

Immigrants and the Safety Net

Maripat Pileggi
Community Legal Services, Inc.
mpileggi@clsphila.org

November 10, 2016



AGENDA

- Overview of federal restrictions on immigrant benefits eligibility
- Overview of data on immigrant need for benefits
- State and local options to expand benefit access



PRWORA, Aug 22, 1996

Major restrictions on immigrant eligibility for federal safety net programs: TANF, Medicaid, SNAP

- Must be “qualified” immigrant to receive federal benefits
 - LPR
 - Humanitarian: refugees, asylees, Cuban entrants, withholding of removal
 - VAWA petitioners
 - Trafficking victims
 - Parolees (1+ year)
- If qualified, must wait 5 years from getting qualified status to be eligible for federal funds
 - EXEMPTIONS
 - Humanitarian
 - Lawfully residing since Aug 22, 1996
 - 40 quarters of work history
 - Military members, veterans, and their families
- If qualified and subject to five year ban, ineligible for federal funds during those first five years with qualified status, but states can choose to provide benefits using state funds.
- If not qualified, ineligible for federal funds, but states can choose to use their own funds to provide benefits.



Post-PRWORA legislation and policy

Subsequent legislation and policy restores eligibility to some groups of immigrants for some benefits

- SNAP
 - Kids under 18
 - Disabled
- Medicaid and CHIP—state options
 - Lawfully residing kids under 21 and pregnant women
 - Pregnant women regardless of status (CHIP)



The numbers: immigrants and poverty

- Many immigrants are low-wage workers. In a 2003 study, the Urban Institute found that immigrants make up 11% of all U.S. residents, but 20% of low-wage workers. Almost half earned less than twice the minimum wage. About a third of U.S.-born workers earned this little.
- Children with foreign-born parent or parents are 1.5 times more likely to be living in poverty than children with parents born in the U.S. (16% v. 23%).
- Children who live only with non-naturalized immigrant parents are the most likely to be poor (37%).

Sources:

Capps, Fix, Passel, Ost, & Perez-Lopez, Urban Institute, 2003, *Immigrant Families and Workers*, p. 1

Hanson, Koball & Fortuny, Urban Institute, 2014, *Low-Income Immigrant Families' Access to SNAP and TANF*, p. 2



The numbers: immigrants and benefits

Despite their greater rates of poverty, children in immigrant families are less likely to receive SNAP and TANF.

- 69% of kids in poverty and with U.S.-born parents receive SNAP, while just 45% of poor children with foreign born parents receive SNAP.
- 18% of kids in poverty and with U.S.-born parents receive TANF, while just 11% of poor children with foreign born parents receive TANF.

Hanson, Koball & Fortuny, Urban Institute, 2014, *Low-Income Immigrant Families' Access to SNAP and TANF*, pp. 4-5

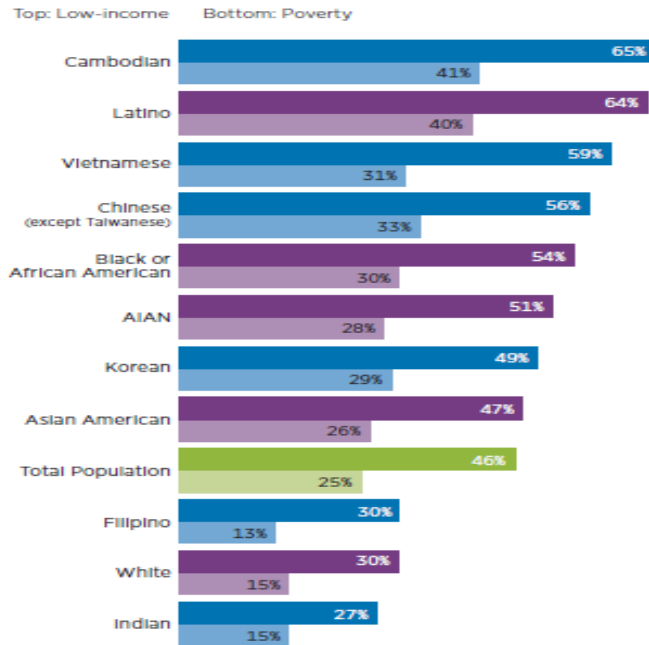




City of Philadelphia INCOME

Poverty & Low-Income

by Race, Hispanic Origin, and Ethnic Group, Philadelphia 2006–2010, Ranked by Percent Low-Income



U.S. Census Bureau 2006–2010 American Community Survey 5-Year Estimates, Table C17002.

