner
Office of Procedures

POLICY BULLETIN #07-04-SYS

NONCITIZEN− RELATED SYSTEMS AND PROCESSING CHANGES

Date: January 4, 2007	**Subtopic(s):** Eligibility

⌨ This procedure can now be accessed on the FIAweb.

The purpose of this policy bulletin is to inform staff at Job Centers and Non-Public Assistance (NPA) Food Stamp (FS) Offices of changes in the information captured by the Turn-Around Document (TAD) (**LDSS-3517**) and to introduce the following forms:

- Inter-Agency Date of Status (DOS) and Date Entered Country (DEC) Transmittal Form (**W-200B**)
- DATE ENTERED COUNTRY (DEC) DATA ENTRY FORM (ITEM **347**) (**LDSS-4895**)

Date of Entry (DOE) field renamed to Date of Status (DOS)

Effective January 8, 2007, the existing "Date of Entry" (DOE) (element **389**) field, which is used to capture the eight -character date (MM/DD/YYYY) on which a noncitizen entered the United States (US) through a specific qualified immigration status or was granted a qualified immigration status after physically entering the U.S will be renamed "Date of Status" (DOS).

The DOS is the date used to determine what public benefits (based on immigration status) a qualified noncitizen is eligible for. It must be entered for all noncitizens with the following alien/citizenship indicator (ACI) codes:

ACI Code	Definition
A	Asylees
B	Battered Alien
F	Conditional Entrant
G	Parolee (for at least one year)
H	Cuban/Haitian Entrants

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*

Distribution: X

ACI Code	Definition
J	Deportation or Removal Withheld
K	Lawful Permanent Resident (LPR) without 40 qualifying quarters
M	Active Military duty
R	Refugee
S	Lawful Permanent Resident (LPR) with 40 qualifying quarters
T	Persons paroled into the U.S. for less than one year
V	Veteran, Spouse and dependent children

Noncitizens subject to the 5 year bar on federally funded PA, MA and FS will be able to receive these benefits when the DOS is 5 years or more, if otherwise eligible.

For qualified noncitizens who are subject to the five year bar on federal public benefits, the DOS marks the beginning of the five year count. The DOS appears on noncitizen's immigration documents such as the **I-55I** -Permanent Resident Card or other official documentation from the Immigration Service including the **I-797**(Notice of Action).

Under Federal rules noncitizens in a qualified immigration status that is subject to the five year bar on all federal public benefits, <u>are exempt</u> from the five year bar on federally funded PA and MA if they entered the US <u>prior to August 22, 1996</u> and <u>were continuously present</u> (with no single absence from the US for more than 30 days or aggregate absence of more than 90 days) in the US from their date of entry until the date they obtained qualified immigration status.

New Date Entered Country (DEC) field on the TAD

A new field, "Date Entered Country (DEC)," (element **347**) has been added to the Turn Around Document (**TAD**). The DEC is the date the noncitizen entered the US legally or illegally and will be a must fill field for all noncitizens except those with ACI codes **C** (US Citizen) **E** (Non-qualified aliens eligible for emergency Medicaid), **O** (PRUCOL) and **9** (Pregnant Woman-System Generated).

This applies to noncitizens with ACI codes **B**, **K** and **T**.

The DEC field will facilitate the issuance of federally funded PA and MA to eligible noncitizens with ACI codes **B**, **K** and **T** who entered the US prior to <u>August 22, 1996</u> and were continuously present (as defined above) in the US from their date of entry until the date they obtained a qualified immigration status. See the Alien Eligibility Desk Guide (**LDSS-4579**).

For non-citizens who entered the US with permission, the DEC appears on the **I-94** - Arrival/Departure Record or may be stamped in the noncitizen's foreign passport. The DEC will be earlier than or equal to the noncitizen's DOS.

