

Access to State-Funded^a Public Benefits in Washington State for Survivors,

Based on Immigration Status^{bc}

By: Monica Bates, Mary Ann McLean, Sarah Register, and Leslye E. Orloff^d

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	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
	<i>Qualified Immigrant^e</i>		<i>HHS Certification</i>	<i>Lawfully Present¹¹</i>			<i>Limited Benefits Eligibility¹²</i>	
TANF (Cash Assistance)	VAWA: Eligible with prima facie determination, ¹³ subject to five-year bar for those who arrived	<u>Refugee/Asylee</u> : Eligible for TANF regardless of date of entry. ²⁴	Human trafficking victims eligible: with HHS Certification (based on continued presence or a bona fide	Not eligible. ⁴⁸	Eligible after receiving lawful permanent residency, subject to five-year bar for	Eligible after receiving lawful permanent residency, subject to five-year bar	No federal eligibility. ⁶⁷ <i>Survivors of Certain Crimes:</i>	Not eligible. ⁷¹

^a Federally funded public benefits are in non-italicized typeface and *state-funded public benefits are italicized*.

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^c The chart shows eligibility based on immigration status. Applicants must also meet all other program eligibility requirements, such as income/resource limits. Children and other family members included in an individual’s immigration application receive the same access to public benefits as the applicant. When children qualify for federal or state public benefits, immigrant parents can file child-only benefits applications on their children’s behalf. Congress exempted from the public charge ground of inadmissibility immigrant victims applying for immigration relief and lawful permanent residency through the following immigration benefits programs: VAWA self-petitioning (as defined in footnote “e”), VAWA cancellation of removal, VAWA suspension of deportation, U visas, and T visas. For technical assistance on benefits access for immigrant survivors please contact the National Immigrant Women’s Advocacy Project, American University, Washington College of Law (202) 274-4457 or info@niwap.org. NIWAP would like to thank Michelle Aronowitz and Dean’s Fellows Alexandra Brown and Sandeep Purewal for their work in developing these state public benefits charts.

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^e See 8 U.S.C. § 1641(a)-(c) (Qualified immigrants are: **lawful permanent residents (LPRs)**(For up-to-date details on LPR benefits eligibility see National Immigrant Law Center, Table 1, Overview of Immigrant Eligibility for Federal Programs (March 2023) https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/ and NIWAP’s Public Benefits Map <https://niwaplibrary.wcl.american.edu/benefits-map>); refugees; asylees; persons granted withholding of deportation/removal, conditional entry (as in effect prior to Apr. 1, 1980), humanitarian parolee; Cuban/Haitian entrants; and certain battered immigrants. A battered immigrant is someone who: (1)(a) has been battered or subjected to extreme cruelty in the U.S. by a U.S. citizen or LPR spouse, parent or step-parent or member of the spouse/parent/step-parent’s family residing in the same household as the immigrant and the spouse/parent/step-parent consented to or acquiesced in such battery or cruelty, and there is a substantial connection between the battery or cruelty and the need for the public benefits, and (b) has been approved or has a petition or self-petition pending which sets forth a prima facie case for certain immigrant visa classifications, suspension of deportation, or cancellation of removal; or (2) is a victim of trafficking or a family member of a trafficking victim who has been granted T visa status or whose T visa application sets forth a prima facie case.). For discussion of prima facie determinations by immigration judges in suspension of deportation and cancellation of removal cases for battered immigrants, see OFFICE OF THE CHIEF IMMIGRATION JUDGE, U.S. DEP’T OF JUSTICE, OPERATING POLICY AND PROCEDURE MEMORANDUM 97-9; MOTIONS FOR “PRIMA FACIE” DETERMINATION AND VERIFICATION REQUESTS FOR BATTERED SPOUSES AND CHILDREN, <http://niwaplibrary.wcl.american.edu/pubs/prima-facie-verification-requests/> (last visited Mar. 2, 2018).

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	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
TANF	<p>on or after August 22, 1996.¹⁴ (After the first 12 months may be subject to deeming).¹⁵</p> <p><u>Lawful permanent residents:</u> Eligible subject to five-year bar for those who arrived on or after August 22, 1996¹⁶ (may be subject to deeming)¹⁷</p> <p><u>Naturalized citizens:</u> Eligible without restrictions.¹⁸</p> <p><i>In Washington, qualified immigrants¹⁹ (including VAWA self-petitioners with prima facie determinations, Battered Spouse Waivers, and lawful permanent residents)²⁰ are eligible for state funded cash assistance through State Family Assistance (SFA)²¹ and Pregnant Women Assistance (PWA),²² with no 5-year bar, may be affected by deeming.²³</i></p>	<p><u>T visa:</u> with HHS certification or eligibility determination, eligible under the Victims of eligibility determination, eligible under the Victims of Trafficking and Violence Protection Act (TVPA) of 2000 to the same extent as refugees.²⁵</p> <p><u>T visa holders or bona fide applicants</u> are also eligible as qualified immigrants, subject to five-year bar for those who entered on or after August 22, 1996.²⁶</p> <p><i>In Washington, qualified immigrants²⁷ (including asylees, refugees, T visa holders, and T visa applicants with bona fide determinations)²⁸ are eligible for state funded cash assistance through State Family Assistance (SFA),²⁹ Pregnant Women Assistance (PWA),³⁰</i></p>	<p>determination on a T visa application) or with HHS eligibility determination (under 18).³⁶</p> <p>These human trafficking victims are eligible to the same extent as refugees and thus are eligible regardless of date of entry.³⁷</p> <p>Family members with T visa status are eligible without HHS certification or determination; they are eligible to the same extent as refugees and thus eligible regardless of date of entry.³⁸</p> <p><i>In Washington, qualified immigrants³⁹ (including trafficking victims with HHS certifications or child eligibility letters and continued presence recipients)⁴⁰ are eligible for state funded cash assistance through State Family Assistance (SFA)⁴¹ and</i></p>		<p>those who arrived on or after August 22, 1996.⁴⁹ (may be subject to deeming).⁵⁰</p> <p><i>In Washington, lawfully present immigrants⁵¹ (including SIJS applicants and recipients)⁵² are eligible for state funded cash assistance through State Family Assistance (SFA)⁵³ and Pregnant Women Assistance (PWA),⁵⁴ with no 5-year bar, may be affected by deeming.⁵⁵</i></p>	<p>for those who arrived on or after August 22, 1996⁵⁶ (may be subject to deeming).⁵⁷</p> <p><i>In Washington, lawfully present immigrants⁵⁸ (including U visa holders, and U visa applicants deferred action⁵⁹ as recipients of bona fide determinations or waitlist approvals)⁶⁰ are eligible for state funded cash assistance through State Family Assistance (SFA)⁶¹ and Pregnant Women Assistance (PWA),⁶² with no 5-year bar, may be affected by deeming.⁶³</i></p> <p><u>Survivors of Certain Crimes:</u> <i>In Washington, survivors of U</i></p>	<p><i>In Washington, survivors of U visa listed crimes who have filed or are preparing to file U visa applications⁶⁸ (and their spouses and children and if the child applicant is under 21 the child's parents or unmarried siblings under the age of 18) are eligible for State Family Assistance (SFA)⁶⁹ and Pregnant Women Assistance (PWA).⁷⁰</i></p>	

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
TANF		<p>and Refugee Cash Assistance (RCA).³¹</p> <p><i>Asylees:</i> In Washington, victims of trafficking, trafficking related crimes, and protection order violations,³² who are asylum applicants or persons preparing to file asylum applications³³ (and their spouses and children and if the child applicant is under 21 the child's parents or unmarried siblings under the age of 18) are eligible for State Family Assistance (SFA)³⁴ and Pregnant Women Assistance (PWA).³⁵</p>	<p>Pregnant Women Assistance (PWA),⁴² and Refugee Cash Assistance (RCA).⁴³</p> <p><i>Trafficking Victims:</i> In Washington, survivors of human trafficking who have filed or are preparing to file applications for a T visa, continued presence, or ORR certification or child eligibility letter⁴⁴ including those granted continued presence⁴⁵ (and their spouses and children and if the child applicant is under 21 the child's parents or unmarried siblings under the age of 18) are eligible for State Family Assistance (SFA)⁴⁶ and Pregnant Women Assistance (PWA).⁴⁷</p>			<p>visa listed crimes who have filed or are preparing to file U visa applications⁶⁴ (and their spouses and children and if the child applicant is under 21 the child's parents or unmarried siblings under the age of 18) are eligible for State Family Assistance (SFA)⁶⁵ and Pregnant Women Assistance (PWA).⁶⁶</p>		
Child Care	Children with VAWA prima facie determination and child lawful permanent residents are qualified immigrants eligible for	Children who are <u>asylees or refugees</u> are eligible for CCDF-funded child care and	Human trafficking victims with an HHS Certification (based on continued presence or a bona fide determination on a T	Eligible for CCDF-funded child care open to all immigrants, when: (1) Child care is provided in	Eligible for CCDF-funded child care open to all immigrants, when:	Eligible for CCDF-funded child care open to all immigrants, when:	Eligible for CCDF-funded child care open to all immigrants, when:	Eligible for CCDF-funded child care open to all immigrants, when:

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Child Care	<p>Child Care Development Fund (CCDF)-funded child care.⁷²</p> <p>TANF-funded childcare subject to five-year bar for immigrants who entered on or after August 22, 1996.⁷³</p> <p>Naturalized citizens: eligible without restrictions.⁷⁴</p> <p><i>In Washington, qualified immigrants (including VAWA self-petitioners, Battered Spouse Waivers, and lawful permanent residents) are eligible for subsidized child care through Working Connections Child Care (WCCC) when receiving WorkFirst cash assistance or if their family income is at or below 60% of the state's Median income for their family size, with no five-year bar.⁷⁵</i></p>	<p>TANF-funded child care.⁷⁷</p> <p><u>T visa</u>: Eligible for CCDF-funded child care and TANF-funded child care under the Victims of Trafficking and Violence Protection Act of 2000 to the same extent as refugees.⁷⁸</p> <p>Children who are T visa holders or applicants with prima facie (bona fide) determination are eligible for CCDF-funded child care.⁷⁹ They are also eligible for TANF-funded childcare subject to five-year bar for those who entered on or after August 22, 1996.⁸⁰</p> <p><i>In Washington, qualified immigrants (including asylees, refugees, T visa holders, and T visa applicants with bona fide determinations) are eligible for subsidized child care through Working Connections</i></p>	<p>visa application) or an HHS eligibility determination (under 18) are eligible for CCDF-funded child care and TANF-funded child care.⁸⁴</p> <p>Family members with T visa status eligible for CCDF-funded child care and TANF-funded child care, no need for HHS Certification or eligibility determination.⁸⁵</p> <p><i>Trafficking Victims: In Washington, survivors of human trafficking who have filed or are preparing to file applications for a T visa, continued presence, or ORR certification or child eligibility letter (and their spouses and children and if the child applicant is under 21 the child's parents or unmarried siblings under the age of 18) eligible for</i></p>	<p>settings subject to public educational standards, including public or private pre-kindergarten or public and private child care provided after school or during school holidays;</p> <p>(2) Child care is subject to Head Start performance standards; or</p> <p>(3) Eligibility for child care services is determined by a nonprofit charitable organization.⁸⁷</p> <p><i>In Washington, state-funded subsidies for Seasonal Child Care is available for agricultural workers in certain counties regardless of immigration status.⁸⁸</i></p>	<p>(1) Child care is provided in settings subject to public educational standards, including public or private pre-kindergarten or public and private child care provided after school or during school holidays;</p> <p>(2) Childcare is subject to Head Start performance standards; or</p> <p>(3) Eligibility for child care services is determined by a nonprofit charitable organization.⁸⁹</p> <p>Upon receiving lawful permanent residency, eligible as for CCDF-funded child care.⁹⁰ Also eligible for TANF-funded child care subject to five-year bar for those who entered on or after August 22, 1996.⁹¹</p> <p><i>In Washington, lawfully present</i></p>	<p>(1) Child care is provided in settings subject to public educational standards, including public or private pre-kindergarten or public and private child care provided after school or during school holidays;</p> <p>(2) Childcare is subject to Head Start performance standards; or</p> <p>(3) Eligibility for child care services is determined by a nonprofit charitable organization.⁹⁵</p> <p>Upon receiving lawful permanent residency, eligible as for CCDF-funded child care.⁹⁶ Also eligible for TANF-funded child care subject to five-year bar</p>	<p>(1) Child care is provided in settings subject to public educational standards, including public or private pre-kindergarten or public and private child care provided after school or during school holidays;</p> <p>(2) Child care is subject to Head Start performance standards; or</p> <p>(3) Eligibility for child care services is determined by a nonprofit charitable organization.¹⁰⁴</p> <p><i>Survivors of Certain Crimes: In Washington, survivors of U visa listed crimes who have filed or are preparing to file</i></p>	<p>(1) Child care is provided in settings subject to public educational standards, including public or private pre-kindergarten or public and private child care provided after school or during school holidays;</p> <p>(2) Child care is subject to Head Start performance standards; or</p> <p>(3) Eligibility for child care services is determined by a nonprofit charitable organization.¹⁰⁷</p> <p><i>In Washington, state-funded subsidies for Seasonal Child Care is available for agricultural workers in</i></p>

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Child Care	<i>In Washington, state-funded subsidies for Seasonal Child Care is available for agricultural workers in certain counties regardless of immigration status.⁷⁶</i>	<p><i>Child Care (WCCC) when receiving WorkFirst cash assistance or if their family income is at or below 60% of the state's Median income for their family size.⁸¹</i></p> <p><i>Asylees: In Washington, victims of trafficking, trafficking related crimes, and protection order violations,⁸² who are asylum applicants or persons preparing to file asylum applications (and their spouses and children and if the child applicant is under 21 the child's parents or unmarried siblings under the age of 18) are eligible Working Connections Child Care (WCCC).⁸³</i></p>	<i>Working Connections Child Care (WCCC).⁸⁶</i>		<i>immigrants⁹² (including SIJS applicants and recipients)⁹³ are eligible for subsidized child care through Working Connections Child Care (WCCC) when receiving WorkFirst cash assistance or if their family income is at or below 60% of the state's Median income for their family size, with no five-year bar.⁹⁴</i>	<p><i>for those who entered on or after August 22, 1996.⁹⁷</i></p> <p><i>In Washington, lawfully present immigrants⁹⁸ (including U visa holders, and U visa applicants deferred action⁹⁹ as recipients of bona fide determinations or waitlist approvals)¹⁰⁰ are eligible for subsidized child care through Working Connections Child Care (WCCC) when receiving WorkFirst cash assistance or if their family income is at or below 60% of the state's Median income for their family size, with no five-year bar.¹⁰¹</i></p>	<i>U visa applications,¹⁰⁵ (and their spouses and children and if the child applicant is under 21 the child's parents or unmarried siblings under the age of 18) are eligible Working Connections Child Care (WCCC).¹⁰⁶</i>	<i>certain counties regardless of immigration status.¹⁰⁸</i>

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Child Care						<i>Survivors of Certain Crimes:</i> <i>In Washington, survivors of U visa listed crimes who have filed or are preparing to file U visa applications¹⁰² (and their spouses and children and if the child applicant is under 21 the child's parents or unmarried siblings under the age of 18) are eligible Working Connections Child Care (WCCC).¹⁰³</i>		
SNAP (Food Stamps) ¹⁰⁹	Eligible for Basic Food benefits ¹¹⁰ with VAWA prima facie determination, Battered Spouse Waiver, or lawful permanent residence, subject to an additional condition, e.g.: five years residency, younger than 18, elderly (if lawfully	<u>Refugee/Asylee:</u> Eligible for Basic Food benefits ¹¹⁶ with no additional conditions. ¹¹⁷ <u>T visa:</u> Eligible for Basic Food benefits with bona fide determination on T visa application, subject to an additional condition (e.g., five-years	Human trafficking victims are eligible for Basic Food benefits ¹²³ with an HHS Certification (based on continued presence or a bona fide determination on a T visa application) or with an HHS eligibility determination (under 18). ¹²⁴	Not eligible. <i>In Washington, food assistance applicants who are PRUCOLs¹³² (including DACA applicants and recipients) are eligible for the State Food Assistance Program (FAP).¹³³</i>	Eligible for Basic Food benefits ¹³⁴ upon receiving lawful permanent residency, subject to an additional condition, ¹³⁵ e.g.: under 18, ¹³⁶ five years residency, ¹³⁷ 40 qualifying work quarters, ¹³⁸ or disabled. ¹³⁹	Eligible for Basic Food benefits ¹⁴⁴ upon receiving lawful permanent residency, subject to an additional condition, ¹⁴⁵ e.g.: under 18, ¹⁴⁶ five years residency, ¹⁴⁷ 40 qualifying work quarters, ¹⁴⁸	No federal eligibility. <u>Survivors of Certain Crimes:</u> <i>In Washington, survivors of U visa listed crimes who are preparing to file U visa applications¹⁵⁶ (and their</i>	Not eligible.

