

State of Utah



Department of Workforce Services

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Utah Refugee Resettlement Program State Plan

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Utah Refugee Resettlement Program State Plan

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ADMINISTRATION

I. Purpose:

The purpose of the Utah Refugee Services Office, Department of Workforce Services, is to oversee and coordinate Utah's refugee resettlement efforts, is to ensure the effective resettlement and integration of refugees in Utah. Programs are designed to meet one of three major goals.

- A. To provide for the effective resettlement and integration of refugees within the shortest possible period after entrance into the State through the use of coordinated supportive services. Effective resettlement means the refugee's ability to access community resources to meet their basic needs related to employment, English language training, skills training, medical care, and social and cultural adjustment.
- B. To promote economic self-sufficiency for refugees within the shortest possible time after entrance to the State, through employment and acculturation by the coordinated use of financial, medical, and support services [§400.5(b)]. Economic self-sufficiency is defined as gainful employment in non-subsidized jobs with at least 90-day retention, and which provides for basic economic needs of the person and family without reliance on public assistance.
- C. To protect the refugees and community from any health problems during resettlement.

II. Designated State Agency:

The Governor has created the Refugee Services Office under the Utah Department of Workforce Services (DWS) as the State agency responsible for the administration and operation of the Utah refugee resettlement program. The Executive Director of the Department of Workforce Services has assigned program responsibility to the Refugee Services Office under the Executive Director's Office.

III. Appointment of State Coordinator:

Gerald Brown has been designated as the State Refugee Resettlement Coordinator and Director of the Refugee Services Office as of February 11, 2008 [§400.5(d)].

Specific State Refugee Coordinator Responsibilities:

The State Refugee Coordinator is responsible for the administration of the Refugee Services Office and the Office of Refugee Resettlement (ORR) funded portion of the program and performs the following roles under the direction of the Deputy Director of the Utah Department of Workforce Services

- A. Writes the Utah Refugee Resettlement State Plan and amends as needed. (§400.4).
- B. Coordinates the development of the annual budget request and quarterly budget revisions, if needed.
- C. Oversees the development of Purchase of Service contracts and assures their effectiveness in providing needed services and compliance with federal regulations.
- D. Develops State Refugee Resettlement Program policy and monitors programs to assure compliance with standards.
- E. Serves as an Ex-Officio member of the Board of Advisors to the Utah Refugee Services Office, DWS.
- F. Facilitates coordination of all State and local refugee service providers and community groups.
- G. Acts as the State contact to Federal, Regional and National Refugee organizations.
- H. Provides public relations to enhance effective refugee resettlement in the State.

IV. Assurances:

The State of Utah assures all the requirements of 45 CFR 400 and 45 CFR 401 will be met [§400.5(i)(2)]. There will be compliance with:

- A. The provisions of Title IV of the Immigration and Nationality Act [§400.5(i)(1)];
- B. Official issuances of the Director of ORR, hereafter referred as the Director [§400.5(i)(1)];
- C. All applicable Federal statutes and regulations during the time that it is receiving grant funding will be adhered to [§400.5(i)(3)];
- D. Requirements to amend the state plan as needed to comply with standards, goals, and priorities as established by the Director [§400.5(i)(4)];
- E. The State of Utah assures, as specified under §400.145(c), that refugee women have the same opportunities as refugee men to participate in all ORR funded services;

- F. The State of Utah assures that, as specified under §400.5(g), assistance and services funded under the State plan will be provided to refugees without regard to race, color, national origin, gender, disability, religion, and/or political opinion; and
- G. The Governor has established, under the Utah Department of Workforce Services, a Board of Advisors to the Refugee Services Office. The State of Utah assures, as specified under §400.5(h), unless exempted from this requirement by the Director, that meetings will be convened, not less often than quarterly, with representatives of refugees, local refugee resettlement agencies, local community service agencies, and state and local governments. The purpose of said meetings is to support and advise the Refugee Services Office in improving the service delivery system that addresses the needs of the refugee population.

V. Amendments and Effective Date:

The effective date of this Refugee Resettlement Program State Plan is October 1, 2000.

- A. Plan amended November 8, 2000 to include elements for serving Limited English Proficient customers.
- B. Plan amended October 22, 2001 to update the list of interpreter services contractors for serving Limited English Proficient customers [Miscellaneous Section V (B)(3)] and the references to the Utah State Refugee Council, which disbanded, has been replaced by the Utah Refugee Service Provider Network. Other minor non-substantive grammatical and formatting corrections were also made.
- C. Plan amended October 28, 2002 to reflect new Executive Director of the Department of Workforce Services. The Primary Care Network (PCN) replaced the Utah Medical Assistance Program (UMAP). Under Medical Assistance Section I (B) Non-Medicaid Covered Services Available to Utah Residents the references to the Utah Medical Assistance Program were replaced by references to the Primary Care Network. Features of PCN were added to the plan. The State Refugee Plan was also reformatted during conversion from WordPerfect to MS Word.
- D. Plan amended December 3, 2002 to reflect minor editorial changes after consultation with Pamela Green-Smith, ORR Program Analyst.
- E. Plan amended August 26, 2004 to clarify the use of RMA funds for the Refugee Health Screening Program. Health Department Refugee Health Screening Program State Plan added as Appendix 1
- F. Plan amended August 12, 2005. Minor editorial changes to reflect new DWS Director and DWS organizational changes (Administration section). Appendix 1

Health Department Refugee Health Screening Program State Plan updated for FFY 2006.

- G. Plan amended October 17, 2005. Minor editorial changes to reflect changes requested by ORR, additional regulation citations and rewording of several sections of the Refugee Health Screening Program portion of the State plan.
- H. Plan amended May 31, 2006. Per State Letter 06-10, the plan has been amended to address Pandemic Influenza response planning. Changes were made to Medical Assistance and Special Programs sections. Appendix 2 has been added to detail the Utah Refugee Emergency Response Preparation and Implementation Plan. Appendix 3 has been added to detail the Utah Department of Health's Pandemic Influenza Plan. Appendix 4 has been added to detail the Utah Department of Workforce Services Continuity of Operation Plan (COOP).
- I. Plan amended October 23, 2007. Plan reflects Kristen Cox as the Executive Director for The Department of Workforce Services. The amended plan incorporates additional details of 1) resources for developing and supporting Mutual Assistance Associations; 2) the acquisition of the overpayment unit from the Office of Recovery Services; 3) the combining of the Departments of Health and Workforce Services eligibility units; and 4) minor grammatical and typographical changes.
- J. Plan amended February 14, 2008. The Plan reflects the appointment of Gerald Brown as the State Refugee Program Coordinator and Director of the Refugee Services Office. The amended plan also incorporates 1) the creation of the Refugee Services Office within the Department (Administration section) and its Board of Advisors under the Utah Department of Community and Culture (Assurances section); and 2) changes in the reporting frequency of the Refugee Health Screening Program to a trimester basis (Appendix 1).
- K. Plan amended December 15, 2009. Plan updates Appendix 1 Health Screening Protocols to reflect 2009-2010 contract work statement. A dental assessment and initial dental services are identified as medical assessments, which could potentially be not covered under the State's Medicaid program, dependent on budgetary constraints as authorized by the Utah legislature. Other modifications include ORR suggested changes in the Mental Health and Unaccompanied Refugee Minor sections.
- L. Plan amended August 12, 2010. Appendix 1 Health Screening plan update with current dates. Added to Medical Assistance section to clarify care coordination on page 13, # I A 3, and clarifications on page 14, # I B 4, I B 4 (b) for §400.101 and 102; # I B 2 (f) for §400.104(b); and # I B 6 for §400.100(c). Corrected page numbering, section numbers, and added CFR citations for clarification.

