



A Division of the New York Legal Assistance Group

**LegalHealth**  
Professional Partnership to Promote Well Being<sup>®</sup>

*This is general information, not legal advice. Patients should consult an attorney for specific guidance.*

## Public Benefits & Immigration

***The good news is that applying for or receiving most public benefits will not affect a patient's immigration status, although there are exceptions.***

- **If a patient wants to apply for a family-based green card, they might be denied if they receive:**
  - ◇ Supplemental Security Income (SSI)
  - ◇ Cash assistance
  - ◇ Long-term medical care at government expense (for example, they are institutionalized in a nursing home or residential medical facility paid for by Medicaid)
- **Supplemental benefits, earned benefits, or non-cash benefits will not affect a patient's ability to obtain a family-based green card.** Therefore, it is safe for them to apply for and receive:
  - ◇ Food Stamps, WIC, emergency food assistance, soup kitchens or food pantries
  - ◇ Non-cash benefits like child care or transit subsidies; housing, rental, or energy assistance; Head Start or pre-K; foster care or adoption assistance
  - ◇ Social Security Disability Insurance (SSDI), Social Security retirement, or veterans benefits
  - ◇ Emergency services like disaster relief, crisis counseling or short-term shelter
  - ◇ Unemployment Insurance or Workers Compensation
  - ◇ CHIP, Medicaid, or other coverage for short-term rehabilitation, immunizations, emergency and preventative care, check-ups, and additional services (other than long-term institutionalization)
- **If a patient already has a green card, they can receive any public benefit and it will not affect their ability to naturalize (become a U.S. citizen).**
- **If a patient is already U.S. citizen or has a green card, they can receive any public benefit and it will not affect their ability to sponsor family members for a green card.** However, there are certain income guidelines they must meet in order to sponsor a family member, so they should speak with an attorney before submitting an application.
- **If a patient is applying for or has been granted asylum, VAWA, a U Visa, T Visa, Special Immigrant Juvenile Status (SIJS), or Temporary Protected Status (TPS), their income or use of any public benefit will not affect their application or status.**
- **If a patient does not have status but their children are U.S. citizens or have lawful status, the parent can apply for any benefits for their children.** Doing so will not make the parent ineligible to apply for any lawful status in the future.
- **If a patient is in the U.S. temporarily on a visitor's visa and receives government-funded medical care, their visitor's visa might be revoked when they return to their home country if they cannot show that they paid for their medical expenses with their own funds.**

***\*IMPORTANT\****

***Patients who provide government officials with false information about their income or receipt of public benefits may face severe immigration consequences.***

**More questions?** Refer patients for an appointment with a LegalHealth attorney to discuss their case.