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SNAP	<p>residing in the U.S. on 8/22/96), disabled, or if Lawful Permanent Resident with 40 quarters of work credit.¹¹¹</p> <p><u>Naturalized citizens:</u> Eligible for Basic Food benefits without restrictions.¹¹²</p> <p><i>In Washington, qualified immigrants¹¹³ (including VAWA self-petitioners with prima facie determinations, Battered Spouse Waivers and lawful permanent residents) who are ineligible for federal SNAP are eligible for the State Food Assistance Program (FAP) without 5-year bar¹¹⁴ eligibility for this program may be affected be deeming.¹¹⁵</i></p>	<p>residency, under 18, elderly, or disabled).¹¹⁸ Also eligible under the Trafficking Victims Protection Act to the same extent as refugees.¹¹⁹</p> <p><u>Asylees:</u> <i>In Washington, victims of trafficking, trafficking related crimes, and protection order violations,¹²⁰ who are asylum applicants or persons preparing to file asylum applications¹²¹ (and their spouses and children and if the child applicant is under 21 the child's parents or unmarried siblings under the age of 18) are eligible for the State Food Assistance Program (FAP).¹²²</i></p>	<p>Family members with T visa status eligible for Basic Food benefits without HHS certification or eligibility determination.¹²⁵</p> <p>These human trafficking victims are eligible to the same extent as refugees and thus are eligible with no additional conditions.¹²⁶</p> <p><i>In Washington, qualified immigrants¹²⁷ (including trafficking victims with HHS OTIP certification or child eligibility letters including those granted continued presence) who are ineligible for federal SNAP are eligible for the State Food Assistance Program (FAP).¹²⁸</i></p> <p><u>Trafficking Victims:</u> <i>In Washington, survivors of human trafficking</i></p>		<p><i>In Washington, qualified immigrants¹⁴⁰ (SIJS lawful permanent residents) who are ineligible for federal SNAP are eligible for the State Food Assistance Program (FAP) without a 5-year bar.¹⁴¹</i></p> <p><i>In Washington, food assistance applicants who are PRUCOLs¹⁴² (including SIJS applicants and recipients) are eligible for the State Food Assistance Program (FAP).¹⁴³</i></p>	<p>elderly,¹⁴⁹ or disabled.¹⁵⁰</p> <p><i>In Washington, qualified immigrants¹⁵¹ (U visa lawful permanent residents) who are ineligible for federal SNAP are eligible for the State Food Assistance Program (FAP),¹⁵² without a 5-year bar, eligibility for this program may be affected be deeming.¹⁵³</i></p> <p><u>Survivors of Certain Crimes:</u> <i>In Washington, survivors of U visa listed crimes who have filed or are preparing to file U visa applications¹⁵⁴ (and their spouses and children and if the child applicant is under</i></p>	<p><i>spouses and children and if the child applicant is under 21 the child's parents or unmarried siblings under the age of 18) are eligible for the State Food Assistance Program (FAP).¹⁵⁷</i></p>	

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SNAP			<i>who have filed or are preparing to file applications for a T visa, continued presence, or ORR certification or child eligibility letter¹²⁹ including those granted continued presence¹³⁰ (and their spouses and children and if the child applicant is under 21 the child's parents or unmarried siblings under the age of 18) are eligible for the State Food Assistance Program (FAP).¹³¹</i>			<i>21 the child's parents or unmarried siblings under the age of 18) are eligible for the State Food Assistance Program (FAP).¹⁵⁵</i>		
The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)	<p>The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) provides Federal grants to States for supplemental foods, health care referrals, and nutrition education for low-income pregnant, breastfeeding, and non-breastfeeding postpartum women, and to infants and children up to age five who are found to be at nutritional risk, without regard to immigration status or naturalized citizenship.¹⁵⁸ Applicants must live in the state in which they apply, but are not required to live there for a certain amount of time in order to meet the WIC residency requirement.¹⁵⁹ Applicants must also have an income at or below an income level or standard set by the State agency or be determined automatically income-eligible based on participation in certain programs (TANF, SNAP benefits, Medicaid).¹⁶⁰</p> <p><i>In Washington, applicants should call the Family Health Hotline or text "WIC" to 96859 to find a WIC clinic for an appointment.¹⁶¹ In Washington, income eligibility guidelines for parents, grandparents, or caregivers of children or foster children or pregnant foster teens are set according to household size.¹⁶²</i></p>							

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Health Insurance on Exchanges^f	<p>Eligible with VAWA prima facie determination,¹⁶³ as a lawful permanent resident,¹⁶⁴ or naturalized citizen.¹⁶⁵</p> <p><i>In Washington, eligible to enroll in qualified health and dental plans through Washington's State Exchange (Healthplanfinder) and may qualify for cost savings options¹⁶⁶ which could include free coverage regardless of immigration status.¹⁶⁷</i></p>	<p><u>Refugee</u>: Eligible.¹⁶⁸</p> <p><u>Asylee</u>: Eligible; applicants eligible if granted work authorization, applicants under 14 eligible if application pending at least 180 days.¹⁶⁹</p> <p><u>T visa</u>: Eligible with prima facie (bona fide) determination on T visa application.¹⁷⁰</p> <p><u>Afghans special immigrants and Afghan and Ukrainian parolees</u> are eligible to the same extent as refugees.¹⁷¹</p> <p><i>In Washington, eligible to enroll in qualified health and dental plans through Washington's State Exchange (Healthplanfinder) and may qualify for cost savings options¹⁷²</i></p>	<p>Human trafficking victims eligible: with an HHS Certification (based on continued presence or a bona fide determination on a T visa application), or with an HHS eligibility determination (under 18).¹⁷⁴</p> <p>Family members with T visa status eligible without HHS certification or eligibility determination.¹⁷⁵</p> <p>These human trafficking victims are eligible to the same extent as refugees and thus are eligible regardless of date of entry.¹⁷⁶</p> <p><i>In Washington, eligible to enroll in qualified health and dental plans through</i></p>	<p>Eligible upon being granted Deferred Action for Childhood Arrivals (DACA).¹⁷⁹</p> <p><i>In Washington, eligible to enroll in qualified health and dental plans through Washington's State Exchange (Healthplanfinder) and may qualify for cost savings options¹⁸⁰ which could include free coverage regardless of immigration status.¹⁸¹</i></p>	<p>Eligible upon filing SIJS application.¹⁸²</p> <p><i>In Washington, eligible to enroll in qualified health and dental plans through Washington's State Exchange (Healthplanfinder) and may qualify for cost savings options¹⁸³ which could include free coverage regardless of immigration status.¹⁸⁴</i></p>	<p>Eligible upon U visa, bona fide determination,¹⁸⁵ or wait list approval.¹⁸⁶</p> <p><i>In Washington, eligible to enroll in qualified health and dental plans through Washington's State Exchange (Healthplanfinder) and may qualify for cost savings options¹⁸⁷ which could include free coverage regardless of immigration status.¹⁸⁸</i></p>	<p>Not eligible.¹⁸⁹</p> <p><i>In Washington, eligible to enroll in qualified health and dental plans through Washington's State Exchange (Healthplanfinder) and may qualify for cost savings options¹⁹⁰ which could include free coverage regardless of immigration status.¹⁹¹</i></p>	<p>Not eligible.¹⁹²</p> <p><i>In Washington, eligible to enroll in qualified health and dental plans through Washington's State Exchange (Healthplanfinder) and may qualify for cost savings options¹⁹³ which could include free coverage regardless of immigration status.¹⁹⁴</i></p>

^f Under the Affordable Care Act, in “mixed status” households, each family member may have different eligibility for exchanges and subsidies. NAT’L IMMIGRATION LAW CTR., FREQUENTLY ASKED QUESTIONS: THE AFFORDABLE CARE ACT & MIXED-STATUS FAMILIES (rev. 2014), <https://www.nilc.org/wp-content/uploads/2015/11/FAQ-ACA-and-mixed-status-families-2014-12-1.pdf>.

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Health Insurance Exchanges		<i>which could include free coverage regardless of immigration status.¹⁷³</i>	<i>Washington's State Exchange (Healthplanfinder) and may qualify for cost savings options¹⁷⁷ which could include free coverage regardless of immigration status.¹⁷⁸</i>					
Child Health Insurance Program (CHIP) ¹⁹⁵	<p>Eligible with VAWA prima facie determination or lawful permanent residence if arrived prior to August 22, 1996 and subject to five-year bar for those who arrived on or after August 22, 1996.¹⁹⁶</p> <p>Naturalized citizens eligible.¹⁹⁷</p> <p>Eligible for emergency Medicaid¹⁹⁸ and payments for the costs of Medical Forensic Examinations (including rape kits)¹⁹⁹ regardless of immigration or citizenship status.</p> <p><i>In Washington, state-funded CHIP is</i></p>	<p><u>Refugee/Asylee</u>: Eligible, exempt from five-year bar.²⁰⁸</p> <p><u>T visa</u>: with HHS certification or eligibility determination, immediately eligible under the Victims of Trafficking and Violence Protection Act of 2000 to the same extent as refugees.²⁰⁹</p> <p><u>T visa holders and T visa applicants</u> with prima facie (bona fide) determinations eligible as qualified immigrants, subject to five-year bar for those who arrived on or after August 22, 1996.²¹⁰</p>	<p>Human trafficking victims are eligible with an HHS certification (based on continued presence or a bona fide determination on a T visa application) or eligibility determination (under 18).²²⁵</p> <p>Family members with T visa status are eligible without HHS Certification or eligibility determination.²²⁶</p> <p>These human trafficking victims are eligible to the same extent as refugees and are exempt from five-year bar.²²⁷</p>	<p>Eligible for emergency Medicaid²⁴¹ and payments for the costs of Medical Forensic Examinations (including rape kits)²⁴² regardless of immigration or citizenship status.</p> <p><i>In Washington, state-funded CHIP is available through Apple Health for children up to age 19²⁴³ in income eligible households²⁴⁴ without regard to immigration status.²⁴⁵</i></p>	<p>Eligible upon receiving lawful permanent residency, subject to five-year bar for those who arrived on or after August 22, 1996.²⁵²</p> <p>Eligible for emergency Medicaid²⁵³ and payments for the costs of Medical Forensic Examinations (including rape kits)²⁵⁴ regardless of immigration or citizenship status.</p> <p><i>In Washington, state-funded CHIP is available through Apple Health for</i></p>	<p>If entered prior to August 22, 1996, eligible upon attaining lawful permanent residency.²⁶⁴</p> <p>If arrived on or after August 22, 1996, eligible upon receiving lawful permanent residency, but subject to five-year bar.²⁶⁵</p> <p>Eligible for emergency Medicaid²⁶⁶ and payments for the costs of Medical Forensic Examinations (including rape kits)²⁶⁷ regardless</p>	<p>Eligible for emergency Medicaid²⁷⁸ and payments for the costs of Medical Forensic Examinations (including rape kits)²⁷⁹ regardless of immigration or citizenship status.</p> <p><i>In Washington, state-funded CHIP is available through Apple Health for children up to age 19²⁸⁰ in income eligible households²⁸¹ without regard</i></p>	<p>Eligible for emergency Medicaid²⁹⁰ and payments for the costs of Medical Forensic Examinations (including rape kits)²⁹¹ regardless of immigration or citizenship status.</p> <p><i>In Washington, state-funded CHIP is available through Apple Health for children up to age 19²⁹² in income eligible households²⁹³</i></p>

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
CHIP	<p>available through Apple Health for Kids for children up to age 19²⁰⁰ in income eligible households²⁰¹ without regard to immigration status.²⁰²</p> <p>In Washington, pregnant people are eligible for full-scope health care,²⁰³ prenatal care,²⁰⁴ and 12 months after pregnancy coverage²⁰⁵ and all people are eligible for family planning services²⁰⁶ regardless of immigration status.²⁰⁷</p>	<p><u>Afghans special immigrants and Afghan and Ukrainian parolees</u> are eligible to the same extent as refugees.²¹¹</p> <p>Eligible for emergency Medicaid²¹² and payments for the costs of Medical Forensic Examinations (including rape kits)²¹³ regardless of immigration or citizenship status.</p> <p>In Washington, state-funded CHIP is available through Apple Health for Kids for children up to age 19²¹⁴ in income eligible households²¹⁵ without regard to immigration status.²¹⁶</p> <p>In Washington, pregnant people are eligible for full-scope health care,²¹⁷ prenatal care,²¹⁸ and 12 months after pregnancy coverage²¹⁹ and all people are eligible for family planning</p>	<p>Eligible for emergency Medicaid²²⁸ and payments for the costs of Medical Forensic Examinations (including rape kits)²²⁹ regardless of immigration or citizenship status.</p> <p>In Washington, state-funded CHIP is available through Apple Health for Kids for children up to age 19²³⁰ in income eligible households²³¹ without regard to immigration status.²³²</p> <p>In Washington, pregnant people are eligible for full-scope health care,²³³ prenatal care,²³⁴ and 12 months after pregnancy coverage²³⁵ and all people are eligible for family planning services²³⁶ regardless of immigration status.²³⁷</p> <p><u>Trafficking Victims:</u> In Washington, survivors of human trafficking</p>	<p>In Washington, pregnant people are eligible for full-scope health care,²⁴⁶ prenatal care,²⁴⁷ and 12 months after pregnancy coverage²⁴⁸ and all people are eligible for family planning services²⁴⁹ regardless of immigration status.²⁵⁰</p> <p>In Washington, lawfully present children (including DACA recipients) who are blind or have disabilities are eligible for Medical Care Services (MCS).²⁵¹</p>	<p>Kids for children up to age 19²⁵⁵ in income eligible households²⁵⁶ without regard to immigration status.²⁵⁷</p> <p>In Washington, pregnant people are eligible for full-scope health care,²⁵⁸ prenatal care,²⁵⁹ and 12 months after pregnancy coverage²⁶⁰ and all people are eligible for family planning services²⁶¹ regardless of immigration status.²⁶²</p> <p>In Washington, lawfully present children (including SIJS applicants) who are blind or have disabilities are eligible for Medical Care Services (MCS).²⁶³</p>	<p>of immigration or citizenship status.</p> <p>In Washington, state-funded CHIP is available through Apple Health for Kids for children up to age 19²⁶⁸ in income eligible households²⁶⁹ without regard to immigration status.²⁷⁰</p> <p>In Washington, pregnant people are eligible for full-scope health care,²⁷¹ prenatal care,²⁷² and 12 months after pregnancy coverage²⁷³ and all people are eligible for family planning services²⁷⁴ regardless of immigration status.²⁷⁵</p> <p><u>Survivors of Certain Crimes:</u> In Washington,</p>	<p>to immigration status.²⁸²</p> <p>In Washington, pregnant people are eligible for full-scope health care,²⁸³ prenatal care,²⁸⁴ and 12 months after pregnancy coverage²⁸⁵ and all people are eligible for family planning services²⁸⁶ regardless of immigration status.²⁸⁷</p> <p><u>Survivors of Certain Crimes:</u> In Washington, survivors of U visa listed crimes who have filed or are preparing to file U visa applications²⁸⁸ (and their spouses and children and if the child applicant is under 21 the</p>	<p>without regard to immigration status.²⁹⁴</p> <p>In Washington, pregnant people are eligible for full-scope health care,²⁹⁵ prenatal care,²⁹⁶ and 12 months after pregnancy coverage²⁹⁷ and all people are eligible for family planning services²⁹⁸ regardless of immigration status.²⁹⁹</p>

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
CHIP		<p><i>services²²⁰ regardless of immigration status.²²¹</i></p> <p><i>Asylees: In Washington, victims of trafficking, trafficking related crimes, and protection order violations,²²² who are asylum applicants or persons preparing to file asylum applications²²³ (and their spouses and children and if the child applicant is under 21 the child's parents or unmarried siblings under the age of 18) are eligible for Medical Care Services (MCS).²²⁴</i></p>	<p><i>who have filed or are preparing to file applications for a T visa, continued presence, or ORR certification or child eligibility letter²³⁸ including those granted continued presence²³⁹ (and their spouses and children and if the child applicant is under 21 the child's parents or unmarried siblings under the age of 18) are eligible for Medical Care Services (MCS).²⁴⁰</i></p>			<p><i>survivors of U visa listed crimes who have filed or are preparing to file U visa applications²⁷⁶ (and their spouses and children and if the child applicant is under 21 the child's parents or unmarried siblings under the age of 18) are eligible for Medical Care Services (MCS).²⁷⁷</i></p>	<p><i>child's parents or unmarried siblings under the age of 18) are eligible for Medical Care Services (MCS).²⁸⁹</i></p>	
Full-Scope Medicaid ³⁰⁰	<p>Eligible for Apple Health for Adults³⁰¹ and Apple Health for Families and Caretaker Relatives³⁰² with VAWA prima facie determination or lawful permanent residence if arrived prior to August 22, 1996 and subject to five-year bar for those</p>	<p>Refugee/Asylee: Eligible for Apple Health for Adults³¹⁹ and Apple Health for Families and Caretaker Relatives,³²⁰ exempt from five-year bar.³²¹</p> <p>T visa: with HHS certification or eligibility determination, immediately eligible</p>	<p>Human trafficking victims are eligible for Apple Health for Adults³⁴² and Apple Health for Families and Caretaker Relatives³⁴³ with an HHS Certification (based on continued presence or a bona fide determination on a T visa application) or eligibility</p>	<p>Eligible for emergency Medicaid³⁶² and payments for the costs of Medical Forensic Examinations (including rape kits)³⁶³ regardless of immigration or citizenship status.</p>	<p>Eligible for emergency Medicaid³⁷⁵ and payments for the costs of Medical Forensic Examinations (including rape kits)³⁷⁶ regardless of immigration or citizenship status.</p>	<p>Eligible for emergency Medicaid³⁹⁰ and payments for the costs of Medical Forensic Examinations (including rape kits)³⁹¹ regardless of immigration or citizenship status.</p>	<p>Eligible for emergency Medicaid⁴⁰⁸ and payments for the costs of Medical Forensic Examinations (including rape kits)⁴⁰⁹ regardless of immigration or citizenship status.</p>	<p>Eligible for emergency Medicaid⁴¹⁸ and payments for the costs of Medical Forensic Examinations (including rape kits)⁴¹⁹ regardless of immigration or citizenship status.</p>

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Full-Scope Medicaid	<p>who arrived on or after August 22, 1996.³⁰³</p> <p>Naturalized citizens eligible for Apple Health for Adults³⁰⁴ and Apple Health for Families and Caretaker³⁰⁵ Relatives.³⁰⁶</p> <p>Eligible for emergency Medicaid³⁰⁷ and payments for the costs of Medical Forensic Examinations (including rape kits)³⁰⁸ regardless of immigration or citizenship status.</p> <p><i>In Washington, qualified immigrant³⁰⁹ adults (including VAWA self-petitioners, Battered Spouse Waivers, and lawful permanent residents)³¹⁰ are eligible during the 5-year bar to enroll in qualified health plans with advance premium tax credits³¹¹ through Washington's State</i></p>	<p>under the Victims of Trafficking and Violence Protection Act of 2000 are eligible for Apple Health for Adults³²² and Apple Health for Families and Caretaker Relatives³²³ to the same extent as refugees.³²⁴</p> <p><u>T visa holders and T visa applicants</u> with prima facie (bona fide) determinations are eligible as qualified immigrants for Apple Health for Adults³²⁵ and Apple Health for Families and Caretaker Relatives,³²⁶ subject to five-year bar for those who arrived on or after August 22, 1996.³²⁷</p> <p><u>Afghans special immigrants and Afghan and Ukrainian parolees</u> are eligible for Apple Health for Adults³²⁸ and Apple Health for Families and Caretaker Relatives³²⁹ to the same extent as refugees.³³⁰</p>	<p>determination (under 18).³⁴⁴</p> <p>Family members with T visa status eligible Apple Health for Adults³⁴⁵ and Apple Health for Families and Caretaker Relatives³⁴⁶ without HHS Certification or eligibility determination.³⁴⁷</p> <p>These human trafficking victims are eligible Apple Health for Adults³⁴⁸ and Apple Health for Families and Caretaker Relatives³⁴⁹ to the same extent as refugees and are exempt from five-year bar.³⁵⁰</p> <p>Eligible for emergency Medicaid³⁵¹ and payments for the costs of Medical Forensic Examinations (including rape kits)³⁵² regardless of immigration or citizenship status.</p>	<p><i>In Washington, lawfully present adults (including DACA recipients)³⁶⁴ are eligible to enroll in qualified health plans with advance premium tax credits³⁶⁵ through Washington's State Exchange (Healthplanfinder)³⁶⁶</i></p> <p><i>In Washington, emergency medical assistance may be available under Washington Apple Health³⁶⁷ and eligible for prenatal care, regardless of immigration status.³⁶⁸</i></p> <p><i>In Washington, pregnant people are eligible for full-scope health care,³⁶⁹ prenatal care,³⁷⁰ and 12 months after pregnancy coverage³⁷¹ and all people are eligible</i></p>	<p>Eligible for Apple Health for Adults³⁷⁷ and Apple Health for Families and Caretaker Relatives³⁷⁸ after receiving SIJS lawful permanent residency, subject to five-year bar for those who arrived on or after August 22, 1996.³⁷⁹</p> <p><i>In Washington, lawfully present adults (including SIJS applicants and recipients of SIJS approvals) and qualified immigrant³⁸⁰ adults (including SIJS lawful permanent residents)³⁸¹ are eligible during the 5-year bar to enroll in qualified health plans with advance premium tax credits³⁸² through Washington's State Exchange (Healthplanfinder)³⁸³</i></p>	<p>If entered prior to August 22, 1996, eligible Apple Health for Adults³⁹² and Apple Health for Families and Caretaker Relatives³⁹³ upon attaining U visa lawful permanent residency.³⁹⁴</p> <p>If arrived on or after August 22, 1996, eligible for Apple Health for Adults and Apple Health for Families and Caretaker Relatives upon receiving U visa lawful permanent residency, subject to five-year bar.³⁹⁵</p> <p><u>Survivors of Certain Crimes:</u> <i>In Washington, survivors of U visa listed crimes who have filed or are preparing to file U visa</i></p>	<p><u>Survivors of Certain Crimes:</u> <i>In Washington, survivors of U visa listed crimes who have filed or are preparing to file U visa</i></p> <p><i>In Washington, pregnant people are eligible for full-scope health care,⁴¹² prenatal care,⁴¹³ and 12 months after pregnancy coverage⁴¹⁴ and all people are</i></p>	<p><i>In Washington, adults who are undocumented or lawfully present⁴²⁰ without employment authorization⁴²¹ are eligible for Apple Health Expansion.⁴²²</i></p> <p><i>In Washington, pregnant people are eligible for full-scope health care,⁴²³ prenatal care,⁴²⁴ and 12 months after pregnancy coverage⁴²⁵ and all people are eligible for family planning services⁴²⁶ regardless of immigration status.⁴²⁷</i></p> <p><i>In Washington, eligible for Apple Health Alien Emergency Medical for</i></p>

