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Sent: Friday, October 1, 2021 8:02 AM
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Subject: Update on Waiver Extensions and Notice of ORR Policy Letter 21-08

Dear Colleagues,

ORR published [Policy Letter 21-08](#) yesterday, which pertains to waivers allowing for continued flexibilities due to COVID-19. ORR's previous policy letter ([Policy Letter 21-05](#)) pertaining to COVID-19-related flexibilities was published on April 30, 2021, and expired today (September 30th). **Please note that many of the exceptions detailed in the April policy letter were not extended beyond today's previously stated expiration date.**

The terms of ORR's most recent policy letter ([21-08](#)) are in effect through September 30, 2022. BRP will interpret this letter in an Ops Memo in the near future; in the meantime, please read the summary below carefully and determine whether/if these changes apply to your programs.

All ORR Benefits and Services (RCA, RMA, RMS, RSS, SOR, RHP, RSI, RYM)

- Confirming eligibility for any ORR benefits and services must continue to be made available to anyone who wishes to apply; if someone is unable to provide documentation in person due to concerns regarding COVID-19, eligibility determinations may be made virtually, and must be followed up with a subsequent written declaration as soon as possible.

Refugee Cash Assistance (RCA):

- **The waiver pertaining to the RCA eligibility period has *not* been extended; therefore, the terms of [PL 21-05](#) continue to apply, which stated "For clients who became eligible for RCA on or after February 1, 2021, the eligibility period will remain 8 months."**
- When determining income eligibility for RCA, certain forms of COVID-19 emergency assistance should be disregarded. This does not include unemployment insurance or COVID-19 pandemic unemployment assistance, which should be counted.
- Interim RCA payments may be issued to individuals for whom TANF (and therefore, RCA) eligibility could not be fully determined due specifically to one's inability to successfully apply for a social security number. However, if those recipients of interim RCA payments are found to be eligible for TANF,

the interim RCA payments must be repaid.

- The requirement to refer RCA recipients to employment services continues to be waived if available services are not virtually accessible to the recipient, based on local conditions and closures.

Refugee Medical Assistance (RMA):

- **The waiver pertaining to the RMA eligibility period has *not* been extended; therefore, the terms of [PL 21-05](#) continue to apply, which stated “For clients who became eligible for RMA on or after February 1, 2021, the eligibility period will remain 8 months.”**
- If pending applications for Social Security numbers prevent eligibility determination for Medicaid or CHIP, ORR will allow states to enroll clients into Refugee Medical Assistance (RMA) where an agency can document that a client’s enrollment has been thus impacted by the pandemic. If that client is then approved for Medicaid, RMA must be discontinued.
- RMA may pay for vaccinations during the refugee’s first year in the United States, as long as the medical screening is completed within the first eight months in the US. Some exceptions to the year time limit apply.
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Refugee Medical Screening:

- Refugee Medical Screenings may be provided without prior determination of eligibility for Medicaid, CHIP or RMA beyond the first 90 days after arrival.

Refugee Support Services:

- The waiver pertaining to the flexible use of RSS Set-Aside funding has ***not*** been extended.
- The waiver which granted an RSS eligibility period beyond 60 months for those in extreme circumstances has ***not*** been extended.

ORR’s Policy Letter 21-08 contains more detailed information; BRP will also issue an Ops Memo shortly. In the meantime, please contact Rebekah Davis at rebekah.davis@wisconsin.gov if you have specific questions regarding these or any previous policies pertaining to COVID-19 flexibilities.

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