



Immigrants' Eligibility Chart



Using this Chart:

Designed for social service professionals, the following programs contain ONLY the immigration criteria. Immigrants must meet all other eligibility criteria of the benefit program. For a definition and a listing of “**qualified non-citizen**” as defined by the federal government [click here](#).

Also see our Q&A on *Public Charge* https://bplc.cssny.org/benefit_tools/11.

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Cash Programs

Cash Assistance – Family Assistance (Federally Funded -TANF)

- An immigrant who entered the U.S. **prior to August 22, 1996**, who has continuously resided in the U.S. since that time (regardless of their immigration status when they first entered the U.S.) and is now a qualified non- citizen, even if the status was attained after 8/22/96;
- **Qualified non-citizen** who entered the U.S. **on or after August 22, 1996**, who has resided in the U.S. for five years as a qualified non-citizen. There are exceptions to the five-year rule; the following humanitarian-based categories are not subject to the five-year bar:
 - Refugees
 - Asylees
 - Amerasian immigrants
 - Cuban-Haitian immigrants
 - Immigrants who have had deportation withheld
 - Victims of trafficking
 - Iraqi and Afghan nationals
 - Afghanistan Humanitarian Parolees
- **Qualified non-citizens** in active military service, or honorably discharged veterans, their spouses, widows (if they remain unmarried) and dependent children, regardless of entry date;
- North American Indians born in Canada and other Indian tribal members, born outside the U.S., who have long been recognized to have the right to enter and re-enter the U.S.

Note: Immigrants in the humanitarian-based categories, who at a later point in time adjust their status to LPR **do not** have to meet the five-year requirement for qualified non-citizens.

For example, if a refugee meets TANF's immigration criteria, they remain eligible for TANF benefits, even if such refugee becomes a Lawful Permanent Resident (LPR) prior to residing in the U.S. for five years.



Cash Assistance - Safety Net Assistance (New York State Funded)

- **Qualified non-citizen** regardless of their date of entry
- Immigrants classified by NYS as PRUCOL, including those **applying for OR granted**:
 - Parolee (for less than one year),
 - Temporary Protected Status (TPS),
 - Deferred Action for Childhood Arrivals (DACA),
 - Asylum,
 - Special Immigrant Juvenile (SIJ)
 - **Expanded List - 2023**: NYS expanded eligibility to additional categories of non-citizens see full list GIS 23 TA/DC039 <https://otda.ny.gov/policy/gis/2023/23DC039.pdf>.
- North American Indians born in Canada and other Indian tribal members, born outside the U.S., who have been recognized to have the right to enter and re-enter the U.S.

Crime Victims Compensation

- All immigrants regardless of status, including individuals without documentation.

Emergency Assistance Grants (One-Shot Deals)

- Immigrants who meet [Cash Assistance TANF](#), [Cash Assistance SNA](#), or [Supplemental Security Income – SSI](#).

HIV/AIDS Services Administration (HASA)

- Includes qualified non-citizens listed under [Cash Assistance TANF](#), those classified under PRUCOL for [Cash Assistance SNA](#), and those under PRUCOL for [Medicaid – State Funded](#).

Home Energy Assistance Program (HEAP)

- Immigrants who are [qualified non-citizens](#).



NYS Disability Insurance

- Anyone who is working for a covered employer in a covered job, regardless of immigration status, including individuals without documentation.

Social Security Retirement, Survivors and Disability Insurance

- Immigrants who are lawfully admitted to the United States on a permanent basis with a Social Security number allowing them to work without restriction.

Supplemental Security Income (SSI)

- A lawful permanent resident (LPR) who
 - Entered the U.S. **prior to 8/22/96** (as long as they were lawfully residing in the U.S. at that time), and who can be credited with 40 quarters of coverage from the Social Security Administration (SSA).
 - Entered the U.S. **on or after 8/22/96** who can be credited with 40 quarters of coverage from SSA and have been physically present in the U.S. for at least five years as a qualified non-citizen.
- Humanitarian-Based Categories as follows:
 - Refugees within seven years of arrival.
 - Asylees within seven years of status being granted.
 - Persons granted withholding of deportation within seven years of deportation being withheld.
 - Cuban/Haitian entrants admitted under the Refugee Education Assistance Act within seven years of status being granted.
 - Amerasians within seven years of arrival.
 - Victims of severe form of trafficking in persons within seven years of status being granted.
 - Iraqi and Afghan nationals admitted as a special immigrant within seven years of arrival if they served as a translator/interpreter for the U.S. Armed Forces in Iraq or Afghanistan or worked for the U.S. government in Iraq.

Note: Immigrants in the humanitarian-based categories, who at a later point in time become lawful permanent residents (LPR) do not have to meet the 40 quarter and the five-year requirement for LPR's (see above) during their initial seven years of eligibility.

For example, if a refugee meets SSI's immigration criteria, they are eligible for SSI for seven years from the date of arrival. If such refugee becomes a LPR during this seven-year period and has any of the seven years of eligibility remaining, they would continue to meet SSI's immigration criteria for the remaining seven years.



Supplemental Security Income – SSI (cont'd)

- A **qualified non-citizen** who is a member of the U.S. Armed Forces or honorably discharged veteran, their spouse, surviving spouse or unmarried dependent children, regardless of date of entry;
- A **qualified non-citizen** who was continuously legally residing in the U.S. **on 8/22/96** and who meets SSI's disability or blindness standard, regardless of the date of application or the date of onset of disability;
- North American Indians born in Canada and other Indian tribal members, born outside the U.S., who have long been recognized to have the right to enter and re-enter the U.S.;
- **Qualified non-citizens** and PRUCOL immigrants residing in the U.S. who were in receipt of SSI **on 8/22/96**, and who continue to receive benefits, as long as all other eligibility criteria continue to be met.

Unemployment Insurance Benefits

- Lawful permanent residents (LPR), or
- An individual who is otherwise authorized to work in the U.S., who was legally working when they lost their job, and is currently legally allowed to accept a new job.

Food Programs

Additional Food Programs (free meals or access to free or low-cost food programs)

- All immigrants regardless of status, including individuals without documentation.

Senior Citizen Nutrition Programs

- All immigrants regardless of status, including individuals without documentation.

Summer EBT

- All immigrants regardless of status, including individuals without documentation.



Supplemental Nutrition Assistance Program (SNAP)

- A lawful permanent resident (LPR), or
- Cuban/Haitian entrants, or
- Individuals allowed to live in the U.S. under the [Compacts of Free Association](#). (COFA residents are not U.S. citizens or permanent residents.)

WIC (Women, Infants & Children)

- All immigrants regardless of status, including individuals without documentation.

Health Programs

ADAP, ADAP Plus, APIC, HIV Home Care

- All immigrants regardless of status, including individuals without documentation.

AHIP (AIDS Health Insurance Program)

- Applicants must meet the citizenship/immigrant requirements of the Medicaid program, see below in the chart, *Medicaid*.

Child Health Plus

- All immigrants regardless of status, including individuals without documentation.

EPIC (Elderly Pharmaceutical Insurance Coverage Program)

- Eligibility for EPIC is restricted to those immigrants who are eligible for Medicare Part D. This means applicants must be U.S. citizens or lawfully admitted to the U.S. on a permanent basis with a valid Social Security number allowing them to work without restriction.



Essential Plan

- “Lawfully present” individuals, [click here for a list](#).
- Deferred Action for Childhood Arrivals (DACA), effective August 1, 2024.

Medicaid - Federally Funded Medicaid

The Medicaid benefit is the same regardless of whether someone qualifies for Medicaid under federal or state guidelines; that is, there is no difference in the services provided under federally-funded or state-funded Medicaid.

- **Qualified non-citizens** who entered the U.S. **before August 22, 1996**;
- **Qualified non-citizens** who entered on or after **August 22, 1996** after a five-year waiting period, with the following humanitarian-based exceptions, who are exempt from the five-year waiting period:
 - Refugees, asylees or granted withholding of deportation
 - Cuban/Haitian entrants
 - Amerasians
 - Trafficking victims
 - Iraqi or Afghan special immigrant status
 - Afghanistan Humanitarian Parolees
- **Qualified non-citizens** who are:
 - Under 21
 - Pregnant
 - In active military service, or honorably discharged veterans, their spouses, widows (if they remain unmarried) and dependent children, regardless of entry date.
- North American Indians born in Canada and other Indian tribal members, born outside the U.S., who have long been recognized to have the right to enter and re-enter the U.S.
- Individuals without documentation, with a verified emergency medical condition, if otherwise eligible.

Note: Immigrants in the humanitarian-based categories, who at a later point in time, adjust their status to lawful permanent resident (LPR) **do not** have to meet the five-year requirement for qualified non-citizens.

For example, if a refugee meets Medicaid’s immigration criteria, they remain eligible for Medicaid benefits, even if such refugee becomes a LPR and has not resided in the U.S. for five years.



Medicaid - New York State Funded

The Medicaid benefit is the same regardless of whether someone qualifies for Medicaid under federally or state guidelines; that is, there is no difference in the services provided under federally-funded or state-funded Medicaid.

Immigrants who do not meet the federal immigration requirements for Medicaid, may qualify for state-funded Medicaid which includes additional immigration statuses. The NYS Department of Health defines otherwise eligible immigrants who are “*Permanently Residing in the United States Under Color of Law*” (PRUCOL), as well as immigrants who are in satisfactory immigration status. In addition, NYS provides an option for those without documentation. See below.

