



Ohio Administrative Code

Rule 5101:1-2-30.3 Benefit eligibility: family members of victims of trafficking.

Effective: February 1, 2022

According to 22 U.S.C. 7105 (12/2018) certain family members of a victim of a severe form of trafficking are eligible for benefits and services to the same extent as refugees.

(A) Who is considered a family member of a victim of trafficking?

A holder of a T-2, T-3, T-4, T-5 or T-6 visa (hereafter, "derivative T visa") is considered a family member of a victim of a severe form of trafficking.

(B) What are the county agency responsibilities in determining eligibility for family members of a victim of a severe form of trafficking?

The county agency shall:

(1) Accept the derivative T visa of a non-immigrant (i.e., an alien who is allowed to enter the United States (U.S.) for a specific purpose and for a limited period of time).

(a) For an individual who is already present in the U.S. on the date the derivative T visa is issued, the date of entry for benefits and services is the notice date on the I-797 form, "Notice of Action" on the individual's derivative T visa.

(b) For an individual who enters the U.S. on the basis of a derivative T visa, the date of entry for benefits and services is the date of entry stamped on that individual's passport or I-94 arrival record.

(2) Call the trafficking victim verification line to notify the office of refugee resettlement of the benefits that the individual has applied for.

The health and human services systematic alien verification for entitlements (SAVE) system does not contain information about non-immigrant alien family members. The county agency shall not



contact the SAVE system to confirm eligibility for benefits.

(3) Determine eligibility or redetermine eligibility in accordance with the appropriate program rules.

(4) When the applicant meets other program eligibility criteria (e.g. income levels), the county agency shall issue benefits and services to the same extent as a refugee.