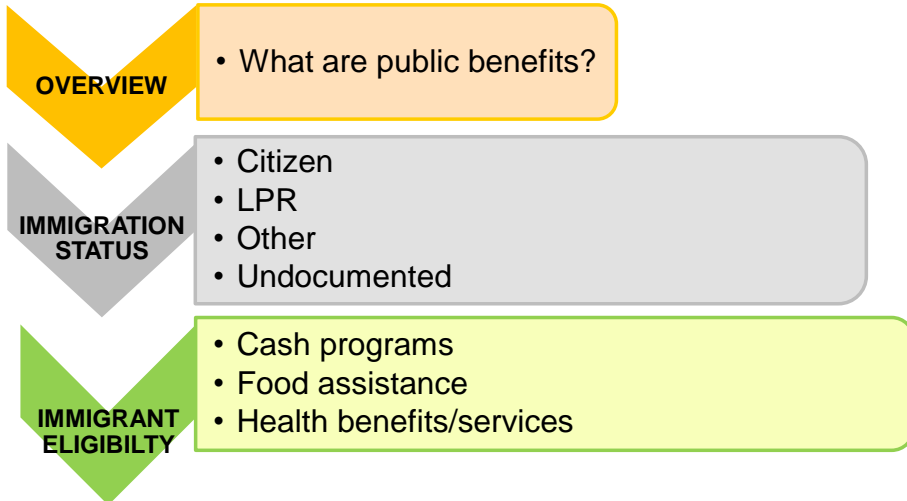


Public Benefits Eligibility



Presentation Goals



WHAT ARE PUBLIC BENEFITS?

Public Benefits:

“Means-tested” benefits provided **by the government-**

- **Health Insurance:** Medi-Cal, County (Welf. & Inst. Code §17000) programs, Covered CA subsidies, CCS, CHDP
- **Nutrition:** CalFresh (Food Stamps), WIC, School lunch/breakfast
- **Cash Assistance:** CalWORKs, SSI, CAPI, GA

NOT “insurance” programs (Social Security, Medicare, UIB/SDI)



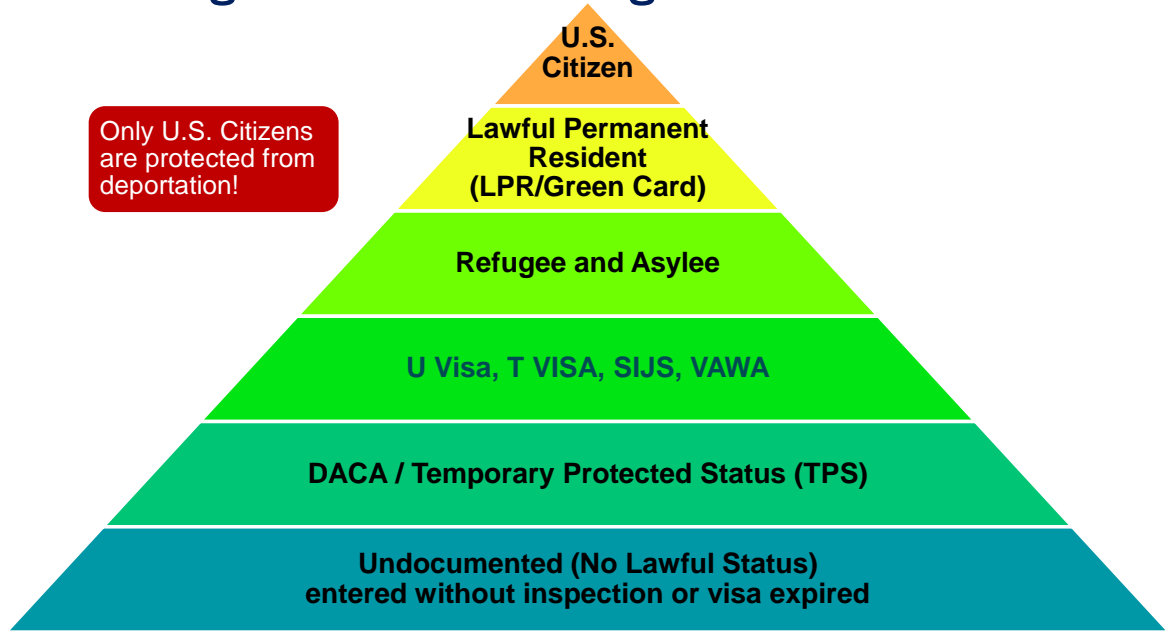
Eligibility Process:

- **Category Eligibility:** Who do you have to be?
 - Age
 - Family status
 - Disability
 - **Immigration Status**
- **Financial Eligibility:** What is low-income?
 - Income
 - Resources
- **Other Requirements:**
 - Residency (in state, county)
 - Verifications, Work, etc.



Whose Who in Immigration Law?

Accessing Services and Immigration



ELIGIBILITY BY IMMIGRATION STATUS

- **Citizens** – eligible for all public benefits if they meet other requirements
- **LPRs** – eligible for MOST public benefits BUT *sponsor deeming* & some other restrictions *may* apply
- **Other** – Different statuses eligible for different programs. . .
- **Undocumented** – eligible for few programs, mostly health services

Sponsor Deeming

LPRs might be subject to sponsor deeming:

- Sponsor's income and resources used to determine LPR's eligibility for benefits, even if Sponsor isn't helping.
- There are exceptions.
- Potential Sponsor liability



Mixed-Status Families

- In many families, not all members have the same citizenship or immigration status.
- *Members of the same family can qualify for different programs.*
- “Non-applicants” do not need to provide information about their citizenship/immigration status.



CalWORKs:

- **Category:** Cash aid for families w/ a child where a parent is absent, unemployed or disabled
- **Financial:** Low income & ≤\$2,250 in resources
- **Immigration status:**
 - Citizens
 - LPRs (sponsor deeming for some)
 - VAWA petitioner (at least prima facie notice) (CA only)
 - U/T-visa applicant (CA only)/approved/Office of Refugee Resettlement certified
 - Asylee
 - Refugee
 - Paroled into the US for at least a year
 - Granted withholding of deportation
 - Cuban/Haitian entrants

SSI:

- **Category:** Cash aid for people over 65 yrs. old or with disabilities
- **Financial:** Low-income & < \$2,000 resources (\$3,000 for couple)
- **Immigration status:**
 - Citizens
 - LPRs subject to 5 yr. waiting period unless credited w/ 40 qtrs of earnings or veteran/active military-spouse/parent (sponsor deeming)
 - VAWA self-petitioner if meets specific conditions
 - Refugees (up to 7 yrs. after status approved)
 - Asylees (up to 7 yrs. after status approved)
 - T-visa applicant w/ at least prima facie case (up to 7 yrs. after status approved)
 - Granted withholding of deportation (up to 7 yrs. after status granted)
 - Cuban/Haitian entrants (up to 7 yrs. after status granted)
 - American Indian born in Canada/other Native Americans born outside U.S.

CAPI (Cash Assistance Program for Immigrants):

- **Category:** Cash aid for an immigrant who would otherwise get SSI (disabled/65+ yrs. old) except for immigration exclusion
- **Financial:** Low-income & resources < \$2,000 (\$3,000 for couple)
- **Immigration status:**
 - LPRs excluded from SSI (sponsor deeming for some)
 - Refugee/Asylee/Granted withholding of dep./Cuban/Haitian entrant/T-visa--lif status granted more than 7 yrs. ago
 - Parolees
 - VAWA
 - PRUCOL (U-Visa, LPR applicant, Deferred action, others)

GA/GR (General Assistance/Relief):

- **Category:** Cash aid for indigent county residents who don't qualify for anything else.
- **Financial:** Varies by county- generally < \$350 income & < \$50 resources
- **Other Requirement:** County resident
- **Immigration status:**
 - Citizens
 - LPRs (sponsor deeming for some)
 - Other statuses recognized by county

CalFresh (EBT/Food Stamps):

- **Category:** Help to households to purchase food.
- **Financial limits:** Income < 200% FPL unless senior or disabled; no resource limit unless sr./disabled >200% FPL
- **Immigration status:**
 - Citizens
 - LPRs (sponsor deeming)*
 - VAWA petitioner*
 - Asylee/Refugee
 - U-visa applicant*
 - T-visa holder or prima facie case or ORR certified*
 - Granted withholding of deportation/removal
 - American Indian born in Canada/Native American born outside U.S.