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Full-Scope Medicaid	<p><i>Exchange (Healthplanfinder)</i>³¹²</p> <p><i>In Washington, pregnant people are eligible for full-scope health care,³¹³ prenatal care,³¹⁴ and 12 months after pregnancy coverage³¹⁵ and all people are eligible for family planning services³¹⁶ regardless of immigration status.³¹⁷</i></p> <p><i>In Washington, eligible for for Apple Health Alien Emergency Medical for treatment of cancer, dialysis, COVID 19, long term care or certain other medical emergencies.³¹⁸</i></p>	<p>Eligible for emergency Medicaid³³¹ and payments for the costs of Medical Forensic Examinations (including rape kits)³³² regardless of immigration or citizenship status.</p> <p><i>Asylees:</i> <i>In Washington, victims of trafficking, trafficking related crimes, and protection order violations,³³³ who are asylum applicants or persons preparing to file asylum applications³³⁴ (and their spouses and children and if the child applicant is under 21 the child's parents or unmarried siblings under the age of 18) are eligible for Medical Care Services (MCS).³³⁵</i></p> <p><i>In Washington, pregnant people are eligible for full-scope health care,³³⁶ prenatal care,³³⁷ and 12 months after pregnancy coverage³³⁸ and all people are eligible for</i></p>	<p><i>Trafficking Victims:</i> <i>In Washington, survivors of human trafficking who have filed or are preparing to file applications for a T visa, continued presence, or ORR certification or child eligibility letter³⁵³ including those granted continued presence³⁵⁴ (and their spouses and children and if the child applicant is under 21 the child's parents or unmarried siblings under the age of 18) are eligible for Medical Care Services (MCS).³⁵⁵</i></p> <p><i>In Washington, pregnant people are eligible for full-scope health care,³⁵⁶ prenatal care,³⁵⁷ and 12 months after pregnancy coverage³⁵⁸ and all people are eligible for family planning services³⁵⁹ regardless of immigration status.³⁶⁰</i></p>	<p><i>for family planning services³⁷² regardless of immigration status.³⁷³</i></p> <p><i>In Washington, eligible for for Apple Health Alien Emergency Medical for treatment of cancer, dialysis, COVID 19, long term care or certain other medical emergencies.³⁷⁴</i></p>	<p><i>In Washington, pregnant people are eligible for full-scope health care,³⁸⁴ prenatal care,³⁸⁵ and 12 months after pregnancy coverage³⁸⁶ and all people are eligible for family planning services³⁸⁷ regardless of immigration status.³⁸⁸</i></p> <p><i>In Washington, eligible for for Apple Health Alien Emergency Medical for treatment of cancer, dialysis, COVID 19, long term care or certain other medical emergencies.³⁸⁹</i></p>	<p><i>applications³⁹⁶ (and their spouses and children and if the child applicant is under 21 the child's parents or unmarried siblings under the age of 18) are eligible for Medical Care Services (MCS).³⁹⁷</i></p> <p><i>In Washington, qualified immigrant³⁹⁸ adults (including U visa permanent residents)³⁹⁹ are eligible during the 5-year bar to enroll in qualified health plans with advance premium tax credits⁴⁰⁰ through Washington's State Exchange⁴⁰¹</i></p> <p><i>In Washington, pregnant people</i></p>	<p><i>eligible for family planning services⁴¹⁵ regardless of immigration status.⁴¹⁶</i></p> <p><i>In Washington, eligible for for Apple Health Alien Emergency Medical for treatment of cancer, dialysis, COVID 19, long term care or certain other medical emergencies.⁴¹⁷</i></p>	<p><i>treatment of cancer, dialysis, COVID 19, long term care or certain other medical emergencies.⁴²⁸</i></p> <p style="text-align: right;">⁴²⁹</p>

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Full-Scope Medicaid		<p><i>family planning services³³⁹ regardless of immigration status.³⁴⁰</i></p> <p><i>In Washington, eligible for Apple Health Alien Emergency Medical for treatment of cancer, dialysis, COVID 19, long term care or certain other medical emergencies.³⁴¹</i></p>	<p><i>In Washington, eligible for Apple Health Alien Emergency Medical for treatment of cancer, dialysis, COVID 19, long term care or certain other medical emergencies.³⁶¹</i></p>			<p><i>are eligible for full-scope health care,⁴⁰² prenatal care,⁴⁰³ and 12 months after pregnancy coverage⁴⁰⁴ and all people are eligible for family planning services⁴⁰⁵ regardless of immigration status.⁴⁰⁶</i></p> <p><i>In Washington, eligible for Apple Health Alien Emergency Medical for treatment of cancer, dialysis, COVID 19, long term care or certain other medical emergencies.⁴⁰⁷</i></p>		
Victims of Crime Act (VOCA) Compensation	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 or naturalized citizenship. ⁴³⁰							
Family Medical Leave	<i>In Washington, eligible for Paid Family and Medical Leave⁴³³ and federal</i>	<i>In Washington, eligible for Paid Family and Medical Leave⁴³⁵ and federal FMLA⁴³⁶</i>	<i>In Washington, eligible for Paid Family and Medical Leave⁴³⁷ and federal</i>	<i>In Washington, eligible for Paid Family and Medical Leave⁴³⁹</i>	<i>In Washington, eligible for Paid Family and Medical Leave⁴⁴¹ and federal</i>	<i>In Washington, eligible for Paid Family and Medical Leave⁴⁴³</i>	<i>In Washington, eligible for Paid Family and Medical</i>	<i>In Washington, eligible for Paid Family and Medical</i>

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Act (FMLA)⁴³¹ – State Law⁴³²	<i>FMLA⁴³⁴ without regard to immigration status.</i>	<i>without regard to immigration status.</i>	<i>FMLA⁴³⁸ without regard to immigration status.</i>	<i>and federal FMLA⁴⁴⁰ without regard to immigration status.</i>	<i>FMLA⁴⁴² without regard to immigration status.</i>	<i>and federal FMLA⁴⁴⁴ without regard to immigration status.</i>	<i>Leave⁴⁴⁵ and federal FMLA⁴⁴⁶ without regard to immigration status.</i>	<i>Leave⁴⁴⁷ and federal FMLA⁴⁴⁸ without regard to immigration status.</i>
Education-Federal Benefits: Federal Student Aid, Grants and Loans⁴⁴⁹	VAWAs with prima facie determinations, Battered Spouse Waiver applicants, and all lawful permanent residents, eligible. ⁴⁵⁰ Naturalized citizens, eligible. ⁴⁵¹	Refugees, Asylees, and T visa holders or T visa applicants with prima facie (bona fide) determination, an HHS Certification or eligibility letter are eligible for federal student aid. ⁴⁵²	Human trafficking victims eligible: with an HHS Certification (based on continued presence or a bona fide determination on a T visa application), or with an HHS eligibility determination (under 18), and family members with T visa status, are eligible for federal student aid. ⁴⁵³	Not eligible for federal student aid. ⁴⁵⁴	Eligible for federal student aid upon receipt of lawful permanent residency. ⁴⁵⁵	Eligible for federal student aid upon receipt of lawful permanent residency. ⁴⁵⁶	Not eligible for federal student aid.	Not eligible for federal student aid.
Education-State Law	<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.⁴⁵⁷</p> <p><i>At its public postsecondary institutions, Washington allows in-state tuition and state financial aid for students who:⁴⁵⁸</i></p> <ul style="list-style-type: none"> • <i>Completed or obtained a high school diploma or received a GED from a high school in Washington State;</i> • <i>Has continuously lived in Washington for at least a year primarily for purposes other than post-secondary education before the student is admitted to public institution of higher education; and</i> • <i>Files an affidavit indicating that they will file an application to become a permanent resident at the earliest opportunity they are eligible to do so and a willingness to engage in any other activities necessary to acquire citizenship, including but not limited to citizenship or civics review courses.</i> <p><i>A student may also be considered a “resident student” if the student spends at least 75% of his or her junior and senior years of high school in the state or their parent or guardian has been domiciled in the state for at least one year within the 5 year period before the student graduates from high school.⁴⁵⁹ Additionally, people who move to Washington and immediately start college are eligible for resident tuition and state financial aid without regard to immigration status.⁴⁶⁰</i></p>							

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Supplemental Security Income (SSI) ⁴⁶¹	<p>Eligible for SSI and SSI Related Medicaid⁴⁶² with VAWA prima facie determination, Battered Spouse Waiver, or lawful permanent residence if received SSI on August 22, 1996, or lawfully residing in the U.S. as of that date and now disabled.⁴⁶³ May also be eligible with a prima facie determination if currently receiving SSI based on an application filed before 1979.⁴⁶⁴</p> <p>Eligible for SSI and SSI Related Medicaid⁴⁶⁵ upon receiving lawful permanent residency if credited with 40 quarters of work,⁴⁶⁶ subject to five-year bar for those who arrived on or after August 22, 1996.⁴⁶⁷</p> <p>Naturalized citizens, eligible.⁴⁶⁸</p>	<p><u>Refugees/Asylees:</u> Eligible for SSI and SSI Related Medicaid⁴⁷² during first seven years after the status was granted.⁴⁷³</p> <p><u>Trafficking victims:</u> Eligible under the Victims of Trafficking and Violence Protection Act of 2000 to the same extent as refugees.⁴⁷⁴</p> <p><u>T visa</u>⁴⁷⁵: Eligible for SSI and SSI Related Medicaid⁴⁷⁶ as a qualified immigrant with prima facie (bona fide) determination on T visa application if receiving SSI on August 22, 1996, or lawfully residing in the U.S. as of that date and now disabled.⁴⁷⁷ May also be eligible with a prima facie determination if currently receiving SSI based on an application filed before 1979.⁴⁷⁸ This eligibility allows trafficking victims who are disabled to continue</p>	<p>Human trafficking victims: with an HHS Certification (based on continued presence or a bona fide determination on a T visa application) or with an HHS eligibility determination (under 18), or family members with T visa status (no need for HHS certification or eligibility determination) are eligible for SSI and SSI Related Medicaid⁴⁸³ to the same extent as refugees.⁴⁸⁴</p> <p><u>Trafficking Victims:</u> <i>In Washington, survivors of human trafficking who have filed or are preparing to file applications for a T visa, continued presence, or ORR certification or child eligibility letter</i>⁴⁸⁵ including those granted continued presence⁴⁸⁶ (and their spouses and children</p>	Not eligible.	<p>Eligible for SSI and SSI Related Medicaid⁴⁸⁸ upon receiving lawful permanent residency if credited with 40 quarters of work,⁴⁸⁹ subject to five-year bar for those who arrived on or after August 22, 1996.⁴⁹⁰</p> <p><i>In Washington, qualified immigrants</i>⁴⁹¹ (including SIJS lawful permanent residents)⁴⁹² are eligible for the Aged, Blind, or Disabled (ABD) cash assistance program with no 5-year bar.⁴⁹³</p> <p><i>In Washington, lawfully present immigrants</i>⁴⁹⁴ (including SIJS applicants and recipients)⁴⁹⁵ are eligible for the Aged, Blind, or Disabled (ABD) cash assistance</p>	<p>Eligible for SSI and SSI Related Medicaid⁴⁹⁸ upon receiving lawful permanent residency if: credited with 40 quarters of work⁴⁹⁹ subject to five-year bar for those who arrived on or after August 22, 1996; or if receiving SSI as of August 22, 1996; or if lawfully residing in U.S. as of that date and now disabled.⁵⁰⁰ Lawful permanent residents may also be eligible if currently receiving SSI based on an application filed before 1979.⁵⁰¹</p> <p><i>In Washington, lawfully present immigrants</i>⁵⁰² (including U visa holders, and U visa applicants</p>	<p>Not federally eligible.⁵⁰⁹</p> <p><u>Survivors of Certain Crimes:</u> <i>In Washington, survivors of U visa listed crimes who have filed or are preparing to file U visa applications</i>⁵¹⁰ (and their spouses and children and if the child applicant is under 21 the child's parents or unmarried siblings under the age of 18) are eligible for the Aged, Blind, or Disabled (ABD) cash assistance program.⁵¹¹</p>	Not eligible. ⁵¹²

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
SSI	<i>In Washington, qualified immigrants⁴⁶⁹ (including VAWA self-petitioners with prima facie determinations, Battered Spouse Waivers, and lawful permanent residents)⁴⁷⁰ are eligible for the Aged, Blind, or Disabled (ABD) cash assistance program with no 5-year bar.⁴⁷¹</i>	to receive SSI after the 7-years. ⁴⁷⁹ <i><u>Asylees:</u> In Washington, victims of trafficking, trafficking related crimes, and protection order violations,⁴⁸⁰ who are asylum applicants or persons preparing to file asylum applications⁴⁸¹ (and their spouses and children and if the child applicant is under 21 the child's parents or unmarried siblings under the age of 18) are eligible for the Aged, Blind, or Disabled (ABD) cash assistance program.⁴⁸²</i>	<i>and if the child applicant is under 21 the child's parents or unmarried siblings under the age of 18) are eligible for the Aged, Blind, or Disabled (ABD) cash assistance program.⁴⁸⁷</i>		<i>program⁴⁹⁶ with no 5-year bar, may be affected by deeming.⁴⁹⁷</i>	<i>deferred action⁵⁰³ as recipients of bona fide determinations or waitlist approvals⁵⁰⁴ are eligible for the Aged, Blind, or Disabled (ABD) cash assistance program⁵⁰⁵ with no 5-year bar, may be affected by deeming.⁵⁰⁶</i> <i><u>Survivors of Certain Crimes:</u> In Washington, survivors of U visa listed crimes who have filed or are preparing to file U visa applications⁵⁰⁷ (and their spouses and children and if the child applicant is under 21 the child's parents or unmarried siblings under the age of 18) are eligible for the Aged, Blind, or</i>		

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
SSI						Disabled (ABD) cash assistance program. ⁵⁰⁸		
Professional & Occupational Licenses	Washington grants occupational and professional licenses to all persons without regard to citizenship, immigration status, or lawful presence and authorizes applicants for licenses to submit an individual tax payer identification number (ITIN) in lieu of a social security number. ⁵¹³							
Driver's License ⁵¹⁴	<p>Under the REAL ID Act, evidence of “lawful status” or naturalized citizenship is required for a driver’s license to be accepted by a federal agency for official purposes.⁵¹⁵ The Department of Homeland Security (DHS), by regulation, lists specific documents that will provide satisfactory evidence of lawful status.⁵¹⁶ All documentation for REAL ID compliant ID’s will be submitted through the Systematic Alien Verification for Entitlements Program (S.A.V.E.).⁵¹⁷ DHS will also approve acceptance of other documentation issued by DHS or other Federal agencies demonstrating lawful status, as determined by USCIS.⁵¹⁸ In addition, DHS permits states to establish an “Exception Process” and consider “Alternative Documents.”⁵¹⁹</p> <p><i>In Washington, an application for an enhanced driver’s license or identity card requires U.S. citizenship.⁵²⁰ To be issued a standard license the following documentation is required:</i></p> <ul style="list-style-type: none"> • Proof identity documents vary by age of the applicant ⁵²¹ • Proof of social security number (applicants must provide the number or sign declaration that they do not have one) • Proof of Washington residency⁵²² • Auto insurance⁵²³ • Medical and vision screening⁵²⁴ <p><i>Washington accepts the following documents from applicants:</i></p> <ul style="list-style-type: none"> • Stand-alone documents (including Employment authorization document I-766 ⁵²⁵, Permanent Resident Card I-551, Refugee Travel Document I-571, Permit for Reentry I-327) <ul style="list-style-type: none"> ◦ The stage in the immigration application process at which most immigrant crime victims will receive full a state issued driver’s license is upon receipt of employment authorization.⁵²⁶ • A-List Documents (including I-551 Alien Documentation and Identification System (ADIT) stamp, Foreign Driver License, U.S. state-issued driver’s license) • B-List Documents (including Concealed weapons permit/gun permit issued by a Washington State County, valid Mexican Matricula Consular ID card, Mexican Federal Electoral Card, Medicare card, Valid Guatemala Consulate ID card) ⁵²⁷ 						Washington provides state-issued standard driver’s licenses to noncitizen state residents regardless of immigration status. ⁵²⁸	
Housing, Health, and Other Services Necessary to	Certain federally assisted programs providing services necessary to protect life or safety must make those services available without regard to immigration status or naturalized citizenship and may not withhold those services based on immigration status. ⁵²⁹ Programs considered necessary for the protection of life or safety include, but are not limited to: short term shelter or transitional housing for the homeless, or for victims of domestic abuse, sexual assault, stalking, dating violence, or human trafficking, or for runaway, abused or abandoned children; crisis counseling and intervention programs; services and assistance relating to victims of domestic violence or other criminal activity, child protection, adult protective services, or violence and abuse prevention; soup kitchens, community food banks, senior nutrition programs and other nutritional programs for persons requiring special							

