





Arkansas Public Benefits Screening Chart for Immigrant Survivors by Forms of Immigration Relief¹

By: Axelle Pesme & Leslye E. Orloff Last updated: September 5, 2022, Updated January 28, 2024

The purpose of this simplified chart is to provide a tool that victim advocates, attorneys, judges and court staff can use to identify which immigrant survivors and immigrant children qualify for which state or federally funded public benefits, programs and services. This tool was designed to be a first step to identify which immigrant survivors may qualify for which benefits and services. When an immigrant survivor is listed as qualifying or qualifying with conditions on this chart, the second step is to turn to the full public benefits chart NIWAP developed for your jurisdiction where you can look up the details/conditions of what is needed to prove eligibility and what are the sources of law that prove eligibility.

This chart is not an exhaustive list of public benefits available to immigrants in Arkansas and but a simplified snapshot of access to certain benefits including cash assistance, healthcare, and housing. This chart is meant to be used in conjunction with NIWAP's <u>Access to State-Funded Public Benefits in Arkansas for Survivors, Based on Immigration Status</u>, available at: <u>https://niwaplibrary.wcl.american.edu/pubs/arkansas-benefits</u> that provides detailed information with citations to all of the relevant sources of law, regulations, and policies. This more detailed publication includes citations to materials that you can take with you when you accompany an immigrant victim applying for state or federal public benefits or other forms of assistance. In addition to the benefits and services discussed on this chart below, there is also a wide range of assistance that is available as a matter of law to all immigrants regardless of status.¹ For an interactive map that breaks down available public benefits based on the state and immigration status go here: <u>http://map.niwap.org/</u>.

Note: The 1996 welfare reform laws authorized states to implement state laws that offer immigrants more state funded benefits than federal public benefits provided and also authorized states to impose more restrictions on the federal public benefits immigrants living in the state could access. This state has elected to:

- Offer STATE FUNDED BENEFITS to certain groups of immigrants in the following benefits programs: Medicaid, Child Health Insurance Program (CHIP), Prenatal care, and in-state tuition for DACA and qualified immigrants.
- Impose MORE RESTRICTIONS on immigrant access to federal public benefits: Not applicable.

¹ © National Immigrant Women's Advocacy Project, American University, Washington College of Law 2021. This publication was developed under grant number SJI-20-E-0054 from the State Justice Institute. The points of view expressed are those of the authors and do not necessarily represent the official position or policies of the State Justice Institute.







PROGRAM	Lawful Permanent Residents and Naturalized Citizens	VAWA Self Petitioner and Battered Spouse Waiver ²	Refugee, Asylee, T Visa, ³ Afghans, ⁴ Ukrainians ⁵	T Visa Bona Fide or Continued Presence	Deferred Action for Childhood Arrivals (DACA)	Special Immigrant Juvenile Status (SIJS)	U Visa, Bona Fide, or Wait List Approval	U Visa (Petition Filed)	Undocumented
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<u>Temporary</u> <u>Assistance</u> <u>for Needy</u> <u>Families</u> (<u>TANF)</u> (<u>Cash</u> <u>Assistance</u>)	Lawful permanent residents, eligible with conditions. Naturalized citizens, eligible.	Eligible with conditions upon VAWA prima facie determination or Battered Spouse Waiver.	Eligible.	Eligible with HHS certification or eligibility letter.	Not eligible.	Eligible with conditions upon obtaining lawful permanent residency.	Eligible with conditions upon obtaining lawful permanent residency.	Not eligible.	Not eligible.
<u>Child Care</u> <u>Funded by</u> <u>TANF and the</u> <u>Child Care</u> <u>Development</u> <u>Fund (CCDF)</u>	Lawful permanent residents, eligible with conditions. Naturalized citizens, eligible.	Eligible for CCDF. Eligible for TANF funded child care with conditions upon prima facie determination.	Refugee/Asylee:Eligible forCCFD andTANF fundedchild care.T visa:Eligible forCCDF andeligible forTANF fundedchildcare withHHScertification oreligiblity letter.	Eligible for CCDF. Eligible for TANF funded child care with HHS certification or eligibility letter.	Eligible for CCDF.	Eligible for CCDF. Eligible for TANF funded child care with conditions upon obtaining lawful permanent residency.	Eligible for CCDF. Eligible for TANF funded child care with conditions upon obtaining lawful permanent residency.	Eligible for CCDF.	Eligible for CCDF.
Supplemental Security Income (SSI)	Lawful permanent residents, eligible with conditions. Naturalized citizens, eligible.	Eligible with conditions upon prima facie determination.	Eligible during the first 7 years after status is granted.	Eligible upon receipt of HHS certification or eligibility letter.	Not eligible.	Eligible with conditions upon lawful permanent residency.	Eligible with conditions upon lawful permanent residency.	Not eligible.	Not eligible.