“Full-Scope” Medi-Cal:

- **Category:** Medical coverage for CA residents
- **Financial:** Income ≤266% FPL if under 19; otherwise 138% FPL; no resource limit unless 65+ yrs./disabled
- **Other:** CA resident
- **Immigration status:**
 - Citizens
 - LPRs
 - Pregnant women & children under 19* yrs. old *regardless of immigration status*
 - Refugee, asylee, granted withholding of deportation
 - U/T visa applicants/holders
 - Cuban/Haitian entrants
 - VAWA
 - PRUCOL - Permanently Residing under Color of Law (DACA, SIJS applicant, TPS, parolee, green card applicant, etc. on MC-13)

A Word About PRUCOL:

- **Permanently Residing Under Color Of Law**
- PRUCOL means that the government is aware the person is here, but is not actively pursuing his or her deportation.
- Although these persons may not have legal right to remain in the U.S., they are eligible for certain benefits.
- **In California**, PRUCOL used broadly to include many immigrants not covered at federal level. Example: **DACA** recipients qualify for full-scope Medi-Cal in CA.

Covered California:

- **Category:** Premium payment assistance for private health coverage
- **Financial:** Income 138-400% FPL
- **Immigration status:**
 - Citizens
 - LPRs
 - U/T visa holders
 - Refugees/Asylees
 - VAWA
 - TPS
 - Applicants for various statuses, non-immigrant visa holders, others

<https://www.healthcare.gov/immigrants/immigration-status/>

CA Benefits Available Regardless of Status:

- Emergency Medi-Cal
- Prenatal care (Medi-Cal)
- Medi-Cal Access Program (MCAP, formerly AIM)
- Long-term care
- Early Breast Cancer Detection & Breast & Cervical Cancer Treatment
- IMPACT (prostate cancer)
- California Children's Services (CCS)
- Programs in some counties (Healthy SF, My Health LA, ACE SM)
- Community clinics
- Family PACT
- Minor consent services
- Mental health services
- Regional Center Services
- Women Infants and Children (WIC)
- School lunch and breakfast

What We Often Hear...

Common concerns around the impact of health coverage enrollment on immigration

- Information security (undocumented, DACA)
- Family sponsorship (LPRs)
- Status adjustment (e.g. LPR/citizenship applicants, foreign students)

Top myths about public benefits

- CalFresh is cash assistance
- “As long as I don’t use my Medi-Cal”
- “The government will take away my property if I have Medi-Cal”

Example 1



“My uncle is undocumented and has been getting his kidney dialyses through Medi-Cal. Should I help him cancel his coverage since it may subject him to public charge and deportation?”

Keys: eligibility? who’s affected? proposed changes?

Example 2



“My husband and I have applied for asylum and received work permits, and our baby is a US born citizen. We both got emergency Medi-Cal and our baby has full scope but we are too scared to use these benefits.”

Keys: eligibility? who's affected? proposed changes?

Example 3: Mejia Family

- Mr. & Mrs. Mejia have 3 children. Sam (22) & Lisa (18) are undoc. Sara (13) was born in US. They are low income. What benefits?
- Lisa victim of abuse, applied for U for herself & parents. What benefits?
- Do they need to worry about public charge?

**Hope Nakamura- Legal Aid Society of
San Mateo County**

Hnakamura@legalaidsmc.org

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**The Protecting Immigrants Access to
Public Benefit Programs Workgoup**

THANK YOU!

