

LISTING OF ALIENS ELIGIBLE TO RECEIVE FEDERAL PA and MA BENEFITS

The following group of persons are "qualified aliens" and may receive ADC and Medicaid if they arrived in the country before August 22, 1996:

QUALIFIED ALIENS

- an alien who is **LAWFULLY ADMITTED FOR PERMANENT RESIDENCE**; i.e., a person holding a "green card", I-551 or I-151 card
- a **REFUGEE** under Section 207 of the Immigration and Naturalization Act (INA)
- an **ASYLEE** under Section 208 of the INA
- an alien with **DEPORTATION WITHHELD** under Section 243(h) of the INA
- a person **PAROLED FOR A PERIOD OF AT LEAST 1 YEAR** under Section (212)(d)(5) of the INA
- a **CONDITIONAL ENTRANT** prior to 4/1/80 under section 203(a)(7) of the INA
- certain **BATTERED SPOUSES** and **DEPENDENTS** if they were not responsible for the battering, do not reside with the batterer and there is a substantial connection between the battering and the need for benefits as determined by the Office of Immigration and Naturalization Service

In addition:

- an alien in any Qualified status (listed above) who is **LAWFULLY RESIDING** in New York State **and** is on **ACTIVE DUTY** in, or is an **HONORABLY DISCHARGED** veteran of, the U.S. Armed Forces; or their spouse or unmarried dependent child.

Aliens who arrived on or after August 22, 1996 are eligible to receive ADC and Medicaid only if they fall into the following Specially Qualified group:

SPECIALY QUALIFIED ALIENS

- a **REFUGEE** admitted under Section 207 of the INA for 5 years from date of entry
- an **ASYLEE** admitted under Section 208 of the INA for 5 years from the date of status
- an alien with **DEPORTATION WITHHELD** under Section 243(h) of the INA for 5 years from the date of status
- an alien **LAWFULLY ADMITTED FOR PERMANENT RESIDENCE** who has been in the United States for at least 5 years and has 40 quarters of Social Security covered employment

In addition:

- a Qualified Alien who is **LAWFULLY RESIDING** in New York State **and** is on **ACTIVE DUTY** in or is an **HONORABLY DISCHARGED** veteran of, the U.S. Armed Forces; or their spouse or unmarried dependent child

CERTIFICATION/RECERTIFICATION CHECKLIST

THE FEDERAL LAW HAS CHANGED. IT IS IMPORTANT TO KNOW ABOUT THE CHANGES AND IT IS NECESSARY FOR YOU TO PROVIDE INFORMATION SO THAT WE CAN DETERMINE IF ANY OF THE CHANGES AFFECT YOUR CASE.

- 1. An unmarried teen parent who is **not** in educational activities directed towards receiving a high school diploma or GED is not eligible for federal benefits. This is true unless the child of the teen parent is less than twelve weeks of age.

If you or an individual in your case answers YES to any of the following questions, that individual cannot receive federal benefits (ADC or CAP). You must answer each and sign and date this page.

- 2. Have you or any member of your household been convicted of making a fraudulent statement or representation of residence in order to receive public assistance in two or more states?

YES _____ NO _____

- 3. Are you or any member of your household fleeing prosecution, confinement or conviction for a felony?

YES _____ NO _____

- 4. Are you or any member of your household violating probation or parole?

YES _____ NO _____

- 5. Have you or any member of your household been convicted of a drug-related felony since August 22, 1996?

YES _____ NO _____

- 6. Has any child in your household been absent or away from home for more than 45 consecutive days?

YES _____ NO _____

If you answered yes to this question, your worker will have to determine if good cause exists for the absence of the child.

It is important for you to tell your worker right away if a child in your case is temporarily absent from your home. If you do not, you and the child may become ineligible for federal benefits.

Client Signature _____ Date: _____

NEW YORK STATE
DEPARTMENT OF SOCIAL SERVICES
40 NORTH PEARL STREET
ALBANY, NEW YORK 12243-0001

BRIAN J. WING
ACTING COMMISSIONER

PATRICIA A. STEVENS
Deputy Commissioner
Division of Temporary Assistance

April 4, 1997

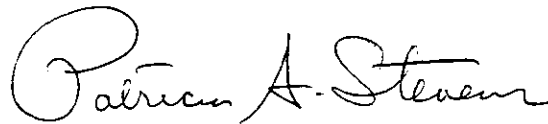
Re: Cancellation of 92 INF-32,
EAF for Undocumented Aliens

Dear Sir/Madam:

This is to advise that 92 INF-32, "Emergency Assistance to Families with Children (EAF) for Undocumented Aliens" has been superseded by policy contained in 97 ADM-8, "Recategorization of ADC and CAP Cases as a Result of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA)". Therefore, we are cancelling 92 INF-32.

Please note this cancellation for your records.

Sincerely

A handwritten signature in cursive script that reads "Patricia A. Stevens". The signature is written in dark ink and is positioned above the printed name and title.

Patricia A. Stevens
Deputy Commissioner

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER