



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

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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 Hawaii 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 [Access to State-Funded Public Benefits in Hawaii for Survivors, Based on Immigration Status](#), available at: <https://niwaplibrary.wcl.american.edu/pubs/hawaii-benefits> 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: <http://map.niwap.org/>.

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 MORE STATE FUNDED BENEFITS to certain groups of immigrants in the following benefits programs: Temporary Assistance for Needy Families (TANF), Child Care Funded by TANF, Supplemental Security Income (SSI), Health Care Exchange premium insurance assistance, Child Health Insurance Program (CHIP), Prenatal care; Medicaid, Family Medical Leave Act, Post-secondary education, Driver's licenses, and Energy Assistance.
- Impose MORE RESTRICTIONS on immigrant access to federal public benefits: Not Applicable.

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PROGRAM	VAWA Self Petitioner and Battered Spouse Waiver ²	Refugees, ³ Asylees, T Visas	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
CASH & NUTRITION ASSISTANCE, AND CHILDCARE								
<u>Temporary Assistance for Needy Families (TANF) (Cash Assistance)</u>	Eligible with prima facie determination.	Eligible.	Eligible with HHS certification or eligibility letter.	Not eligible.	Eligible upon obtaining lawful permanent residency.	Eligible upon obtaining lawful permanent residency.	Not eligible.	Not eligible.
<u>Child Care Funded by TANF and the Child Care Development Fund (CCDF)</u>	Eligible for CCDF. Eligible for TANF funded child care with prima facie determination.	<u>Refugee/Asylee:</u> Eligible for CCDF and TANF funded child care. <u>T visa:</u> Eligible for CCDF and eligible for TANF funded childcare with HHS certification or eligibility 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 upon lawful permanent residency.	Eligible for CCDF, Eligible for TANF funded child care upon lawful permanent residency.	Eligible for CCDF.	Eligible for CCDF.
<u>Supplemental Security Income (SSI)</u>	Eligible with conditions upon prima facie determination. In HI, seniors or disabled persons eligible for Aid to Aged, Blind and Disabled (AABD).	Eligible during first 7 years after status is granted. In HI, seniors or disabled persons eligible for AABD.	Eligible with conditions upon receipt of HHS certification or eligibility letter. In HI, seniors or disabled persons eligible for AABD.	Not eligible.	Eligible with conditions upon lawful permanent residency. In HI, seniors or disabled persons eligible for AABD.	Eligible with conditions upon lawful permanent residency. In HI, seniors or disabled persons eligible for AABD with conditions.	Not eligible.	Not eligible.
<u>Supplemental Nutrition Assistance Program (SNAP)</u>	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.

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<u>Nutrition Program: For Women, Infants & Children (WIC)</u>	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.
HEALTHCARE								
<u>Emergency Medicaid</u>	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.
<u>Health Insurance Exchanges</u>	Eligible with prima facie determination. In HI, eligible for state premium insurance assistance if under 100% Federal Poverty Level (FLP).	<u>Refugee:</u> Eligible. <u>Asylee:</u> Eligible upon receipt of work authorization or 6 months after filing for asylum for children under age 14. <u>T visa:</u> Eligible with HHS certification or eligibility letter. In HI, eligible for state premium insurance assistance if under 100% Federal Poverty Level (FLP).	Eligible with HHS certification or eligibility letter. In HI, eligible for state premium insurance assistance if under 100% Federal Poverty Level (FLP).	Not eligible.	Eligible upon filing SIJS application. In HI, eligible for state premium insurance assistance if under 100% Federal Poverty Level (FLP).	Eligible upon U visa bona fide determination, wait list approval or U visa. In HI, eligible for state premium insurance assistance if under 100% Federal Poverty Level (FLP).	Not eligible.	Not eligible.
<u>Medicaid</u>	Eligible with prima facie determination, with conditions.	Eligible.	Eligible with HHS certification or eligibility letter.	Not eligible.	Eligible with lawful permanent	Eligible with lawful permanent	Not eligible.	Not eligible.

