

IMMIGRANT ELIGIBILITY REFERENCE TOOL

Potential eligibility based on citizenship/non-citizen status.

The person still has to meet all other program rules (e.g., income, Illinois residency) and provide proofs to actually receive the benefit.

| Links made to USCIS or other sources of clarification on the status | FEDERAL BENEFITS | | | STATE PROGRAMS | | | | | | | | | | FEDERAL/ACA |
|---|--|--|--------------------------------------|--------------------------|---|---|--|--|---|-------------------------------------|---------------------------------------|--|--------------------------------------|-----------------------------|
| | | | | CASH AND FOOD ASSISTANCE | | | MEDICAL PROGRAMS <i>Uses ACA MAGI Rules</i> | | | | V TTC | AABD <i>Non-MAGI Rules</i> | | |
| | | | | TANF | SNAP | REFUGEE CASH ASSISTANCE | CHILDREN Under age 19 | ADULTS Age 19 and over | | | | Cash Food and Medical | 65+, BLIND/DISABLED | |
| All Kids Share or Premium | ACA Adult IMEDICAL 19-64 | Family Care Parent Assist | Moms and Babies MPE | | | | AABD Cash ² | AABD or HBWD Medical | MARKETPLACE | | | | | |
| IMMIGRATION STATUS | RSDI¹ SOCIAL SECURITY² | SSI³ | MEDICARE² | TANF | SNAP | REFUGEE CASH ASSISTANCE | All Kids Share or Premium | ACA Adult IMEDICAL 19-64 | Family Care Parent Assist | Moms and Babies MPE | Cash Food and Medical | AABD Cash ² | AABD or HBWD Medical | MARKETPLACE |
| AMERASIAN FROM VIETNAM | YES | YES | YES | YES | YES | YES <i>8 months from entry</i> | YES | YES | YES | YES | NA | YES <i>When SSI expires</i> | YES | YES |
| AMERICAN INDIAN BORN IN CANADA | YES | YES | YES | YES | YES | YES as Repatriate | YES | YES | YES | YES | NA | YES | YES | YES |
| ASYLUM APPLICANT | NO | NO | NO | NO | NO | NA | YES | NO | NO | YES | YES ⁴ | NO | NO | NO |
| ASYLEE | YES | YES <i>Applies even after status adjusts to LPR</i> | YES | YES | YES <i>Applies even after adjusts to LPR</i> | YES <i>8 months from entry</i> | YES | YES | YES | YES | NO | YES <i>When SSI expires</i> | YES | YES |
| CITIZEN BY BIRTH OR NATURALIZATION | YES | YES | YES | YES | YES | YES as Repatriate | YES | YES | YES | YES | NA | YES | YES | YES |

¹ RSDI: Retirement, Survivors and Disability Insurance a work history of sufficient duration to be able to receive benefits is required.

² This assumes the individual has sufficient qualifying work credits where Social Security taxes have been paid. Medicare is available at 65 if sufficient work history exists. Enrolled prior to 65 if receiving Social Security disability for 2 years or diagnosed with ESRD or ALS. If insufficient work history to receive Part A coverage premium free, a person who is 65 can elect to enroll if willing to pay a Part A premium.

³ Must also be 65+, Disabled or Blind have low income and limited assets

⁴ Illinois resident who have an application for asylum pending before BCIS (or an appeal) and who is receiving federally funded treatment services for [torture victims](#) may be eligible for Medicaid coverage.

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| | | | | CASH AND FOOD ASSISTANCE | | | MEDICAL PROGRAMS <i>Uses ACA MAGI Rules</i> | | | | VTTTC Cash Food and Medical | AABD <i>Non-MAGI Rules</i> | | |
| IMMIGRATION STATUS | RSDI ¹ SOCIAL SECURITY ² | SSI ³ | MEDICARE ² | TANF | SNAP | REFUGEE CASH ASSISTANCE | CHILDREN Under age 19 | ADULTS Age 19 and over | | | | AABD Cash ² | AABD or HBWD Medical | MARKETPLACE |
| | | | | | | | All Kids Share or Premium | ACA Adult IMEDICAL 19-64 | Family Care Parent Assist | Moms and Babies MPE | 65+, BLIND/DISABLED | | | |
| CUBAN-HAITIAN ENTRANT Prior to 1/12/17 | YES | YES | YES | YES | YES | YES | YES | YES | YES | YES | NA | YES <i>After 7 yrs on SSI</i> | YES | YES |
| CUBAN-HAITIAN ENTRANT 1/12/17 or after | YES | NO | NO | NO | NO ⁵ | NA | NA | NO | NO | YES if pregnant | NA | NO | NO unless ESRD ⁶ | YES |
| DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) | NO | NO | NO | NO | NO | NA | YES | NO | NO | YES If Pregnant | NA | NO | NO | NO |
| DEPORTATION IS BEING WITHHELD UNDER SECTION 243(H) PRIOR TO 04/97 OR SECTION 241(B)(3) AFTER 04/97 OF THE INA | YES | YES | YES | YES | YES | YES <i>8 months from entry</i> | YES | YES | YES | YES | NA | YES | YES | YES |