- NYS Department of Health (DOH) listing of PRUCOL classifications
 - https://www.health.ny.gov/health_care/medicaid/publications/docs/gis/23ma16.pdf
 - https://www.health.ny.gov/health_care/medicaid/publications/docs/adm/04adm-7.pdf
 - https://www.health.ny.gov/health_care/medicaid/publications/docs/inf/07inf-2.pdf,
 - <https://info.nystateofhealth.ny.gov/DACAFactSheet - For DACA individuals>.
 - Also, individuals who are 65 or over and/or in receipt of Medicare will be evaluated under the PRUCOL criteria.
- **Qualified non-citizens** who do not meet federally funded Medicaid criteria, individuals who are “lawfully present” or PRUCOL may qualify for NYS funded Medicaid, if receiving the following Medicaid services:
 - Long-term home and personal care services
 - Skilled nursing home care
 - HARP enrollees
 - Medicaid waiver recipients
 - Health insurance coverage where Medicaid pays the premium
- Individuals without Documentation:
 - Pregnant people;
 - Temporary non-immigrants are eligible for full Medicaid coverage, if they have established state residency and are otherwise eligible. Temporary non-immigrants must complete MAP-3123, the Residency Review Worksheet, which is used to determine state residency requirements for Medicaid eligibility.
 - **Beginning January 1, 2024:** Individuals without documentation who are age 65 and older may be eligible for Medicaid as long as they meet all other criteria (income, resources, residency).



Medicare

- Immigrants who are lawfully admitted to the U.S. on a permanent basis with a Social Security number allowing them to work without restriction. Must be residing continuously in the U.S. for five years and otherwise eligible for Medicare, unless they otherwise qualify for premium-free Part A (i.e., through marriage).
- Immigrants eligible to purchase Medicare.
 - Lawful Permanent Residents who do not have enough quarters of coverage to qualify for premium-free Medicare Part A (and who do not qualify for premium-free Part A on a spouse's work record) may purchase Part A if they are over 65 and resided continuously in the U.S. for five years. (Medicare Part B has a standard premium, regardless of whether one has an established work history in the U.S.)

NYC Health & Hospitals Options and NYC Care

- All immigrants regardless of status, including individuals without documentation.

Qualified Health Plans through the NYS of Health Marketplace

Individuals who are considered “lawfully present.” For a complete description of all immigration statuses considered lawfully present [click here](#).

- Lawful Permanent Residents
- Persons Fleeing persecution
- Other Humanitarian Immigrants
- Survivors of Domestic Violence, Trafficking & Other Serious Crimes
- Persons with Valid Nonimmigrants Status
- Long Time Residents with Employment Authorization

Housing Programs

CityFHEPS (City Fighting Homelessness and Eviction Prevention Supplement)

- Applicants must meet the citizenship/immigrant requirements of the [Cash Assistance SNA](#) program.



Disability Rent Increase Exemption (DRIE)

- Although there is no citizenship or immigration criteria for DRIE, the applicant must be in receipt of a disability-related benefit and therefore must meet the immigration criteria for such benefit.

FHEPS (Family Homelessness and Eviction Prevention Supplement)

- Applicants must meet the citizenship/immigrant requirements of the [Cash Assistance TANF](#) program.

Public Housing, Section 8 (project-based and vouchers), and Other HUD Subsidized Housing Programs

- Lawful Permanent Residents (LPR's)
- Refugees
- Asylees
- Persons granted withholding of deportation
- Permanent residents under registry provisions (non-citizens who have been lawfully admitted for permanent residence based on entry in the United States before 1972 and continuous residence since then)
- Persons admitted under the mid-1980's legalization (amnesty) program
- Parolees
- Immigrants who were granted conditional entry prior to April 1, 1980

Public Housing, Section 8 (project-based and vouchers), and Other HUD Subsidized Housing Programs - (cont'd)

- Persons who are lawfully present in the United States as a result of an exercise of discretion by the Attorney General for emergent reasons or reasons deemed strictly in the public interest (public interest parole)
- Persons granted T visas (persons without legal immigration status who are victims of severe human trafficking and cooperate with law enforcement prosecution efforts)
- Violence Against Women Act (VAWA) self-petitioners

Senior Citizen Rent Increase Exemption (SCRIE)

- All immigrants regardless of status, including individuals without documentation.



Miscellaneous Programs

Access-A-Ride

- All immigrants regardless of status, including individuals without documentation.

Child Care

- The child must be a U.S. citizen or a qualified non-citizen. Note: The immigration status of the parent is not used to determine eligibility.

MTA Reduced/Half Fare Program and Fair Fares

- All immigrants regardless of status, including individuals without documentation.