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Medicaid	In HI, with prima facie determination eligible for medical assistance for persons who are pregnant, seniors, disabled, or have breast or cervical cancer.		In HI, with HHS certification or eligibility letter eligible for medical assistance for persons who are pregnant, seniors, disabled, or have breast or cervical cancer.	In HI, all immigrants eligible for breast or cervical cancer treatment.	residency with conditions. In HI, with lawful permanent residency eligible for medical assistance for persons who are pregnant, seniors, disabled, or have breast or cervical cancer.	residency with conditions. In HI, with lawful permanent residency eligible for medical assistance for persons who are pregnant, seniors, disabled, or have breast or cervical cancer.	In HI, all immigrants eligible for breast or cervical cancer treatment.	In HI, all immigrants eligible for breast or cervical cancer treatment.
Prenatal Care	In HI, eligible up to age 19 upon prima facie determination. After age 19 eligible with conditions upon prima facie determination.	Eligible.	Eligible with HHS certification or eligibility letter.	Not eligible.	In HI, eligible upon filing up to age 19. After age 19 eligible with conditions upon legal permanent residency.	In HI, eligible up to age 19 upon receipt of U visa, bona fide determination or wait list approval. After age 19 eligible with conditions upon legal permanent residency.	Not eligible.	Not eligible.
Children's Health Insurance Program (CHIP)	In HI, eligible up to age 19 upon prima facie determination. After age 19 eligible with conditions upon prima facie determination.	<u>Refugees, asylees, T visa holders:</u> Eligible. <u>Asylum applicants:</u> Eligible up to age 19 upon filing.	Eligible upon HHS certification or eligibility letter.	Eligible up to age 19 upon filing. In HI, all immigrants eligible for breast or cervical	In HI, eligible up to age 19 upon filing. After age 19 eligible with conditions upon legal permanent residency.	In HI, eligible up to age 19 upon receipt of U visa, bona fide determination or wait list approval. After age 19 eligible with conditions upon	Not eligible. In HI, all immigrants eligible for breast or cervical cancer treatment.	Not eligible. In HI, all immigrants eligible for breast or cervical cancer treatment.

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<u>CHIP</u>				cancer treatment.		legal permanent residency.		
<u>Victims of Crime Act (VOCA)</u>	The Victims of Crime Act provides compensation to crime victims for costs associated with the crime victimization. Costs covered by VOCA include compensation for medical bills, lost wages, counseling sessions, crime scene clean up, and reimbursement for many other expenses. VOCA compensation is available to crime victims without regard to immigration status.							
<u>Family Medical Leave Act – State Law</u>	In HI, may be eligible for FMLA without regard to immigration status.	In HI, may be eligible for FMLA without regard to immigration status.	In HI, may be eligible for FMLA without regard to immigration status.	In HI, may be eligible for FMLA without regard to immigration status.	In HI, may be eligible for FMLA without regard to immigration status.	In HI, may be eligible for FMLA without regard to immigration status.	In HI, may be eligible for FMLA without regard to immigration status.	In HI, may be eligible for FMLA without regard to immigration status.
HOUSING AND WEATHERIZATION								
<u>Public & Assisted Housing and Low-Income Housing Tax Credit (LIHTC)</u> ⁴	Eligible upon filing. In HI may be eligible to live in Low Income Housing Tax Credit property.	Eligible. In HI may be eligible to live in Low Income Housing Tax Credit property.	Eligible upon HHS certification or eligibility letter. In HI may be eligible to live in Low Income Housing Tax Credit property.	Not eligible. In HI may be eligible to live in Low Income Housing Tax Credit property.	Eligible upon receiving lawful permanent residency. In HI may be eligible to live in Low Income Housing Tax Credit property.	Eligible upon receiving lawful permanent residency. In HI may be eligible to live in Low Income Housing Tax Credit property.	Not eligible. In HI may be eligible to live in Low Income Housing Tax Credit property.	Not eligible. In HI may be eligible to live in Low Income Housing Tax Credit property.
<u>Emergency Shelter, Transitional Housing, Health, and Life and Safety Services</u>	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.

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<u>Weatherization Assistance Program (WAP) and Low-Income Home Energy Assistance Program (LIHEAP)</u>	<p>Eligible for WAP if living in multi-family dwellings.</p> <p>Eligible for LIHEAP with conditions upon prima facie determination.</p> <p>In HI, eligible for Hawaiian Electric's Special Medical Needs and Gift Programs.</p>	<p>WAP if living in multi-family dwellings. Eligible for LIHEAP.</p> <p>In HI, eligible for Hawaiian Electric's Special Medical Needs and Gift Programs.</p>	<p>WAP if living in multi-family dwellings. Eligible for LIHEAP with conditions upon receipt of HHS certification or eligibility letter.</p> <p>In HI, eligible for Hawaiian Electric's Special Medical Needs and Gift Programs.</p>	<p>WAP if living in multi-family dwellings.</p> <p>In HI, eligible for Hawaiian Electric Programs.</p>	<p>WAP if living in multi-family dwellings. Eligible with conditions for LIHEAP upon receiving lawful permanent residency.</p> <p>In HI, eligible for Hawaiian Electric's Special Medical Needs and Gift Programs.</p>	<p>WAP if living in multi-family dwellings. Eligible with conditions for LIHEAP upon receiving lawful permanent residency.</p> <p>In HI, eligible for Hawaiian Electric's Special Medical Needs and Gift Programs.</p>	<p>WAP if living in multi-family dwellings.</p> <p>In HI, eligible for Hawaiian Electric's Special Medical Needs and Gift Programs.</p>	<p>WAP if living in multi-family dwellings.</p> <p>In HI, eligible for Hawaiian Electric's Special Medical Needs and Gift Programs.</p>
EDUCATION								
<u>Federal Education</u>	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 Education</u>	<p>Eligible with conditions.</p> <p>All children, without regard to immigration status or citizenship are eligible to attend public elementary and secondary (K-12) schools. State schools may not request citizenship or immigration status information and may not bar students from enrolling in public elementary or secondary schools based on the citizenship or immigration status of the student, their parent or their guardian. Eligible to apply for and enroll in state funded colleges and universities without regard to immigration status.</p> <p>At its public postsecondary institutions, Hawaii allows in-state tuition rates and access to institutional aid or scholarships for eligible students, regardless of immigration status provided that the student has been in the U.S. for 3 years. To receive in-state tuition, the adult student or the parents and/or guardian of a minor are required to be a resident of the state for at least 12 months prior to the student enrolling at a particular college or campus. The adult or minor student should not have been claimed as a dependent by a student's parent or guardian who is a nonresident of Hawaii unless it is pursuant to a child support agreement in conjunction with a divorce proceeding or legal separation.</p>							
LEGAL SERVICES, DRIVER'S LICENSES, AND EARNED INCOME TAX CREDITS								
<u>Legal Services</u>	Eligible for Legal Services Corporation (LSC)-	Eligible for all LSC funded legal services.	Eligible for LSC funded legal services when they	May be eligible if victims of	May be eligible if victims of abuse for LSC funded	Eligible for LSC-funded legal services with	Eligible for LSC-funded legal services	May be eligible if victims of abuse for LSC funded