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Protect Life or Safety	<p>assistance (e.g., WIC); medical and public health services (including federally qualified health centers); mental health, disability, or substance abuse assistance necessary to protect life or safety; activities designed to protect the life or safety of workers, children and youths, or community residents; programs to help individuals during periods of adverse weather conditions.⁵³⁰</p> <p><i>In Washington, the Department of Commerce administers the Emergency Solutions Grant (ESG) and provides street outreach, shelter, and rapid re-housing services to the homeless, and homelessness prevention services to those at risk of homelessness.⁵³¹ Housing and Essential Needs (HEN) Referral program can provide housing assistance for low-income adults who are unable to work for at least 90 days due to a physical or mental incapacity and are ineligible for Aged, Blind or Disabled (ABD) cash assistance.⁵³² Additional Emergency Programs may provide cash assistance for an emergency housing need.⁵³³</i></p>							
Public and Assisted Housing⁵³⁴ and Low-Income Housing Tax Credit (LIHTC) Housing⁵³⁶	<p>Upon filing VAWA self-petition, applicant cannot be denied HUD public or assisted housing unless and until a final determination of ineligibility.⁵³⁷</p> <p>USDA rental housing follows HUD procedures for processing VAWA self-petitions,⁵³⁸ so should be eligible for all USDA rental housing unless and until a final determination of ineligibility.</p> <p>Regardless of immigration status, eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),⁵³⁹ and</p>	<p><u>Refugee/Asylee, T visa holder or T visa applicant</u> with prima facie (bona fide) determination eligible for:</p> <p>HUD public and assisted housing;⁵⁵⁰ USDA Section 515 Rural Rental Housing;⁵⁵¹ USDA Section 521 Rural Rental Assistance;⁵⁵² USDA Section 514/516 Farm Labor Housing if immediate family member⁵⁵³ or remaining household member⁵⁵⁴ of eligible domestic farm laborer.</p> <p>Upon receiving lawful permanent residency USDA Section 514/516 Farm Labor Housing.⁵⁵⁵</p>	<p>Human trafficking victims with an HHS Certification (based on continued presence or a bona fide determination on a T visa application), or with an HHS eligibility determination (under 18), and family members with T visa status (no need for HHS certification or eligibility determination),⁵⁵⁸ are eligible for: HUD public and assisted housing⁵⁵⁹ and USDA rental housing.⁵⁶⁰</p> <p><i>In Washington, may be eligible to live in Washington Low-Income Housing Tax Credit property.⁵⁶¹</i></p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),⁵⁶³ and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.⁵⁶⁴</p> <p><i>In Washington, may be eligible to live in Washington Low-Income Housing Tax Credit property.⁵⁶⁵</i></p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),⁵⁶⁶ and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.⁵⁶⁷</p> <p>Upon receiving lawful permanent residency,⁵⁶⁸ eligible for HUD⁵⁶⁹ and USDA⁵⁷⁰ rental housing.⁵⁷¹</p> <p><i>In Washington, may be eligible to live in Washington Low-Income Housing Tax Credit property⁵⁷²</i></p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),⁵⁷⁴ and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.⁵⁷⁵</p> <p>Upon receiving lawful permanent residency,⁵⁷⁶ eligible for HUD⁵⁷⁷ and USDA⁵⁷⁸ rental housing.⁵⁷⁹</p> <p><i>In Washington, may be eligible to live in Washington Low-Income Housing Tax Credit property.⁵⁸⁴</i></p> <p><i>In Washington, U visa applicants and persons</i></p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),⁵⁸² and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.⁵⁸³</p> <p><i>In Washington, may be eligible to live in Washington Low-Income Housing Tax Credit property.⁵⁸⁴</i></p> <p><i>In Washington, U visa applicants and persons</i></p>	<p>Eligible for USDA Section 515 Rural Rental Housing (without Rental Assistance),⁵⁸⁶ and Section 514/516 Farm Labor Housing if immediate family member of eligible domestic farm laborer.⁵⁸⁷</p> <p><i>In Washington, may be eligible to live in Washington Low-Income Housing Tax Credit property.⁵⁸⁸</i></p>

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Public and Assisted Housing and LIHTC	<p>USDA Section 514/516 Farm Labor Housing if immediate family member of eligible tenant.⁵⁴⁰</p> <p>Upon filing self-VAWA self-petition, remaining household member of eligible domestic farm laborer eligible to continue to occupy USDA Section 514/516 Farm Labor Housing unit.⁵⁴¹</p> <p>Lawful permanent residents are eligible for public and assisted housing⁵⁴² and for USDA Section 514/516 Farm Labor or Housing,⁵⁴³ USDA Section 521 Rural Rental Assistance.⁵⁴⁴</p> <p>Naturalized citizens are eligible for public and assisted housing⁵⁴⁵ and for USDA Section 514/516 Farm Labor Housing,⁵⁴⁶ USDA Section 521 Rural Rental Assistance.⁵⁴⁷</p>	<p><i>In Washington, may be eligible to live in Washington Low-Income Housing Tax Credit property.⁵⁵⁶</i></p> <p><i>In Washington, may qualify for the Housing Essential Needs (HEN) Referral Program.⁵⁵⁷</i></p>	<p><i>In Washington, may qualify for the Housing Essential Needs (HEN) Referral Program.⁵⁶²</i></p>		<p><i>In Washington, upon receiving lawful permanent residency may qualify for the Housing Essential Needs (HEN) Referral Program.⁵⁷³</i></p>	<p><i>Tax Credit property.⁵⁸⁰</i></p> <p><i>In Washington, upon receiving lawful permanent residency may qualify for the Housing Essential Needs (HEN) Referral Program.⁵⁸¹</i></p>	<p><i>preparing U visa applications may qualify for the Housing Essential Needs (HEN) Referral Program.⁵⁸⁵</i></p>	

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
Public and Assisted Housing and LIHTC	<p><i>In Washington, may qualify for the Housing Essential Needs (HEN) Referral Program.⁵⁴⁸</i></p> <p><i>In Washington, may be eligible to live in Washington Low-Income Housing Tax Credit property.⁵⁴⁹</i></p>							
Income Tax Credits	<p>Child Tax Credit: Immigrants with social security numbers or Individual Taxpayer Identification Numbers (ITINs) who care for dependent children under the age of 17 are eligible to claim a child tax credit on their income taxes.⁵⁸⁹ A qualifying child must be a citizen, national, or resident of the U.S with an SSN or an Individual Taxpayer Identification Number (ITIN).⁵⁹⁰ Immigrants eligible to receive social security numbers include naturalized citizens, lawful permanent residents, refugees, asylees, and VAWA self-petitioners, T visa applicants with bona fide determinations, and wait-list approved U visa applicants once they are granted work authorization. Any immigrant without regard to immigration status can obtain an ITIN.⁵⁹¹</p> <p>Child and Dependent Care Tax Credit: Immigrants with social security numbers or Individual Taxpayer Identification Numbers (ITINs) can claim a child or dependent care tax credit on their income taxes when they care for—</p> <ul style="list-style-type: none"> • A dependent child under the age of 13, • A spouse who is unable to physically or mentally care for themselves, or • An individual who is unable to care for themselves, mentally or physically who has lived with the taxpayer for at least six months.⁵⁹² <p>The child or dependent must have a social security number or ITIN.⁵⁹³ Immigrants eligible to receive social security numbers include naturalized citizens, lawful permanent residents, refugees, asylees, and VAWA self-petitioners, T visa applicants with bona fide determinations and wait-list approved U visa applicants once they are granted work authorization. Any immigrant without regard to immigration status can obtain an ITIN.⁵⁹⁴</p>							
Earned Income Tax Credit (EITC)	VAWA self-petitioners, lawful permanent residents, and naturalized citizens who ⁵⁹⁵ : have been granted work authorization or who are granted lawful	Refugees, asylees, asylum applicants, and T visa holders with work authorization or lawful permanent residency who: have lived in the U.S. for at least 183 days during	Recipients of T visa bona fide determinations or continued presence who: are granted work authorization, have lived in the U.S. for at least 183 days during	DACA applicants who: are granted work authorization, have lived in the U.S. for at least 183 days during the tax year, ⁶⁰⁸ have a	SIJS recipients granted lawful permanent residency who: have lived in the U.S. at least 183 days during the tax year, ⁶¹² have a	Once granted lawful permanent residency or work authorization U visa holders and U visa applicants with deferred	Not eligible.	Not eligible.

	VAWA Self-Petitioners, Battered Spouse Waivers,¹ Lawful Permanent Residents, COFA Nationals,² and Naturalized Citizens	Refugees, Asylees, T Visas,³ Afghans,⁴ and Ukrainians⁵	T Visa⁶/ Continued Presence⁷	Deferred Action for Childhood Arrivals (DACA)⁸	Special Immigrant Juvenile Status (SIJS)⁹	U Visa, bona fide, or wait list approval.¹⁰	U Visa Applicants	Undocumented
EITC	permanent residency, have lived in the U.S. for at least 183 days during the tax year, ⁵⁹⁶ have a social security number valid for work, ⁵⁹⁷ and have earned income during the tax year ⁵⁹⁸ are eligible for the earned income tax credit (EITC). ⁵⁹⁹	the tax year, ⁶⁰⁰ have a social security number valid for work, ⁶⁰¹ and have earned income during the tax year ⁶⁰² are eligible for the earned income tax credit (EITC). ⁶⁰³	the tax year, ⁶⁰⁴ have a social security number valid for work, ⁶⁰⁵ and have earned income during the tax year ⁶⁰⁶ are eligible for the earned income tax credit (EITC). ⁶⁰⁷	social security number valid for work, ⁶⁰⁹ and have earned income during the tax year ⁶¹⁰ are eligible for the earned income tax credit (EITC). ⁶¹¹	social security number valid for work, ⁶¹³ and have earned income during the tax year ⁶¹⁴ are eligible for the earned income tax credit (EITC). ⁶¹⁵	action (based on bona fide determinations or wait-list approval) who have lived in the U.S. for six months, who have a social security number valid for work, and who are earning income are eligible for the earned income tax credit (EITC).		
Legal Services⁶¹⁶	An immigrant who (or whose child) is battered or subjected to extreme cruelty ⁶¹⁷ inside or outside of the United States ⁶¹⁸ is eligible for legal assistance from Legal Services Corporation (LSC)-funded agencies on matters related to the abuse. ⁶¹⁹ Eligible for legal assistance on any matter the LSC-funded agency handles upon receiving lawful permanent resident	<u>Refugee/Asylee:</u> Refugees and Asylees are eligible for legal assistance on any matter the Legal Services Corporation (LSC)-funded agency handles. ⁶²⁹ <u>T visa:</u> An immigrant who has been (or whose child has been) a victim of trafficking in the U.S., including a T visa holder, ⁶³⁰ is eligible for legal assistance on any matter the LSC-funded agency handles. ⁶³¹	An immigrant victim of severe forms of human trafficking with (or seeking) HHS Certification, ⁶³⁶ and family members with (or applying for) T visa status, ⁶³⁷ are eligible for legal assistance on any matter the LSC-funded agency handles. Eligible for Office of Violence Against Women funded Legal Assistance ⁶³⁸ for victims of domestic violence, sexual	A DACA recipient who is (or whose child is) battered or subjected to extreme cruelty, ⁶⁴² or is a victim of sexual assault or trafficking in the U.S., ⁶⁴³ is eligible for legal services from LSC-funded agencies ⁶⁴⁴ on matters related to the abuse. ⁶⁴⁵ Eligible for Office of Violence Against Women	Eligible for LSC-funded legal assistance when the child has suffered battering or extreme cruelty, ⁶⁵⁰ or sexual assault or trafficking in the U.S., ⁶⁵¹ on matters related to the abuse. ⁶⁵² Eligible for legal assistance on any matter the LSC-funded agency handles upon receiving LPR status, ⁶⁵³ or, for the spouse, parent or	An immigrant who has (or whose child has) been granted, applied for, or qualifies to apply for U visa status and a family member eligible to apply for U visa status ⁶⁵⁹ is eligible for legal assistance from Legal Services Corporation (LSC)-funded agencies ⁶⁶⁰ on matters related to	An immigrant who has (or whose child has) applied for, or qualifies to apply for U visa status and a family member eligible to apply for U visa status ⁶⁶⁸ is eligible for legal assistance from Legal Services Corporation (LSC)-funded agencies ⁶⁶⁹ on matters related	An immigrant victim who is (or whose child is), battered or subjected to extreme cruelty, ⁶⁷⁵ or is a victim of sexual assault or trafficking in the U.S., ⁶⁷⁶ is eligible for legal services from LSC-funded agencies ⁶⁷⁷ on matters related to the abuse. ⁶⁷⁸

	VAWA Self-Petitioners, Battered Spouse Waivers,¹ Lawful Permanent Residents, COFA Nationals,² and Naturalized Citizens	Refugees, Asylees, T Visas,³ Afghans,⁴ and Ukrainians⁵	T Visa⁶/ Continued Presence⁷	Deferred Action for Childhood Arrivals (DACA)⁸	Special Immigrant Juvenile Status (SIJS)⁹	U Visa, bona fide, or wait list approval.¹⁰	U Visa Applicants	Undocumented
Legal Services	<p>status,⁶²⁰ or spouses, parents, and unmarried children under age 21 of U.S. citizens⁶²¹ become eligible for full representation on any matter upon filing an application for lawful permanent residency.⁶²²</p> <p>Lawful permanent residents, applicants for lawful permanent residency,⁶²³ and naturalized citizens⁶²⁴ are eligible for full representation.</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance⁶²⁵ as a victim of domestic violence, sexual assault, stalking⁶²⁶ or dating violence.⁶²⁷ Must be at least 11 years old.⁶²⁸</p>	<p>Eligible for Office of Violence Against Women funded Legal Assistance⁶³² for victims of domestic violence, sexual assault, stalking⁶³³ or dating violence.⁶³⁴ Must be at least 11 years old.⁶³⁵</p>	<p>assault, stalking⁶³⁹ or dating violence.⁶⁴⁰ Must be at least 11 years old.⁶⁴¹</p>	<p>funded Legal Assistance⁶⁴⁶ for victims of domestic violence, sexual assault, stalking⁶⁴⁷ or dating violence.⁶⁴⁸ Must be at least 11 years old.⁶⁴⁹</p>	<p>unmarried child under 21 of a U.S. citizen, upon filing an application for LPR status.⁶⁵⁴</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance⁶⁵⁵ for victims of domestic violence, sexual assault, stalking⁶⁵⁶ or dating violence.⁶⁵⁷ Must be at least 11 years old.⁶⁵⁸</p>	<p>the crime victimization.⁶⁶¹</p> <p>Eligible for legal assistance on any matter the LSC-funded agency handles upon receiving LPR status,⁶⁶² or, for the spouse, parent or unmarried child under 21 of a U.S. citizen, upon filing an application for LPR status.⁶⁶³</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance⁶⁶⁴ for victims of domestic violence, sexual assault, stalking⁶⁶⁵ or dating violence.⁶⁶⁶ Must be at least 11 years old.⁶⁶⁷</p>	<p>to the crime victimization.⁶⁷⁰</p> <p>Eligible for Office of Violence Against Women funded Legal Assistance⁶⁷¹ for victims of domestic violence, sexual assault, stalking⁶⁷² or dating violence.⁶⁷³ Must be at least 11 years old.⁶⁷⁴</p>	<p>Eligible for Office of Violence Against Women funded Legal Assistance⁶⁷⁹ for victims of domestic violence, sexual assault, stalking⁶⁸⁰ or dating violence.⁶⁸¹ Must be at least 11 years old.⁶⁸²</p>

	VAWA Self-Petitioners, Battered Spouse Waivers,¹ Lawful Permanent Residents, COFA Nationals,² and Naturalized Citizens	Refugees, Asylees, T Visas,³ Afghans,⁴ and Ukrainians⁵	T Visa⁶/ Continued Presence⁷	Deferred Action for Childhood Arrivals (DACA)⁸	Special Immigrant Juvenile Status (SIJS)⁹	U Visa, bona fide, or wait list approval.¹⁰	U Visa Applicants	Undocumented
Weatherization Assistance Program (WAP) and Low-Income Home Energy Assistance Program (LIHEAP)	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings without regard to immigration status.⁶⁸³</p> <p>Eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance upon receipt of VAWA prima facie determination, lawful permanent residence, or naturalized citizenship.⁶⁸⁴</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.⁶⁸⁵</p> <p>Refugees, asylees, T visa holders, and T visa applicants with prima facie (bona fide) determination eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance.⁶⁸⁶</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings without regard to immigration status.⁶⁸⁷</p> <p>Human trafficking victims with HHS Certification (based on continued presence or a bona fide determination on a T visa application) or with HHS eligibility determination (under 18), are considered refugees and thus are eligible for LIHEAP heating/cooling and single-family weatherization assistance.⁶⁸⁸</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.⁶⁸⁹</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.⁶⁹⁰</p> <p>Eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance upon receiving lawful permanent residency.⁶⁹¹</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings without regard to immigration status.⁶⁹²</p> <p>Eligible for LIHEAP heating/cooling assistance and single-family weatherization assistance upon receiving lawful permanent residency.⁶⁹³</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.⁶⁹⁴</p>	<p>Eligible for weatherization assistance (WAP) for families living in multi-unit dwellings, without regard to immigration status.⁶⁹⁵</p>
Federal Emergency Management Agency (FEMA) Assistance⁶⁹⁶	<p>Eligible for certain FEMA provided emergency services that are available to all victims regardless of their immigration status or naturalized citizenship. These services are short term, non-cash, in-kind emergency disaster relief, including: search and rescue, emergency medical care, mass care and shelter, resources for essential needs such as food, water and medicine, and reduction of immediate threats to life, property, public health and safety.⁶⁹⁷</p> <p>D-SNAP, which provides temporary food assistance for households affected by a natural disaster, may be available for households that are not normally eligible for SNAP benefits.⁶⁹⁸</p>							

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
FEMA-Restricted Programs ⁶⁹⁹	<p>Upon receipt of VAWA prima facie determination, lawful permanent residence, or naturalized citizenship⁷⁰⁰:</p> <p>Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA).⁷⁰¹</p> <p>Eligible for Emergency Supplemental Nutrition Assistance Program (SNAP), subject to five-year bar, unless under 18, or lawfully residing on August 22, 1996 and either receiving disability-related benefits or born before Aug. 22, 1931.⁷⁰²</p> <p><i>Eligible for Washington Voluntary Organizations Active in Disaster (WVOAD) and Emergency Food Network.</i>⁷⁰³</p>	<p>FEMA Assistance Programs, Individuals and Households Program (IHP), Disaster Unemployment Assistance (DUA): open to <u>Refugees, Asylees, T visa applicants</u> with prima facie (bona fide) determination.⁷⁰⁴</p> <p>Emergency SNAP open to <u>Refugees/Asylees</u> (no five-year bar),⁷⁰⁵ and <u>T visa applicants</u> with prima facie (bona fide) determination, subject to five-year bar, unless under 18, or lawfully residing on August 22, 1996 and either receiving disability-related benefits or born before Aug. 22, 1931.⁷⁰⁶</p> <p><i>Eligible for Washington Voluntary Organizations Active in Disaster (WVOAD) and Emergency Food Network.</i>⁷⁰⁷</p>	<p>Human trafficking victims eligible: with HHS Certification (based on continued presence or a bona fide determination on a T visa application) or with HHS eligibility determination (under 18) or family members with T visa status (no need for HHS certification or eligibility determination).⁷⁰⁸</p> <p>These human trafficking victims are considered refugees and thus are eligible for FEMA Assistance Programs, Individual and Households Program (IHP), Disaster Unemployment Assistance (DUA), and Emergency SNAP.⁷⁰⁹</p> <p><i>Eligible for Washington Voluntary Organizations Active in Disaster (WVOAD) and Emergency Food Network.</i>⁷¹⁰</p>	<p>Not eligible.</p> <p><i>Eligible for Washington Voluntary Organizations Active in Disaster (WVOAD) and Emergency Food Network.</i>⁷¹¹</p>	<p>Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA).⁷¹²</p> <p>Eligible for Emergency SNAP, subject to five-year bar, unless under 18 years of age; can be credited with 40 quarters of work earned by the individual, parents, or spouse; or lawfully residing on August 22, 1996 and either receiving disability-related benefits or born before Aug. 22, 1931.⁷¹³</p> <p><i>Eligible for Washington Voluntary Organizations</i></p>	<p>Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA).⁷¹⁵</p> <p>Eligible for Emergency SNAP, subject to five-year bar, unless under 18 years of age; can be credited with 40 quarters of work earned by the individual, parents, or spouse; or lawfully residing on August 22, 1996 and either receiving disability-related benefits or born before Aug. 22, 1931.⁷¹⁶</p>	<p>Upon receiving lawful permanent residency: Eligible for FEMA Assistance Programs, Individuals and Households Program (IHP), and Disaster Unemployment Assistance (DUA).⁷¹⁸</p> <p>Eligible for Emergency SNAP, subject to five-year bar, unless under 18 years of age; can be credited with 40 quarters of work earned by the individual, parents, or spouse; or lawfully residing on August 22, 1996 and either receiving disability-related benefits or born</p>	<p>Not eligible.⁷²¹</p> <p><i>Eligible for Washington Voluntary Organizations Active in Disaster (WVOAD) and Emergency Food Network.</i>⁷²²</p>

	VAWA Self-Petitioners, Battered Spouse Waivers, ¹ Lawful Permanent Residents, COFA Nationals, ² and Naturalized Citizens	Refugees, Asylees, T Visas, ³ Afghans, ⁴ and Ukrainians ⁵	T Visa ⁶ / Continued Presence ⁷	Deferred Action for Childhood Arrivals (DACA) ⁸	Special Immigrant Juvenile Status (SIJS) ⁹	U Visa, bona fide, or wait list approval. ¹⁰	U Visa Applicants	Undocumented
FEMA-Restricted Programs					Active in Disaster (WVOAD) and Emergency Food Network. ⁷¹⁴	Eligible for Washington Voluntary Organizations Active in Disaster (WVOAD) and Emergency Food Network. ⁷¹⁷	before Aug. 22, 1931. ⁷¹⁹ Eligible for Washington Voluntary Organizations Active in Disaster (WVOAD) and Emergency Food Network. ⁷²⁰	
Unemployment Insurance ⁷²³	Eligible for UI upon receipt of work authorization, lawful permanent residence, or citizenship. ⁷²⁴	<u>Refugee:</u> Eligible for UI. ⁷²⁵ <u>Asylee:</u> Eligible for UI upon grant receipt of work authorization. ⁷²⁶ <u>T Visa, Afghans, and Ukrainians:</u> Eligible for UI upon work authorization. ⁷²⁷	Eligible for UI upon receipt of HHS certification or eligibility letter and work authorization. ⁷²⁸	Eligible for UI upon receipt of work authorization. ⁷²⁹	Eligible for UI upon receipt of work authorization. ⁷³⁰	Eligible for UI upon receipt of work authorization. ⁷³¹	Not eligible. ⁷³²	Not eligible. ⁷³³

¹ VAWA self-petitioner for public benefits purposes includes: VAWA self-petitioners, battered spouse waiver applicants, applicants for relief under VAWA Cuban Adjustment Act (“VAWA CAA”), VAWA Haitian Refugee Immigration and Fairness Act (“VAWA HRIFA”), VAWA Nicaraguan and Central American Relief Act (“VAWA NACARA”), VAWA cancellation of removal, VAWA suspension of deportation, and battered spouses and children with approved I-130 visa applications filed by their abusive citizen spouse, parent or step-parent. *See* 8 U.S.C. § 1641(c); 8 U.S.C. § 1101(a)(51).