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Supplemental Nutrition Assistance Program (SNAP) SNAP	Lawful permanent residents, eligible with conditions. Naturalized citizens, eligible.	Eligible with conditions upon prima facie determination.	Eligible.	Eligible with HHS certification or eligibility letter.	Not eligible.	Eligible with conditions upon obtaining lawful permanent residency.	Eligible with conditions upon obtaining lawful permanent residency.	Not eligible.	Not eligible.
<u>Nutrition</u> <u>Program: For</u> <u>Women,</u> <u>Infants &</u> <u>Children</u> <u>(WIC)</u>	Eligible	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.
	HEALTHCARE								
Emergency Medicaid	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.
<u>Health</u> <u>Insurance</u> <u>Exchanges</u>	Eligible.	Eligible with prima facie determination.	Refugee: Eligible. <u>Asylee:</u> Eligible upon receipt of work authorization or 6 months after filing for asylum for children under age 14.	Eligible with HHS certification or eligibility letter.	Not eligible.	Eligible upon filing SIJS application.	Eligible upon U visa bona fide determination, wait list approval or U visa.	Not eligible.	Not eligible.







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<u>Health</u> <u>Insurance</u> <u>Exchanges</u>			<u>T visa:</u> Eligible with HHS certification or eligibility letter.						
<u>Medicaid</u>	Lawful permanent residents, eligible with conditions. Naturalized citizens, eligible.	Eligible with conditions upon prima facie determination.	Eligible.	Eligible with HHS certification or eligibility letter.	Not eligible.	Eligible with conditions upon lawful permanent residency.	Eligible with conditions upon lawful permanent residency.	Not eligible.	Not eligible.
<u>Prenatal Care</u>	Eligible for prenatal care and lawful permanent residents eligible for full scope health care while pregnant. Naturalized citizens, eligible.	Eligible for prenatal care and with prima facie determination eligible for full scope health care while pregnant.	Eligible for prenatal care and for full scope health care while pregnant.	Eligible for prenatal care and with HHS certification or eligibility letter for full scope health care while pregnant.	Eligible for prenatal care.	Eligible for prenatal care and upon lawful permanent residency for full scope health care while pregnant.	Eligible for prenatal care and upon lawful permanent residency for full scope health care while pregnant.	Eligible for prenatal care.	Eligible for prenatal care.
<u>Children's</u> <u>Health</u> <u>Insurance</u> <u>Program</u> <u>(CHIP)</u>	In AR, lawful permanent residents are eligible up to age 19. Naturalized citizens eligible.	In AR, eligible up to age 19 upon prima facie determination. After age 19 eligible with	Eligible.	Eligible upon HHS certification or eligibility letter.	Not eligible.	In AR, eligible up to age 19 upon filing. After age 19 eligible with	In AR, eligible up to age 19 upon receipt of bona fide determination, wait list approval, U	Not eligible.	Not eligible.