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<u>Legal Services</u>	funded legal services with conditions and fully eligible when victims file for lawful permanent residency. Eligible for VAWA funded legal services.	Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA funded legal services.	receive HHS certification or eligibility letter. Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA funded legal services.	abuse for LSC funded legal services with conditions. Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA funded legal services.	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 VAWA funded legal services.	conditions and fully eligible when victims file for lawful permanent residency. Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA 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 funded legal services.	legal services with conditions. Victims of domestic, sexual, or dating violence, or stalking eligible for VAWA funded legal services.
<u>Driver's License</u>	Eligible for HI driver's license. Eligible for federally recognized driver's license and ID upon receipt of work authorization.	Eligible for HI driver's license. Eligible for federally recognized driver's license and ID.	Eligible for HI driver's license. Eligible upon receipt of HHS certification or eligibility letter for federally recognized driver's license and ID.	Eligible for HI driver's license. Eligible for federally recognized driver's license and ID upon receipt of work authorization.	Eligible for HI driver's license. Eligible for federally recognized driver's license and ID upon receipt of work authorization.	Eligible for HI driver's license. Eligible for federally recognized driver's license and ID upon receipt of work authorization.	Eligible for HI driver's license.	Eligible for HI driver's license.
<u>Professional and Occupational Licenses</u>	Hawaii has no state laws or policies regarding immigrant access to professional or occupational licenses including whether or not work authorization is sufficient or required.							
<u>Income Tax Credit</u>	Immigrants with social security numbers or Individual Taxpayer Identification Numbers (ITINs) who care for dependent children under the age of 17 or who care for a spouse or other individual unable to physically or mentally care for themselves are eligible to claim a child or dependent tax credit on their income taxes.							

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<u>Earned Income Tax Credit (EITC)</u>	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.
FEMA AND UNEMPLOYMENT INSURANCE								
<u>Federal Emergency Management Agency (FEMA)</u>	Eligible for disaster relief. Eligible upon prima facie determination for food, unemployment and other FEMA assistance.	Eligible for disaster relief. Eligible for food, unemployment and other FEMA assistance.	Eligible for disaster relief. Eligible upon receipt of HHS determination or eligibility letter for food, unemployment and other FEMA assistance.	Eligible for disaster relief.	Eligible for disaster relief. Eligible upon receipt of lawful permanent residency for food, unemployment and other FEMA assistance.	Eligible for disaster relief. Eligible upon receipt of lawful permanent residency for food, unemployment and other FEMA assistance.	Eligible for disaster relief.	Eligible for disaster relief.
<u>Unemployment Insurance</u>	Eligible upon receipt of work authorization.	<u>Refugees/Asylees:</u> Eligible upon receipt of work authorization. <u>T Visa:</u> Eligible upon receipt of bona fide determination with work authorization.	Eligible upon receipt of prima facie determination.	Eligible upon receipt of work authorization.	Eligible upon receipt of work authorization.	Eligible upon receipt of work authorization.	Not eligible.	Not eligible.
*To be eligible for unemployment insurance, each class of immigrant must have had prior work authorization and had to have been working with the authorization at the time they applied for unemployment. Work authorization must remain valid while they receive unemployment and if work authorization expires, then so does the eligibility for unemployment.								

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), <https://niwaplibrary.wcl.american.edu/pubs/programs-open-to-all-immigrants>.

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.

³ Afghans granted humanitarian parole between July 31, 2021, and September 30, 2022 - 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). 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-welcome-ukrainians>.

⁴ 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 Hawaii for Survivors](#) to determine whether the immigrant or family members may be eligible. For more information on LIHTC see <https://www.vawahome.com/>.