



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), who can be credited with 40 quarters of coverage from Social Security.
- A **qualified non-citizen** who has resided in the U.S. as a qualified non-citizen for five years, with an exception for the humanitarian-based categories, who are not subject to the five-year bar, which include:
 - Refugees
 - Asylees
 - Granted withholding of deportation/removal
 - Amerasian immigrants
 - Cuban/Haitian entrants
 - Victims of severe form of trafficking (T visas)
 - Iraqi and Afghan Special immigrants
 - Afghanistan Humanitarian Parolees

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 an LPR and has not resided in the U.S. for five years.

- A **qualified non-citizen** who:
 - Is receiving a disability-based benefit: Supplemental Security Income (SSI) Disabled/Blind, Social Security Disability Insurance (SSDI), Railroad Retirement Disability, Veteran's Disability benefit rated 100%, federal or state disability retirement benefits for a disability considered permanent under Social Security, or disability-related Medicaid;
 - Is under the age of 18;
 - Was 65 or older on August 22, 1996, and was continuously lawfully residing in the U.S. as of that date;
 - Is in active military service, or an honorably discharged veteran, their spouse, widow (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.
- Hmong and Highland Laotian tribal members that helped the U.S. military during the Vietnam era, who are legally living in the U.S., and their surviving spouses, and unmarried dependent children.

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](#).



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

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.

- **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.



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.