

**Eligibility for Public Benefits in New York State for  
Certain Immigration Statuses Common among Domestic Violence Victims  
(Prepared by the Greater Upstate Law Project and Sanctuary for Families – Current as of May 2005)**

Immigration Status	Asylee or Refugee	Lawful Permanent Resident (LPR) or Conditional LPR	T visa holder	Violence Against Women Act (VAWA) self-petitioner with <u>either</u> a prima facie or approval notice <u>OR</u> Filed I-130 or V-visa PLUS proof of abuse	Permanently Residing Under Color of Law (PRUCOL)*	No immigration status (known as "out of status" or "undocumented")
Public Benefit Program						
<b>HEALTH CARE (adults)</b> Medical Assistance Family Health Plus	Eligible	Eligible	Eligible	Eligible	Eligible	Eligible <u>only</u> for (a) Prenatal Care Assistance Program (PCAP) when pregnant; <u>and</u> (b) emergency Medicaid; <u>and</u> ADAP if HIV+
<b>HEALTH CARE (children)</b> Medical Assistance Child Health Plus	Eligible	Eligible	Eligible	Eligible	Eligible	Eligible
<b>CASH</b> Family Assistance (generally funded through federal TANF program) <u>or</u> Safety Net Assistance (state funded)	Eligible	Eligible	Eligible	Eligible	Eligible	No
<b>CASH</b> SSI, if disabled	Eligible for first 7 years	Eligible if lawfully residing in US on 8/22/96 or can be credited with 40Q work	Eligible for first 7 years	Eligible if lawfully residing in US on 8/22/96	No	No

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Public Benefit Program						
<b>FOOD</b>  Food Stamps (federally funded)  <b>or</b>  Food Assistance Program (FAP) (state and locally funded food stamps)          and, WIC for pregnant & postpartum women & children to age 5:	Eligible	Eligible for federal benefits if (1) disabled <u>or</u> (2) can be credited with 40 quarter work history <u>or</u> (3) if in qualified status for 5 years; or (4) a child   If not eligible for federal food stamps, <u>eligible for FAP if</u> (a) identified through the Family Violence Option (FVO) or 60 years of age or older; <u>and</u> (b) were residing in US on 8/22/96; <u>and</u> (c) have not been absent from the US for more than 90 days in the prior 12 months; <u>and</u> (d) applies for citizenship within 30 days of applying for assistance or, if not yet eligible, within 30 days of becoming eligible.	Eligible	Eligible for federal food stamps if (1) disabled <u>or</u> (2) in "qualified alien" status for 5 years; (3) or a child   If not eligible for federal food stamps, <u>eligible for FAP if</u> (a) were residing in US on 8/22/96; <u>and</u> (b) not absent from the US for more than 90 days in the prior 12 months.   <i>(Only ten or so districts, including New York City, provide FAP benefits.)</i>	No	No
		Eligible		Eligible	Eligible	Eligible

\* Common PRUCOL statuses: Deferred Action, K visa, V visa, Asylum Applicant, Applicant for Adjustment to LPR, and Temporary Protected Status (TPS). Not all PRUCOL statuses may be eligible for CASH. All mentioned PRUCOL statuses are eligible for Medicaid.