

I. Introduction

a. Scope

This informational document and attachment are designed to help Navigators deliver services to refugees and other underserved groups. This document also identifies potential resources for providing culturally and linguistically appropriate services.

b. Service Population

This document focuses on eight different groups of people that are eligible for the health insurance benefits under the Affordable Care Act (ACA). Each group has a different immigration status. There are different laws that explain how each group is defined and how their immigration statuses can be verified. These laws establish the eligibility of each group for Medicaid and the advanced premium tax credit subsidies through the Health Insurance Marketplace.

The eight groups are listed below. Please see Appendix A, *Special Eligible Populations*, for a description of each group.

- Refugees
- Asylees
- Cuban and Haitian Entrants
- Amerasians
- Special Immigrant Visa Holders from Iraq or Afghanistan
- Foreign Victims of Human Trafficking
- Special Immigrant Juvenile Status
- U Status (U Visa Holders)

Refugees, asylees, Cuban and Haitian Entrants, Amerasians, Iraqi and Afghan Special Immigrant Visa holders and foreign victims of human trafficking are eligible for the health insurance options under the ACA to the same extent as U.S. citizens. People with Special Immigrant Juvenile status or U status are considered lawfully present and are eligible for benefits under the ACA as legal immigrants. Many people are not familiar with the eight groups identified above. That puts these groups at-risk of being an underserved population, and sometimes mistakenly being denied benefits for which they are eligible.

These eight different groups represent the Office of Refugee Resettlement's (ORR) service population. ORR is a federal agency within the Department of Health and Human Services. ORR provides short-term cash and medical assistance and social services to six of the eight groups. The other two groups, individuals with Special Immigrant Juvenile status and U status, receive specialized services through ORR's Unaccompanied Refugee Minors program.

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Please visit <http://www.acf.hhs.gov/programs/orr/> for more information about ORR, including a fact sheet titled [Refugees and the Affordable Care Act](#). For more information about immigration documents that may be required or used, depending on the individual situation, visit the Marketplace at <https://www.healthcare.gov/immigration-status-and-the-marketplace/>.

c. Languages

This service population represents people who came from many different countries to start new lives in the U.S. Many speak multiple languages including English. Others may have Limited English Proficiency.

Interpreters can be a very helpful resource. There are several companies that provide telephonic, video and in-person interpretation services. Navigators may also want to partner with the local organizations that serve these groups. These organizations are identified in the section below titled *Service Network*.

Some of the most common languages for these groups are listed below:

- | | |
|--|---|
| 1. Amharic | 8. Kayah (<i>also known as Karenni</i>) |
| 2. Arabic | 9. Kinyarwanda |
| 3. Armenian | 10. Nepali |
| 4. Burmese | 11. Somali |
| 5. Chin | 12. Spanish |
| 6. Chaldean | 13. Swahili |
| 7. Karen (<i>also known as Sgwa or Po Karen</i>) | 14. Tigrinya |

See Attachment 1 for a matrix of refugee languages by county for federal fiscal years 2007 – 2012.

II. Service Network

a. Overview

ORR partners with State governments and non-profit organizations across the country to deliver services to the eight groups of people. In broad terms, ORR has three major service networks: refugee resettlement, anti-trafficking and unaccompanied children. These networks could serve as potential partners for Navigators. For convenience, contact information is provided below under each network.

b. Refugee Resettlement Network

The refugee resettlement network includes government officials in the District of Columbia and 49 States. Most States have a State Refugee Coordinator and a Refugee Health Coordinator. The State Refugee Coordinator is responsible for the overall coordination and administration of the State resettlement program. The Refugee Health Coordinator is responsible for developing effective refugee health services and policies. The following link provides contact information for

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ORR's State partners: <http://www.acf.hhs.gov/programs/orr/resource/orr-funded-programs-key-contacts>.

ORR also works with nine national resettlement agencies which are listed below.

- Church World Service
- Episcopal Migration Ministries
- Ethiopian Community Development Council
- Hebrew Immigrant Aid Society
- International Rescue Committee
- Lutheran Immigration and Refugee Service
- US Committee for Refugees and Immigrants
- United States Conference of Catholic Bishops
- World Relief Corporation

The following link provides contact information for each of the national resettlement agencies: <http://www.acf.hhs.gov/programs/orr/resource/national-voluntary-agency-directory>.