- M. Plan amended October 1, 2012 to reflect change in Executive Director on cover page. Appendix I, Refugee Health Screening and Prevention Plan updated.
- N. Plan amended 11/15/2013 to reflect update to Appendix I: Refugee Health Screening and Prevention Program for FFY 2014. Health screenings will now be billed to Medicaid in order to save RMA money and allow other providers to participate.

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Reserved for future amendments

FINANCIAL ASSISTANCE

I. Refugee Cash Assistance:

The State of Utah takes the option to provide a publicly-administered Refugee Cash Assistance (RCA) program as provided in §400.65 through §400.68. Utah's RCA program is modeled after its TANF program and follows it almost exactly, with minor differences. The differences for RCA include the allowed exemptions, participation hour requirements, and the problem solving process.

The Refugee Cash Assistance program is administered by the Department of Workforce Services hereafter referred to as DWS or Department. DWS is also the State's Temporary Assistance to Needy Families (TANF) agency. The State's TANF financial assistance programs are called the Family Employment Program (FEP) and the Family Employment Program-Two Parent (FEP-TP). DWS also administers the State's General Assistance (GA) program.

A. Eligibility:

An applicant for Refugee Cash Assistance must provide proof, in the form of documentation, issued by the United States Citizenship and Immigration Services (USCIS) of having or having held one of the defined refugee statuses as defined in §400.43. An applicant for asylum is not eligible for assistance unless otherwise provided by Federal Law (§400.44).

1. Determination of Eligibility under other programs:

- a) Refugees applying for financial assistance must establish eligibility in the following priority (§400.51):
 - (1) The Family Employment Program (FEP {TANF funded}) is the first program of choice.
 - (2) The Refugee Cash Assistance program (ORR funded) is the second program of choice.
 - (3) The Family Employment Program for Two Parents (FEP-TP {State funded}) is the third program of choice.
- b) If there is a minor child in the family unit, the refugee family would qualify under the FEP or FEP-TP programs. RCA is generally for single adults and childless married couples. Refugees applying for FEP and FEP-TP must meet the same eligibility criteria as any other non-refugee applicant.
- c) Refugees who are 65 years of age or older, or who are blind or disabled shall be referred promptly to the Social Security Administration to apply for cash assistance under the Supplemental Security Income (SSI) program [§400.51(b)(1)(i)]. Refugees who are 65 years of age or older, or who are blind or disabled, determined eligible for FEP, FEP-TP, or RCA shall be furnished financial assistance until eligibility for cash assistance under the SSI program is determined, provided the conditions of eligibility for FEP, FEP-TP or RCA continue to be met [§400.51(b)(1)(ii)].

- d) The State shall notify promptly the local resettlement agency that provided for the initial resettlement of a refugee whenever the refugee applies for any of the financial assistance programs [§400.68(a)].
 - (1) Such notification may be made verbally to the resettlement agency representative assisting the refugee in their application for assistance.
 - (2) If the refugee applies for financial assistance without the assistance of a local resettlement agency, the State shall contact the refugee's local resettlement agency before processing the application, to advise the agency of the refugee's intent to apply for financial assistance.
- 2. Eligibility for Refugee Cash Assistance (RCA) is limited to those refugees who (§400.53):
 - a) Are determined ineligible for FEP;
 - b) Are new arrivals who have resided in the U.S. less than eight (8) months;
 - c) Meet the immigration status and identification requirements establishing refugee status;
 - d) Are not full-time students of higher education;
 - e) RCA is time limited to the first eight months from the refugee's date of arrival into the United States.
- 3. The eligibility process for RCA shall be the same as FEP, FEP-TP, and other State operated financial assistance programs [§400.66(a)]. This includes the following:
 - a) The determination of initial and on-going eligibility;
 - b) The budgeting methods, including gross income, net income, and standard needs budget;
 - c) The treatment of income, assets, and resources, including disregards;
 - d) The treatment of shelter, utilities, and similar needs; and
 - e) The determination of benefit amounts.
- 4. Treatment of refugee specific eligibility criteria are:
 - a) The State may not consider any cash grant received by the refugee under the Department of State or Department of Justice Reception and Placement programs [§400.66(d)];
 - b) The State may not consider any resources remaining in the refugee's country of origin in determining eligibility [§400.66(b)];
 - c) The state may not consider a sponsor's income and resources to be accessible to the refugee solely because the person is serving as a sponsor [§400.66(c)].
 - d) The state shall contact the refugee's local resettlement agency at the time of application to verify employment or employment activities. An applicant for RCA who voluntarily quit or refused appropriate employment without good cause within 30 calendar days prior to the date of application is ineligible for financial assistance for 30 days from the date of the voluntarily quit or refusal of employment.

B. Emergency RCA Issuance:

If an otherwise eligible refugee demonstrates an urgent and immediate need for financial assistance, the application will be processed with due diligence to expedite the initial RCA payment on an emergency basis (§400.52).

C. Participation in the Refugee Employment Program:

1. As a condition for receipt of Refugee Cash Assistance, an employable refugee must participate in the Refugee Employment Program as provided under Refugee Social Services [§400.75(a)].
2. Exemptions from registration for employment services, participation in employability service programs, and acceptance of appropriate offers of employment (§400.76):
 - a.) As a condition for receipt of Refugee Cash Assistance, an employable refugee must register for work §400.75(a)(1) unless already employed full time; or
 - b.) Be under age 16; or
 - c.) Age 16 or 17 and enrolled in school or training full time; or
 - d.) Over the age of 65; or
 - e.) Blind; or
 - f.) Permanently disabled.

D. Sanction Procedures for Failure to Participate in the Refugee Employment Program:

The same mediation/conciliation procedures for FEP, FEP-TP will be used to reconcile non-participation [§400.83(a)(2)]. When an employable refugee refuses to comply with the requirements for work and training, these sanction procedures will be applied:

1. Provide counseling within ten days of notification of non-participation to ensure the refugee understands the requirements for work and training and the effects of the refusal.
2. The FEP, FEP-TP conciliation process shall be used [§400.83(a)(2)]. If the employable refugee recipient continues to refuse an offer of employment or training, assistance will be terminated 30 days after the date of the original refusal. This sanction will be applied as follows:
 - a) If the assistance unit includes other individuals, remove the refugee from the grant. If the employable refugee is a caretaker relative, pay assistance in the form of protective or vendor payments to the remaining members of the household [§400.82(c)(1)].
 - b) If the refugee is the only one in the grant, the case is closed.
 - c) The refugee's sponsor or the voluntary resettlement agency shall be notified of this action.
 - d) If the refugee decides to accept employment or training within the 30-days after they initially refused, continue assistance without interruption.
 - e) Sanctions: If the employable refugee recipient continues to refuse to comply with the requirements, for the first occurrence disqualify the refugee from the financial assistance payment for three payment months. For the second occurrence, disqualify the refugee from the financial assistance for six payment months [§400.82(c)(2)].
3. Food stamps and medical assistance may be continued to the sanctioned refugee, provided the sanctioned refugee continues to meet the eligibility requirements of each respective program.

E. Notice of Department Action (§400.54 and §400.82):

- (a) A recipient of Refugee Cash Assistance shall be sent or provided a written notice of department action to reduce, suspend, or terminate at least 10 days before the date of the

action.