² For those working with immigrant clients who are Compact of Free Association (COFA) citizens/nationals please see NIWAP’s Hawaii Public Benefits Chart (<https://niwaplibrary.wcl.american.edu/pubs/hawaii-benefits/>) which contains a detailed explanation with footnotes for each public benefit describing what COFA nationals/citizens are eligible for in all U.S. jurisdictions. Under COMPACT OF FREE ASSOCIATION ACT (COFA) Pacific Islanders who are citizens/nationals of the Marshall Islands, Palau, and the Federated States of Micronesia (collectively the Freely Associated States or FAS) living in the United States (including all U.S. territories) are eligible for federal public benefits without being subject to the 5-year bar. COMPACT IMPACT FAIRNESS ACT (CIFA) included in CONSOLIDATED APPROPRIATIONS ACT of 2024 (March 9, 2024). Information about COFA eligibility for public benefits is also being included in each state’s listing in NIWAP’s public benefits map <https://niwaplibrary.wcl.american.edu/benefits-map/>

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 entering between 7/31/21 and 9/30/23:** In 2021, Congress extended benefits eligibility to certain Afghans paroled into the U.S. through § 2502 of the Extending Government Funding and Delivering Emergency Assistance Act, Pub. L. 117-43, 135 Stat. 344, 377 (2021). This law was amended by the Continuing Appropriations and Ukraine Supplemental Appropriations Act, Pub. L. 117-180 § 149, 135 Stat. 2114, 2124 (2022), and by the Consolidated Appropriations Act, 2023, Pub. L. 117-328 § 1501, 136 Stat. 4459, 5195 (2022). This law as amended provides that:

- Afghans granted humanitarian parole between July 31, 2021 and September 30, 2023 are eligible for resettlement assistance, entitlement programs, federally recognized driver’s licenses and identification cards, and other federal and state public benefits to the same extent as refugees through the end of their humanitarian parole.
- The spouses and children of these Afghans granted humanitarian parolees who are granted their own humanitarian parole after September 30, 2022, are also eligible for resettlement assistance, entitlement programs, federally recognized driver’s licenses and identification cards, and other federal and state public benefits to the same extent as refugees through the end of their humanitarian parole.
- Parents or guardians of unaccompanied Afghan children granted parole after September 30, 2023 are— also eligible for resettlement assistance, entitlement programs, federally recognized driver’s licenses and identification cards, and other federal and state public benefits to the same extent as refugees through the end of their humanitarian parole.

See OFF. OF REFUGEE RESETTLEMENT, U.S. DEP’T OF HEALTH AND HUM. SERV., *Fact Sheet: Benefits for Afghan and Iraqi Special Immigrant Visa (SIV) Holders or SQ/SI Parolees*

<https://www.acf.hhs.gov/orr/fact-sheet/benefits-afghan-and-iraqi-special-immigrant-visa-siv-holders-or-sq/si-parolees> (last visited November 29, 2023) (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.) See also *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).

Afghans entering on or after 10/1/23:

- Afghan humanitarian parolees arriving on or after October 1, 2023, are not eligible for federal public benefits to the same extent as refugees. 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).

Afghans under the Temporary Protected Status:

- Are considered lawful present individuals which provides access to healthcare exchanges to purchase health insurance and some states state-funded healthcare subsidies or other access to state funded benefits to the same extent as other lawful present individuals, cited on this public benefits chart as DACA, SIJS, U-visa bona fide or wait list approval. Extension of Designation of Afghanistan for TPS, 88 Fed. Reg. 65728 (Sep. 25, 2023). See *Clarifying the Eligibility of Deferred Action for Childhood Arrivals (DACA) Recipients and Certain Other Noncitizens for a Qualified Health Plan through an Exchange, Advance Payments of the Premium Tax Credit, Cost-Sharing Reductions, and a Basic Health Program*, 89 Fed. Reg. 39392, 39436 (May 8, 2024).

Afghans with pending or approved applications for asylum:

- Receive the same public benefits access as all other asylees. Afghan asylum applicants will have greater access to public benefits than other asylum applicants if they were granted one of the forms of humanitarian parole listed above that receives access to public benefits to the same extent as refugees. Once an Afghan recipient of humanitarian parole applies for and is granted asylum, they receive access to state and federal public benefits to the same extent as asylees.

See also, *Changes to Benefits Eligibility and Services for Afghans Arriving as Humanitarian Parolees*, SETTLEIN (FEB. 21, 2024) <https://www.settlein.support/en-us/articles/16903785241629>.

⁵ Ukraine Security Supplemental Appropriations Act of 2024, 118 P.L. 50; 2024 Enacted H.R. 815; 118 Enacted H.R. 815; 138 Stat. 895 (2024). *Department of Homeland Security, President Biden to Announce Uniting For Ukraine, a New Streamlined Process to Welcome Ukrainians Fleeing the Russian Invasion of Ukraine*, DEP’T OF HOMELAND SEC. (April 21, 2022)

<https://niwaplibrary.wcl.american.edu/pubs/ukrainians-2022-dhs/> (Ukrainians paroled into the U.S. between February 24, 2022, and September 30, 2024 – and their spouses and children, and parents, guardians or primary caregivers of unaccompanied children paroled into the U.S. after September 30, 2024 – are eligible for federal benefits to the same extent as refugees.); 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 See 22 U.S.C. § 7105(b)(1) (Bona fide T visa applicants with HHS certification, trafficking victims under 18 with HHS eligibility determination, and family members with T visa status are eligible for public benefits to the same extent as refugees.); Classification for Victims of Severe Forms of Trafficking in Persons; Eligibility for “T” Nonimmigrant Status, 81 Fed. Reg. 92266, 92278 (Dec. 19, 2016) (effective Jan. 18, 2017) (to be codified at 8 C.F.R. pts. 212, 214, 245, 274); New Classification for Victims of Severe Forms of Trafficking in Persons; Eligibility for “T” Nonimmigrant Status, 67 Fed. Reg. 4784, 4789-91 (Jan. 31, 2002) (to be codified at 8 C.F.R. pt. 103), <http://niwaplibrary.wcl.american.edu/pubs/federal-register-new-classification/>.

⁷ See 22 U.S.C. § 7105(b)(1)(E)(i)(II)(bb) (Immigrants with HHS certification that their continued presence is needed to effectuate prosecution of human traffickers are eligible to receive public benefits to the same extent as refugees.); OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP’T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>.

⁸ See DACA, NAT’L IMMIGRATION LAW CTR. (last visited Mar. 2, 2018), <https://www.nilc.org/issues/daca/> (DACA is “deferred action” for certain undocumented youth who came to the United States as children.).

⁹ See 8 U.S.C. § 1101(a)(27)(j) (Special Immigrant Juvenile Status (SIJS) allows certain youth immigrant survivors of abuse, abandonment, and/or neglect by a parent to obtain legal immigration status.).

¹⁰ See CTR. FOR MEDICARE & MEDICAID SERV., U.S. DEP'T OF HEALTH & HUM. SERV., MEDICAID AND CHIP COVERAGE FOR "LAWFULLY RESIDING" CHILDREN AND PREGNANT WOMEN 2 (2010), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/> (Upon receipt of deferred action U visa applicants are considered lawfully present). U visa applicants receive deferred action which provides formal protection from deportation when they receive a bona fide determination or wait-list approval from U.S. Citizenship and Immigration Services (USCIS). See ,NIWAP, New DHS U Visa Bona Fide Policy Provides Earlier Access Deferred Action and Work Authorization To Applicants and NIWAP New Study Provides Evidence-Based Support for These New DHS Policies (June 14, 2021) <https://niwaplibrary.wcl.american.edu/transforming-lives-study-21>.

¹¹ 45 C.F.R. § 155.20 (Defining lawfully present immigrants); 42 CFR § 435.4 (Defining qualified immigrants). For a detailed list of lawfully present immigrants eligible under federal law to purchase health insurance on the exchanges, who may also be eligible for federal or state funded healthcare subsidies, see, Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions* (May 27, 2024), <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>; Leslye E. Orloff, *Annotated Statutes Related to Public Benefits Eligibility for Immigrant Survivors of Domestic Violence, Child Abuse and Human Trafficking* (May 27, 2024), <https://niwaplibrary.wcl.american.edu/pubs/1641-1631-benefits-laws-annotated/>; Leslye E. Orloff, *Annotated Violence Against Women Act (VAWA) Self-Petitioner Definition INA 101(a)(51)* (May 27, 2024), <https://niwaplibrary.wcl.american.edu/pubs/vawa-self-petitioner-annotated-ina-101a51/>.

¹² State benefits agencies are only allowed to ask for immigration status and social security number information for the family members who is the applicant for the benefit. See NAT'L IMMIGR. L. CTR., *Privacy Protections in Selected Federal Benefits Programs* (Feb. 21, 2018) <https://www.nilc.org/wp-content/uploads/2018/03/privacy-protections-fed-programs-tbl-2018.pdf> (providing guidelines on what information a State may request from a parent applying on behalf of a child applicant); see also Anna Pohl, Hema Sarangapani, Amanda Baran, and Cecilia Olavarria, *Chapter 4.3: Barriers to Accessing Services: The Importance of Advocates Accompanying Battered Immigrants Applying for Public Benefits* (Jul. 10, 2013), <https://niwaplibrary.wcl.american.edu/pubs/ch4-3-importance-advocates>; see also *Policy Guidance Regarding Inquiries Into Citizenship, Immigration Status and Social Security Numbers In State Applications For Medicaid, State Children's Health Insurance Program (Schip), Temporary Assistance For Needy Families (Tanf), and Food Stamp Benefits*, U.S. DEP'T HEALTH & HUM. SERV. (Mar. 24, 2006), <https://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhsqacitizenshippolicyguidance-03-24-06>.

¹³ Battered Spouse Waiver victims are VAWA self-petitioners as defined in INA § 101(a)(51). To be eligible for a battered spouse waiver the victim must be a battered immigrant spouse of a U.S. citizen or lawful permanent resident who filed an immigration case on the battered spouse's behalf through which the immigrant spouse was granted conditional permanent residency. Most battered spouse waiver applicants will have conditional permanent residency at the time they file their battered spouse waiver application. Their public benefits eligibility is based either on their conditional permanent residency or on their battered spouse waiver application. It is important to note that after an abused immigrant spouse files their battered spouse waiver application, they become eligible for VAWA self-petitioning related deeming exceptions and eligible for state funded public benefits to the same extent as all other VAWA self-petitioners in states that grant self-petitioners access to state funded public benefits.

¹⁴ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(c).

¹⁵ Eligibility for the program may be affected by deeming but there are exceptions for certain categories of immigrants including battered immigrant VAWA self-petitioners, refugees, asylees, trafficking victims with HHS certification, and certain other battered immigrants. *Citizenship and alien status – Definitions*, WASH. ADMIN. CODE § 388-424-0001, <https://app.leg.wa.gov/wac/default.aspx?cite=388-424-0001> (last visited June 19, 2018); See also *TANF and Support Services*, ECON. SERVS. ADMIN., <https://www.dshs.wa.gov/esa/community-services-offices/tanf-and-support-services> (last visited July 12, 2018); 8 U.S.C. 1631(f) (Qualified immigrants who have been battered or subjected to extreme cruelty by a spouse, a parent or a member of the spouse's or parent's family are exempt from deeming for 12 months. The exemption from deeming may be extended if the battered immigrant obtains an order from a judge or a ruling from the U.S. Department of Homeland Security recognizing the battering or extreme cruelty the immigrant victim suffered.) (Interim Guidance on Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Att'y Gen. Order No. 2129-97, 62 Fed. Reg. 61,344, at 61,371 (Nov. 17, 1997)). <http://niwaplibrary.wcl.american.edu/pubs/1997-doj-interim-guidance-benefits/> See Catherine Longville and Leslye Orloff, *Public Benefits: What is "Deeming" and What Are its Exceptions*, (January 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>; *Applicability of Public Charge and Deeming Rules to Immigrant Survivors and Their Children Eligible for Healthcare Subsidies*, in NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (April 9, 2015), <http://niwaplibrary.wcl.american.edu/public-charge-deeming/>. Qualified immigrants may also be exempt from deeming when they naturalize, when they can show they are credited with 40 qualifying quarters of work, when they qualify for the up to 12 month exception for indigence, or have another form of immigration status does not require sponsorship. See 8 U.S.C. § 1631; DEP'T OF HEALTH & HUM. SERVS., OFF. OF FAM. ASSISTANCE, *TANF-ACF-PI-2003-03 (Deeming of Sponsor's Income and Resources To A Non-Citizen)*, (2003), <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>; NAT'L IMMIGRATION LAW CTR., *Table 8: State Funded TANF Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 102-03* (4th ed. 2002, table updated Aug. 2016), https://www.nilc.org/issues/economic-support/guide_tanf/.

¹⁶ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(c).

¹⁷ Eligibility for the program may be affected by deeming but there are exceptions for certain categories of immigrants including battered immigrant VAWA self-petitioners, refugees, asylees, trafficking victims with HHS certification, and certain other battered immigrants. *Citizenship and alien status – Definitions*, WASH. ADMIN. CODE § 388-424-0001, <https://app.leg.wa.gov/wac/default.aspx?cite=388-424-0001> (last visited June 19, 2018); See also *TANF and Support Services*, ECON. SERVS. ADMIN., <https://www.dshs.wa.gov/esa/community-services-offices/tanf-and-support-services> (last visited July 12, 2018); 8 U.S.C. 1631(f) (Qualified immigrants who have been battered or subjected to extreme cruelty by a spouse, a parent or a member of the spouse's or parent's family are exempt from deeming for 12 months. The exemption from deeming may be extended if the battered immigrant obtains an order from a judge or a ruling from the U.S. Department of Homeland Security recognizing the battering or extreme cruelty the immigrant victim suffered.) (Interim Guidance on Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Att'y Gen. Order No. 2129-97, 62 Fed. Reg. 61,344, at 61,371 (Nov. 17, 1997)).

<http://niwaplibrary.wcl.american.edu/pubs/1997-doj-interim-guidance-benefits/>; See Catherine Longville and Leslye Orloff, *Public Benefits: What is “Deeming” and What Are its Exceptions*, (January 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>; *Applicability of Public Charge and Deeming Rules to Immigrant Survivors and Their Children Eligible for Healthcare Subsidies*, in NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (April 9, 2015), <http://niwaplibrary.wcl.american.edu/public-charge-deeming/>. Qualified immigrants may also be exempt from deeming when they naturalize, when they can show they are credited with 40 qualifying quarters of work, when they qualify for the up to 12 month exception for indigence, or have another form of immigration status does not require sponsorship. See 8 U.S.C. § 1631; DEP’T OF HEALTH & HUM. SERVS., OFF. OF FAM. ASSISTANCE, *TANF-ACF-PI-2003-03 (Deeming of Sponsor’s Income and Resources To A Non-Citizen)*, (2003), <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>; NAT’L IMMIGR. L. CTR., *Table 8: State Funded TANF Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 102-03* (4th ed. 2002, table updated Aug. 2016), https://www.nilc.org/issues/economic-support/guide_tanf/.

¹⁸ DEP’T OF HEALTH & HUM. SERV., *Administration for Children and Families, Office of Family Assistance, Q & A: Immigrants* (August 20, 2019), <https://www.acf.hhs.gov/ofa/faq/q-immigrants>. (Q2: Does the five-year bar for certain newly arrived qualified aliens apply to all federally-funded TANF benefits (e.g., including benefits that do not meet the definition of assistance)? “A service that is only available to the financially needy would not meet the AG criteria and could be provided only to otherwise eligible citizens and qualified aliens.” TANF is such a program.)

¹⁹ WASH. ADMIN. CODE § 388-424-0015(1)(a)(2024); *Washington WorkFirst*, WASH. STATE WORKFIRST, <https://workfirst.wa.gov/> (last visited Jan. 17, 2025); *Washington State Family Assistance, Immigrant Eligibility*, <https://app.leg.wa.gov/WAC/default.aspx?cite=388-424-0015>; *Public Benefit Eligibility for Survivors of Certain Crimes*, WASH. STATE ECONOMIC SERVICES ADMIN. (FEB. 5, 2024) <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes>.

²⁰ WASH. ADMIN. CODE § 388-424-0001(2)(a) and (e) (2024).

²¹ WASH. ADMIN. CODE § 388-424-0015 (2024).

