



ADMINISTRATION FOR
CHILDREN & FAMILIES

Office of Refugee Resettlement | 330 C Street, S.W., Washington, DC 20201
www.acf.hhs.gov/programs/orr

Repatriation Guide: Section 2 Mentally Ill Repatriates

Section 2 includes:

- Eligibility
- Services
- Financial Obligations of Participants

Repatriation is the return of a U.S. citizen from a foreign country. The U.S. Repatriation Program (Program) exists to provide temporary assistance to citizens and their dependents that have repatriated and are in need of assistance. The Program is administered by the Office of Refugee Resettlement (ORR) within the Administration for Children and Families at the Department of Health and Human Services. ORR partners with Department of State (DOS), state governments, and non-governmental organizations to provide assistance to participants of the Program.

The Program provides specific services to U.S. citizens that are determined to be mentally ill while abroad. Mentally ill repatriates may require additional assistance traveling to the United States and help accessing mental health treatment. The Program is designed to ensure the needs of the participants are met.

Eligibility

Under 24 U.S.C. §321(d), a person is eligible for assistance under the Program if:

- 1) The person is certified as a national of the United States by the Secretary of State and
- 2) The person has:
 - a. A certificate stating that the person has been legally adjudicated insane in a named foreign country; or
 - b. A certificate of an appropriate authority stating at the time of the certification, the person was in need of care and treatment in a mental hospital in a named foreign country.

DOS is responsible for obtaining a medical evaluation, mental health certificate, and certificate of mental incompetence if applicable. If the repatriate has not been found to be incompetent, DOS will also provide him or her with the Privacy Act Waiver.

Services

Arrival in the United States

DOS will arrange for an escort for the repatriate if one is required. Repatriates are greeted at their port of entry in the United States by a local contact in the state where the repatriate will be staying and transported to a psychiatric evaluation. The local contact may be from the state government or a non-profit organization. If the repatriate is determined to be incompetent or otherwise unable to consent to treatment, ORR, through partner agencies, will obtain a guardian for the repatriate according to state law.

Treatment and Hospitalization

The local contact will arrange for temporary care, treatment, and assistance that is reasonably required for the health and welfare of the repatriate. Following the examination, the repatriate may be discharged or remain hospitalized. If the repatriate requires hospitalization, he or she must be reexamined at least once every six months. The repatriate or the repatriate's legal guardian, spouse, or next of kin may request release from a hospital. The request must be approved by ORR.

ORR pays for the costs associated with treatment and hospitalization of a repatriate.

Additional Services

Mentally ill repatriates are eligible for additional services such as cash assistance through the Program. As citizens, repatriates may also be eligible for additional benefits such as Social Security Disability Insurance and Supplemental Security Income. The local service provider in the state where the repatriate returns to will assist the repatriate obtain the services and benefits he or she is eligible for.

Repayment

Participants of the Repatriation Program must reimburse the federal government for the cost of the services provided if he or she has the resources. ORR may waive payment if the repatriate does not have the resources to repay for services provided. Certified mentally incompetent repatriates that are unable to care for themselves and are not in the care of their families, receive an automatic waiver for repayment.

Legal Authority

The statutory authority for repatriation of a mentally ill U.S. citizen is located at [24 U.S.C. §§ 321- 329](#). The regulations for repatriation of a mentally ill U.S. citizen are located at [45 C.F.R. §211](#).