

DEPARTMENT OF HUMAN SERVICES

Income Maintenance (Volume 3)

COLORADO REFUGEE SERVICES PROGRAM (CRSP)

9 CCR 2503-3

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

3.300 COLORADO REFUGEE SERVICES PROGRAM (CRSP)

3.310 PROGRAM SUMMARY

The Colorado Department of Human Services, through the Colorado Refugee Services Program (CRSP), is the single State agency with responsibility for the overall supervision and coordination of this program in Colorado, and for the development and supervision of the annual state plan for Colorado. CRSP operates under the Refugee Act of 1980 and Title IV of the Immigration and Naturalization Act (INA), as amended. Copies of the Immigration and Naturalization Act are available for public inspection by contacting the Colorado State Refugee Coordinator during regular business hours at the Colorado Department of Human Services, Colorado Refugee Services Program, 1120 Lincoln Street, Suite 1007, Denver, Colorado 80203; or at a state publications depository library. No later editions or amendments are incorporated.

CRSP serves eligible populations (see General Definitions in section 3.320) who are residents of Colorado for up to five years after their date of entry into the United States or the date status was granted. These eligible populations are considered qualified aliens and are exempt from the five year bar for public assistance (with exceptions under the category of Unaccompanied Refugee Minors). These populations may access public assistance programs provided by the Colorado Department of Human Services and the Colorado Department of Health Care Policy and Financing, such as, but not limited to: Colorado Works/TANF, SNAP/Food Assistance, and medical programs provided through the Colorado Department of Health Care Policy and Financing.

For Unaccompanied Refugee Minors (URM), CRSP can serve this population through the URM program until the youth turns twenty-one (21) years of age. If needed, a URM who is no longer in the URM program can receive CRSP services for up to five years after receiving status that enables him/her to receive services through the Office of Refugee Resettlement (ORR).

3.320 GENERAL DEFINITIONS

3.321 CRSP ELIGIBLE POPULATIONS

The following categories of people are eligible for CRSP, CDHS, and HCPF services.

- A. A "refugee" is a person who is outside his/her country of nationality (or habitual residence) who is unable or unwilling to return to that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group or political opinion. A refugee is granted refugee status outside of the United States.

- B. An “asylee” is a person who has been granted asylum by the U.S. Citizenship and Immigration Service (USCIS) while residing in the United States. An asylee meets the same definition as a refugee and has been granted asylum status. Individuals admitted to the United States who are classified by USCIS as “applicants for asylum” are not eligible for CRSP benefits unless they are Cuban or Haitian (refer to Sections 3.321 C, and 3.330 D).
- C. “Cuban and Haitian Entrants” are:
1. Any individual granted parolee status by the Department of Homeland Security (DHS) as a Cuban/Haitian Entrant (status pending) or granted any other special status subsequently established under the immigration laws for nationals of Cuba or Haiti, regardless of the status of the individual at the time assistance or services provided.
 2. A national of Cuba or Haiti who was paroled into the United States and has not acquired any other status under the Immigration and Nationality Act (INA), and with respect to whom a final, nonappealable and legally enforceable order of removal, deportation or exclusion has not been entered.
 3. A national of Cuba or Haiti who is the subject of removal, deportation or exclusion proceedings under the INA and with respect to whom a final, nonappealable, and legally enforceable order of removal, deportation or exclusion has not been entered.
 4. A national of Cuba or Haiti who has an application for asylum pending with Department of Homeland Security, United States Citizenship and Immigration Services (USCIS) or Department of Justice (DOJ)/Executive Office for Immigration Review (EOIR) and with respect to whom a final, nonappealable, and legally enforceable order of removal, deportation or exclusion has not been entered. For documentation requirements, refer to section 3.330, D.
- D. “Certain Amerasians from Vietnam” are certain persons from Vietnam who:
1. Are admitted to the United States as immigrants and were born in Vietnam after January 1, 1962 and before January 1, 1976; and,
 2. Were fathered by a citizen of the United States.
- E. “Victims of Severe Forms of Trafficking” are persons who have been certified as such by the U.S. Department of Health and Human Services (HHS), and are eligible for benefits and services to the same extent as refugees. Victims of trafficking can be adults or minors. Family members who obtain derivative status from the trafficked person are also eligible for both benefits and services.
- F. Iraqi and Afghan individuals who have been employed by, or on behalf of, the U.S. military, or on behalf of the U.S. Government, or families of such individuals, who are now in danger; and admitted under a Special Immigrant Visa (SIV). For documentation requirements (refer to section 3.330, G.)
- G. Unaccompanied Refugee Minors (URMs) are minors identified overseas who are eligible for resettlement in the United States, but do not have a parent or a relative available who are committed to providing for the minor’s long-term care. Upon arrival in the United States, these refugee youth are placed into the URM program and receive refugee foster care services and benefits. Youth who have an immigration status that enables them to become eligible for ORR services (for verification of status for program eligibility, see section 3.330), who enter the United States with or without family but experience a family breakdown or cannot return home, may also be eligible to participate in the URM program if approved by ORR.