²² STATE OF WA DEP’T OF SOC. AND HEALTH SERVS., *Economic Services Administration, Pregnant Women Assistance Program* <https://www.dshs.wa.gov/esa/community-services-offices/pregnant-women-assistance-pwa-program> (last visited Jan. 17, 2025); STATE OF WA DEP’T OF SOC. AND HEALTH SERVS., *Economic Services Division, Citizenship and Alien Status - For Temporary Assistance for Needy Families (TANF)*(January 28, 2025). <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/citizenship-and-alien-status-temporary-assistance-needy-families-tanf> (Provides a non-inclusive list of lawfully present immigrants who are eligible for state funded benefits include State Family Assistance (SFA), Aged, Blind, and Disabled (ABD), and Pregnant Women Assistance (PWA)). See also, STATE OF WA DEP’T OF SOC. AND HEALTH SERVS., *Citizenship and Alien Status for State Cash Programs* (June 15, 2012) <https://www.dshs.wa.gov/book/export/html/1137>.

²³ Eligibility for the program may be affected by deeming but there are exceptions for certain categories of immigrants including battered immigrant VAWA self-petitioners, refugees, asylees, trafficking victims with HHS certification, and certain other battered immigrants. *Citizenship and alien status – Definitions*, WASH. ADMIN. CODE § 388-424-0001, <https://app.leg.wa.gov/wac/default.aspx?cite=388-424-0001> (last visited June 19, 2018); See also *TANF and Support Services*, ECON. SERVS. ADMIN., <https://www.dshs.wa.gov/esa/community-services-offices/tanf-and-support-services> (last visited July 12, 2018); 8 U.S.C. 1631(f) (Qualified immigrants who have been battered or subjected to extreme cruelty by a spouse, a parent or a member of the spouse’s or parent’s family are exempt from deeming for 12 months. The exemption from deeming may be extended if the battered immigrant obtains an order from a judge or a ruling from the U.S. Department of Homeland Security recognizing the battering or extreme cruelty the immigrant victim suffered.) (Interim Guidance on Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Att’y Gen. Order No. 2129-97, 62 Fed. Reg. 61,344, at 61,371 (Nov. 17, 1997)). <http://niwaplibrary.wcl.american.edu/pubs/1997-doj-interim-guidance-benefits/>; See Catherine Longville and Leslye Orloff, *Public Benefits: What is “Deeming” and What Are its Exceptions*, (January 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>; *Applicability of Public Charge and Deeming Rules to Immigrant Survivors and Their Children Eligible for Healthcare Subsidies*, in NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (April 9, 2015), <http://niwaplibrary.wcl.american.edu/public-charge-deeming/>. Qualified immigrants may also be exempt from deeming when they naturalize, when they can show they are credited with 40 qualifying quarters of work, when they qualify for the up to 12 month exception for indigence, or have another form of immigration status does not require sponsorship. See 8 U.S.C. § 1631; DEP’T OF HEALTH & HUM. SERVS., OFF. OF FAM. ASSISTANCE, *TANF-ACF-PI-2003-03 (Deeming of Sponsor’s Income and Resources To A Non-Citizen)*, (2003), <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>; NAT’L IMMIGR. L. CTR., *Table 8: State Funded TANF Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 102-03* (4th ed. 2002, table updated Aug. 2016), https://www.nilc.org/issues/economic-support/guide_tanf/.

²⁴ 8 U.S.C. §§ 1612(b)(2)(A)(ii); 1613(b)(1). Federal eligibility for refugees and asylees extends for the first five years after attaining that status. However, if they have attained lawful permanent resident status with 40 qualifying work quarters, they will already have satisfied the five-year bar for eligibility as an LPR by the time their refugee/asylee benefit period for TANF ends. See 8 U.S.C. §§ 1612(b)(2)(B). Or, they may be eligible as a veteran and/or member of a veteran’s family, for which neither the five-year bar nor the five-year time limit applies. See 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2). Or, in some states their eligibility as a refugee or asylee continues past this five-year limit. *States can also continue to provide benefits once the mandated five year federal coverage period for refugees and asylees ends*. See Nat’l Immigration Law Ctr., *Table 1: Overview of Immigrant Eligibility for Federal Programs in Guide to Immigrant Eligibility for Federal Programs 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

Since refugees, asylees and trafficking victims with continued presence or who are T visa applicants are not required under U.S. immigration laws to have a sponsor, they are not subject to sponsor deeming. Continued

See OFFICE OF FAMILY ASSISTANCE, U.S. DEP’T OF HEALTH & HUM. SERV., *TANF-ACF-PI-2003-03 (Deeming of Sponsor’s Income and Resources to A Non-Citizen)* (April 17, 2003), <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>.

²⁵ See 22 U.S.C. § 7105(b)(1); *Classification for Victims of Severe Forms of Trafficking in Persons; Eligibility for “T” Nonimmigrant Status*, 81 Fed. Reg. 92266, 92278 (Dec. 19, 2016) (effective Jan. 18, 2017) (codified at 8 C.F.R. pts. 212, 214, 245, 274; *New Classification for Victims of Severe Forms of Trafficking in Persons; Eligibility for “T” Nonimmigrant Status*, 67 Fed. Reg. 4784, 4789-91 (Jan. 31, 2002) (codified at 8 C.F.R. pt. 103), <http://niwaplibrary.wcl.american.edu/pubs/federal-register-new-classification/>. TANF benefits for refugees are available without a five-year waiting period but are limited to five years. However, if the refugee attains lawful permanent resident status with 40 qualifying work quarters, they will already have satisfied the five-year bar for eligibility as a lawful permanent resident by the time their refugee/asylee benefit period for TANF ends. See 8 U.S.C. §§ 1612(b)(2)(B). Or, they may be eligible as a veteran and/or member of a

veteran's family, for which neither the five-year bar nor the five-year time limit applies. *See* 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2). Or, in some states their eligibility as a refugee or asylee continues past this five-year limit. *See* NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Mar. 2023), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. Since refugees, asylees and trafficking victims with continued presence or who are T visa applicants are not required under U.S. immigration laws to have a sponsor, they are not subject to sponsor deeming. *See* OFFICE OF FAMILY ASSISTANCE, U.S. DEP'T. OF HEALTH & HUM. SERV., *TANF-ACF-PI-2003-03 (Deeming of Sponsor's Income and Resources to A Non-Citizen)* (April 17, 2003), <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>.

²⁶ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; 8 U.S.C. § 1641(c)(4). An applicant with a military connection is eligible as a matter of federal law, without the five-year bar. *See* 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2). Federal law does not require states to impose the five-year time limit to trafficking victim eligibility as a qualified immigrant and many states cover T visa holders and T visa applicants with bona fide determinations under Victims of Trafficking and Violence Protection Act (TVPA) of 2000. Since refugees, asylees and trafficking victims with continued presence or who are T visa applicants are not required under U.S. immigration laws to have a sponsor, they are not subject to sponsor deeming. *See* OFFICE OF FAMILY ASSISTANCE, U.S. DEP'T OF HEALTH & HUM. SERV., *TANF-ACF-PI-2003-03 (Deeming of Sponsor's Income and Resources to A Non-Citizen)* (April 17, 2003), <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>.

²⁷ WASH. ADMIN. CODE 388-424-0015(1)(a)(2024); *Washington WorkFirst*, WASH. STATE WORKFIRST, <https://workfirst.wa.gov/> (last visited Jan. 17, 2025); *Washington State Family Assistance, Immigrant Eligibility*, <https://app.leg.wa.gov/WAC/default.aspx?cite=388-424-0015>; *Public Benefit Eligibility for Survivors of Certain Crimes*, WASH. STATE ECONOMIC SERVICES ADMIN. (FEB. 5, 2024) <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes>.

²⁸ WASH. ADMIN. CODE § 388-424-0001(2)(b) and (c) (2024).

²⁹ WASH. ADMIN. CODE § 388-424-0015 (2024).

³⁰ STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Economic Services Administration, Pregnant Women Assistance Program* <https://www.dshs.wa.gov/esa/community-services-offices/pregnant-women-assistance-pwa-program> (last visited Jan. 17, 2025); STATE OF WA DEP'T OF SOC. AND HEALTH SERVS. *Economic Services Division, Citizenship and Alien Status - For Temporary Assistance for Needy Families (TANF)*(January 28, 2025). <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/citizenship-and-alien-status-temporary-assistance-needy-families-tanf> (Provides a non-inclusive list of lawfully present immigrants who are eligible for state funded benefits include State Family Assistance (SFA), Aged, Blind, and Disabled (ABD), and Pregnant Women Assistance (PWA)). *See also*, STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Citizenship and Alien Status for State Cash Programs* (June 15, 2012) <https://www.dshs.wa.gov/book/export/html/1137>.

³¹ STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Economic Services Administration, Refugee Cash Assistance*, <https://www.dshs.wa.gov/esa/community-services-offices/refugee-cash-assistance> (last visited Jan. 17, 2025); WASH. ADMIN. CODE § 388-466-0005(1)(a), (1)(b), (1)(d), 1(g), (1)(h), (1)(i), (1)(j), (1)(k).(2024).

³² WASH. ADMIN. CODE 388-424-0001(4)(c)(ii)(2024)(Specific crimes include: crimes related to human trafficking, kidnapping, unlawful imprisonment, custodial interference, luring, trafficking, coercion of involuntary servitude, luring, protection order violations, sexual exploitation of children, and substantially similar crimes under federal law or the laws of another state).

³³ WASH. ADMIN. CODE § 388-400-0010(2)(f)(2024); WASH. ADMIN. CODE 388-424-0001(4)(c)(ii)(2024)

³⁴ WASH. ADMIN. CODE §§388-424-0015(1)(c)(2024); 388-424-0001(4)(c)(ii)(2024).

³⁵ STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Economic Services Administration, Pregnant Women Assistance Program* <https://www.dshs.wa.gov/esa/community-services-offices/pregnant-women-assistance-pwa-program> (last visited Jan. 17, 2025); STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Economic Services Division, Citizenship and Alien Status - For Temporary Assistance for Needy Families (TANF)*(January 28, 2025). <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/citizenship-and-alien-status-temporary-assistance-needy-families-tanf> (Provides a non-inclusive list of lawfully present immigrants who are eligible for state funded benefits include State Family Assistance (SFA), Aged, Blind, and Disabled (ABD), and Pregnant Women Assistance (PWA)). *See also*, STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Citizenship and Alien Status for State Cash Programs* (June 15, 2012) <https://www.dshs.wa.gov/book/export/html/1137>.

³⁶ OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. *See* 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)).

³⁷ OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. *See* 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)). Since refugees, asylees and trafficking victims with continued presence or who are T visa applicants are not required under U.S. immigration laws to have a sponsor, they are not subject to sponsor deeming. <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>

³⁸ OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. *See* 22 U.S.C. § 7105(b).

³⁹ WASH. ADMIN. CODE § 388-424-0015(1)(a)(2024); *Washington WorkFirst*, WASH. STATE WORKFIRST, <https://workfirst.wa.gov/> (last visited Jan. 17, 2025); *Washington State Family Assistance, Immigrant Eligibility*, <https://app.leg.wa.gov/WAC/default.aspx?cite=388-424-0015>; *Public Benefit Eligibility for Survivors of Certain Crimes*, WASH. STATE ECONOMIC SERVICES ADMIN. (FEB. 5, 2024) <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes>.

⁴⁰ WASH. ADMIN. CODE § 388-424-0001(2)(b)(ii)(2024).

⁴¹ WASH. ADMIN. CODE § 388-424-0015 (2024).

- ⁴² STATE OF WA DEP'T OF SOC. AND HEALTH SERVS, *Economic Services Administration, Pregnant Women Assistance Program* <https://www.dshs.wa.gov/esa/community-services-offices/pregnant-women-assistance-pwa-program> (last visited Jan. 17, 2025); STATE OF WA DEP'T OF SOC. AND HEALTH SERVS, *Economic Services Division, Citizenship and Alien Status - For Temporary Assistance for Needy Families (TANF)*(January 28, 2025). <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/citizenship-and-alien-status-temporary-assistance-needy-families-tanf> (Provides a non-inclusive list of lawfully present immigrants who are eligible for state funded benefits include State Family Assistance (SFA), Aged, Blind, and Disabled (ABD), and Pregnant Women Assistance (PWA)). See also, STATE OF WA DEP'T OF SOC. AND HEALTH SERVS *Citizenship and Alien Status for State Cash Programs* (June 15, 2012) <https://www.dshs.wa.gov/book/export/html/1137>.
- ⁴³ STATE OF WA DEP'T OF SOC. AND HEALTH SERVS, *Economic Services Administration, Refugee Cash Assistance*, <https://www.dshs.wa.gov/esa/community-services-offices/refugee-cash-assistance> (last visited Jan. 17, 2025); WAC 388-466-0005(1)(g), (1)(h).(2024).
- ⁴⁴ WASH. ADMIN. CODE § 388-400-0010(2)(f)(2024); 388-424-0001(2)(b)(ii)(A)(2024)
- ⁴⁵ WASH. ADMIN. CODE § 388-400-0010(2)(f)(2024); 388-424-0001(4)(c)(i)(2024)
- ⁴⁶ WASH. ADMIN. CODE § 388-424-0015(1)(c)(2024); 388-424-0001(4)(c)(ii)(2024).
- ⁴⁷ STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Economic Services Administration, Pregnant Women Assistance Program* <https://www.dshs.wa.gov/esa/community-services-offices/pregnant-women-assistance-pwa-program> (last visited Jan. 17, 2025); STATE OF WA DEP'T OF SOC. AND HEALTH SERVS *Economic Services Division, Citizenship and Alien Status - For Temporary Assistance for Needy Families (TANF)*(January 28, 2025). <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/citizenship-and-alien-status-temporary-assistance-needy-families-tanf> (Provides a non-inclusive list of lawfully present immigrants who are eligible for state funded benefits include State Family Assistance (SFA), Aged, Blind, and Disabled (ABD), and Pregnant Women Assistance (PWA)). See also, STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Citizenship and Alien Status for State Cash Programs* (June 15, 2012) <https://www.dshs.wa.gov/book/export/html/1137>.
- ⁴⁸ NAT'L IMMIGR.L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.
- ⁴⁹ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(b)(1). SIJS applicant with a military connection is eligible without five-year bar. See 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2).
- ⁵⁰ Eligibility for the program may be affected by deeming but there are exceptions for certain categories of immigrants including battered immigrant VAWA self-petitioners, refugees, asylees, trafficking victims with HHS certification, and certain other battered immigrants. *Citizenship and alien status – Definitions*, WASH. ADMIN. CODE § 388-424-0001, <https://app.leg.wa.gov/wac/default.aspx?cite=388-424-0001> (last visited June 19, 2018); See also *TANF and Support Services*, ECON. SERVS. ADMIN., <https://www.dshs.wa.gov/esa/community-services-offices/tanf-and-support-services> (last visited July 12, 2018); 8 U.S.C. 1631(f) (Qualified immigrants who have been battered or subjected to extreme cruelty by a spouse, a parent or a member of the spouse's or parent's family are exempt from deeming for 12 months. The exemption from deeming may be extended if the battered immigrant obtains an order from a judge or a ruling from the U.S. Department of Homeland Security recognizing the battering or extreme cruelty the immigrant victim suffered.) (Interim Guidance on Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Att'y Gen. Order No. 2129-97, 62 Fed. Reg. 61,344, at 61,371 (Nov. 17, 1997)). <http://niwaplibrary.wcl.american.edu/pubs/1997-doj-interim-guidance-benefits/> See Catherine Longville and Leslye Orloff, *Public Benefits: What is “Deeming” and What Are its Exceptions*, (January 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>; *Applicability of Public Charge and Deeming Rules to Immigrant Survivors and Their Children Eligible for Healthcare Subsidies*, in NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (April 9, 2015), <http://niwaplibrary.wcl.american.edu/public-charge-deeming/>. Qualified immigrants may also be exempt from deeming when they naturalize, when they can show they are credited with 40 qualifying quarters of work, when they qualify for the up to 12 month exception for indigence, or have another form of immigration status does not require sponsorship. See 8 U.S.C. § 1631; DEP'T OF HEALTH & HUM. SERVS., OFF. OF FAM. ASSISTANCE, *TANF-ACF-PI-2003-03 (Deeming of Sponsor's Income and Resources To A Non-Citizen)*, (2003), <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>; NAT'L IMMIGRATION LAW CTR., *Table 8: State Funded TANF Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 102-03* (4th ed. 2002, table updated Aug. 2016), https://www.nilc.org/issues/economic-support/guide_tanf/.
- ⁵¹ WASH. ADMIN. CODE § 388-424-0015(1)(b)(2024); 388-424-0001(1) (2024)(lawfully present is defined as immigrants or noncitizens who have been inspected and admitted into the United States and have not over-stayed the period for which they were admitted, or have current per-mission from the U.S. Citizenship and Immigration Services (CIS) to stay or live in the U.S.); *Washington WorkFirst*, WASH. STATE WORKFIRST, <https://workfirst.wa.gov/> (last visited Jan. 17, 2025); *Washington State Family Assistance, Immigrant Eligibility*, <https://app.leg.wa.gov/WAC/default.aspx?cite=388-424-0015>; *Public Benefit Eligibility for Survivors of Certain Crimes*, WASH. STATE ECONOMIC SERVICES ADMIN. (FEB. 5, 2024) <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes>.
- ⁵² STATE OF WA DEP'T OF SOC. AND HEALTH SERVS, *Economic Services Administration, Citizenship and Alien Status - For Temporary Assistance for Needy Families (TANF)*(January 28, 2025). <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/citizenship-and-alien-status-temporary-assistance-needy-families-tanf> (Provides a non-inclusive list of lawfully present immigrants who are eligible for state funded benefits include State Family Assistance (SFA), Aged, Blind, and Disabled (ABD), and Pregnant Women Assistance (PWA)). See also, Washington State Department of Social and Health Services, *Citizenship and Alien Status for State Cash Programs* (June 15, 2012) <https://www.dshs.wa.gov/book/export/html/1137>.
- ⁵³ WASH. ADMIN. CODE § 388-424-0015 (2024).
- ⁵⁴ STATE OF WA DEP'T OF SOC. AND HEALTH SERVS, *Economic Services Administration, Pregnant Women Assistance Program* <https://www.dshs.wa.gov/esa/community-services-offices/pregnant-women-assistance-pwa-program> (last visited Jan. 17, 2025); STATE OF WA DEP'T OF SOC. AND HEALTH SERVS *Economic Services Division, Citizenship and Alien Status - For Temporary Assistance for Needy Families (TANF)*(January 28, 2025). <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/citizenship-and-alien-status-temporary-assistance-needy-families-tanf> (Provides a non-inclusive list of lawfully present immigrants who are eligible for state funded benefits include State Family Assistance (SFA), Aged, Blind, and Disabled (ABD), and

Pregnant Women Assistance (PWA)). See also, STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Citizenship and Alien Status for State Cash Programs* (June 15, 2012) <https://www.dshs.wa.gov/book/export/html/1137>.