- (b) In providing notice of department action, the written notice must clearly state the action that will be taken, the reasons for the action, and the right to request a hearing.
- (c) The notice of department action will be written in English and translated; either in writing or verbally, in the native language of the refugee to ensure the content of the notice is effectively communicated to the refugee.
- (d) When a recipient of Refugee Cash Assistance is notified of termination due to time limits, the case must be reviewed to determine possible eligibility for FEP, FEP-TP, or GA due to changed circumstances and the notice to the recipient must indicate the result of that determination as well as the termination of Refugee Cash Assistance.
- (e) If the department action involves an overpayment, the overpayment will be referred to the Public Assistance Overpayment Unit.

F. Hearings to Contest Adverse Department Action:

Hearing procedures will be consistent with the FEP, FEP-TP hearing procedure [§400.83(b)]. The hearing procedure for RCA is outlined as follows [§400.23 & §400.54(b)(2)]:

1. The Right to a Hearing and How to Request a Hearing.
 - a) A client has the right to a review of an adverse Department action by requesting a hearing.
 - b) A client must request a hearing in writing or orally within 90 days of the effective date of the action with which the client disagrees. Any oral request for a hearing will be reduced to writing by the Department and the client will be requested to sign the request.
 - c) Only a clear expression by the client to the effect that the client wants an opportunity to present his or her case is required.
 - d) The request for a hearing can be made at the local office or the Division of Adjudication.
 - e) If the appeal involves an overpayment, the portion of the appeal which involves an overpayment will be referred to the Public Assistance Overpayment Unit.
2. How Hearings Are Conducted:
 - a) Hearings are held at the state level and not at the local level.
 - b) Where not inconsistent with federal law or regulation governing hearing procedure, the Department will follow the Utah Administrative Procedures Act.
 - c) Hearings for all programs listed in Utah Administrative Rule R986-100-102 are declared to be informal. The Refugee Resettlement Program is listed in Rule R986-100-102.
 - d) Hearings are conducted by an Administrative Law Judge (ALJ) in the Division of Adjudication.
 - e) Hearings may be conducted by telephone at the option of the ALJ.
3. When a Client Needs an Interpreter at the Hearing:
 - a) If an interpreter is needed at the hearing by a client or the client's witness(es), the client may arrange for an interpreter to be present at the hearing who is an adult with fluent ability to understand and speak English and the language of the person

- testifying, or notify the Division of Adjudication at the time the appeal is filed that assistance is required in arranging for an interpreter.
- b) If a client notifies the Department that an interpreter is needed at the time the request for hearing is made, the Department will arrange for an interpreter at no cost to the client.
4. Procedure For Use of an Interpreter:
- a) The ALJ will be assured that the interpreter:
 - (1) Understands the English language; and
 - (2) Understands the language of the client or witness for whom the interpreter will interpret.
 - b) The ALJ will instruct the interpreter to interpret, word for word, and not summarize, add, change, or delete any of the testimony or questions.
 - c) The interpreter will be sworn to truthfully and accurately translate all statements made, all questions asked, and all answers given.
 - d) The interpreter will be instructed to translate to the client the explanation of the hearing procedures as provided by the ALJ.
5. Notice of Hearing:
- a) All interested parties will be notified by mail at least ten days prior to the hearing.
 - b) Advance written notice of the hearing can be waived if the client and Department agree.
 - c) The notice shall contain:
 - (1) The time, date, and place, or conditions of the hearing. If the hearing is to be by telephone, the notice will provide the number for the client to call and a notice that the client can call the number collect;
 - (2) the legal issues or reason for the hearing;
 - (3) the consequences of not appearing;
 - (4) the procedures and limitations for requesting rescheduling; and
 - (5) notification that the client can examine the case file prior to the hearing.
 - d) If a client has designated a person or professional organization as the client's agent, notice of the hearing will be sent to that agent. It will be considered that the client has been given notice when notice is sent to the agent.
 - e) When a new issue arises during the hearing or under other unusual circumstances, advance written notice may be waived, if the Department and the client agree, after a full verbal explanation of the issues and potential results.
 - f) The client must notify any representatives, including counsel and witnesses, of the time and place of the hearing and make necessary arrangements for their participation.
 - g) The notice of hearing will be written in English and translated, either in writing or verbally, in the native language of the refugee to ensure the content of the notice is effectively communicated to the refugee.
6. Hearing Procedure:
- a) Hearings are not open to the public.
 - b) A client may be represented at the hearing or invite friends or relatives to attend as space permits.
 - c) Representatives from the Department or other state agencies may be present.

- d) All hearings will be conducted informally and in such manner as to protect the rights of the parties. The hearing may be recorded.
 - e) All issues relevant to the appeal, except overpayment if any, will be considered and decided upon.
 - f) The decision of the ALJ will be based solely on the testimony and evidence presented at the hearing.
 - g) All parties may testify, present evidence, or comment on the issues.
 - h) All testimony of the parties and witnesses will be given under oath or affirmation.
 - i) Any party to an appeal will be given an adequate opportunity to be heard and present any pertinent evidence of probative value and to know and rebut by cross-examination or otherwise any other evidence submitted.
 - j) The ALJ will direct the order of testimony and rule on the admissibility of evidence.
 - k) Oral or written evidence of any nature, whether or not conforming to the legal rules of evidence including hearsay, may be accepted and will be given its proper weight.
 - l) Official records of the Department, including reports submitted in connection with any program administered by the Department or other State agency may be included in the record.
 - m) The ALJ may request the presentation of and may take such additional evidence as the ALJ deems necessary.
 - n) The parties, with consent of the ALJ, may stipulate to the facts involved. The ALJ may decide the issues on the basis of such facts or may set the matter for hearing and take such further evidence as deemed necessary to determine the issues.
 - o) The ALJ may require portions of the evidence be transcribed as necessary for rendering a decision.
 - p) Unless the client requests a continuance, the decision of the ALJ will be issued within 60 days of the date on which the client requests a hearing.
 - q) A decision of the ALJ which results in a reversal of the Department decision shall be complied with within 10 days of the issuance of the decision.
7. Rescheduling or Continuance of Hearing:
- a) The ALJ may adjourn, reschedule, continue or reopen a hearing on the ALJ's own motion or on the motion of the client or the Department.
 - b) A party who is unable to proceed with or participate in the hearing on the date or time scheduled, must request that the hearing be rescheduled to another day or time.
 - c) The request for rescheduling must be made prior to the hearing.
 - d) The request must be made orally or in writing to the ALJ who is scheduled to hear the case.
 - e) The party who requests rescheduling must show a reasonable reason for the request.
 - f) More than one request to reschedule will not normally be granted.
 - g) The rescheduled hearing must be held within 30 days of the original hearing date.
8. Failure to Appear For or Participate In a Hearing:
If one of the parties fails to appear at or participate in the hearing, either in person or through a representative, the ALJ will, unless a continuance or rescheduling has been requested, issue a decision based on the available evidence.
9. Reopening the Hearing After the Hearing Has Been Concluded:

- a) Any party who fails to participate personally or by authorized representative at a hearing may request that the hearing be reopened.
 - b) If the request is made by a client prior to the ALJ issuing a decision or within 10 days of the issuance of the decision, the request to reopen will be granted if it is the first time the client has been granted a request to reopen for failure to participate.
 - c) If the client requests reopening more than 10 days after the decision of the ALJ has been issued, or the client has already been granted a reopening on one or more occasions, the decision can be set aside and the hearing reopened only if:
 - (1) The request is made in writing; and
 - (2) The client shows good cause for not participating; and
 - (3) The client shows good cause for not requesting reopening within 10 days.
 - d) If the request to reopen for failure to participate is made by the Department, the request will only be considered if it is in writing and establishes good cause for failure to participate. A request made by the Department more than ten days after the decision will not be granted.
 - e) If a request for reopening is not granted, the ALJ will issue a decision denying the request to reopen. A copy of the decision will be given or mailed to each party, with a clear statement of the right of appeal or judicial review.
10. What Constitutes Good Cause for Failure to Participate in the Hearing:
- a) Failure to report as instructed at the time and place of the scheduled hearing is the equivalent of failing to participate, even if the party reports at another time or place. In such circumstances the party must request that the hearing be reopened.
 - b) Good cause for failing to participate in a hearing may not include such things as:
 - (1) Failure to read and follow instructions on the notice of hearing;
 - (2) Failure to arrange personal circumstances such as transportation or child care;
 - (3) Failure to arrange for receipt or distribution of mail;
 - (4) Failure to delegate responsibility for participation in the hearing; or
 - (5) Forgetfulness.
11. Canceling an Appeal and Hearing:
 When a client notifies the Division of Adjudication or the ALJ that the client wants to cancel the hearing and not proceed with the appeal, a decision dismissing the appeal will be issued. This decision will have the effect of upholding the Department decision. The client will have 30 days in which to reinstate the appeal by filing a written request for reinstatement with the Division of Adjudication.
12. Payments of Assistance Pending the Hearing:
- a) A client is entitled to receive continued assistance pending a hearing contesting a Department decision to reduce or terminate RCA financial assistance if the client's request for a hearing is received no later than ten days after the reduction, denial, or termination became effective. The assistance will continue unless the certification period expires or until a decision is issued by the ALJ. If the certification period expires while the hearing or decision is pending, assistance will be terminated. If a client becomes ineligible or the assistance amount is reduced for another reason pending a hearing, assistance will be terminated or reduced for the new reason unless a hearing is requested on the new action.

- b) If the client can show good cause for not requesting the hearing within 10 of the action, assistance may be continued if the client can show good cause for failing to file in a timely fashion. Good cause in this paragraph means that the client made every effort to comply. Because the Department allows a client to request a hearing by telephone or mail, good cause does not mean illness, lack of transportation or temporary absence.
 - c) A client can request that payment of assistance not be continued pending a hearing but the request must be in writing.
 - d) If payments are continued pending a hearing, the client is responsible for any overpayment in the event of an adverse decision. The overpayment will be referred to the Public Assistance Overpayment Unit.
 - e) If the decision of the ALJ is adverse to the client, the client is not eligible for continued assistance pending any appeal of that decision.
 - f) If a decision favorable to the client is rendered after a hearing, and payments were not made pending the decision, retroactive payment will be paid back to the date of the adverse action if the client is otherwise eligible.
 - g) RCA financial assistance will not extend for longer than the eight-month time limit for that program under any circumstances.
 - h) Assistance is not allowed pending a hearing from a denial of an application for assistance.
13. Further Appeal From the Decision of the ALJ:
Either party has the option of appealing the decision of the ALJ to either the Executive Director or designee or to the District Court. Either appeal must be filed, in writing, within 30 days of the issuance of the decision of the ALJ.

II General Assistance Program to Refugees:

If the refugee has been in the U.S. longer than 8 months and is not eligible for FEP or FEP-TP, eligibility shall be determined for General Assistance. The same policy and procedures would be used for anyone else applying for General Assistance.

General Assistance (GA) provides temporary cash assistance, on a time limited basis, to single persons who are unemployable due to a physical or mental health disability, while they are overcoming the condition making them employable or while they are qualifying for Supplemental Security Income (SSI). A refugee (along with the general population) may be eligible for General Assistance if he/she meets the unemployable criteria: medically verified physical or mental health disabilities and unable to earn at least \$500 per month.

MEDICAL ASSISTANCE

I **Refugee Medical Assistance:**

The Refugee Medical Assistance (RMA) is administered by the Utah Department of Health. Under the one stop concept, the Department of Workforce Services is authorized to establish eligibility for medical assistance.

A. Administrative expenses:

1. RMA administrative expenses include the issuance of identification cards, maintenance of medical invoices and payments through the Medicaid system, and expenses for managing the Refugee Health Screening program.

B. Eligibility:

An applicant for RMA must provide proof, in the form of documentation, issued by the United States Citizenship and Immigration Services (USCIS) of having or having held one of the defined refugee statuses as defined in §400.43. An applicant for asylum is not eligible for assistance unless otherwise provided by federal law.

1. Determination of eligibility under other programs:

Refugees applying for medical assistance must establish eligibility in the following priority (§400.94):

- a) Medicaid
- b) Children's Health Insurance Program
- c) Refugee Medical Assistance

Refugees applying for Medicaid and CHIP must meet the same eligibility criteria as any other non-refugee applicant.

2. Eligibility for Refugee Medical Assistance (RMA) is limited to those refugees who (§400.100):

- a) Are ineligible for Medicaid or CHIP;
- b) Are new arrivals who have resided in the U.S. less than eight (8) months;
- c) Meet the immigration status and identification requirements establishing refugee status; or are the dependent children of individuals meeting the immigration status and identification requirements establishing refugee status and are refugee children, if one of the parents in the filing unit is a non-refugee. Non-refugee children are not eligible for RMA.
- d) Are not full time students in institutions of higher education, except where such enrollment has been approved as part of the refugee's individual employment plan or plan for a refugee unaccompanied minor (§400.100(a)(5)).
- e) If a refugee who is receiving Medicaid and has been residing in the U.S. less than 8 months becomes ineligible for Medicaid because of earnings from employment, the refugee must be transferred to RMA for the remainder of the 8-month eligibility period without an RMA eligibility determination [§400.104(b)].

3. Utah operates a Medically Needy program as approved in the Utah title XIX State Medicaid Plan (§400.101(a)(1)). The eligibility process for RMA shall be the same as

Medicaid and other State operated medical assistance programs (§400.101 and §400.102). This includes the following:

- a) The determination of initial and on-going eligibility;
 - b) The budgeting methods, including gross income, net income, and standard needs budget;
 - c) The treatment of income, assets, and resources, including disregards;
 - d) The treatment of shelter, utilities, and similar needs; and
 - e) The determination of benefit amounts.
4. Treatment of refugee specific eligibility criteria are:
- a) The State may not consider in-kind services and shelter provided to an applicant by a sponsor or local refugee resettlement agency in determining eligibility for and receipt of RMA.
 - b) The State may not consider any cash assistance, including Reception and Placement, Match Grant, or Refugee Cash Assistance, payments provided to an applicant in determining eligibility for and receipt of RMA (§400.102(c)).
 - c) Eligibility for refugee medical assistance will be based on the applicant's income and resources on the date of application (§400.102(d)).
 - d) Income averaging prospectively over the application-processing period may not be used in determining eligibility for RMA.
5. Benefits and services shall be the same as available under regular Medicaid programs.
6. It is not a requirement that a refugee actually receives or applies for refugee cash assistance as a condition for eligibility for refugee medical assistance (§400.100(c)).
- C. Non-Medicaid Covered Medical Services Available to Utah Residents:
The Primary Care Network (PCN) is a safety net program available to those individuals age 19 and above who are ineligible for any other Medicaid assistance. PCN can provide limited medical services for refugees not eligible for Medicaid and Refugee Medical Assistance.

II. Health Screening Program:

- A. Use of RMA funds for Refugee Health Screening
 - 1. All Refugee Health Screenings will be billed to Medicaid; RMA funds will be utilized by the State to cover the costs of the Refugee Health Screening Program that are not covered by Medicaid as allowed under §400.107.
 - 2. The Refugee Health Screening Program State Plan (see Appendix 1) shall be submitted annually as part of the State's Refugee Resettlement Program State Plan review in accordance with §400.4(b) or in a timely manner as prescribed by the Director of the Office of Refugee Resettlement (*Note: This will be submitted for FFY15 upon resolution of the September 2014 monitoring report.*)
 - 3. The Department of Workforce Services, as the designated responsible agency for the Utah Refugee Resettlement Program, contracts with the Utah Department of Health for the provision of the Refugee Health Screening Program.
 - a) The Department of Health shall request an Inter-Agency Transfer (IAT) of funds for contractual services provided by the Refugee Health Screening Program.
 - (1) The Department of Health shall maintain accurate records detailing contractual Refugee Health Screening Program expenditures for IAT requests submitted to the Department of Workforce Services.
 - 4. A detailed budget of the Refugee Health Screening Program shall be submitted annually with the ORR-1 Cash Medical Administrative Estimates or in a timely manner as prescribed by the Director of the Office of Refugee Resettlement.
- B. Refugee Health Screening Services
 - 1. Within 30 days of arrival, but in no more than 90 days, the local voluntary resettlement agency Case Manager will arrange for the medical screening through the Refugee health Program under Bureau of Communicable Disease of the Utah Department of Health.
 - 2. Details of the specific health screening protocols, coordination of services, and collaboration efforts are in the Refugee Health Screening and Prevention State Plan in Appendix 1.

III. Pandemic Influenza Response Planning

- A. The Utah Pandemic Influenza Response Plan (see Appendix 3) is submitted as part of the Utah State Refugee Resettlement Program State Plan to identify planning and coordination points with the Utah Department of Health (UDOH).
 - a. The UDOH plan may be modified or updated at any time.
 - b. Upon any such modification, the most current approved Utah Pandemic Influenza Response Plan, shall be in force.
 - c. Changes in the Utah Pandemic Influenza Response Plan, if any, shall be submitted with the Utah State Refugee Resettlement Program State Plan annual review to the Office of Refugee Resettlement in accordance with 45CFR400.4.
- B. The coordination and planning efforts are described in more detail in the Utah Refugee Emergency Response Preparation and Implementation Plan found at Appendix 2.

- C. RMA funds will be utilized by the State to cover the costs of administering, developing materials, and coordinating the Utah Pandemic Influenza Response Plan as it applies specifically to the refugee population.

UNACCOMPANIED REFUGEE MINOR PROGRAM

I. Unaccompanied Refugee Minor Program (URM):

An Unaccompanied Refugee Minor is a person who has not attained 18 years of age; who has entered the United States as an unaccompanied minor; and, is not destined to a parent or a close non-parental adult relative who is willing to take care for the child; or an adult with a clear and court-verified claim to custody of the minor, and the minor child has no parents in the United States. The definition of an Unaccompanied Refugee Minor may also include a person under the age of 18 years of age who has been designated or re-designated by the Office of Refugee Resettlement for services under the URM program. Designated persons include human trafficking victims, special immigrant juveniles, and other minors identified through Federal statute, regulations, or policy guidance.

A. Refugee Foster Care Services:

The Department of Workforce Services has established an active ongoing foster parent program to furnish long-term foster care for unaccompanied refugee minor children. The Department of Workforce Services has a single contract with Catholic Community Services for the provision of foster care services for unaccompanied refugee minors.

B. Catholic Community Services:

The United States Catholic Conference of Bishops (USCCB) is one of two National Voluntary Agencies authorized to provide relocation and resettlement assistance to unaccompanied refugee minors. Catholic Community Services (CCS) is the local resettlement agency affiliate of USCCB licensed by the State of Utah to obtain the legal custody of the refugee minor children through the Utah justice system.

1. Catholic Community Services utilizes Department of Family and Child Service licensed foster care providers and homes for the direct care of the refugee minor children.
2. Catholic Community Services is in the process of recruiting and licensing their own foster families for the URM program in order to provide more culturally appropriate placements for children in the program.
3. Under contract, an extensive program has been developed by Catholic Community Services to monitor the adjustment of the minors into society. As youth become old enough and demonstrate self-reliance, they are emancipated. They are given educational opportunities and are helped into employment, then supervised for a time in independent living before emancipation from the program.
4. Under the contract, child welfare services and benefits are provided to refugee children to the same extent as other children of the same age under the Utah Foster Care Program. This includes:
 - a) Providing services to meet the child welfare standards, practices, and procedures,
 - b) Providing foster care maintenance payments under Title IV-E of the Social Security Act, if the child is eligible under that program
 - c) Establishing custody and legal responsibility. The State of Utah requires establishment of legal custody within 10 days of the minor's arrival.

- d) Providing medical coverage to the same extent as the State's Title IV-E program when necessary. For those children not covered by State Medicaid, URM funding is used to provide medical coverage.
 - 5. In addition, the URM program recruits, selects and trains foster parents for their role in working with refugee children.
 - 6. The URM program also works to encourage ethnic association, mutual support and support of the child's ethnic identity, values and beliefs as well as assist in their acculturation into the American and Utah society through English Language Training and other activities.
 - 7. When relatives are in the United States, family reunification is actively pursued. However, contact with the child's parents or relatives in their native country may not be sought, if such contact presents danger to relatives there or the URM child.
- C. Monitoring:
State staff monitors the URM program. Site visits are made quarterly as well as a yearly to conduct formal on-site review. Catholic Community Services conducts a complete fiscal audit annually. In addition, trimester and year-end reports are received.
- D. Reports:
The URM Placement Report (ORR-3) and Refugee and Entrant Unaccompanied Minor Progress Report (ORR-4) are sent as required to the Office of Refugee Resettlement by the Department of Workforce Services, Refugee Services Office. Invoices and trimester reports are reviewed by the State Refugee Coordinator's office for accuracy, prior to authorization of contract payments.

CUBAN HAITIAN ENTRANT PROGRAM

I. Cuban Haitian Entrant Program:

The State of Utah, Department of Workforce Services will continue to apply the same standards and criteria to Cuban Haitian Entrants as are used to determining eligibility for cash, medical assistance, and social services for other eligible refugees with respect to Title V of the Refugee Education Assistance Act of 1980, (Pub. L. No. 96-422), and supporting regulations and directives of the Office of Refugee Resettlement (ORR) at 45 CFR 400 and 45 CFR 401.

REFUGEE SOCIAL SERVICES

I. Social Services Program:

The Utah refugee resettlement program is a broad network of self-sufficiency and self-reliance services, involving public and private agencies (formal and informal), refugee community organizations and mainstream volunteers. Service areas include employment, education, cultural orientation, , physical health and mental health, and refugee community organization development.

A. Eligibility:

The State of Utah will ensure that as provided in §400.150 and §400.152, eligibility to receive social services and/or targeted assistance service, is limited to the refugee population who:

1. Are able to provide proof, in the form of documentation, issued by the United States Citizenship and Immigration Services (USCIS) of having or having held one of the defined refugee statuses as defined in §400.43. An applicant for asylum is not eligible for assistance unless otherwise provided by Federal Law (§400.44).
2. Have resided in the United States for 60 months or less;
 - a) Referral, interpreter, citizenship, and naturalization services may be provided to refugees regardless of their length of residence in the United States.