- H. An I-551 (“green card”) holder who held one of the previously identified statuses are eligible to apply for both CDHS and CRSP benefits and services.

3.330 VERIFICATION OF STATUS FOR PROGRAM ELIGIBILITY

Applicants for assistance under the Colorado Refugee Services Program must possess in their name, documentation provided by the United States Citizenship and Naturalization Service (USCIS) under the Immigration and Nationality Act (INA) with one of the following statuses:

- A. Admitted as a refugee under Section 207 of the INA; shall present documentation including: RE-1, RE-2, RE-3, RE-4, RE-5 on an I-94 form; an Employment Authorization Document with codes A03 or A04; DHS form I-571; I-730 approval letter of refugee status; or Visa 93 on the I-94 arrival/departure card, may contain the words “Section 207”.
- B. Granted as an asylee under Section 208 of the INA; may have an I-94 form with Section 208 notation or, as an alternative, the individual may have a letter from the U.S. Department of Justice Executive Office for Immigration Review immigration judge indicating that final asylum has been granted and the date of asylum status. The applicant could also have a written decision from the Board of Immigration Appeals (BIA), under Section 208 of the INA. Documentation could also state AS-1, AS-2, AS-3 on an I-94 form. An Employment Authorization Document with code A05; DHS form I-571; order of an immigration judge granting asylum under Section 208 of the INA; asylum approval letter from USCIS asylum office; I-730 approval letter; or Visa 92 on the I-94 arrival/departure record, which may contain the words “Section 208”.
- C. Paroled as a refugee or asylee under Section 212(d)(5) of the INA. The applicant shall present documentation such as or including an I-766 Employment Authorization Document with a code A04.
- D. Cuban/Haitian Entrants, parolees, or asylum seekers have an I-94 form with a stamp indicating “Cuban/Haitian Entrant” or a notation indicating “parolee,” with a notation of 212(d)(5)(a), or stating humanitarian or public interest parole (note: I-94 may be expired), any documents indicating pending exclusion or deportation proceedings; any documents indicating a pending asylum application, including a receipt from an USCIS asylum office indicating filing of Form I-589 application for asylum; Form I-688B Employment Authorization Document coded 274a.12(a)(4) or 274a.12(c)(11) or I-766 Employment Authorization Document with code A04, A10, C8, C10, or C11; or I-551 with an adjustment code of CH6, HA6, or HB6; or Cuban or Haitian passport with a 212(d)(5) stamp dated on or after Oct 10, 1980.

A national of Cuba or Haiti who is the subject of removal, deportation, or exclusion proceedings under INA may present one of the following documents: DHS form I-221; DHS form I-862; DHS form I-220A; DHS form I-122; DHS form I-221S; copy of DHS form I-589 date stamped by EOIR; copy of DHS form I-485 date stamped by EOIR; EOIR-26; I-766 Employment Authorization Document with code C10; other applications for relief that have been date stamped by EOIR; or other document pertaining to an applicant’s removal, exclusion or deportation proceedings. If you encounter one of these documents, please contact the Colorado Refugee Services Program at CDHS for additional guidance on eligibility determination as additional verification steps may need to take place.

There may be other possible documents presented by Cuban or Haitian Entrants, parolees, or asylum seekers. If you have questions regarding documents presented by Cuban or Haitian Entrants/parolees, you may call the Colorado Refugee Services office for additional information and guidance on eligibility determination.