⁵⁵Eligibility for the program may be affected by deeming but there are exceptions for certain categories of immigrants including battered immigrant VAWA self-petitioners, refugees, asylees, trafficking victims with HHS certification, and certain other battered immigrants. *Citizenship and alien status – Definitions*, WASH. ADMIN. CODE § 388-424-0001, <https://app.leg.wa.gov/wac/default.aspx?cite=388-424-0001> (last visited June 19, 2018); See also *TANF and Support Services*, ECON. SERVS. ADMIN., <https://www.dshs.wa.gov/esa/community-services-offices/tanf-and-support-services> (last visited July 12, 2018); 8 U.S.C. 1631(f) (Qualified immigrants who have been battered or subjected to extreme cruelty by a spouse, a parent or a member of the spouse's or parent's family are exempt from deeming for 12 months. The exemption from deeming may be extended if the battered immigrant obtains an order from a judge or a ruling from the U.S. Department of Homeland Security recognizing the battering or extreme cruelty the immigrant victim suffered.) (Interim Guidance on Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Att'y Gen. Order No. 2129-97, 62 Fed. Reg. 61,344, at 61,371 (Nov. 17, 1997)). <http://niwaplibrary.wcl.american.edu/pubs/1997-doj-interim-guidance-benefits/> See Catherine Longville and Leslye Orloff, *Public Benefits: What is "Deeming" and What Are its Exceptions*, (January 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>; *Applicability of Public Charge and Deeming Rules to Immigrant Survivors and Their Children Eligible for Healthcare Subsidies*, in NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (April 9, 2015), <http://niwaplibrary.wcl.american.edu/public-charge-deeming/>. Qualified immigrants may also be exempt from deeming when they naturalize, when they can show they are credited with 40 qualifying quarters of work, when they qualify for the up to 12 month exception for indigence, or have another form of immigration status does not require sponsorship. See 8 U.S.C. § 1631; DEP'T OF HEALTH & HUM. SERVS., OFF. OF FAM. ASSISTANCE, *TANF-ACF-PI-2003-03 (Deeming of Sponsor's Income and Resources To A Non-Citizen)*, (2003), <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>; NAT'L IMMIGR. L. CTR., *Table 8: State Funded TANF Replacement Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 102-03 (4th ed. 2002, table updated Aug. 2016), https://www.nilc.org/issues/economic-support/guide_tanf/.

⁵⁶ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(b)(1).

⁵⁷Eligibility for the program may be affected by deeming but there are exceptions for certain categories of immigrants including battered immigrant VAWA self-petitioners, refugees, asylees, trafficking victims with HHS certification, and certain other battered immigrants. *Citizenship and alien status – Definitions*, WASH. ADMIN. CODE § 388-424-0001, <https://app.leg.wa.gov/wac/default.aspx?cite=388-424-0001> (last visited June 19, 2018); See also *TANF and Support Services*, ECON. SERVS. ADMIN., <https://www.dshs.wa.gov/esa/community-services-offices/tanf-and-support-services> (last visited July 12, 2018); 8 U.S.C. 1631(f) (Qualified immigrants who have been battered or subjected to extreme cruelty by a spouse, a parent or a member of the spouse's or parent's family are exempt from deeming for 12 months. The exemption from deeming may be extended if the battered immigrant obtains an order from a judge or a ruling from the U.S. Department of Homeland Security recognizing the battering or extreme cruelty the immigrant victim suffered.) (Interim Guidance on Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Att'y Gen. Order No. 2129-97, 62 Fed. Reg. 61,344, at 61,371 (Nov. 17, 1997)). <http://niwaplibrary.wcl.american.edu/pubs/1997-doj-interim-guidance-benefits/> See Catherine Longville and Leslye Orloff, *Public Benefits: What is "Deeming" and What Are its Exceptions*, (January 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>; *Applicability of Public Charge and Deeming Rules to Immigrant Survivors and Their Children Eligible for Healthcare Subsidies*, in NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (April 9, 2015), <http://niwaplibrary.wcl.american.edu/public-charge-deeming/>. Qualified immigrants may also be exempt from deeming when they naturalize, when they can show they are credited with 40 qualifying quarters of work, when they qualify for the up to 12 month exception for indigence, or have another form of immigration status does not require sponsorship. See 8 U.S.C. § 1631; DEP'T OF HEALTH & HUM. SERVS., OFF. OF FAM. ASSISTANCE, *TANF-ACF-PI-2003-03 (Deeming of Sponsor's Income and Resources To A Non-Citizen)*, (2003), <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>; NAT'L IMMIGRATION LAW CTR., *Table 8: State Funded TANF Replacement Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 102-03 (4th ed. 2002, table updated Aug. 2016), https://www.nilc.org/issues/economic-support/guide_tanf/.

⁵⁸ WASH. ADMIN. CODE §§ 388-424-0015(1)(b)(2024); 388-424-0001(1) (2024)(lawfully present is defined as immigrants or noncitizens who have been inspected and admitted into the United States and have not over-stayed the period for which they were admitted, or have current per-mission from the U.S. Citizenship and Immigration Services (CIS) to stay or live in the U.S.); *Washington WorkFirst*, WASH. STATE WORKFIRST, <https://workfirst.wa.gov/> (last visited Jan. 17, 2025); *Washington State Family Assistance, Immigrant Eligibility*, <https://app.leg.wa.gov/WAC/default.aspx?cite=388-424-0015>; *Public Benefit Eligibility for Survivors of Certain Crimes*, WASH. STATE ECONOMIC SERVICES ADMIN. (FEB. 5, 2024) <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes>.

⁵⁹ U visa bona fide determinations come with deferred action which is protection from deportation and which makes U visa applicants eligible for health care as lawfully residing immigrant. Cindy Mann, CTR. FOR MEDICARE & MEDICAID SERV., U.S. DEP'T OF HEALTH & HUM. SERV., *MEDICAID AND CHIP COVERAGE FOR "LAWFULLY RESIDING" CHILDREN AND PREGNANT WOMEN 3* (2010), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/>; *Public Benefit Eligibility for Survivors of Certain Crimes*, WASH. STATE ECONOMIC SERVICES ADMIN., <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes> (last visited Jan. 17, 2025).

⁶⁰ STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Economic Services Division, Citizenship and Alien Status - For Temporary Assistance for Needy Families (TANF)*(January 28, 2025). <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/citizenship-and-alien-status-temporary-assistance-needy-families-tanf> (Provides a non-inclusive list of lawfully present immigrants who are eligible for state funded benefits include State Family Assistance (SFA), Aged, Blind, and Disabled (ABD), and Pregnant Women Assistance (PWA)); See also, Washington State Department of Social and Health Services, *Citizenship and Alien Status for State Cash Programs* (June 15, 2012) <https://www.dshs.wa.gov/book/export/html/1137>.

⁶¹ WASH. ADMIN. CODE § 388-424-0015 (2024).

⁶² STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Economic Services Administration, Pregnant Women Assistance Program* <https://www.dshs.wa.gov/esa/community-services-offices/pregnant-women-assistance-pwa-program> (last visited Jan. 17, 2025); STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Economic Services Division, Citizenship and Alien Status - For Temporary Assistance for Needy Families (TANF)*(January 28, 2025). <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/citizenship-and-alien-status-temporary-assistance-needy-families-tanf>

[families-tanf](#) (Provides a non-inclusive list of lawfully present immigrants who are eligible for state funded benefits include State Family Assistance (SFA), Aged, Blind, and Disabled (ABD), and Pregnant Women Assistance (PWA)). See also, STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Citizenship and Alien Status for State Cash Programs* (June 15, 2012) <https://www.dshs.wa.gov/book/export/html/1137>.

⁶³Eligibility for the program may be affected by deeming but there are exceptions for certain categories of immigrants including battered immigrant VAWA self-petitioners, refugees, asylees, trafficking victims with HHS certification, and certain other battered immigrants. *Citizenship and alien status – Definitions*, WASH. ADMIN. CODE § 388-424-0001, <https://app.leg.wa.gov/wac/default.aspx?cite=388-424-0001> (last visited June 19, 2018); See also *TANF and Support Services*, ECON. SERVS. ADMIN., <https://www.dshs.wa.gov/esa/community-services-offices/tanf-and-support-services> (last visited July 12, 2018); 8 U.S.C. 1631(f) (Qualified immigrants who have been battered or subjected to extreme cruelty by a spouse, a parent or a member of the spouse's or parent's family are exempt from deeming for 12 months. The exemption from deeming may be extended if the battered immigrant obtains an order from a judge or a ruling from the U.S. Department of Homeland Security recognizing the battering or extreme cruelty the immigrant victim suffered.) (Interim Guidance on Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Att'y Gen. Order No. 2129-97, 62 Fed. Reg. 61,344, at 61,371 (Nov. 17, 1997)). <http://niwaplibrary.wcl.american.edu/pubs/1997-doj-interim-guidance-benefits/> See Catherine Longville and Leslye Orloff, *Public Benefits: What is "Deeming" and What Are its Exceptions*, (January 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>; *Applicability of Public Charge and Deeming Rules to Immigrant Survivors and Their Children Eligible for Healthcare Subsidies*, in NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (April 9, 2015), <http://niwaplibrary.wcl.american.edu/public-charge-deeming/>. Qualified immigrants may also be exempt from deeming when they naturalize, when they can show they are credited with 40 qualifying quarters of work, when they qualify for the up to 12 month exception for indigence, or have another form of immigration status does not require sponsorship. See 8 U.S.C. § 1631; DEP'T OF HEALTH & HUM. SERVS., OFF. OF FAM. ASSISTANCE, *TANF-ACF-PI-2003-03 (Deeming of Sponsor's Income and Resources To A Non-Citizen)*, (2003), <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>; NAT'L IMMIGRATION LAW CTR., *Table 8: State Funded TANF Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 102-03* (4th ed. 2002, table updated Aug. 2016), https://www.nilc.org/issues/economic-support/guide_tanf/.

⁶⁴ WASH. ADMIN. CODE § 388-424-0001(4)(b)(2024).

⁶⁵ WASH. ADMIN. CODE §§ 388-424-0015(1)(c)(2024); 388-424-0001(4)(c)(ii)(2024).

⁶⁶ STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Economic Services Administration, Pregnant Women Assistance Program* <https://www.dshs.wa.gov/esa/community-services-offices/pregnant-women-assistance-pwa-program> (last visited Jan. 17, 2025); STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Economic Services Division, Citizenship and Alien Status - For Temporary Assistance for Needy Families (TANF)* (January 28, 2025). <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/citizenship-and-alien-status-temporary-assistance-needy-families-tanf> (Provides a non-inclusive list of lawfully present immigrants who are eligible for state funded benefits include State Family Assistance (SFA), Aged, Blind, and Disabled (ABD), and Pregnant Women Assistance (PWA)). See also, STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Citizenship and Alien Status for State Cash Programs* (June 15, 2012) <https://www.dshs.wa.gov/book/export/html/1137>.

⁶⁷ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

⁶⁸ WASH. ADMIN. CODE § 388-424-0001(4)(b)(2024).

⁶⁹ WASH. ADMIN. CODE §§ 388-424-0015(1)(c)(2024); 388-424-0001(4)(c)(ii)(2024).

⁷⁰ STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Economic Services Administration, Pregnant Women Assistance Program* <https://www.dshs.wa.gov/esa/community-services-offices/pregnant-women-assistance-pwa-program> (last visited Jan. 17, 2025); STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Economic Services Division, Citizenship and Alien Status - For Temporary Assistance for Needy Families (TANF)* (January 28, 2025). <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/citizenship-and-alien-status-temporary-assistance-needy-families-tanf> (Provides a non-inclusive list of lawfully present immigrants who are eligible for state funded benefits include State Family Assistance (SFA), Aged, Blind, and Disabled (ABD), and Pregnant Women Assistance (PWA)). See also, STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Citizenship and Alien Status for State Cash Programs* (June 15, 2012) <https://www.dshs.wa.gov/book/export/html/1137>.

⁷¹ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

⁷² In determining Child Care Development Fund direct eligibility for subsidized child care, eligibility is based on then citizenship or immigration status of the child. The immigration status of the child's parent or parents is not relevant to this determination. Citizen and qualified immigrant children are directly eligible for all CCDF funded child care, including but not limited to child care provided by non-profit charitable organizations. **U.S. Department of Health and Human Services**, *Verification of Citizenship and Immigration Status by Non-Profit Organizations and Head Start Grantees*, in OFFICE OF CHILD CARE (May 2, 2008), <https://www.acf.hhs.gov/occ/resource/pi-2008-01>; NAT'L IMMIGR. L. CTR., *GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117* (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf. See 8 U.S.C. § 1641(c).

⁷³ NAT'L IMMIGR. L. CTR., *GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117* (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf. See 8 U.S.C. § 1641(c).

⁷⁴ Off. of Fam. Assistance, Admin. for Child. and Fams., U.S. Dep't of Health & Hum. Servs., Q&A: Immigrants (May 20, 2019) <https://www.acf.hhs.gov/ofa/faq/q-immigrants> ("Q2: Does the five-year bar for certain newly arrived qualified aliens apply to all federally-funded TANF benefits (e.g., including benefits that do not meet the definition of assistance? A service that is only available to the financially needy would not meet the AG criteria and could be [r]provided only to otherwise eligible citizens and qualified aliens." TANF is such a program.).

⁷⁵ STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Economic Services Division, WorkFirst Handbook, 2.3 Working Connections Child Care (WCCC) Section 2.3.2* (October 1, 2021); Washington State Department of Children, Youth, and Families, *Working Connections Child Care, Basic Eligibility Requirements for Child Care Subsidy Benefits* (October, 2024) https://dcyf.wa.gov/sites/default/files/pubs/EPS_0075.pdf; See *Citizenship and alien status – Eligibility for TANF*, WASH. ADMIN. CODE § 388-424-0010;

<https://app.leg.wa.gov/wac/default.aspx?cite=388-424-0010> (last visited Aug. 9, 2018); See also *Citizenship and alien status – Date of entry*, WASH. ADMIN. CODE § 388-424-0006, <https://app.leg.wa.gov/wac/default.aspx?cite=388-424-0006> (last visited Aug. 9, 2018); Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access*, NAT'L IMMIGRATION WOMEN'S ADVOCACY PROJECT (Mar. 13, 2013), <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.

⁷⁶ STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Seasonal Child Care*, <https://dcyf.wa.gov/services/earlylearning-childcare/getting-help/seasonal-child-care> (last visited Jan. 17, 2025).

⁷⁷ See 8 U.S.C. § 1641(b)(2)-(3). NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁷⁸ See 22 U.S.C. § 7105(b)(1); NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁷⁹ See 8 U.S.C. § 1641(c)(4). NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁸⁰ See 8 U.S.C. § 1641(c)(4). NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁸¹ STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Economic Services Division, WorkFirst Handbook, 2.3 Working Connections Child Care (WCCC) Section 2.3.2* (October 1, 2021); Washington State Department of Children, Youth, and Families, *Working Connections Child Care, Basic Eligibility Requirements for Child Care Subsidy Benefits* (October, 2024) https://dcyf.wa.gov/sites/default/files/pubs/EPS_0075.pdf; See *Citizenship and alien status – Eligibility for TANF*, WASH. ADMIN. CODE § 388-424-0010; <https://app.leg.wa.gov/wac/default.aspx?cite=388-424-0010> (last visited Aug. 9, 2018); See also *Citizenship and alien status – Date of entry*, WASH. ADMIN. CODE § 388-424-0006, <https://app.leg.wa.gov/wac/default.aspx?cite=388-424-0006> (last visited Aug. 9, 2018); Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access*, NAT'L IMMIGRATION WOMEN'S ADVOCACY PROJECT (Mar. 13, 2013), <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.

⁸² WASH. ADMIN. CODE § 388-424-0001(4)(c)(ii)(2024)(Specific crimes include: crimes related to human trafficking, kidnapping, unlawful imprisonment, custodial interference, luring, trafficking, coercion of involuntary servitude, luring, protection order violations, sexual exploitation of children, and substantially similar crimes under federal law or the laws of another state).

⁸³ STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *2.3 Working Connections Child Care (WCCC)* (October 1, 2021) <https://www.dshs.wa.gov/esa/chapter-2-supports/23-working-connections-child-care-wccc>; 3d Sub. S. 5164, 66th Leg., Reg. Sess. (Wa. 2020) <https://lawfilesex.leg.wa.gov/biennium/2019-20/Pdf/Bills/Senate%20Passed%20Legislature/5164-S3.PL.pdf?q=20220303054314>; Effective Feb. 1, 2022, survivors of trafficking or other serious crimes and asylum applicants who have filed or are preparing to file applications for T or U status, ORR certification, or asylum. *Letter Regarding Third Substitute Bill 5164*, STATE OF WA DEP'T OF SOC. SERVS. (Jan. 18, 2022) https://www.dcyf.wa.gov/sites/default/files/pdf/gov/docs/DSHS_SHB5164_Letter.pdf.

⁸⁴ OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>; NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification). Applicants under age 18 require an HHS eligibility determination (not a certification)).

⁸⁵ NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf; Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access*, NAT'L IMMIGRATION WOMEN'S ADVOCACY PROJECT (Mar. 13, 2013), <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>; OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. See 22 U.S.C. § 7105(b).

⁸⁶ Washington State Department of Social and Health Services, *2.3 Working Connections Child Care (WCCC)* (October 1, 2021) <https://www.dshs.wa.gov/esa/chapter-2-supports/23-working-connections-child-care-wccc>; Act Relating to Public Assistance to Victims of Certain Crimes Including Human Trafficking. Third Substitute Senate Bill 5164 <https://lawfilesex.leg.wa.gov/biennium/2019-20/Pdf/Bills/Senate%20Passed%20Legislature/5164-S3.PL.pdf?q=20220303054314> (March 25, 2021); Effective Feb. 1, 2022, survivors of trafficking or other serious crimes and asylum applicants who have filed or are preparing to file applications for T or U status, ORR certification, or asylum. *Letter Regarding Third Substitute Bill 5164*, STATE OF WA DEP'T OF SOC. SERVS. (Jan. 18, 2022) https://www.dcyf.wa.gov/sites/default/files/pdf/gov/docs/DSHS_SHB5164_Letter.pdf.

⁸⁷ NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁸⁸ STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Seasonal Child Care*, <https://dcyf.wa.gov/services/earlylearning-childcare/getting-help/seasonal-child-care> (last visited Jan. 17, 2025).

⁸⁹ NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁹⁰ In determining Child Care Development Fund direct eligibility for subsidized child care, eligibility is based on then citizenship or immigration status of the child. The immigration status of the child's parent or parents is not relevant to this determination. Citizen and qualified immigrant children are directly eligible for all CCDF funded child care, including but not limited to child care provided by non-profit charitable organizations. U.S. Department of Health and Human Services, *Verification of Citizenship and Immigration Status by Non-Profit Organizations and Head Start Grantees*, in OFFICE OF CHILD CARE (May 2, 2008), <https://www.acf.hhs.gov/occ/resource/pi-2008-01>. NAT'L IMMIGRATION LAW CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf. See 8 U.S.C. § 1641(c).

⁹¹ 8 U.S.C. §§ 1612(b)(2)(A)(ii); Eligibility is based on the citizenship or immigration status of the child. The immigration status of the child's parent or parents is not relevant to this determination. U.S. Department of Health and Human Services, *Verification of Citizenship and Immigration Status by Non-Profit Organizations and Head Start Grantees*, in OFFICE OF CHILD CARE (May 2, 2008),

<https://www.acf.hhs.gov/occ/resource/pi-2008-01>. NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf. See 8 U.S.C. § 1641(b)(1).

⁹² WASH. ADMIN. CODE §§ 388-424-0015(1)(b)(2024); 388-424-0001(1) (2024)(lawfully present is defined as immigrants or noncitizens who have been inspected and admitted into the United States and have not over-stayed the period for which they were admitted, or have current per-mission from the U.S. Citizenship and Immigration Services (CIS) to stay or live in the U.S.); *Washington WorkFirst*, WASH. STATE WORKFIRST, <https://workfirst.wa.gov/> (last visited Jan. 17, 2025); *Washington State Family Assistance, Immigrant Eligibility*, <https://app.leg.wa.gov/WAC/default.aspx?cite=388-424-0015>; *Public Benefit Eligibility for Survivors of Certain Crimes*, WASH. STATE ECONOMIC SERVICES ADMIN. (FEB. 5, 2024) <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes>.