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<u>Children's</u> <u>Health</u> <u>Insurance</u> <u>Program</u> <u>(CHIP)</u>		conditions upon prima facie determination.				conditions upon prima facie determination.	visa or lawful permanent residency. After age 19 eligible with conditions upon prima facie		
Victims of Crime Act (VOCA) Family Medical Leave Act – State Law	medical bills, lost without regard to	wages, counseling s immigration status.	sessions, crime scene	e victims for costs ass clean up, and reimbo . Federal FMLA law	ursement for many				
	HOUSING A	AND WEATHERIZ	ZATION						
Public & Assisted Housing and Low Income	Eligible. In AR may be eligible to live in Low Income	Eligible upon filing. In AR may be eligible to live in	Eligible. In AR may be eligible to live in Low Income	Eligible upon HHS certification or eligibility letter.	Not eligible. In AR may be eligible to live in Low Income	Eligible upon receiving lawful permanent residency.	Eligible upon receiving lawful permanent residency.	Not eligible. In AR may be eligible to live in Low	Not eligible. In AR may be eligible to live in Low Income
<u>Tax Credit</u> <u>Housing</u> ⁶ <u>LIHTC</u>	Housing Tax Credit property.	Low Income Housing Tax Credit property.	Housing Tax Credit property.	In AR may also be eligible to live in Low Income Housing Tax Credit property.	Housing Tax Credit property.	In AR may be eligible to live in Low Income Housing Tax Credit property.	In AR may be eligible to live in Low Income Housing Tax Credit	Income Housing Tax Credit property.	Housing Tax Credit property.







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Emergency Shelter, Transitional Housing, Health, and Life and Safety Services	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.
Weatherizatio n Assistance Program (WAP) and Low-Income Home Energy Assistance Program (LIHEAP)	Eligible for WAP if living in multi-family dwellings. Eligible for LIHEAP.	Eligible for WAP if living in multi-family dwellings. Eligible for LIHEAP with conditions upon prima facie determination.	Eligible for WAP if living in multi-family dwellings. Eligible for LIHEAP.	Eligible for WAP if living in multi- family dwellings. Eligible for LIHEAP with conditions upon receipt of HHS certification or eligibility letter.	Eligible for WAP if living in multi-family dwellings.	Eligible for WAP if living in multi-family dwellings. Eligible with conditions for LIHEAP upon receiving lawful permanent residency.	Eligible for WAP if living in multi-family dwellings. Eligible with conditions for LIHEAP upon receiving lawful permanent residency.	Eligible for WAP if living in multi- family dwellings.	Eligible for WAP if living in multi-family dwellings.
<u>Federal</u> <u>Education</u>	EDUCATION Eligible.	Eligible upon prima facie determination.	Eligible.	Eligible with HHS certification or eligibility letter.	Not eligible.	Eligible upon lawful permanent residency.	Eligible upon lawful permanent residency.	Not eligible.	Not eligible.
<u>State</u> Education	Eligible.	Eligible upon prima facie determination.	Eligible.	Eligible with conditions.	Eligible with conditions.	Eligible with conditions.	Eligible with conditions.	Eligible with conditions.	Eligible with conditions.







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<u>State</u> Education	citizenship or imr status of the stude Although eligible eligible in Arkans universities if the	nigration status infor ent, their parent or th to apply for and enr sas for state funded p y have resided in Arl	mation and may not eir guardian. oll in state funded co ost-secondary educa kansas for 3 years an	enship are eligible to a bar students from en- bleges and universitie ational grants and loar and graduated from a p	rolling in public e es without regard as. DACA recipien ublic or private hi	lementary or second to immigration statu nts are also eligible	lary schools based is, students who a for in-state tuition	l on the citizensh re not qualified in a at the state's pu	ip or immigration mmigrants are not blic colleges and
	LEGAL SERVIO	CES, DRIVER'S L Eligible for	CENSES, AND EA Eligible for all	RNED INCOME T Eligible for LSC	AX CREDITS May be	May be eligible	Eligible for	Eligible for	May be eligible
<u>Legal Services</u>	permanent residents, applicants for lawful permanent residency, and naturalized citizens eligible for all LSC funded legal services. Victims of domestic, sexual, or dating violence, or stalking eligible for	Legal Services Corporation (LSC)-funded legal services with conditions and fully eligible when victims file for lawful permanent residency. Eligible for VAWA funded legal services.	LSC funded legal services. Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA funded legal services.	funded legal services when they receive HHS certification or eligibility letter. Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA funded legal services.	eligible if victims of abuse for LSC funded legal services with conditions. Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA funded legal services.	if victims of abuse for LSC funded legal services with conditions and when SIJS children file for lawful permanent residency fully eligible. Victims of domestic, sexual, or dating violence, or stalking eligible for	LSC-funded legal services with conditions and fully eligible when victims file for lawful permanent residency. Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA	LSC-funded legal services with conditions and fully eligible when victims file for lawful permanent residency. Victims of domestic, sexual, or dating violence, or stalking eligible for	if victims of abuse for LSC funded legal services with conditions. Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA funded legal services.
	VAWA funded legal services.					VAWA funded legal services.	funded legal services.	VAWA funded legal services.	