- Over one in four Asian Americans in Philadelphia live in poverty, a rate significantly higher than that of Whites (15%). About 41% of Cambodian Americans in Philadelphia live in poverty, a rate similar to Latinos (40%). Additionally, 33% of Chinese Americans and 31% of Vietnamese Americans live in poverty, rates similar to that of Blacks or African Americans (30%).
- The number of Asian Americans living in poverty grew 52% between 2007 and 2011, about double the rate of the population as a whole, and a greater increase than all other racial groups.¹
- About 47% of Asian Americans are low-income, a rate much higher than that of Whites (30%). Among Asian American ethnic groups, Cambodian (65%), Vietnamese (59%), and Chinese Americans (56%) in Philadelphia are majority low-income with rates exceeding the average (46%).
- Asian Americans have a lower per capita income than Whites (\$18,430 versus \$30,150). Among Asian American ethnic groups, Cambodian Americans have the lowest per capita income of all racial and ethnic groups (\$10,356). The per capita income for Vietnamese Americans is \$13,747, similar to that of Latinos (\$12,214).²
- About 52% of Cambodian American youth live in poverty, a rate among the highest across racial and ethnic groups, surpassing the citywide youth poverty rate of 35%.³
- About 30% of Asian American seniors live in poverty, a rate higher than average (18%). Korean American seniors have the highest rate of poverty (44%) across all racial and ethnic groups. Chinese and Vietnamese American senior poverty rates are also among the highest (39% and 38%, respectively).⁴

¹ U.S. Census Bureau, 2007 American Community Survey 1-Year Estimates, Table S0201; 2011 American Community Survey 1-Year Estimates, Table S0201.

² U.S. Census Bureau, 2006–2010 American Community Survey 5-Year Estimates, Table B19301.

³ Ibid., Table B17001.

⁴ Ibid.

Asian Americans Advancing Justice, 2013, A Community of Contrasts, p. 42

State actions to expand access

- PA has taken the federal option to make Medicaid accessible to lawfully residing kids and pregnant women.
- PA has very small state-funded TANF and MA programs
 - TANF: qualified, no five year bar
 - MA: lawfully residing, very low income limits



State and local options for additional expansion of benefit access

- Take the federal option to expand pre-natal health care access to pregnant women regardless of status, like other states have done
 - Arkansas, Illinois, Louisiana, Massachusetts, Michigan, Minnesota, Nebraska, New York, Oklahoma, Rhode Island, Tennessee, Texas, Washington, Wisconsin
- Expand state-funded MA and TANF programs for immigrants ineligible for federal funds.
 - Increase income limits
 - Expand TANF eligibility to all those who are lawfully residing
 - Include DACA recipients



State and local options for additional expansion of benefit access

- State-funded food benefits for immigrants ineligible for federal funds, like other states have
 - California, Connecticut, Illinois, Minnesota, Washington
- Expand health care access
 - California and NY offer MA benefits to all kids regardless of status
 - NYC, and counties in CA and IL have programs providing primary and specialty care for low-income people regardless of status.
 - Support PCCY's Dream Care campaign!