⁵ ONLY if on SSI before 8/22/96 OR LPR after 8/22/96 must have 5 years residence and 40 credits OR living in U.S. on 8/22/96 and became disabled after that date

⁶ ESRD: End Stage Renal Disease Covers only the dialysis. If the individual receives medical care due to a life threatening emergency then review the section for non-citizens who do not fit special criteria.

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| | | | | CASH AND FOOD ASSISTANCE | | | MEDICAL PROGRAMS <i>Uses ACA MAGI Rules</i> | | | | VTTC | AABD <i>Non-MAGI Rules</i> | | | |
| | | | | TANF | SNAP | REFUGEE CASH ASSISTANCE | CHILDREN Under age 19 | ADULTS Age 19 and over | | | | 65+, BLIND/DISABLED | MARKETPLACE | | |
| All Kids Share or Premium | ACA Adult IMEDICAL 19-64 | Family Care Parent Assist | Moms and Babies MPE | | | | Cash Food and Medical | AABD Cash ² | AABD or HBWD Medical | | | | | | |
| HMONG OR HIGHLAND LAOTIAN | YES | YES | YES | YES | YES | YES | YES | YES | YES | YES | YES | NA | YES | YES | YES |
| IRAQI OR AFGHAN SPECIAL IMMIGRANTS GRANTED IMMIGRANT STATUS UNDER SECTION 101(A)(27) | YES | YES | YES | YES | YES | YES <i>8 months from entry</i> | YES | YES | YES | YES | NA | YES | YES | YES | YES |
| LPR IN U.S. AT LEAST 5 YEARS AND ADMISSION AFTER 8/22/96 | YES | YES <i>Must also have at least 40 work credits</i> | YES | YES | YES | NA | YES | YES | YES | YES | NA | YES | YES | YES | YES |
| LPR IN U.S. BEFORE 08/22/96 | YES | YES | YES | YES | YES | NA | YES | YES | YES | YES | NA | YES | YES | YES | YES |

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| IMMIGRATION STATUS | RSDI¹ SOCIAL SECURITY² | SSI³ | MEDICARE² | TANF | SNAP | REFUGEE CASH ASSISTANCE | CHILDREN | ADULTS | | | | AABD Cash ² | AABD or HBWD Medical | MARKETPLACE |
| | | | | | | | Under age 19 | Age 19 and over | | | 65+, BLIND/DISABLED | | | |
| | | | | | | | All Kids Share or Premium | ACA Adult IMEDICAL 19-64 | Family Care Parent Assist | Moms and Babies MPE | | | | |
| LPR ADULT IN U.S. UNDER 5 YEARS AND DOES NOT HAVE 40 WORK QUARTERS | YES | NO | NO | NO (adult) TANF can be issued to U.S. citizen children | NO ⁷ | NA | NA | NO | NO | YES if pregnant | NA | NO | NO unless ESRD⁸ YES if entry status was exempt from 5 year rule | YES |
| LPR (ADULT) IN U.S. UNDER 5 YEARS AND HAS 40 WORK QUARTERS | YES | NO | NO | NO | YES | NA | NA | NO | NO | YES | NA | NO | NO | YES |
| LPR (CHILD) IN U.S. UNDER 5 YEARS | YES | NO | NO | NO | YES Under 18 | NA | YES | NA | NA | YES | NA | NO | NO | YES |
| MINOR VICTIM OF TRAFFICKING WITH AN HHS ELIGIBILITY LETTER | NO | YES | NO | YES | YES | YES | YES | NA | NA | NA | NA | NA | NA | YES |

⁷ ONLY if on SSI before 8/22/96 OR LPR after 8/22/96 must have 5 years residence and 40 credits OR living in U.S. on 8/22/96 and became disabled after that date

⁸ ESRD: End Stage Renal Disease Covers only the dialysis. If the individual receives medical care due to a life threatening emergency then review the section for non-citizens who do not fit special criteria.

