

NATIONAL IMMIGRATION LAW CENTER

Major Benefit Programs Available to Immigrants in California

January 2024

PROGRAM	“QUALIFIED” IMMIGRANTS ¹ WHO ENTERED THE U.S. BEFORE AUG. 22, 1996	“QUALIFIED” IMMIGRANTS WHO ENTERED THE U.S. ON OR AFTER AUG. 22, 1996	“NOT QUALIFIED” IMMIGRANTS ²
Supplemental Security Income & State Supplemental Payment (SSI/SSP)	Eligible only if: <ul style="list-style-type: none"> • Receiving SSI (or application pending) on Aug. 22, 1996, or • Qualify as disabled,^{3*} or • Refugee, asylee, granted withholding of deportation, Cuban/Haitian entrant, Amerasian, victim of trafficking, <i>but only during first 7 years after the status was granted</i>, or • Lawful permanent resident with credit for 40 quarters of work,⁴ or • Veteran, active duty military, their spouse, unremarried surviving spouse, or child,[*] or 	Eligible only if: <ul style="list-style-type: none"> • Refugee, asylee, granted withholding of deportation, Cuban/Haitian entrant, Amerasian, Iraqi or Afghan special immigrants, victim of trafficking, <i>but only during first 7 years after the status was granted</i>, or • Certain Afghan or Ukrainian parolees,¹ or • Lawful permanent resident with credit for 40 quarters of work (but must wait until 5 years after entry before applying),⁴ or 	Eligible only if: <ul style="list-style-type: none"> • Receiving SSI (or application pending) on Aug. 22, 1996, or • Victim of trafficking, <i>during first 7 years after the status was granted</i>, or • Certain Afghan or Ukrainian parolees,¹ or • American Indian born in Canada or other Native American tribal member born outside U.S.

¹ Qualified immigrants are: (1) lawful permanent residents (LPRs), including Amerasian immigrants; (2) refugees, asylees, persons granted withholding of deportation, conditional entry (in effect prior to Apr. 1, 1980), or paroled for at least one year; (3) Cuban/Haitian entrants (as defined in 45 C.F.R. §401.2); (4) battered spouses and children with a prima facie case determination on or an approved (a) self-petition for an immigrant visa, or (b) immigrant visa filed for a spouse or child by a U.S. citizen or LPR, or (c) application for cancellation of removal/suspension of deportation, whose need for benefits has a substantial connection to the battery or cruelty (parent/child of such battered child/spouse are also qualified); and (5) victims of trafficking and their derivative beneficiaries who have obtained a T visa or whose application for a T visa sets forth a prima facie case. (A broader category of trafficking victims who are certified by or receive an eligibility letter from the Office of Refugee Resettlement are eligible for all federal benefits, without regard to their immigration status.) Iraqi and Afghan special immigrant visa holders (SIV) are eligible for federal benefits to the same extent as refugees. Other Afghans granted parole between July 31, 2021, and September 30, 2023 -- and their spouses and children, and parents/guardians of unaccompanied children granted parole after September 30, 2022 — also are eligible for federal benefits to the same extent as refugees, until the end of their parole term. Ukrainians paroled into the U.S. between February 24, 2022, and September 30, 2023 – and their spouses and children, and parents, guardians or primary caregivers of unaccompanied children paroled into the U.S. after September 30, 2023 – are eligible for federal benefits to the same extent as refugees. Benefits are available to this group regardless of the length of their parole period - but eligibility continues only until their parole is terminated.

² Not qualified immigrants include all noncitizens who do not fit within the “qualified immigrant” categories.

³ Must have been lawfully residing in the U.S. on August 22, 1996.

⁴ LPRs can earn credit if they have worked 40 qualifying quarters. Immigrants also get credit toward their 40 quarters for work performed (1) by parents when the immigrant was under 18, and (2) by spouse during the marriage (unless the marriage ended in divorce or annulment). No credit is given for a quarter worked after December 31, 1996, if a federal means-tested public benefit (SSI, Medi-Cal, food stamps, or CalWORKs) was received in that quarter.

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	<ul style="list-style-type: none"> American Indian born in Canada or other Native American tribal member born outside U.S. 	<ul style="list-style-type: none"> Veteran, active duty military, their spouse, unremarried surviving spouse, or child,* or American Indian born in Canada or other Native American tribal member born outside U.S. 	
Cash Assistance Program for Immigrants (CAPI)	<p>Eligible if: Are a senior or person with disabilities who does not meet the immigrant eligibility criteria for federal SSI (above).^{5*}</p>	<p>Eligible if: Are a senior or person with disabilities who does not meet immigrant eligibility criteria for federal SSI (above).*</p>	<p>Eligible only if:</p> <ul style="list-style-type: none"> Permanently residing in the U.S. under color of law (PRUCOL), and either 65 years or older or a person with disabilities, or Victim of trafficking, applicant for U visa and U visa holders.⁶
Supplemental Nutrition Assistance Program (SNAP) or CalFresh	<p>Eligible only if:</p> <ul style="list-style-type: none"> Have been in qualified immigrant status for 5 years or more, or Were granted refugee, asylum, withholding of deportation/removal, Cuban/Haitian entrant, Amerasian immigrant status, victim of trafficking, or Lawful permanent resident with credit for 40 quarters of work,⁴ or Are receiving disability-related assistance,⁷ or Were 65 years or older on Aug. 22, 1996,⁸ or Veteran, active duty military, their spouse, unremarried surviving spouse, or child, or Member of Hmong or Laotian tribe during Vietnam era, when the tribe militarily assisted 	<p>Eligible only if:</p> <ul style="list-style-type: none"> Are under 18 years old, or Have been in qualified immigrant status for 5 years or more,[†] or Were granted refugee, asylum, withholding of deportation/removal, Cuban/Haitian entrant, Amerasian immigrant, victim of trafficking, Iraqi or Afghan special immigrant status, certain Afghan or Ukrainian parolees,¹ or Lawful permanent resident with credit for 40 quarters of work,⁴ or Are receiving disability-related assistance,⁷ or Veteran, active duty military, their spouse, unremarried surviving spouse,[†] or child, or 	<p>Eligible only if:</p> <ul style="list-style-type: none"> Member of Hmong or Laotian tribe during the Vietnam era, when the tribe militarily assisted the U.S., who is now lawfully present in the U.S.; spouse, surviving spouse or child of tribe member, or Victim of trafficking, or Certain Afghan or Ukrainian parolees,¹ or American Indian born in Canada or other Native American tribal member born outside U.S.

⁵ Qualified immigrants who were lawfully residing in the U.S. on Aug. 22, 1996, can receive SSI if they can show that they have a disability. Seniors who have applied for SSI on this basis can receive CAPI while they are waiting for a disability determination from the Social Security Administration.

⁶ Victims of trafficking may be eligible for state or local benefits (CAPI, CFAP, CalWORKs, Medi-Cal, IHSS, GA, Refugee Cash Assistance, Refugee Medical, Refugee Social Services) pending certification for federal benefits. Applicants for U visas and U visa holders may also be eligible for these services. See www.dss.cahwnet.gov/getinfo/acl06/pdf/06-60.pdf.

⁷ Disability-related benefits include: Social Security disability, state disability or retirement pension, railroad retirement disability, veteran’s disability, disability-based Medi-Cal, or possibly General Assistance for certain immigrants with disabilities.

⁸ Must have been lawfully residing in the U.S. on August 22, 1996.

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	the U.S.; their spouse, surviving spouse, or child, or American Indian born in Canada or other Native American tribal member born outside U.S.	<ul style="list-style-type: none"> Member of Hmong or Laotian tribe during Vietnam era, when the tribe militarily assisted the U.S.; their spouse, surviving spouse,[†] or child, or American Indian born in Canada or other Native American tribal member born outside U.S. 	
California Food Assistance Program (CFAP)	Eligible only if: Do not meet immigrant eligibility criteria for SNAP (above).	Eligible if: Do not meet immigrant eligibility criteria for SNAP (above). [†]	Eligible only if: <ul style="list-style-type: none"> Lawful temporary resident (status granted under the Immigration Reform and Control Act of 1986), or Paroled into U.S. for less than a year, or Victim of trafficking, applicant for U visa, or U visa holder.⁶
Child Nutrition Programs: <ul style="list-style-type: none"> Women, Infants and Children (WIC) School Lunch & Breakfast Summer Food 	Eligible	Eligible	Eligible
CalWORKs	Eligible	Eligible[‡]	Eligible only if: <ul style="list-style-type: none"> Victim of trafficking, applicant for U visa or U visa holder,⁶ or Granted indefinite stay of removal, indefinite voluntary departure, paroled into U.S. for less than a year, or Permanently residing in the U.S. under color of law (PRUCOL).
Covered California	Eligible if over-income for “free” Medi-Cal	Eligible if over-income for “free” Medi-Cal	Eligible if over-income for “free” Medi-Cal, and: <ul style="list-style-type: none"> Lawfully present in the U.S.⁹

⁹ The U.S. Department of Health and Human Services’ definition, at 45 C.F.R. §152.2, excludes people granted relief under the Deferred Action for Childhood Arrivals program (DACA).