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Driver's License	Eligible for federally recognized driver's license and ID.	Eligible for federally recognized driver's license and ID upon receipt of work authorization.	Eligible for federally recognized driver's license and ID.	Eligible for federally recognized driver's license and ID upon receipt of HHS certification or eligibility letter.	Eligible for federally recognized driver's license and ID upon receipt of work authorization.	Eligible f for federally recognized driver's license and ID upon receipt of work authorization.	Eligible for federally recognized driver's license and ID upon receipt of work authorization.	Not eligible.	Not eligible.
Professional and Occupational Licenses	Eligible.	In AR, eligible for professional and occupational licenses upon receipt of work authorization.	In AR, eligible for professional and occupational licenses upon receipt of work authorization.	In AR, eligible for professional and occupational licenses upon receipt of work authorization.	In AR, eligible for professional and occupational licenses upon receipt of work authorization.	In AR, eligible for professional and occupational licenses upon receipt of work authorization.	In AR, eligible for professional and occupational licenses upon receipt of work authorization.	Not eligible.	Not eligible.
<u>Income Tax</u> Credit				xpayer Identification 2 y care for themselves	Numbers (ITINs)		dent children unde		
<u>Earned</u> <u>Income Tax</u> <u>Credit (EITC)</u>	Eligible.	Eligible with conditions upon receipt of work authorization.	Eligible with conditions upon receipt of work authorization.	Eligible with conditions upon receipt of work authorization.	Eligible with conditions upon receipt of work authorization.	Eligible with conditions upon receipt of work authorization.	Eligible with conditions upon receipt of work authorization.	Not eligible.	Not eligible.
		EMPLOYMENT I			E1: - 11:1 - 6	Elisible for	Elisible for	E1: - 11 - 6	
<u>Federal</u> Emergency	Eligible for disaster relief.	Eligible for disaster relief.	Eligible for disaster relief.	Eligible for disaster relief.	Eligible for disaster relief.	Eligible for disaster relief.	Eligible for disaster relief.	Eligible for disaster relief.	Eligible for disaster relief.
<u>Management</u> <u>Agency</u> <u>(FEMA)</u>	Eligible for food, unemployment and all other	Eligible upon prima facie determination for food,	Eligible for food, unemployment and other FEMA assistance.	Eligible upon receipt of HHS determination or eligibility letter		Eligible upon receipt of lawful permanent	Eligible upon receipt of lawful permanent		







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(FEMA)	FEMA assistance.	unemployment and other FEMA assistance.		for food, unemployment and other FEMA assistance.		residency for food, unemployment and other FEMA assistance.	residency for food, unemployment and other FEMA assistance.		
<u>Unemployment</u> <u>Insurance</u>	Eligible.	Eligible upon receipt of work authorization.	Refugees:Eligible uponreceipt of workauthorization.Asylees: Eligibleupon receipt ofworkauthorization.T Visa:Eligible uponreceipt of bonafidedeterminationwith workauthorization.	Eligible upon receipt of work authorization.	Eligible upon receipt of work authorization.	Eligible upon receipt of work authorization.	Eligible upon receipt of work authorization.	Not eligible.	Not eligible.
		authorization at the	e time they applied f	rance, each class of in or unemployment. We eligibility for unempl	ork authorization				

¹ Catherine Longville & Leslye E. Orloff, *Programs Open to Immigrant Victims and All Immigrants Without Regard to Immigration Status*, National Immigrant Women's Advocacy Project (July 23, 2015), <u>https://niwaplibrary.wcl.american.edu/pubs/programs-open-to-all-immigrants</u>.