B. Priorities:

The State of Utah will comply with the established client priorities for services, with the highest priority from top down as listed below (§400.147)

1. All newly arriving refugees during their first year in the U.S., who apply for services;
2. Refugees who are receiving cash assistance;
3. Unemployed refugees who are not receiving cash assistance; and
4. Employed refugees in need of services to retain employment or to attain economic independence.

II Refugee Employment Program (§400.5(c)):

II Refugee Employment Program (§400.5(c)):

The Department of Workforce Services was created by State law to merge the functions of Employment Security (Job Service), job training, and public assistance programs-- which provide supportive services, such as financial assistance, Food Stamps and Child Care--into a cohesive unit. Refugees are brought into the DWS offices by their local refugee resettlement caseworkers to apply for Food Stamps, medical assistance (Medicaid, CHIP, Refugee Medical Assistance), and financial assistance (Family Employment Program [FEP], FEP-Two Parent, Refugee Cash Assistance).

A. Purpose and Objectives:

The purpose of the refugee employment program is to empower refugees by promoting economic self-sufficiency through employment. The purpose of this program is to

develop job opportunities for refugees, and to refer qualified refugees to these jobs. Refugees who are not job ready are referred to programs in the Department and community that can be of assistance to them. Emphasis on job readiness and employment will continue to be the first priority. The DWS refugee employment program has have the following objectives:

1. To provide job development activities in order to enhance the number of employment opportunities available for refugees.
2. To provide one-on-one job coaching services to determine individual employment needs and to provide a pathway that refers refugees to jobs.
3. To assist refugees in gaining employment so that they achieve economic self-sufficiency as quickly as possible.

B. DWS Employment Counselor:

1. The DWS Employment Counselor and other parties involved with a refugee case will conduct an initial interview with the refugee and determine if the individual is job ready. General information concerning job qualifications and interests are obtained at this time. The refugee is registered for work with the State and an employment plan is established. Where employment is not appropriate for the refugee (e.g., when they are pursuing SSI), a self-sufficiency plan will be developed. Department of Workforce Services' offices along the Wasatch Front are staffed with multilingual workers trained to serve refugees. A list of other multilingual workers within the department has been compiled and is available as a resource list to help workers obtain interpreters. When no interpreter is available, the Language Line is used—a phone-based interpretation service.
 - 2.1. The DWS Employment Counselor conducts a detailed interview and compares the client's qualifications with jobs that have been developed with employers. If no employment possibilities are readily available, the DWS Employment Counselor conducts a search of job openings in the employment exchange computer system, communicates with DWS Job Developer or contacts other specialists for possible job leads. The DWS Employment Counselor makes a follow-up contact with the employer if the individual is hired or if further action is necessary.
 - 3.2. The DWS Employment Counselor maintains contact with the local refugee resettlement agencies and other service providers to coordinate employment and acculturation activities so all service providers are aware of the current status of each refugee.

C. Participation Requirements for RCA:

1. Refugees receiving RCA are required to meet the participation requirements of the FEP, FEP-TP programs, except that the following will apply:
 - a) All refugees required to participate must take part in employment activities at the highest level possible considering their current circumstances and obligations.
 - b) Participation may include available social adjustment services or targeted assistance activities that are determined appropriate

- c) English Language training may be included in participation, but must be provided as a concurrent activity to other employment activities
- 2. Enhanced Participation
 - a) Consistent with the FEP and FEP-TP programs, refugees will have the opportunity to attain an enhanced payment for participation in selected activities.
 - b) Refugees receiving RCA who are involved in one of the following negotiated activities will receive an enhanced payment equal to the enhanced payment provided by the FEP and FEP-TP programs:
 - (1) Worksite Learning internships of 24 hours or more a week.
 - (2) Full time (as defined by the institution) attendance in an education or work-related training program, such as high school, vocational training, but excluding English-as-a-Second-Language (ESL) training.
 - (3) Employed or engaged in work-related training or activities 20 or more hours a week in addition to attending school or training, ESL training.
 - (4) Employed with gross earnings of at least \$500 per month.

D. Work Readiness English as a Second Language Program (WRESL):

The WRESL program is a collaboration between the Department of Workforce Services, Granite School District and Refugee and Immigrant Center—Asian Association of Utah. It provides refugees (generally new arrivals) with 6 months of intensive ESL classes and work readiness instruction. Refugees are screened for eligibility and must score level 2-5 on the CASAS test. It provides the opportunity for newly arriving refugees to focus on learning English and becoming ready to enter the workforce. The goal for all participants is employment upon program completion (or sooner if employment opportunities arise). Curriculum includes:

- 1. General ESL Studies—includes reading, grammar, listening, speaking, writing, and vocabulary.
- 2. Workplace Readiness—includes cultural expectations in the workplace, effective communication strategies, interviews applications, resumes, job searching techniques, rules and regulations at work, and problem solving.
- 3. Computer Instruction—includes computer literacy, keyboarding skills, work processing, internet use, and online job applications

E. Pre-literate Refugee Employment Skills Training (PREST):

The PREST program is also a collaboration between the Department of Workforce Service and Granite School District. It is designed to serve newly arriving, pre-literate refugees, who score less than 2 on the CASAS, and lasts for 6 months. During that time, participants spend time in intensive ESL classes, and also learn about financial literacy and job skills. The curriculum is similar to WRESL, yet geared towards pre-literate refugees. The emphasis is on improving employability by providing an opportunity for students to acquire English, general skills, knowledge and work habits

necessary to obtain employment, which may include work rules and regulations, following directions and basic hygiene.

F. Targeted Assistance Grant Employment Programming (TAG):

The Targeted Assistance Grant is contracted out with Refugee and Immigrant Center—Asian Association of Utah to provide job development and employment services to refugees. Utah's TAG model is unique, in that it not only seeks to assist refugee job-seekers, but also strives to increase the self-sufficiency of specific refugee communities by employing members of those communities as job developers. Additionally, the Refugee Community Organizations gain skills in managing the payroll and support for their own job developer. As a result of this partnership, TAG is able to provide job developers, who are linguistic and cultural matches to their clients. These job developers work with individuals, helping them prepare resumes, practice interviews, apply for jobs, and connect with employers. They also advocate for refugees in the community-at-large and help educate employers about refugees.

III. English Language Training (ELT) Program:

Major challenges faced by refugees in their adjustment to America are learning to communicate in English and developing marketable vocational skills. Refugees are encouraged to continue their ELT after employment is attained and stress is placed on the value of continued acquisition of English language skills as a means to increase consideration for employment advancement for higher functioning jobs or employment placements, thus increasing income.

Granite School District oversees adult ELT under contract with RSO, DWS. English language training services are concurrent with employment services. Among the efforts of RSO, DWS to support refugees' acquisition of English and work skills are :

- The Humanitarian Center Project – RSO, DWS, using TANF funding, partners with the LDS Church and refugee service providers to provide four hours of English and four hours of work-skills training a day for one year to 100 refugees.
- Pre-literate Refugee Skills Training (PREST) provides ELT and work skills training, funded by TANF
- Work Readiness English as a Second Language (WRESL) is funded by an ORR Discretionary Targeted Assistance Grant.

IV Social Integration:

The Department will work with the local refugee resettlement agencies, refugee community organizations, local government agencies, refugee service providers and civic groups in developing refugee integration.

A. Problems to be addressed:

Arriving refugees in Utah are faced with tremendous problems in adjusting to American culture. Some of the notable problems include:

1. Home management skills;
2. Consumer education;
3. Cultural clashes;
4. Linguistic isolation;
5. Non-transferable job skills, and
6. Refugee trauma.