The nine resettlement agencies deliver direct services to refugees through about 350 local affiliate sites. The following link provides a map of the local affiliates and a directory of those affiliates:

<http://www.wrapsnet.org/Home/RPAgencyContacts/tabid/100/Default.aspx>

ORR also partners with refugee communities by funding ethnic community-based organizations. Many of these organizations have cultural and linguistic expertise in refugee resettlement. The following link provides contact information for each of the ORR-funded community-based organizations:

<http://www.acf.hhs.gov/programs/orr/resource/ethnic-community-self-help>.

c. Anti-Trafficking Network

Trafficking victims are eligible for public benefits and services to the same extent as refugees. That means the resettlement network also provides services to trafficking victims. There is also a separate anti-trafficking network that focuses on public awareness, outreach and comprehensive case management. That network is made up of four grant programs: Rescue and Restore Campaign, Rescue and Restore Regional Program, National Human Trafficking Resource Center and the Trafficking Victim Assistance Program. Each of these programs could be potential partners for Navigators. The following link provides contact information for each grantee: <http://www.acf.hhs.gov/programs/orr/resource/anti-trafficking-in-persons-grants>.

d. Unaccompanied Refugee Minor's Network

Children in any of the eight groups may be in ORR's Unaccompanied Refugee Minors (URM) program, including individuals with Special Immigrant Juvenile status or U status. Children are determined to be unaccompanied and placed in the URM program through the overseas refugee resettlement process or by ORR after entry to the U.S. Legal responsibility is established according to arrangements

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made by the State Refugee Coordinator; depending on the location of the program, the State, the county or a private agency petitions for legal responsibility.

The URM program provides the same range of benefits and services available to other foster children in the State, including those in the State's child and family services plan under Titles IV-B and IV-E. Depending on the State, youth may receive independent living services through the URM program after aging out of foster care.

The URM program is in the following 15 States:

- Arizona
- California
- Colorado
- District of Columbia
- Florida
- Massachusetts
- Michigan
- Mississippi
- New York
- North Dakota
- Pennsylvania
- Texas
- Utah
- Virginia
- Washington

For more information on how to contact the URM provider agencies in each State, please refer to the State Refugee Coordinator for that State. The following link provides information for contacting the identified fifteen State Refugee Coordinators: <http://www.acf.hhs.gov/programs/orr/resource/orr-funded-programs-key-contacts>.

Appendix A: Special Eligible Populations

a. Refugees

- i. **Who they are:** Any person who is outside any country of such person's nationality or, in the case of a person having no nationality, is outside any country in which such person last habitually resided, and who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of, 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.

Individuals granted refugee status overseas are brought to the United States for resettlement by the U.S. government under section 207 of the Immigration and Nationality Act and assisted with their resettlement and integration into the U.S. by the U.S. Department of State and ORR.

Each year the President of the United States authorizes the admission of a certain number of refugees into the country. This determination is based on a consultative process between Congress, the President and various federal agencies. In recent years, the U.S. has accepted between 50,000 to 75,000 refugees per year. Before admission to the U.S., each refugee undergoes an extensive interviewing, screening and security clearance process

- ii. **When they are eligible:** Refugees are eligible to receive benefits under the ACA from the first day they arrive in the U.S. Sometimes a refugee's family members will enter the U.S. later on as refugee derivatives. These family members are also eligible for benefits under the ACA.
- iii. **Confirming status:** Status can be verified via Department of Homeland Security's (DHS) SAVE system.

b. Asylees

- i. **Who they are:** Individuals who, on their own, travel to the United States and subsequently receive a grant of asylum. Asylees do not enter the United States as refugees. They may enter as students, tourists, businessmen, or even in undocumented status. Once in the U.S., or at a land border or port of entry, they apply for asylum. Asylum status permits the person to remain in the United States.
- ii. **When they are eligible:** Individuals granted asylum under section 208 of the Immigration and Nationality Act are eligible for benefits under the ACA, beginning on the date of final grant of asylum; asylum *applicants* are not eligible. Sometimes an asylee's family members will come to the U.S. later on as asylee derivatives. These family members are also eligible for benefits under the ACA.