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Full-Scope Medi-Cal <i>No share of cost for low-income residents.</i>	Eligible	Eligible	Eligible
In-Home Supportive Services (IHSS)	Eligible	Eligible	Eligible
Medi-Cal Access Program (MCAP)	Eligible	Eligible	Eligible
California Children’s Services (CCS)	Eligible	Eligible	Eligible
Child Health and Disability Prevention Program (CHDP) and the CHDP “Gateway”	Eligible	Eligible	Eligible
Breast and Cervical Cancer Programs	Eligible	Eligible	Eligible
Prostate Cancer Treatment Program (IMPACT) 12 months treatment if uninsured & ineligible for Medi-Cal or Medicare	Eligible	Eligible	Eligible
Medicare (“Premium Free”) Eligibility is based on work history. Part A (hospitalization) is premium-free; Part B (outpatient) can be purchased.	Eligible	Eligible	Eligible only if: • Lawfully present ¹⁰

¹⁰ For Medicare purposes, lawfully present is defined at 8 C.F.R. §1.3.

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Premium “Buy-In” Medicare ¹¹	Eligible only if: <ul style="list-style-type: none"> • Lawful permanent resident who has resided continuously in the U.S. for at least 5 years. 	Eligible only if: <ul style="list-style-type: none"> • Lawful permanent resident who has resided continuously in the U.S. for at least 5 years. 	Not eligible
County Medical Services ¹²	Eligible	Eligible	Varies by county
General Assistance	Eligible [§]	Eligible [§]	Varies by county

“Deeming” Rules

* **Eligibility for SSI and CAPI may be affected by deeming.** A sponsor’s income/resources may be added to the immigrant’s in determining eligibility. For SSI, an LPR whose sponsor signed a traditional affidavit of support (I-134) is subject to deeming for 3 years after gaining LPR status. Deeming is not applied if the immigrant becomes disabled after becoming an LPR. An LPR whose sponsor signs a new affidavit of support (I-864) is subject to deeming until he or she becomes a citizen or has credit for 40 quarters of work — with 12-month renewable exception for immigrants who would go hungry or homeless without assistance, and domestic violence victims (exception extended if abuse has been recognized by court, administrative law judge, or U.S. Dept. of Homeland Security). The deeming rules in the Cash Assistance Program for Immigrants (CAPI) are identical to the SSI rules, except that, regardless of which affidavit was signed, (1) victims of abuse are exempt, and (2) post–Aug. 22, 1996, entrants (whose sponsors do not have a disability) are subject to 10 years of deeming.

† **Eligibility for SNAP/CalFresh and CFAP may be affected by deeming.** A sponsor’s income/resources may be added to the immigrant’s in determining eligibility. LPRs whose sponsor signed a new affidavit of support (I 864) are subject to deeming

until they become a citizen or have credit for 40 quarters of work — with 12-month renewable exception for immigrants who would go hungry or homeless without assistance, and domestic violence victims (exception extended if abuse recognized by court, administrative law judge, or U.S. Department of Homeland Security).

‡ **Eligibility for CalWORKs may be affected by deeming.** A sponsor’s income/resources may be added to the immigrant’s in determining eligibility. LPRs whose sponsor signed a new affidavit of support (I-864) are subject to deeming until they become a citizen or have credit for 40 quarters of work — with 12-month exception for immigrants who would go hungry or homeless without assistance, and domestic violence victims (exception extended if abuse recognized by court, administrative law judge, or U.S. Department of Homeland Security).

§ **Eligibility for General Assistance may be affected by deeming.** A sponsor’s income/resources may be added to the immigrant’s in determining eligibility. Deeming may apply during the 3-year period after the immigrant gains LPR status. Deeming does not apply if the sponsors have abandoned their duty to support the immigrant. Such circumstances include but are not limited to abuse, battery, neglect, or refusal to support.

¹¹ The same immigrant rules apply to the **Qualified Medicare Beneficiary, Specified Low-Income Medicare Beneficiary, and QI-1** programs.

¹² Several counties provide health coverage or care to low- or moderate-income residents, regardless of their immigration status.