



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 [Families First Coronavirus Response Act](#), the [Coronavirus Aid, Relief, and Economic Security \(CARES\) Act](#) and [HR-133](#), which all passed in 2020, and the [American Rescue Plan Act \(ARP\)](#), which passed in 2021. Special thanks to Hope Nakamura and the Legal Aid Society of San Mateo County for their contributions to this table.

We have also included clarification about whether certain public programs are taken into account for public charge purposes. Additional information about public charge policy is available in this explainer on the ABCs of public charge.

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 and ARP increase and extend 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 allow enrollment during the COVID crisis.</p> <p>ARP helps people afford their insurance if they have been laid off or had their hours reduced by funding 100% of their COBRA cost, April - September, 2021.</p> <p>ARP enhanced subsidies for purchasing insurance through the healthcare marketplace to people above 400% of the Federal Poverty Level.</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>The Department of Homeland Security has stated that vaccines are accessible to all, regardless of immigration status.</p>	<p>USCIS has announced that testing, prevention, treatment, and vaccines 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>Congress passed three different rounds of Economic Impact Payments (EIPs), also referred to as “stimulus checks.”</p> <p>Payment #1 (CARES Act):</p> <ul style="list-style-type: none"> - \$1200 per qualifying adult - \$500 per qualifying child dependent <p>Payment #2: (HR 133)</p> <ul style="list-style-type: none"> - \$600 per qualifying adult - \$600 per qualifying child dependent <p>The payment is reduced by \$5 for every \$100 of income above the following thresholds:</p> <ul style="list-style-type: none"> ● \$75,000 for single filers ● \$112,500 for a head of household filer ● \$150,000 for joint filers <p>Payment #3 (ARP)</p> <ul style="list-style-type: none"> - \$1400 per qualifying taxpayer with a SSN - \$1400 per qualifying dependent with a SSN (also including adult dependents) 	<p>To receive any of the stimulus payments, you must have a valid Social Security Number (SSN) and work authorization.</p> <p>Immigrants who file taxes with an Individual Taxpayer Identification Number (ITIN) are still <i>not</i> eligible for either of the two EIPs/stimulus payments.</p> <p>For the first payment under the CARES Act, BOTH taxpayers filing married jointly on a tax return were required to have a valid SSN and work authorization (unless one spouse served in the armed forces in the last year) or the entire family was disqualified.</p> <p>The second payment (HR 133) fixed the “mixed-status” exclusion for some households. For the second round of payments, a taxpayer with a SSN married to an ITIN filer and filing taxes jointly is ELIGIBLE for the new stimulus payment, as are any eligible child dependents with SSNs so long as at least one taxpayer or parent filing the return has a SSN.. Unfortunately, 2.2 million children with SSNs who do not have at least one taxpayer/parent with a SSN claiming them as a dependent remain ineligible for the first and second stimulus payments. H.R. 133 also provided a retroactive CARES Act payment. for those “mixed-status” families now eligible for the second payment who were excluded from the first round of payments..</p> <p>If a person did not get the first rebate because only one parent had a valid SSN, they can claim the CARES Act rebate when filing their 2020 tax returns.</p> <p>The third payment (ARP) provides payments to everyone with an SSN in the household, even if a taxpayer or parent claiming dependents file with an ITIN. However, unlike HR 133, this new eligibility for SSN dependents of ITIN filers is not retroactive to the last two payments.</p>	<p>The stimulus payment is an advanced tax credit (based on 2020 tax returns). Tax credits are NOT considered in a public charge test.</p> <p>Since the EIP is considered a tax refund, it is NOT counted towards eligibility for federal programs such as Medicaid and the Supplemental Nutrition Assistance Program (SNAP).</p>
<p>More information: Immigration-Related Eligibility Requirements (Center for Popular Democracy); https://www.irs.gov/newsroom/recovery-rebate-credit</p>		

Food Assistance		
<u>What's Available</u>	<u>Immigrant Eligibility</u>	<u>Public Charge Implications</u>

<p><u>SNAP (Food Stamps)</u></p> <p>15% increase in SNAP benefits from January through September 2021.</p> <p><u>School Meals</u></p> <p>Pandemic EBT or “P-EBT” – For children who attend a school that has closed and who would otherwise receive free or reduced-price meals will be offered until the end of the pandemic. EBT stands for Electronic Benefits Transfer.</p> <p><u>Other Nutrition Programs</u></p> <p>Provides additional funding for WIC, The Emergency Food Assistance Program (TEFAP), and home-delivered meal program.</p>	<p>Only certain non-citizens are eligible for SNAP, such as asylees, refugees, and some green card holders (see below). Parents who are not eligible for SNAP can apply for their eligible household members.</p> <p>P-EBT is available regardless of immigration status. Households do not have to be enrolled in SNAP to be eligible.</p> <p>WIC, TEFAP, and home-delivered meals are available regardless of immigration status.</p>	<p>SNAP benefits are <u>NOT</u> considered in a public charge test.</p> <p>P-EBT is <u>NOT</u> considered in a public charge test.</p> <p>WIC, TEFAP, and home-delivered meals are <u>NOT</u> included in the public charge test.</p>
<p>More information: Overview of Immigrant Eligibility for Federal Programs (NILC); COVID-19 Updates (FRAC)</p>		

<p>Unemployment Insurance</p>		
<p><u>What’s Available</u></p> <p>Pandemic Unemployment Assistance (PUA) covers workers like independent contractors and other situations where individuals are unable to work due to the public health crisis.</p> <p>Additional \$300/wk. in benefits thru 9/6/2021 in states that agree.</p> <p>Additional 11 weeks of extended UI benefits.</p> <p>Some states have waived the seven-day waiting period.</p>	<p><u>Immigrant Eligibility</u></p> <p>Immigrants generally must have work-authorization.</p>	<p><u>Public Charge Implications</u></p> <p>“Earned” benefits and emergency disaster relief are <u>NOT</u> considered in a public charge determination.</p>
<p>More Information: Immigrant Workers’ Eligibility For Unemployment Insurance (NELP)</p>		

Date last updated: March 19, 2021