- E. Certain Amerasians with the following codes: AM-1, AM-2, AM-3, AM-6, AM-7, AM 8 on one of the following documents: Form I-551, temporary I-551 stamp in a Vietnamese or United States passport, I-94 form or any verification from the USCIS or other authoritative government document, such as Vietnamese or United States passports.
- F. Adult Victims of a Severe Form of Trafficking will have an original certification letter from the U.S. Department of Health and Human Services certifying the person as a Victim of a Severe Form of Trafficking. Children under eighteen (18) years of age who have been subjected to trafficking do not need to be certified in order to receive benefits. For minors, the Office of Refugee Resettlement (ORR) will issue an ORR eligibility letter stating that the person is a Victim of a Severe Form of Trafficking. Confirmation of the certification letter or eligibility letter may be made by calling the trafficking verification line 1-866-401-5510 and notifying ORR of the benefits for which the individual has applied. Certification and eligibility letters do not expire. Individuals who have received derivative T- status will produce documents with one of the following statuses: T-2, T-3, T-4, T-5, or T-6.

Persons with derivative T-status/visas do not receive and are not required to present a certification or eligibility letter to demonstrate eligibility for benefits and services. For derivative statuses, the date of eligibility for benefits and services is the notice date on the I-797 form, the approval of that person's status, or the date of entry/admission on the person's passport or I-94 arrival record. Additional documentation presented may also include an Employment Authorization Document with a code (A)(16) or (C)(25)

- G. Iraqi and Afghan special immigrant visa holders (SIVs), who meet one of the criteria listed below:
1. A holder of an Iraqi or Afghan passport with a Department of Homeland Security visa noting the individual has been approved for admission under one of the Immigrant Visa (IV) categories of SI1, SI2, SI3, SQ1, SQ2, and SQ3, and a Department of Homeland Security admission stamp on the passport or I-94 noting date of entry.
 2. A holder of a green card (I-551) showing Iraqi or Afghan nationality, or Iraqi or Afghan passport, showing one of the following immigrant visa categories: SI6, SI7, SI9, SQ6, SQ7, OR SQ9.
- H. Unaccompanied Refugee Minors (URMs) who meet the definition above will have one of the following statuses: refugee, asylee, Cuban/Haitian Entrant, victim of trafficking, Amerasian, Iraqi or Afghani special immigrant visa holder, Special Immigrant Juvenile Status (SIJS), U visa holder, or has legal permanent resident status that previously held one of the statuses mentioned.

If the URM has SIJS status, documentation presented will be one of the following: I-797, notice of action indicating status (i.e., evidence of approved I-360, or evidence of approved I-360 and approved I-485); visa indicating SIJS status with SL class of admission; I-1551 indicating SIJS status with SL class of admission.

If the URM has a U-visa, documentation presented will be one of the following: I-797 notice of action indicating U status; a U-visa; or an I-94 arrival/departure record showing admission in U-status. Please note: U-visa holders are not considered "qualified aliens" status for federal public benefits. It does qualify the person to be "lawfully present" for potential state benefits.

- I. An I-551 form (“green card”, permanent resident card or resident alien card) with class of admission codes AS-6, AS-7, AS-8, RE-6, RE-7, RE-8, RE-9, CH-6, HA6, HB6, GA6, GA7, GA8, ST6, ST7, ST8, ST0, ST9, SI6, SI7, SI9, SQ6, SQ7, SQ9, AM-1, AM-2, AM-3, AM6, AM-7, or AM-8. The unexpired I-551 stamp may be located in a foreign passport.

If not eligible for the assistance of TANF/Colorado Works, individuals with this immigration status may be eligible for Refugee Cash Assistance (RCA) through the Colorado Refugee Services Program if income and program eligibility criteria are met. Persons must be enrolled in one of the refugee resettlement agencies in order to access RCA.

Individuals admitted to the United States who are classified by USCIS as "Applicants for Asylum" are not eligible for CRSP benefits. Once granted asylum, those individuals are eligible. The exception to this rule is Cuban and Haitian individuals applying for asylum; however, they must produce documents as described above.

For additional federal information regarding CRSP eligible populations, statuses, and documentation, see the Office of Refugee Resettlement State Letter # 16-01, dated 10/1/2015, located on the federal government web site at: <http://www.acf.hhs.gov/programs/orr/resource/status-and-documentation-requirements-for-the-orr-refugee-resettlement-program#process>. No later editions or amendments are incorporated. Copies may be reviewed during normal business hours by contacting the Refugee Services Coordinator in the Office of Economic Security, Colorado Refugee Services Program, 1120 Lincoln Street, Suite 1007, Denver, Colorado 80203. If there is an eligibility question, please contact the Colorado Refugee Services Program for assistance.

3.340 REFUGEE MEDICAL ASSISTANCE (RMA)

3.341 OVERVIEW

Each individual member of a household that applies for medical assistance must first be screened for eligibility under the State Medicaid Program. If the individual is determined ineligible for Medicaid, then a determination of eligibility under the Refugee Medical Assistance (RMA) Program must be made. A “household” is defined as a single adult with no children, a married couple, a single parent with minor children, or a married couple with their minor children.

Any individual of a household who is not eligible for Medicaid shall be considered for Refugee Medical Assistance (RMA). RMA is limited to the time period of eight months after receiving a status that is eligible for CRSP services and benefits (refer to section 3.330 for verification of status for program eligibility).

Persons applying for Refugee Medical Assistance will use the State prescribed application for Medicaid. Applicants will first be screened for State Medicaid programs in accordance with the Colorado Department of Health Care Policy and Financing’s Medical Assistance Manual (10 CCR 2505-10).

In accordance with federal law, in providing Refugee Medical Assistance to refugees, Colorado will provide at least the same services in the same manner and to the same extent as under the state’s Medicaid program.

3.342 Initial Refugee Medical Assistance Determination, Eligibility, and Definitions

Refugees residing in the U.S. fewer than eight months after arrival into the United States, as well as asylees, Cuban/Haitian Entrants/parolees, certain Amerasisans, victims of severe forms of trafficking, and Iraqi and Afghani special immigrant visa holders who are within eight months of being granted status who lose their eligibility for Medicaid because of earnings from employment, will be transferred to RMA without an eligibility determination and the two hundred percent (200%) of poverty rule shall not be applied. The increased earnings from employment shall not affect the refugee's continued medical assistance (RMA) eligibility while within the person's eight months of the RMA eligibility period.

- A. RMA shall continue until the individual eligible for refugee services reaches the end of his or her eight (8) month eligibility period.
- B. Initial RMA eligibility determination (where the applicant was not previously eligible for Medicaid) is based on two hundred percent (200%) of the federal poverty level.
 - 1. In determining eligibility for and receipt of RMA, the following are not considered: in-kind services and shelter provided to an applicant by a sponsor or local resettlement agency. Payments, such as refugee cash assistance, matching grant, or reception and placement, received from the refugee resettlement agency are exempt from RMA income determinations.
 - 2. Determination of RMA eligibility will be based on an applicant's income on the date of application.
 - 3. Denial or termination of Refugee Cash Assistance does not cause denial or termination of RMA benefits.

Editor's Notes

Primary sections of 9 CCR 2503-1 have been recodified effective 09/15/2012. See list below. Versions and rule history prior to 09/15/2012 can be found in 9 CCR 2503-1. Prior versions can be accessed from the All Versions list on the current rule page.

Rule section 3.000 – 3.100, et seq. has been recodified as 9 CCR 2503-1, GENERAL RULES.

Rule section 3.200, et seq. has been recodified as 9 CCR 2503-2, GENERAL FINANCIAL ELIGIBILITY CRITERIA.

Rule section 3.300, et seq. has been recodified as 9 CCR 2503-3, OLD AGE PENSION.

Rule section 3.400, et seq. has been recodified as 9 CCR 2503-4, AID TO THE NEEDY DISABLED AND AID TO THE BLIND.

Rule section 3.500, et seq. has been recodified as 9 CCR 2503-5, (Reserved for Future Use).

Rule section 3.600, et seq. has been recodified as 9 CCR 2503-6, COLORADO WORKS PROGRAM.

Rule section 3.700, et seq. has been recodified as 9 CCR 2503-7, OTHER ASSISTANCE PROGRAMS.

Rule section 3.800, et seq. has been recodified as 9 CCR 2503-8, ADMINISTRATIVE PROCEDURES.

Rule section 3.900, et seq. has been recodified as 9 CCR 2503-9, COLORADO CHILD CARE ASSISTANCE PROGRAM.

History

Section 3.360.44 eff. 09/15/2012.

Sections 3.360.42, 3.360.44 emer. rules eff. 01/01/2013.

Sections 3.360.42, 3.360.44 eff. 03/02/2013.

Section 3.360.44 emer. rule eff. 04/05/2013.

Section 3.360.44 eff. 07/01/2013.

Sections 3.360.44, 3.360.62, 3.360.65 emer. rules eff. 01/01/2014.

Entire rule repealed eff. 03/02/2014.

Entire rule recodified from 9 CCR 2503-7 eff. 09/01/2016.