Use the **LDSS-4895** at Non-POS NPA FS Sites and when POS is unavailable at POS locations	The Paperless Office System (POS) has been updated to accommodate the entry of the DEC date. The Office of Temporary and Disability Assistance (OTDA) has created the **LDSS-4895** to capture the DEC information for data entry in WMS until the TAD is revised. The **LDSS-4895** will be used in the NPA FS Offices without POS capabilities and in all Job Centers and NPA FS Offices with POS capabilities when the paperless office system is not available.
Changing the date in the DOE or DOS fields Refer to PD #06-23-SYS	Previously, an edit was added to WMS that prevents JOS/Workers from changing the date in the current DOE field <u>to a more recent date</u>. This edit will apply to both the DOS and DEC field. When an attempt is made to change the existing date in the DOS or DEC field to a more recent date, WMS will display an error message, **E2211**: "MUST CALL WMS HOTLINE TO CHANGE DOS."
Use form **W-200B** to request a change in the DOE or DOS fields to a <u>more recent</u> date	To address these errors, the **W-200B** form was created. When a case errors out because of a JOS/Worker's attempt to change the dates in the DEC or DOS fields, the JOS/Worker must complete the **W-200B** and submit it along with documentation to support the date change, to the AJOS II Immigrant Liaison for his/her location. The AJOS II Immigrant Liaison will review the request to ensure the change is warranted and, if valid, will forward the request and supporting documentation to the designated person at the Regional Offices.
Regional offices	The Regional Designee will scan the **W-200B** and supporting documents and e-mail them to Paul Dichian (paul.dichian@dfa.state.ny.us) and Frank Essien (frank.essien@dfa.state.ny.us) if the error is on a PA and/or FS only case (no MA). If MA is a component of the PA or FS case in error, the **W-200B** and supporting material must also be e-mailed to Shirley A. Race (sar05@health.state.ny.us). Mr. Dichian and Mr. Essien are with the New York State (NYS) Office of Temporary and Disability Assistance and Ms. Race is with the NYS Department of Health (DOH) Office of Medicaid Management. They will review the DOS/DEC change request and if the request is valid, will sign off on the **W-200B** and instruct the appropriate FIA or NYS staff to process the request.

Form **W-200B** is not needed to change the date in the DOE or DOS fields to an earlier date	JOS/Workers may change the date of entry without completing a **W-200B** if the date is being changed to an earlier DOE/DOS. *Effective January 8, 2007* **Attachments:** **LDSS-4895** Date Entered Country (DEC) Data Entry Form (Element **347**) **W-200B** Inter-Agency Date of Status (DOS) and Date Entered Country (DEC) Transmittal Form

DATE ENTERED COUNTRY (DEC) DATA ENTRY FORM
(ITEM 347)

CASE NUMBER	DATE FORM PREPARED (mmddyy)
ORIGINATING ID	**AUTHORIZATION NUMBER**

SUFFIX ID	LINE #	DEC (mmddyyyy)
SUFFIX ID	LINE #	DEC (mmddyyyy)
SUFFIX ID	LINE #	DEC (mmddyyyy)
SUFFIX ID	LINE #	DEC (mmddyyyy)
SUFFIX ID	LINE #	DEC (mmddyyyy)
SUFFIX ID	LINE #	DEC (mmddyyyy)

ELIGIBILITY SPECIALIST	DATE	SUPERVISOR'S SIGNATURE	DATE

CONTROL CLERK	DATE	CRT OPERATOR	DATE

The CITY of NEW YORK
Human Resources Administration
Family Independence Administration

Inter-Agency Date of Status (DOS)[1] and Date Entered Country (DEC)[2] Transmittal Form

Please print all information clearly and include all documentation to support the request to change the DOS or DEC to a later date. Be sure to complete all fields and enter all relevant details.

Applicant/Participant Name *(last name, first name)*: _____ _____

Case Number: _____ CIN Number: _____ Line Number: _____

Current Date of Status (DOS): _____ Current Alien Citizen Identification Number (ACI): _____

New Date of Status (DOS): _____ New ACI *(if applicable)*: _____

Current Date Entered Country (DEC): _____ New Date Entered Country (DEC): _____

Reason for Changing DOS and/or DEC: (please check ☑ the appropriate box)

☐ Worker/data entry error _____

☐ Misinterpretation of policy _____

☐ Other *(please explain)*: _____

_____

_____

_____

Immigration Documents Attached

☐ **I-94** Arrival/Departure Record   ☐ **I-766** or **I-688B** Employment Authorization Card

☐ **I-797** Notice of Action   ☐ **I-551** Lawful Permanent Resident Card

☐ Other: _____

Supervisor's Name: _____ Telephone Number: _____

Worker's Name: _____ Telephone Number: _____

Final Determination

☐ Approve   Date approved: _____

☐ Deny   Date denied: _____

Reason denied: _____

_____

_____

_____

Signature/Reviewed by State Program Staff   Telephone Number

[1]The **Date of Status (DOS)** is the date the immigrant was granted or achieved his or her qualified immigration status. This date appears on the individual's immigration documents (i.e., the **I-94** Arrival /Departure Record, or **I-551** Resident Alien Card, **I-688B** or **I-766** Employment Authorization Document, or may be present on other official documentation from USCIS (example: USCIS Form **I-797** Notice of Action). The Date of Status (DOS) is optional for PRUCOL (ACI=O). **Remember an immigrant's status may change to an other status that is different than the status under which they entered the country**.

[2]The **Date Entered Country (DEC)** is the date the immigrant physically entered the United States. This date appears on the **I-94** Arrival/Departure Record or may be stamped in their foreign passport. The date entered country (DEC) is optional for ACI=O, however, if available it may be entered.