

# Removing the Public Assistance Eligibility Bars for Legal Immigrants

## Context:

- **One of the Governor's many anti-immigrant policies denied MaineCare, Temporary Assistance for Needy Families, and Food Supplement (aka food stamps) to many legal immigrants.** In the 1990's, federal law changed to implement eligibility restrictions for certain groups. At that time, continuing to extend benefits at the state level to affected immigrants had strong, bi-partisan support.
- **Some people remain eligible while others are not:**
  - **Those who remain eligible:**
    - Children (under 18) of lawful permanent residents can still get **food supplement benefits**, even if their parents had had that status for less than five years. People who are elderly, disabled, a victim of domestic violence, or waiting for work authorization may also qualify.
    - Pregnant women and children under 21 who are "lawfully present" can receive **MaineCare**.
    - Pregnant women and children under 21 who are legal permanent residents can receive **TANF**, even if they have been here less than 5 years. People who are elderly, disabled, a victim of domestic violence, or waiting for work authorization may also qualify for TANF.
    - Refugees and those who have been GRANTED asylum are still eligible for ALL PROGRAMS.
  - **Those who are no longer eligible:**
    - Asylum seekers are no longer eligible for **MaineCare** (unless pregnant or under age 21). They are no longer eligible for **TANF** or **Food Supplement** benefits unless they are elderly, disabled, a victim of domestic violence, or waiting for work authorization. In other words, if one is waiting for the federal government to make a decision one's asylum application ( a process that can take years due to bottlenecks in the system), one is often ineligible for critical supports.
    - Undocumented immigrants are left out of these programs almost entirely. The only exception to the rule is Emergency MaineCare. It's offered only for services necessary to stabilize serious health problems, including, for example, the cost for child labor and delivery or emergency care after a car accident. It is possible to get a MaineCare card that covers only Emergency MaineCare.
    - **Lawful permanent residents are not eligible for five years for these programs.** There are hardship exemptions for food supplement and TANF, noted above.
    - **Other groups like immigrants with Temporary Protected Status and farmworkers are no longer eligible for any of those programs.** Again, there are hardship exemptions noted above for TANF and Food Supplement.

## Maine People's Alliance Position:

- **Everyone needs and deserves health care, food, and a basic income to live on**, particularly immigrants who have had to struggle so much already.
- **These eligibility bars should be removed immediately.** There is no reason to discriminate against immigrants by denying them services that meet basic needs.

The eligibility for these programs can be confusing, especially when you layer on the many different immigration statuses that people have. On the next page, again courtesy of Maine Equal Justice Partners, you can see a flow chart of how they work.

All information taken directly, or adapted, from materials created by Maine Equal Justice Partners. Check out their website: [www.mejp.org](http://www.mejp.org)

# What kind of HELP can I get to meet my basic needs?

