



Immigrant Eligibility for Public Programs During COVID-19

This table provides a general overview of some of the federal public programs available to support individuals and families during the COVID-19 crisis under existing law, as well as the recently passed Families First Coronavirus Response Act and the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

In light of implementation of public charge regulations, we have also included clarification about whether certain public programs are taken into account for public charge purposes. Additional information about the public charge regulations are available in [this FAQ document from the Protecting Immigrant Families \(PIF\) Campaign](#).

Health Care		
<u>What's Available</u>	<u>Immigrant Eligibility</u>	<u>Public Charge Implications</u>
<p>The Families First Act provides funding for COVID-19 testing for the uninsured and gives states the option to provide testing through their Medicaid programs.</p> <p>The CARES Act also increases and extends funding for Community Health Centers (CHCs).</p> <p>Under existing law, individuals who lose health coverage (due to job loss, for example), may qualify for a special enrollment period in the Marketplaces, including the federal Healthcare.gov Marketplace. Some state-based marketplaces have elected to generally allow enrollment during the COVID crisis.</p>	<p>Neither the CARES Act nor the Families First Act alters Medicaid eligibility for immigrants.</p> <p>Some states have defined testing and treatment for suspected COVID virus as emergency services covered by their Emergency Medicaid programs. Emergency Medicaid is available regardless of immigration status but applicants must meet the other eligibility requirements for Medicaid in their state. That means that in a state that has not expanded Medicaid, a non-pregnant adult without disabilities or children may not be eligible for services.</p> <p>CHCs provide primary and preventive healthcare to anyone regardless of their immigration status or ability to pay.</p> <p>Immigrants who are lawfully present may be eligible to buy subsidized health insurance in the Marketplaces.</p>	<p>USCIS has announced that testing, prevention, or treatment for COVID-19 will NOT be used against immigrants in a public charge test. This means that immigrant families should seek the care they need during this difficult time.</p>
<p>More information: Update on Access to Health Care for Immigrants and Their Families (NILC) Overview of Immigrant Eligibility for Federal Programs (NILC)</p>		

Cash Assistance		
<u>What's Available</u>	<u>Immigrant Eligibility</u>	<u>Public Charge Implications</u>
<p>Under the CARES Act, most individuals earning less than \$75,000 are eligible for a one-time cash payment of \$1,200. Married couples will each receive a check and families will get \$500 per child.</p>	<p>To be eligible for a cash rebate, individual filers <u>and</u> those filing jointly must have valid Social Security Numbers (SSNs). However, there is an exception for spouses filing jointly where at least one spouse was in armed forces last tax year and at least one spouse has a valid SSN. Children claimed as dependents for the \$500 rebate must have valid SSNs.</p>	<p>The stimulus payment is a tax credit, and the public charge regulation is clear that tax credits are NOT taken into account for the purposes of a public charge determination.</p>
<p>More information: See Pg. 11 of this Policy Brief on Key Provisions of COVID-19 Relief Bills (NILC)</p>		

Food Assistance

What's Available

The Families First Act provides 2 new routes for states to supplement SNAP benefits:

- Allows states to provide emergency supplemental SNAP benefits to many participating SNAP households to address temporary food needs.
- Establishes a new program - called Pandemic EBT or "P-EBT" - that allows states to provide meal-replacement benefits for households with children who attend a school that's closed and who would otherwise receive free or reduced-price meals.

The CARES Act does not expand or increase SNAP (food stamp) benefits for individuals or make Disaster-SNAP more widely available.

Several states have requested Disaster SNAP, but FNS has not yet authorized any requests related to COVID-19.

Immigrant Eligibility

SNAP eligibility has never been extended to undocumented non-citizens. Most lawfully residing adults cannot receive SNAP on the same basis as citizens until they have been in the U.S. in a specified "qualified" immigrant status for five years.

P-EBT is available regardless of immigration status. Households do not have to be enrolled in SNAP in order to be eligible.

Disaster SNAP is available regardless of immigration status.

Public Charge Implications

Receipt of disaster assistance programs, P-EBT and school meals are NOT included in the public charge determination.

Receipt of traditional, federally-funded SNAP benefits may be included in a public charge determination. Because of eligibility restrictions, few individuals who are eligible for SNAP are also subject to a public charge determination.

More information: [USDA, States Must Act Swiftly to Deliver Food Assistance Allowed by Families First Act](#) (CBPP)
[Overview of Immigrant Eligibility for Federal Programs](#) (NILC)

Unemployment Insurance

What's Available

The CARES Act expands Unemployment Insurance (UI) in several ways:

- A completely new program, Pandemic Unemployment Assistance (PUA), was created to cover workers normally ineligible for regular UI (such as independent contractors) and will also cover many kinds of situations where individuals are unable to work due to the public health crisis.
- An additional 13 weeks of extended UI benefits are available for employees unemployed or underemployed due to COVID-19.
- In states that agree, \$600 will be added to employees' maximum weekly benefit under both UI and the new PUA program through 7/31/2020.
- For states that agree to waive the normal seven day waiting period, the federal government will pay the full cost of the first week of benefits.

Immigrant Eligibility

For regular UI benefits: Immigrants generally must be work-authorized at the time they file for UI benefits, during the base period used to calculate the benefit amount, and during the entire period they are receiving benefits.

The U.S. Department of Labor (DOL) has not yet clarified the eligibility criteria that will apply to the new UI programs created by the CARES Act. It is possible that the DOL will apply a more restrictive set of eligibility criteria, such as those used in the Disaster Unemployment Assistance Program (DUA).

Public Charge Implications

UI is NOT considered in public charge determinations

More Information: [Immigrant Workers' Eligibility For Unemployment Insurance](#) (NELP)

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