B. Service Activities:

Through the utilization of various community resources, many of the problem areas can be addressed and corrected over time. The culture in Utah is very focused on volunteerism, and DWS helps connect volunteers to opportunities to serve refugees and help them integrate with the local community. This year DWS expects to play a more direct role in volunteer recruitment and placement.

V. Mental Health Program:

Perhaps the greatest threat to refugee health is depression and other symptoms of overwhelming stress. These are related to the pervasive and overwhelming losses and changes that refugees have experienced. The experiences may leave the refugee confused and disoriented for years. Compounded with the sorrow and homesickness is the insecurity of isolation from their past and present environments. Additionally, there are role reversals, inter-generational conflicts and reduced social status that commonly occur.

A. Medicaid is a limited resource for mental health treatment.

B. Refugees without Medicaid, such as refugees whose Refugee Medical Assistance has expired, are left untreated and vulnerable.

C. The Refugee Services Office, DWS continually seeks additional funding resources to provide mental health treatment. New efforts to combat mental health issues are:

- a. The addition of a Women's Services Coordinator to RSO, DWS, funded by TANF
- b. The addition of a Community Resource Specialists team to RSO, DWS, funded by TANF, in which 5 refugee community leaders have been hired to support their respected communities. They are supported by a growing team of professional social workers.
- c.

Refugee Community Organizations (Mutual Assistance Associations)

Utah believes that the only way to sustain long-term support for refugees is through refugee community organizations, also known as mutual assistance associations, working hand in hand with mainstream volunteers. Given this, refugee community capacity-building is one of the major components of Utah's efforts to support refugees. The State Legislature provides \$200,000 each year for this express purpose. The funding is used to provide small grants to refugee community organizations that compete for the funding. The state's Refugee Service's Office, DWS monitors the use of the grants and provides intense technical assistance to the organizations awarded the grants.

Additionally, the Refugee Services Office, DWS, in partnership with Salt Lake Community College, using volunteer instructors, provides a three month leadership course annually for refugee community organization leaders. Approximately 30 leaders have taken the course each of the past four years.

SPECIAL PROGRAMS

I. Special Programs:

Utah has recently partnered with local for-profit and non-profit organizations to create a refugee goat project. The project will earn money for refugee programs and offer limited employment to refugees caring for goats used for weed control and meat production. As of December 2014, the herd numbers 68.

As noted above, DWS has created a specialized refugee Community Resource Specialist team to serve refugees from Bhutan, Burundi, the Democratic Republic of the Congo, Karen refugees from Burma, and Sudan and South Sudan. The five community resource specialists on the team work with community members on capacity building, volunteer recruitment, and case management, with the goal of helping their communities become more self-sufficient and integrated in Utah. The team is supported by a growing number of professional social workers.

Also noted above is the addition of a Women's Services Coordinator on the RSO, DWS staff.

II. Utah Refugee Emergency Response Preparation and Implementation Plan

- A. The Utah Refugee Resettlement Program will coordinate emergency preparation planning and implementation with the Utah Department of Workforce Services (Home agency), the Utah Department of Public Safety Division of Emergency Services and Homeland Security

(DES), the Utah Department of Health (UDOH), and other agencies that may be identified by the Governor.

- B. Details of the Utah Refugee Emergency Response Preparation and Implementation Plan is found in Appendix 2.
 - 1. The Utah Refugee Emergency Response Preparation and Implementation Plan is a living document and may be modified or updated at any time.
 - 2. Changes in the Utah Refugee Emergency Response Preparation and Implementation Plan, if any, shall be submitted with the Utah State Refugee Resettlement Program State Plan annual review to the Office of Refugee Resettlement in accordance with 45CFR400.4.

- C. Refugee Cash Medical Administrative (CMA) funds will be utilized by the State to cover the costs of administering, coordinating, developing materials, and implementing the Utah Refugee Emergency Response Preparation and Implementation Plan as it applies specifically to the refugee population in relationship to the Utah Emergency Response Plan.

- D. Utah Department of Workforce Services Continuity of Operation Plan (COOP)
 - 1. The Utah Department of Workforce Services Continuity of Operation Plan (COOP) is described in detail in Appendix 4
 - a. The DWS COOP plan is a living document and may be modified or updated at any time.
 - b. Upon any such modification, the most current approved Utah Department of Workforce Services Continuity of Operation Plan, shall be in force.
 - c. Changes in the Utah Department of Workforce Services Continuity of Operation Plan, if any, shall be submitted with the Utah State Refugee Resettlement Program State Plan annual review to the Office of Refugee Resettlement in accordance with 45CFR400.4.

MISCELLANEOUS

I. State's Internal Fiscal Control Procedures:

Fiscal control procedures vary, depending on the funds and how they are allocated through department direct services or contracts.

All estimates and State expenditure reports are controlled through the Department of Workforce Services' Office of Finance.

In addition, the Department's Office of Finance reviews all contracts and their expenditures. Offices of Financial Audit exist at both the Department and State level, and in addition, independent audits are required by the State of its contractors. Program Specialists or assigned staff review the expenditures on their contracts and authorize

payments before they can be made. The Office of Finance makes final authorization for payment after review of the billing.

II. Technical Assistance and Training:

The Utah State Refugee Coordinator through regular communication and interaction via the telephone, on-site visits, and scheduled meetings provides technical assistance.

III. Consultation Bodies:

A central forum in the State Refugee Resettlement Program is the Utah Refugee Service Advisory Board. The board consists of State and local government agencies, service providers, and refugees from all different nationalities. One of the functions of the board is to act as an advisor to the State Refugee Resettlement Program Coordinator.

IV. Volunteers:

A host of volunteers representing neighborhood, church, and other informal associations provides continuing service and support to refugees at the local level. Thousands of hours are given by generous volunteers in assisting refugees to attain self-sufficiency and reach self-reliance goals. The State of Utah treasures this devoted and effective network and regularly recognizes their efforts.

V. Language Assistance to Persons with Limited English Proficiency:

To ensure refugees with limited English proficiency are not unintentionally discriminated against, Department will provide the following:

1. Contact Points for Services
 - a) Newly arrived refugees will be brought into the DWS Employment Centers to apply for refugee services by the local resettlement agency. The local resettlement agencies are contracted to provide interpreter services to assist in the initial reception and application for services. The local resettlement agencies are also contracted to provide interpreter services during the development of the refugee's employment plan.
 - b) DWS Employment Counselors will identify the refugee's language needs from the initial contact and intake process for future reference. If language identification cards have not been issued by the local resettlement agencies, the Employment Counselor will issue a card to the refugee and members of the family.
 - c) DWS does not require refugees to provide their own interpreters. DWS discourages the use of friends, minor children, and family relatives as interpreters. If a refugee is having difficulty obtaining access to ongoing services because of his/her inability to speak English, DWS will provide the appropriate language interpreter.
 - d) If a refugee brings his/her own interpreter, the refugee should be informed that he/she has the right to use an interpreter provided by DWS. If the refugee provides an interpreter who is not competent in the skill of interpreting, i.e. proficient in both languages and familiar with department terminology, to provide the refugee a clear

- and correct interpretation of verbal information and translation of the documents, DWS will provide an appropriate language interpreter.
- e) If, after being informed of his/her right to a DWS provided interpreter, a refugee declines such services and requests the use of a family member or friend, the refugee may use the family member or friend, if the use of such a person will not compromise the effectiveness or violate the refugee's confidentiality.

