

MANUAL MATERIAL TRANSMITTED					
MANUAL: INCOME MAINTENANCE			CHANGE NUMBER: 76		
DELETE			INSERT OR CHANGE		
PAGES	CHAPTER	DATED	PAGES	CHAPTER	DATED
14 - 15 a	18	12/96	14 - 15 b	18	5/97
15 b	18	8/95	Appendix B		
Appendix B			B-3 - B-4	18	5/97
B-3 - B-4	18	12/96			
DATE: February, 1997			TO: All Income Maintenance Manual Holders		

This change clarifies some of the policy that affects the Food Stamp Program in regards to aliens/immigrants.

Questions should be directed to the IM Projects Unit in the Office of Family Support.

18.4 BENEFIT PROGRAMS

To receive AFDC/U, Medicaid or Food Stamps, the individual applying must be a resident of the United States as a citizen or a legal alien and meet eligibility standards as set by each program. Among those excluded are alien visitors, tourists, diplomats and students who enter the U.S. temporarily with no intention of abandoning their residence in a foreign country.

An illegal or ineligible alien residing in the U.S. who has need for emergency medical care is eligible for Medicaid for the length of time medically required to avert the medical emergency (see Section 18.6 of this chapter).

A. Food Stamps (Also Refer to Appendix B)

1. Applicants On Or After 8/22/96 Who Were Not Certified for Benefits on 8/22/96

Some non-citizens are eligible for a period of 5 years after obtaining designated alien status, and some are eligible for an unlimited period. Once they have designated alien status, they are eligible for 5 years, if otherwise eligible, even if their status changes during the 5 year period.

NOTE: If they were certified on 8/22/96, even if there is a break in participation, the policy in Section 2 below applies:

(a) The following are eligible for a 5 year period beginning with the date they obtain a designated alien status as:

- A refugee admitted under Section 207 of the Immigration and Nationality Act (INA); or
- An asylee admitted under Section 208 of the INA; or
- An alien whose deportation has been withheld under section 243(h) of the INA.

EXAMPLE: A non-citizen obtained designated alien status in January, 1990. He was not certified on 8/22/96 and applies for Food Stamps in December, 1996. He is ineligible as it has been more than 5 years since he obtained designated status.

2. Persons Certified On 8/22/96 Regardless of a Break in Certification

a. Who Is Eligible

- Lawful Permanent Residents except: aliens who legalized under general amnesty programs are ineligible for food stamps for five years unless they are 65 or older, blind or disabled.

NOTE: Some aliens are subject to three year sponsor deeming.

NOTE: Eligibility is extended only until 4/1/97. Those eligible must be recertified under the criteria outlined in item 1 above between April 1, 1997 and August 22, 1997.

Lawfully admitted as an immigrant as defined in Sections 101(a) (15) and 101(a) (20) of the Immigration and Nationality Act (INA).

Permanent resident (entered prior to January 1, 1972).

- Lawful Temporary Residents under the 210 farm worker (SAW) program or under the 245A general amnesty program if 65 or older, blind or disabled.
- Refugees
- Asylees
- Parolees Section 212(d) (5)
- Aliens granted withholding of deportation

b. Who Is Ineligible

- PRUCOL Aliens
- Non-immigrants
- Undocumented aliens

NOTE: When the Worker has reason to believe that any member of a household is ineligible to receive Food Stamps because the member is present in the U.S. in

ALIEN ELIGIBILITY FOR FOOD STAMPS

PERSONS CERTIFIED ON 8/22/96 REGARDLESS OF A BREAK IN CERTIFICATION

Lawful Permanent Residents:

EXCEPT:

- aliens who legalized under the general amnesty program (245A) are ineligible for food stamps for five years unless they are 65 or older, blind or disabled.

NOTE: Some aliens subject to 3-year sponsor deeming.

NOTE: Eligibility is extended only until 4/1/97. Those eligible must be recertified according to the requirements in 18.4,A,1 between April 1, 1997 and August 22, 1997.

Lawful Temporary Residents under the 210 farm worker (SAW) program

Lawful Temporary Residents under the 245A general amnesty program if 65 or older, blind or disabled.

Refugees

Asylees

Vietnamese Amerasians

Parolees

Aliens granted withholding of deportation

ALIENS INELIGIBLE FOR FOOD STAMPS

All other aliens

Non-immigrants

Undocumented Aliens

Contact the State Refugee Coordinator on questionable issues.