² Battered Spouse Waiver (BSW) applicants/recipients have the same eligibility for public benefits purposes as VAWA self-petitioners. BWS victims are eligible either as conditional permanent residents if they still have that status and/or are or continue to be eligible once they file their battered spouse waiver application. Battered spouse waiver applicants have greater benefits access than conditional and lawful permanent residents because they have access to exemptions from deeming and have access to benefits that are only available to battered immigrants.

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³ See 8 U.S.C. §§ 1641(b)(2)-(3), (c)(4) (Asylees, Refugees and trafficking victims and family members of trafficking victims with T visa status or a pending T visa application setting forth a "prima facie" (bona facie) case for eligibility); Classification for Victims of Severe Forms of Trafficking in Persons; Eligibility for "T" Nonimmigrant Status, 81 Fed. Reg. 92266, 92279, 92304, 92307 (Dec. 19, 2016) (effective Jan. 18, 2017) (to be codified at 8 C.F.R. pts. 212, 214, 245, 274) (Prima facie/bona fide determinations on T visa applications are made by the Department of Homeland Security.).

⁴ Afghans granted humanitarian parole between July 31, 2021, and September 30, 2023 — and their spouses and children, and parents or guardians of unaccompanied children granted parole after September 30, 2022 — also are eligible for federal benefits to the same extent as refugees. Eligibility for this group continues until March 31, 2023, or the end of their parole term, whichever is later. Extending Government Funding and Delivering Emergency Assistance Act, Pub. L. 117-43 (Sept. 30, 2021). Iraqi and Afghan special immigrant visa holders (SIV) and special immigrant parolees (who have applied for SIV status) are eligible for federal benefits to the same extent as refugees. Office of Refugee Resettlement, Administration for Children and Families, U.S. Department of Health and Human Services, Fact Sheet: Benefits for Afghan and Iraqi Special Immigrant Visa (SIV) Holders or SO/SI Parolees (last visited November 29, 2023) https://www.acf.hhs.gov/orr/fact-sheet/benefits-afghan-and-iragi-special-immigrant-visa-siv-holders-orsq/si-parolees. See The Administration for Children and Families Office of Refugee Resettlement Policy Letters on Public Benefits for Afghan Refugees (November 29, 2023) https://niwaplibrary.wcl.american.edu/orr-policy-letters-afghan-refugees (Contains HHS Policy Letters and Fact Sheets regarding Afghan Refugees). ⁵ Ukrainians paroled into the U.S. between February 24, 2022, and September 30, 2023 – and their spouses and children, and parents, guardians or primary caregivers of unaccompanied children paroled into the U.S. after September 30, 2023 – are eligible for federal benefits to the same extent as refugees. Department of Homeland Security, President Biden to Announce Uniting For Ukraine, a New Streamlined Process to Welcome Ukrainians Fleeing the Russian Invasion of Ukraine. (April 21, 2022) https://www.dhs.gov/news/2022/04/21/president-biden-announce-uniting-ukraine-new-streamlined-process-welcomeukrainians; See The Administration for Children and Families Office of Refugee Resettlement Policy Letters on Public Benefits for Ukrainian Refugees (November 29, 2023) https://niwaplibrary.wcl.american.edu/orr-policy-letters-ukrainian-refugees (Contains HHS Policy Letters and Fact Sheets regarding Ukrainian Refugees). ⁶ Some households, depending on the immigration status of its residents, may qualify for the Low-Income Housing Tax Credit; see Access to State-Funded Public Benefits in Arkansas for Survivors to determine whether the immigrant or family members may be eligible. For more information on LIHTC see https://www.vawahome.com/.