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| PERSON GRANTED CONDITIONAL ENTRY (PRIOR TO 4/1/80) AND CERTAIN PAROLEES (PRIOR TO 8/22/96) | | | | | | | | YES | YES | YES | YES | | YES | NA |
| REFUGEE | YES | YES | YES | YES | YES | 8 months from entry | YES | YES | YES | YES | NA | YES | YES | YES |
| TRAFFICKING VICTIM CONTINUED PRESENCE | NO | YES | NO | YES | YES | YES | YES | YES | YES | YES | NA | YES | YES | YES |
| TRAFFICKING VICTIM T VISA | YES | YES Must have a valid T visa | YES | YES | YES | YES Available only for 8 months from when identified by ORR | YES | YES | YES | YES | YES* While filing T-Visa application | YES | YES | YES |
| T VISA APPLICANT | NO | NO | NO | NO | NO | NA | YES | NO | NO | YES | YES | NO | NO | NO |

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| All Kids Share or Premium | | | | | | | ACA Adult IMEDICAL 19-64 | Family Care Parent Assist | Moms and Babies MPE | AABD Cash ² | | AABD or HBWD Medical | | |
| U VISA CRIME VICTIM | NO | NO | NO | NO | NO | NA | YES | NO | NO | YES IF Pregnant | YES | NO | NO | YES |
| U VISA APPLICANT | NO | NO | NO | NO | NO | NA | YES | NO | NO | YES | YES | NO | NO | NO |
| U.S. VETERAN, OR ACTIVE DUTY Spouses and Unmarried Dependents <i>(LPR: 5 year wait rule does not apply to the veteran or dependents).</i> | YES | YES if discharge is other than dishonorable and not due to alien status | YES | YES | YES | NA | YES | YES | YES | YES | NA | YES | YES | YES |
| VAWA ABUSED NONCITIZEN ADULT OR CHILD | YES | Limited Eligibility ⁹ | YES | YES | Limited Eligibility ¹⁰ | NA | YES | YES | YES | YES | NO | YES | YES | YES |

⁹ ONLY if on SSI before 8/22/96 OR LPR after 8/22/96 must have 5 years residence and 40 credits OR living in U.S. on 8/22/96 and became disabled after that date

¹⁰ To be eligible must be **under 18, or veteran, or disabled or blind, or LPR with 40 work credits**

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| NON-CITIZENS WHO DO NOT MEET ONE OF THE ABOVE CRITERIA | NO Based on work history May be YES for dependent or survivors benefits | NO | NO | NO TANF can be issued to the U.S. citizen child | NO | NA | YES | NO YES If received ER care for a life threatening health crisis | NO YES If received ER care for a life threatening health crisis | YES | | NO | NO unless ESRD¹¹ | NO |

¹¹ ESRD: End Stage Renal Disease Covers only the dialysis. If the individual receives medical care due to a life threatening emergency then review the section for non-citizens who do not fit special criteria.

General Information for Non-Citizens Applying for Public Benefits

- [Public Charge](#) may be a factor when a non-citizen applies for Public Benefits. USCIS provides a fact sheet on [Public Charge](#). On August 14, 2019, the Trump Administration published a Final Rule related to the public charge ground of inadmissibility. The USCIS information on this [final rule](#) is available online. **It is important to understand that the Public Charge rule only applies to immigrants seeking to enter the United States, immigrants adjusting their status to Lawful Permanent Resident (applying for a 'green card'), or Lawful Permanent Residents (aka, green card holders) who are re-entering the U.S. after being out of the country for more than 180 days.** There are many immigration statuses not subject to public charge.
 - For updated information on this Final Rule, visit the [Protecting Immigrant Families Community Education Resources](#) website.
- Sponsor Liability: Some immigrants have sponsors who assist with the person's entry into the U.S. In some instances the sponsor's income and resources may be "deemed" to the non-citizen to help meet their needs before public benefits can be issued. Sponsor deeming currently applies to the following programs:
 - [Supplemental Security Income \(SSI\)](#)
 - [Temporary Assistance for Needy Families \(TANF\)](#)
 - [Supplemental Nutrition Assistance Program \(SNAP\)](#)
 - [Aid to the Aged, Blind or Disabled \(AABD\)](#) Cash
- In addition the federal, state or local agency has to verify the person's status with USCIS through a data system called [SAVE](#): Systematic Alien Verification for Entitlements Program. Noncitizens with lawful status must provide USCIS documents that have the person's Alien Registration A-Number or USCIS number as proof of status. Caseworkers are to check the immigration status of only those persons applying for benefits.

Programs where citizenship or immigrant status is not a factor: (this is not an all-inclusive list) - WIC; Emergency Disaster Relief; Disaster SNAP benefits; School Lunch Program; Public Health Services (including testing for communicable diseases and immunizations); Head Start; and more.

Emergency Medical for Non-Citizens

Persons age 19 and older who are not YES for medical benefits because they do not meet citizenship/immigration requirements, may be able to receive medical help through the state for emergencies. The person has to meet all the program requirements for FamilyCare Assist, All Kids Assist, Moms and Babies, ACA Adult Medical or AABD Medical, except for a Social Security Number and verification of immigration status. People who meet these requirements are only able to obtain short-term medical coverage for emergency care. NO noncitizens are NO for cash and regular medical benefits, including organ transplants. ESRD (End Stage Renal Disease) is considered an emergency so Non-citizens with this diagnosis are able to receive ongoing medical coverage for treatment of this illness.

Victims of Trafficking Torture, or serious Crimes (VTTC)

Effective 01/01/18, foreign-born victims of trafficking, torture or other serious crimes and his or her derivative family members are eligible for medical, cash and/or food assistance if he or she has filed, or is preparing to file, an application for a T-Visa, U-Visa, or asylum, and is otherwise eligible for the benefits. The state has issued a policy manual release for medical benefits eligibility ([MR #17.19](#)) and a separate policy memo for Cash and Food Assistance.

Common Documents that Verify Citizenship Status:

- Alien Registration Receipt Card (AR-3A, I-151, or I-551)*
 - Conditional Alien Registration Receipt Card (I-551)*
 - Memorandum of Creation of Record of Lawful Permanent Residence (I-181a)
 - Fee Receipt (including I-689A)*
 - Employment Authorization Card (I-688A, I-688B, or I-766)*
 - Temporary Resident Card (I-688)*
 - Arrival-Departure Record (I-94) (may not contain A-Number)*
 - Re-Entry Permit (I-327)*
- I-797 Notice of Action
 - Refugee Travel Document (I-571)*
 - A foreign passport, when it contains an I-94 bearing the message "Processed for I-551, Temporary Evidence of Lawful Permanent Residence." If there is a code S13; or code S13 in a Canadian passport or on an I-94 this verifies an American Indian born in Canada.
 - Other sources see state manual sections [WAG 03-01-02](#) and [WAG 03-01-03](#)

Samples of common immigration forms can be obtained at <https://www.healthcare.gov/help/immigration-document-types/> this is also a great site for information and resources as you work with non-citizens.

USDA has published [SNAP: Guidance on Non-Citizen SNAP Eligibility](#). This book provides valuable information as well as information about some of the types of documentation required.

FORTY QUALIFYING QUARTERS

LPRs may qualify for SSI and SNAP benefits if they can be credited with 40 qualifying quarters of work. If the LPR received means tested public benefits after December 31, 1996, then any quarter where the benefit was received will not be counted. (Federal means tested benefits are: TANF; SNAP; Medicaid and All Kids and SSI.)

An LPR can receive credit for work quarters in multiple ways:

1. Quarters worked by a parent (natural, step, adoptive) while the LPR was under age 18 (even if the child did not live in the U.S. during this time)
2. Quarters worked by the LPRs spouse during their marriage if the LPR is still married to the spouse or if the spouse is deceased

Social Security determines if a person's wage history can be used to meet a qualifying quarter for all benefit programs and certifies if the earnings can count towards a qualifying quarter.

The U.S. has 60 different types of visas. Below is a list of the types of visas that are usually authorized for employment. Information on immigration status and Social Security benefits is also available at <https://www.ssa.gov/ssnvisa/> and <https://www.ssa.gov/people/immigrants/>

| <u>Classifications that Receive Work Authorization</u> | |
|---|--|
| Visa Classification | Definition |
| E-1, E-2 | Treaty trader or Treaty investor |
| F-1 | Foreign academic student, when certain conditions are met |
| H-1B, H-1C, H-2A, H-2B, H-3 | Temporary worker |
| I | Foreign information media representative |
| J-1 | Exchange visitor, when certain conditions are met |
| K-1 | Fiancé of a U.S. citizen |
| L-1 | Intra-company transferee |
| M-1 | Foreign vocational student |
| O-1, O-2 | Temporary worker in the sciences, arts, education, business, or athletics |
| P-1, P-2, P-3 | Temporary worker in the arts, athletics in an exchange or cultural program |
| Q-1, Q-2 | Cultural exchange visitor |
| R-1 | Temporary religious worker with a nonprofit organization |
| T | Victims of Human Trafficking: T Nonimmigrant status |
| TC | Professional business worker admitted under U.S.-Canada Free Trade Act (NAFTA) |
| TN | Professional business worker admitted under NAFTA |
| U | Victims of Criminal Activity: U Nonimmigrant status |
| None | Deferred Action for Childhood Arrivals (DACA/DREAMer) I-797 Notice of Action issued |