- iii. **Confirming status:** Status can be verified via DHS's SAVE system.

c. Cuban and Haitian entrants

- i. **Who they are:** Any Cuban or Haitian individual who was (1) granted parole status by DHS as a Cuban/Haitian Entrant; (2) in pending removal proceedings; (3) pending application for asylum; or (4) granted any other special status subsequently established under the immigration laws for nationals of Cuba or Haiti and in regulations under 45 CFR §401.2.
 - ii. **When they are eligible:** Cuban Haitian Entrants are eligible for benefits under the ACA from the date they first enter into Cuban/Haitian Entrant status (which for Cuban Parolees will be the date of grant of parole, or first parole if more than one parole was granted).
 - iii. **Confirming status:** Status can be verified via DHS's SAVE system.
- d. **Amerasians**
 - i. **Who they are:** Certain persons from Vietnam (born in Vietnam after January 1, 1962 and before January 1, 1976 who were fathered by a U.S. citizen and their child, spouse, mother, or next-of-kin) who are admitted to the U.S. as immigrants pursuant to section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988.
 - ii. **When they are eligible:** Amerasians are eligible for benefits under the ACA beginning on the date of their entry into the United States.
 - iii. **Confirming status:** Status can be verified via DHS's SAVE system.
- e. **Special Immigrant Visa Holders**
 - i. **Who they are:** Iraqi and Afghan Special Immigrants Visa (SIV) holders who were admitted to the U.S. on or after December 26, 2007 under section 1059 of the National Defense Authorization Act for Fiscal Year 2006.
 - ii. **When they are eligible:** Iraqi and Afghan SIV holders are eligible for benefits under the ACA beginning on the date of their entry into the United States (or the date of adjustment of status if they applied for SIV status while in the U.S.).
 - i. **Confirming status:** Status can be verified by DHS' SAVE system.
- f. **Foreign Victims of Human Trafficking**
 - i. **Who they are:** Individuals who, in accordance with Trafficking Victims Protection Act of 2000 and its subsequent reauthorizations, are –
 - o Foreign adult victims of trafficking who are not U.S. citizens or Lawful Permanent Residents and have received a Certification Letter from ORR.
 - o Foreign child victims of trafficking (under the age of 18) who have received a letter from ORR stating that the child is a victim of a severe form of trafficking and is eligible for benefits and services.

- ii. **When they are eligible:** Foreign adult victims of severe forms of trafficking who have a T visa or have been granted continued presence by DHS and who have been certified by the U.S. Department of Health and Human Services' ORR are eligible for benefits under the ACA beginning on the date of the certification letter.

Foreign child victims of trafficking (under the age of 18) who have a T visa or have been granted continued presence by DHS are also eligible for benefits under the ACA. Children are issued an eligibility letter by ORR stating they are eligible for benefits beginning on the date of the eligibility letter. Also, if ORR determines that a child has been trafficked, ORR may issue an eligibility letter even if the child does not have immigration status. The eligibility letter is still valid even if the child has become an adult since the letter was first issued.

Sometimes a trafficking victim's family members will get a derivative T visa. These family members are also eligible for benefits under the ACA. These family members are not issued certification or eligibility letters.

- iii. **Confirming status:** ORR certification or eligibility letters can be verified by calling ORR at 1.866.401.5510. Status for derivative T visa holders can be verified by DHS' SAVE system.

g. Special Immigrant Juvenile Status

- i. **Who they are:** Youth who are dependent on a juvenile court because they cannot return to their country of origin or be reunited with parent(s) as a result of abuse, neglect, abandonment, or a similar basis found under State law.

A Special Immigrant Juvenile may have received USCIS approval on the I-360, *Petition for Amerasian, Widow(er), or Special Immigrant* and the I-485, *Application to Register Permanent Residence or Adjust Status* in accordance with 8 USC 1101(a)(27)(J).

- ii. **When they are eligible:** Youth with pending applications for Special Immigrant Juvenile status and individuals who have received Special Immigrant Juvenile status as defined in section 101 of the Immigration and Nationality Act are considered lawfully present and are eligible for benefits under the ACA.
- iii. **Confirming status:** Please consult with local immigration officials on how to verify status.

h. U Visa Holders

- i. **Who they are:** Individuals who have been victims of certain crimes and have been granted immigration relief through a U status in accordance with section 101 of the Immigration and Nationality Act.

- ii. **When they are eligible:** Individuals with U status and their family members as derivatives are considered lawfully present and are eligible for benefits under the ACA as of the date the U status was granted.
- iii. **Confirming status:** Status can be verified by DHS' SAVE system.