B. Language Access

1. All refugees are provided a written notification of their right to have all documents and notices translated orally at no cost to them.
2. In assessing the English written materials for written translation, the Department finds it financially and technologically unfeasible at this time to provide written translated notices in the native languages required. Written notices are computer generated by the State's mainframe computer system and UWORKS software. State agencies, in addition to DWS, utilizing the data collection, case maintenance and management, and reporting capabilities of the UWORKS system are the Utah Department of Health and the Utah Department of Human Services. Assistance programs, in addition to Refugee Cash Assistance and Refugee Medical Assistance, include the financial assistance programs under TANF, General Assistance, Food Stamps, Child Care, Foster Care, and the medical assistance programs of Medicaid, Medicare, Utah Medical Assistance Program, and Children's Health Insurance Program. There are currently over 600 computer generated notices for all programs. These notices are mailed automatically to the customer from the State's Capitol Office Building centralized automated mailing system. Approximately 85% of these notices deal with eligibility determination, advance notices regarding benefits, change in benefits, notices of hearings and rights to appeal. Several different departments and programs utilize the same computer notice for their specific program needs. Currently, the UWORKS program has the capability to only print in the common 10 number, 26 letter English alphabet.

When a notice is requested by an Employment Counselor to be sent to a refugee, the Employment Counselor will be notified to check if the recipient is a person with limited English proficiency and that the notice will have to be interpreted to the recipient in their native language.

3. The Department maintains a list of bilingual staff within each local Employment Center that identifies the staff person's language(s) capabilities. The list is available on the Department's Intranet website for internal use. If an interpreter with the appropriate language is not available at the local Employment Center, the search will be expanded to the Region, then State wide. If an appropriate interpreter is not available through the Department, an interpreter may be contracted from one of several agencies providing the language needed. Contracted interpreters may provide in person or telephone support. The Department maintains a list of current interpreter contract service providers.

C. Staff Training

1. Training on providing language assistance and access to persons with limited English proficiency occurs in the Liability training module for all new employees.
2. Refresher training will be provided during routine update training packets.
3. Training for all DWS employees is monitored in a computerized training record system.

D. Compliance Monitoring

4. The Department will provide an annual monitoring of the language assistance provided to persons with Limited English Proficiency in accessing the refugee program and services.
5. Refugees, refugee service providers, and advocates will be surveyed to assess the language assistance provided to persons with limited English proficiency.

APPENDIX 1

Note: The Refugee Health Program Annual Plan will be submitted upon resolution of the September 2014 ORR monitoring report.

APPENDIX 2

Utah Refugee Emergency Response Preparation and Implementation Plan

I. Responsible State Agencies

- A. The Utah Department of Workforce Services (DWS) is the designated agency for the administration and operation of the Utah Refugee Resettlement Program.
- B. The Utah Department of Public Safety, Division of Emergency Services and Homeland Security (DES) has the role and responsibility to coordinate emergency management efforts between federal, state, and local governments. These efforts include preparedness, recovery, response, and mitigation.
- C. All State agencies, including the Department of Workforce Services (DWS) are required to have an emergency response plan that includes first response, emergency support functions, and continuity of operation plans (COOP).
 - 1. The DWS Executive Director is the primary contact between DWS and the Governor's cabinet.
 - 2. The DWS Risk Manager is the primary contact between the department and DES.
 - 3. The State Refugee Coordinator works directly with the DWS Risk Manager to assure the needs of refugees in language and cultural differences are taken into account in emergency response planning at both the DWS and DES level.
 - a. Provide demographic information regarding the refugee population for inclusion in the State's planning effort
 - b. Provide coordination and dissemination of information and training materials to the refugee community
 - c. Refugee community leaders from refugee Mutual Assistance Associations and non-incorporated refugee communities will be engaged to assist in developing, adapting, and translating informational materials and the development of a communication plan.
 - d. Engage refugee Mutual Assistance Associations and non-incorporated refugee communities to develop and provide training into the refugee communities for preparation, planning, and plan implementation in the event of an emergency.
 - 4. The Department of Workforce Services' COOP is described in Appendix 4.

- D. CMA funds will be utilized by the State to cover the costs of administering, coordinating, developing, and implementing the Utah Refugee Emergency Response Preparation and Implementation Plan as it applies specifically to the needs of the refugee population.
- E. It is intended that the Utah Refugee Emergency Response Preparation and Implementation Plan be a living document that may be modified or updated at any time to keep planned responses current with personnel and systemic changes.
 - 1. Changes in the Utah Refugee Emergency Response Preparation and Implementation Plan, if any, shall be submitted with the Utah State Refugee Resettlement Program State Plan annual review to the Office of Refugee Resettlement in accordance with 45CFR400.4.

II. Utah Refugee Emergency Response Plan (Catastrophic Event)
(Plan is under development)

III. Utah Pandemic Influenza Response Plan

- A. The Utah Department of Health (DOH) is the lead agency in developing the Utah Pandemic Influenza Response Plan (see Appendix 3).
 - 1. The Division of Epidemiology and Laboratory Services contributed to the development of the Pandemic Influenza Response Plan.
 - a. The State Refugee Health Coordinator and State Refugee Health Program are under this division and have provided input into the development of Utah Pandemic Influenza Response Plan.
- B. DOH has created and maintains the State's Pandemic Influenza Web site, <http://www.pandemicflu.utah.gov/>
 - 1. The Governor's Summit: Utah Plan for Pandemic Influenza (Summit Planning Toolkit CD) may be ordered from this site <http://www.pandemicflu.utah.gov/>
 - 2. Documents on the Toolkit CD include information on Pandemic Influenza, a number of checklists for planning by local government agencies, business, faith-based and community organizations, and individual and families.
- C. Administration and Coordination of the Pandemic Influenza Response Plan for Refugees
 - 1. The State Refugee Health Coordinator and the State Refugee Health Program in coordination with the Bureau of Epidemiology will have the primary role of

designing and implementing public health measures such as personal hygiene, surveillance, containment procedures, infection control, and treatment programs for the refugee community.

2. The State Refugee Health Program and Bureau of Epidemiology will search for and obtain information regarding Avian Influenza and planning documents that have been translated into refugee languages for use in Utah.
3. The State Refugee Health Program and Bureau of Epidemiology will utilize RMA funds to cover the costs of administering, coordinating, and implementing the Utah Pandemic Influenza Response Plan as it applies specifically to the refugee population.
4. Refugee community leaders from refugee Mutual Assistance Associations and non-incorporated refugee communities will be engaged to assist in developing, adapting, and translating informational materials and the development of a communication plan.

APPENDIX 3

Utah Department of Health: Utah Pandemic Influenza Response Plan

The Utah Department of Health's Pandemic Response Plan is current as of August 28, 2007. It was developed in conjunction with the State's master planning for Emergency Support Functions.

It is intended that the Utah Pandemic Influenza Response Plan be a living document that may be modified or updated at any time to keep planned responses current with personnel and systemic changes.

Changes in the Utah Pandemic Influenza Response Plan, if any, shall be submitted with the Utah State Refugee Resettlement Program State Plan annual review to the Office of Refugee Resettlement in accordance with 45CFR400.4.

APPENDIX 4

Utah Department of Workforce Services Continuity of Operations Plan (COOP)

The Utah Department of Workforce Services' Continuity of Operation Plan is currently under development in conjunction with the State's master planning for Emergency Support Functions.

It is intended that COOP be a living document that may be modified or updated at any time to keep planned responses current with personnel and systemic changes.

Changes in the Utah Department of Workforce Services Continuity of Operation Plan, if any, shall be submitted with the Utah State Refugee Resettlement Program State Plan annual review to the Office of Refugee Resettlement in accordance with 45CFR400.4.