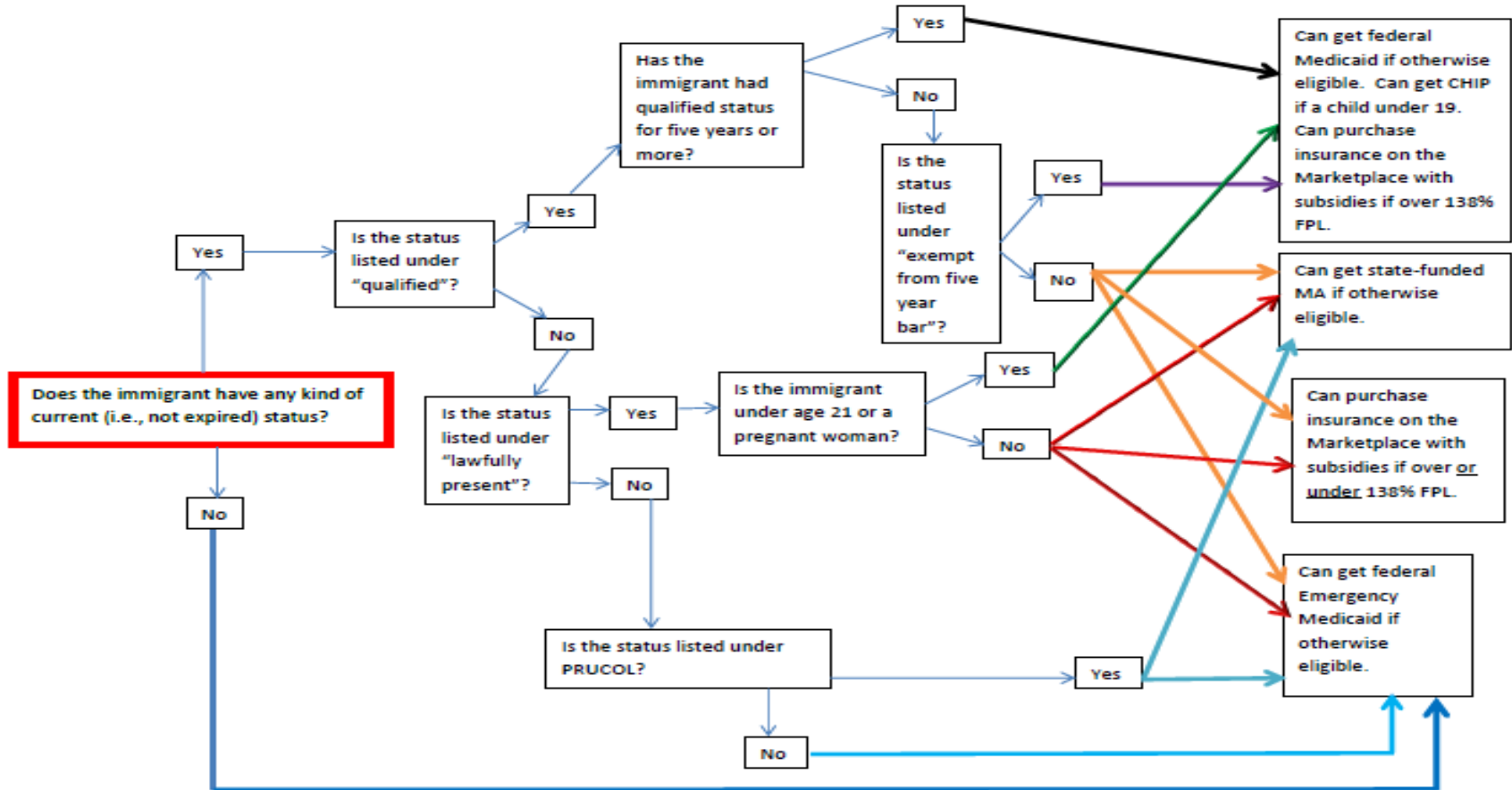


State and local options for additional expansion of benefit access

- Strengthen policies and procedures to ensure immigrants have safe and effective access to benefits and services
 - Language access
 - Confidentiality
- Education and outreach
 - Many immigrants are eligible
 - Dispel myths and fears
 - Public charge
 - Deportation



IMMIGRANT ELIGIBILITY FOR HEALTH INSURANCE PROGRAMS IN PA (MA, CHIP, and Marketplace)



July 2016