⁹³ STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Economic Services Division, Citizenship and Alien Status - For Temporary Assistance for Needy Families (TANF)*(January 28, 2025). <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/citizenship-and-alien-status-temporary-assistance-needy-families-tanf> (Provides a non-inclusive list of lawfully present immigrants who are eligible for state funded benefits include State Family Assistance (SFA), Aged, Blind, and Disabled (ABD), and Pregnant Women Assistance (PWA)). See also, STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Citizenship and Alien Status for State Cash Programs* (June 15, 2012) <https://www.dshs.wa.gov/book/export/html/1137>.

⁹⁴ STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Economic Services Division, WorkFirst Handbook, 2.3 Working Connections Child Care (WCCC) Section 2.3.2* (October 1, 2021); Washington State Department of Children, Youth, and Families, Working Connections Child Care, Basic Eligibility Requirements for Child Care Subsidy Benefits (October, 2024) https://dcyf.wa.gov/sites/default/files/pubs/EPS_0075.pdf; See *Citizenship and alien status – Eligibility for TANF*, WASH. ADMIN. CODE § 388-424-0010; <https://app.leg.wa.gov/wac/default.aspx?cite=388-424-0010> (last visited Aug. 9, 2018); See also *Citizenship and alien status – Date of entry*, WASH. ADMIN. CODE § 388-424-0006, <https://app.leg.wa.gov/wac/default.aspx?cite=388-424-0006> (last visited Aug. 9, 2018); Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access*, NAT'L IMMIGRATION WOMEN'S ADVOCACY PROJECT (Mar. 13, 2013), <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.

⁹⁵ NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

⁹⁶ In determining Child Care Development Fund direct eligibility for subsidized child care, eligibility is based on then citizenship or immigration status of the child. The immigration status of the child's parent or parents is not relevant to this determination. Citizen and qualified immigrant children are directly eligible for all CCDF funded child care, including but not limited to child care provided by non-profit charitable organizations. U.S. Department of Health and Human Services, Verification of Citizenship and Immigration Status by Non-Profit Organizations and Head Start Grantees, in OFFICE OF CHILD CARE (May 2, 2008), <https://www.acf.hhs.gov/occ/resource/pi-2008-01>. NAT'L IMMIGRATION LAW CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf. See 8 U.S.C. § 1641(c).

⁹⁷ 8 U.S.C. §§ 1612(b)(2)(A)(ii); Eligibility is based on the citizenship or immigration status of the child. The immigration status of the child's parent or parents is not relevant to this determination. U.S. Department of Health and Human Services, Verification of Citizenship and Immigration Status by Non-Profit Organizations and Head Start Grantees, in OFFICE OF CHILD CARE (May 2, 2008), <https://www.acf.hhs.gov/occ/resource/pi-2008-01>. NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf. See 8 U.S.C. § 1641(b)(1).

⁹⁸ WASH. ADMIN. CODE §§ 388-424-0015(1)(b)(2024); 388-424-0001(1) (2024)(lawfully present is defined as immigrants or noncitizens who have been inspected and admitted into the United States and have not over-stayed the period for which they were admitted, or have current per-mission from the U.S. Citizenship and Immigration Services (CIS) to stay or live in the U.S.); *Washington WorkFirst*, WASH. STATE WORKFIRST, <https://workfirst.wa.gov/> (last visited Jan. 17, 2025); *Washington State Family Assistance, Immigrant Eligibility*, <https://app.leg.wa.gov/WAC/default.aspx?cite=388-424-0015>; *Public Benefit Eligibility for Survivors of Certain Crimes*, WASH. STATE ECONOMIC SERVICES ADMIN. (FEB. 5, 2024) <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes>.

⁹⁹ U visa bona fide determinations come with deferred action which is protection from deportation and which makes U visa applicants eligible for health care as lawfully residing immigrant. Cindy Mann, CTR. FOR MEDICARE & MEDICAID SERVS., U.S. DEP'T OF HEALTH & HUM. SERVS., MEDICAID AND CHIP COVERAGE FOR "LAWFULLY RESIDING" CHILDREN AND PREGNANT WOMEN 3 (2010), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/>; *Public Benefit Eligibility for Survivors of Certain Crimes*, WASH. STATE ECONOMIC SERVICES ADMIN., <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes> (last visited Jan. 17, 2025).

¹⁰⁰ STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Economic Services Division, Citizenship and Alien Status - For Temporary Assistance for Needy Families (TANF)*(January 28, 2025). <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/citizenship-and-alien-status-temporary-assistance-needy-families-tanf> (Provides a non-inclusive list of lawfully present immigrants who are eligible for state funded benefits include State Family Assistance (SFA), Aged, Blind, and Disabled (ABD), and Pregnant Women Assistance (PWA)). See also, STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Citizenship and Alien Status for State Cash Programs* (June 15, 2012) <https://www.dshs.wa.gov/book/export/html/1137>.

¹⁰¹ STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Economic Services Division, WorkFirst Handbook, 2.3 Working Connections Child Care (WCCC) Section 2.3.2* (October 1, 2021); Washington State Department of Children, Youth, and Families, Working Connections Child Care, Basic Eligibility Requirements for Child Care Subsidy Benefits (October, 2024) https://dcyf.wa.gov/sites/default/files/pubs/EPS_0075.pdf; See *Citizenship and alien status – Eligibility for TANF*, WASH. ADMIN. CODE § 388-424-0010; <https://app.leg.wa.gov/wac/default.aspx?cite=388-424-0010> (last visited Aug. 9, 2018); See also *Citizenship and alien status – Date of entry*, WASH. ADMIN. CODE § 388-424-0006, <https://app.leg.wa.gov/wac/default.aspx?cite=388-424-0006> (last visited Aug. 9, 2018); Benish Anver & Leslye E. Orloff, *Immigrant Crime Victim Child Care Access*, NAT'L IMMIGRATION WOMEN'S ADVOCACY PROJECT (Mar. 13, 2013), <http://niwaplibrary.wcl.american.edu/pubs/pb-chart-childcare/>.

¹⁰² WASH. ADMIN. CODE § 388-424-0001(4)(b)(2024).

¹⁰³ STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., 2.3 *Working Connections Child Care (WCCC)* (October 1, 2021) <https://www.dshs.wa.gov/esa/chapter-2-supports/23-working-connections-child-care-wccc>; 3d Sub. S. 5164, 66th Leg., Reg. Sess. (Wa. 2020) <https://lawfilesexternal.wa.gov/biennium/2019-20/Pdf/Bills/Senate%20Passed%20Legislature/5164-S3.PL.pdf?q=20220303054314>;

Effective Feb. 1, 2022, survivors of trafficking or other serious crimes and asylum applicants who have filed or are preparing to file applications for T or U status, ORR certification, or asylum. *Letter Regarding Third Substitute Bill 5164*, STATE OF WA DEP'T OF SOC. SERVS. (Jan. 18, 2022) https://www.dcyf.wa.gov/sites/default/files/pdf/gov/docs/DSHS_SHB5164_Letter.pdf.

¹⁰⁴ NAT'L IMMIGR. LAW CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

¹⁰⁵ WASH. ADMIN. CODE §388-424-0001(4)(b)(2024).

¹⁰⁶ Washington State Department of Social and Health Services, *2.3 Working Connections Child Care (WCCC)* (October 1, 2021) <https://www.dshs.wa.gov/esa/chapter-2-supports/23-working-connections-child-care-wccc>; 3d Sub. S. 5164, 66th Leg., Reg. Sess. (Wa. 2020) <https://lawfilesexternal.wa.gov/biennium/2019-20/Pdf/Bills/Senate%20Passed%20Legislature/5164-S3.PL.pdf?q=20220303054314>; Effective Feb. 1, 2022, survivors of trafficking or other serious crimes and asylum applicants who have filed or are preparing to file applications for T or U status, ORR certification, or asylum. *Letter Regarding Third Substitute Bill 5164*, STATE OF WA DEP'T OF SOC. SERVS. (Jan. 18, 2022) https://www.dcyf.wa.gov/sites/default/files/pdf/gov/docs/DSHS_SHB5164_Letter.pdf.

¹⁰⁷ NAT'L IMMIGR. L. CTR., GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 116, 117 (4th ed. 2002, rev. 2006), https://www.nilc.org/wp-content/uploads/2016/03/childcare_pp116-17_053106.pdf.

¹⁰⁸ STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Seasonal Child Care*, <https://dcyf.wa.gov/services/earlylearning-childcare/getting-help/seasonal-child-care> (last visited Jan. 17, 2025).

¹⁰⁹ See, FOOD & NUTRITION SERV., U.S. DEP'T OF AGRIC. SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) (2017), <https://www.fns.usda.gov/snap/eligibility> (As with most public benefits, to obtain food stamps, individuals must also meet resource, income, and employment requirements. There is a pre-screening tool to determine if an individual might be eligible for nutrition assistance.); See also, *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). (In general, non-citizens who have lived in the U.S. for 5 years or more, are blind or disabled, are under the age of 18, were admitted for lawful permanent residence with 40 qualifying quarters or are lawfully residing and are on active duty in the U.S. Army, Air Force, Marine Corps, or Coast Guard or honorably discharged are eligible.).

¹¹⁰ WASH. ADMIN. CODE § 388-424-0020 (2024).

¹¹¹ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrwr_fedprogs/; *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018); See 8 U.S.C. § 1641(c); See also 8 U.S.C. § 1612(a)(1)-1612(a)(2). Battered immigrants are not subject to deeming for at least 12 months, with the possibility of extension. See *Guidance on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, at 31, available at <https://www.fns.usda.gov/snap/eligibility/non-citizen-eligibility> (last accessed Apr. 29, 2023)

¹¹² *Supplemental Nutrition Assistance Program Guidance on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, at 4, https://fns-prod.azureedge.net/sites/default/files/snap/Non-Citizen_Guidance_063011.pdf (last accessed Mar. 13, 2019).

¹¹³ Citizenship and alien status – Definitions, WASH. ADMIN. CODE §388-424-0001(2)(2024).

¹¹⁴ WASH. ADMIN. CODE §§ 388-424-0030(1)(a)(2024); 388-400-0050 (2024).

¹¹⁵ WASH. ADMIN. CODE §388-400-0050 (2024); NAT'L IMMIGR. L. CTR., *Table 12: State-Funded Food Assistance Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 134-35 (4th ed. 2002, table updated August 2016), https://www.nilc.org/issues/economic-support/state_food/; Eligibility for the program may be affected by deeming but there are exceptions for certain categories of immigrants including battered immigrant VAWA self-petitioners, refugees, asylees, trafficking victims with HHS certification, and certain other battered immigrants. See Catherine Longville & Leslye Orloff, *Public Benefits: What is “Deeming” and What are its Exceptions*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (Jan. 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>; See also *Basic Food*, ECON SERVS. ADMIN., <https://www.dshs.wa.gov/esa/community-services-offices/basic-food> (last visited July 12, 2018); Applicants for SNAP who meet all the requirements except citizenship status may be eligible for the State Food Assistance Program (FAP), See *State Food Assistance Program*, ECONOMIC SERVS. ADMIN., <https://www.dshs.wa.gov/esa/community-services-offices/state-food-assistance-program-fap> (last visited June 6, 2018); *Public Benefit Eligibility for Survivors of Certain Crimes*, WASH. STATE ECONOMIC SERVICES ADMIN., <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes> (last visited Jan. 17, 2025).

¹¹⁶ WASH. ADMIN. CODE §388-424-0020 (2024).

¹¹⁷ See 8 USC §1612(a)(2)(A) and (L). Directly eligible for SNAP as refugees and asylees for seven years. However, they retain eligibility past the seven years since they will have transitioned into qualified immigrant status, with indefinite eligibility for SNAP, after five years. See 8 U.S.C. § 1641(b)(2)-(3). See also Nat'l Immigration Law Ctr., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* Guide to Immigrant Eligibility for Federal Programs 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrwr_fedprogs/; 8 U.S.C. § 1641(b)(2)-(3). See also *Supplemental Nutrition Assistance Program Guidance on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, at 31, https://fns-prod.azureedge.net/sites/default/files/snap/Non-Citizen_Guidance_063011.pdf (last accessed Mar. 13, 2019). https://fns-prod.azureedge.us/sites/default/files/resource-files/Non-Citizen%20Guidance_6-30-2011.pdf

¹¹⁸ 8 U.S.C. § 1641(c)(4); NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrwr_fedprogs/; *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018).

¹¹⁹ See 22 U.S.C. § 7105(b) (1). Eligible to the same extent as refugees. (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)). NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table

updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018).

¹²⁰ WASH. ADMIN. CODE §388-424-0001(4)(c)(ii)(2024)(Specific crimes include: crimes related to human trafficking, kidnapping, unlawful imprisonment, custodial interference, luring, trafficking, coercion of involuntary servitude, luring, protection order violations, sexual exploitation of children, and substantially similar crimes under federal law or the laws of another state).

¹²¹ WASH. ADMIN. CODE §§ 388-400-0010(2)(f)(2024); 388-424-0001(4)(c)(ii)(2024)

¹²² WASH. ADMIN. CODE §§ 388-400-0030(1)(c)(2024); ; 3d Sub. S. 5164, 66th Leg., Reg. Sess. (Wa. 2020) <https://lawfilesexternal.wa.gov/biennium/2019-20/Pdf/Bills/Senate%20Passed%20Legislature/5164-S3.PL.pdf?q=20220303054314>; Effective Feb. 1, 2022, survivors of trafficking or other serious crimes and asylum applicants who have filed or are preparing to file applications for T or U status, ORR certification, or asylum. *Letter Regarding Third Substitute Bill 5164*, STATE OF WA DEP'T OF SOC. SERVS. (Jan. 18, 2022) https://www.dcyf.wa.gov/sites/default/files/pdf/gov/docs/DSHS_SHB5164_Letter.pdf; *Public Benefit Eligibility for Survivors of Certain Crimes*, WASH. STATE ECONOMIC SERVICES ADMIN., <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes> (last visited Jan. 17, 2025).

¹²³ WASH. ADMIN. CODE § 388-424-0020 (2024).

¹²⁴ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018);. *See* 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)).

¹²⁵ OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%2028%29.pdf>. *See* 22 U.S.C. § 7105(b).

¹²⁶ 22 U.S.C. § 7105(b). Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification). *See* NAT'L IMMIGR. LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018).

¹²⁷ Citizenship and alien status – Definitions, WASH. ADMIN. CODE § 388-424-0001(2)(2024).

¹²⁸ WASH. ADMIN. CODE §§ 388-424-0030(1)(a)(2024); 388-400-0050 (2024).

¹²⁹ WASH. ADMIN. CODE §§ 388-400-0010(2)(f)(2024); 388-424-0001(2)(b)(ii)(A)(2024)

¹³⁰ WASH. ADMIN. CODE §§ 388-400-0010(2)(f)(2024); 388-424-0001(4)(c)(i)(2024)

¹³¹ WASH. ADMIN. CODE §§ 388-400-0030(1)(c)(2024); 388-400-0050 (2024); 3d Sub. S. 5164, 66th Leg., Reg. Sess. (Wa. 2020) <https://lawfilesexternal.wa.gov/biennium/2019-20/Pdf/Bills/Senate%20Passed%20Legislature/5164-S3.PL.pdf?q=20220303054314>; Effective Feb. 1, 2022, survivors of trafficking or other serious crimes and asylum applicants who have filed or are preparing to file applications for T or U status, ORR certification, or asylum. *Letter Regarding Third Substitute Bill 5164*, STATE OF WA DEP'T OF SOC. SERVS. (Jan. 18, 2022) https://www.dcyf.wa.gov/sites/default/files/pdf/gov/docs/DSHS_SHB5164_Letter.pdf.

¹³² WASH. ADMIN. CODE §§ 388-400-0030(b)(2024)(Describing persons residing under color of law (PRUCOLs) who are lawfully present noncitizens who intend to stay in the United States indefinitely and the U.S. Department of Homeland Security is not taking steps to enforce the immigrant's departure.);

¹³³ WASH. ADMIN. CODE §§ 388-400-0050 (2024); 388-400-0030(b)(2024)(Describing persons residing under color of law (PRUCOLs) who are lawfully present noncitizens who intend to stay in the United States indefinitely and the U.S. Department of Homeland Security is not taking steps to enforce the immigrant's departure.); NAT'L IMMIGR. L. CTR., *Table 12: State-Funded Food Assistance Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 134-35* (4th ed. 2002, table updated August 2016), https://www.nilc.org/issues/economic-support/state_food/; Eligibility for the program may be affected by deeming but there are exceptions for certain categories of immigrants including battered immigrant VAWA self-petitioners, refugees, asylees, trafficking victims with HHS certification, and certain other battered immigrants. *See* Catherine Longville & Leslye Orloff, *Public Benefits: What is "Deeming" and What are its Exceptions*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (Jan. 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>; *See also Basic Food*, ECON SERVS. ADMIN., <https://www.dshs.wa.gov/esa/community-services-offices/basic-food> (last visited July 12, 2018); Applicants for SNAP who meet all the requirements except citizenship status may be eligible for the State Food Assistance Program (FAP), *See State Food Assistance Program*, ECONOMIC SERVS. ADMIN., <https://www.dshs.wa.gov/esa/community-services-offices/state-food-assistance-program-fap> (last visited June 6, 2018); *Public Benefit Eligibility for Survivors of Certain Crimes*, WASH. STATE ECONOMIC SERVICES ADMIN., <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes> (last visited Jan. 17, 2025).

¹³⁴ WASH. ADMIN. CODE §388-424-0020 (2024).

¹³⁵ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018).

¹³⁶ *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018).

¹³⁷ *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). Five-year residency includes time in qualified status prior to turning 18. When SIJS children become qualified immigrants, they may be exempt from deeming when they naturalize, or if they can show they are credited with 40 qualifying quarters of work, or if they are eligible for a 12 month exception for indigence, or have another form of immigration status does not require

sponsorship. 8 U.S.C. § 1631; *Supplemental Nutrition Assistance Program Guidance on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, at 31-33, https://fns-prod.azureedge.us/sites/default/files/resource-files/Non-Citizen%20Guidance_6-30-2011.pdf (last accessed Mar. 13, 2019).

¹³⁸ Wash. Admin. Code § 388-400-0050 (2024); *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). (Although eligibility based on 40 work quarters includes work performed by applicant, spouse, and parents while the applicant was under 18, SIJS youth are generally not able to satisfy this condition.)

¹³⁹ *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). May be subject to deeming.

¹⁴⁰ Citizenship and alien status WASH. ADMIN. CODE §388-424-0001(2)(2024).

¹⁴¹ WASH. ADMIN. CODE §§ 388-424-0030(1)(a)(2024); 388-400-0050 (2024).

¹⁴² WASH. ADMIN. CODE §388-400-0030(b)(2024)(Describing persons residing under color of law (PRUCOLs) who are lawfully present noncitizens who intend to stay in the United States indefinitely and the U.S. Department of Homeland Security is not taking steps to enforce the immigrant's departure.);

¹⁴³ WASH. ADMIN. CODE §§ 388-400-0050 (2024); 388-400-0030(b)(2024)(Describing persons residing under color of law (PRUCOLs) who are lawfully present noncitizens who intend to stay in the United States indefinitely and the U.S. Department of Homeland Security is not taking steps to enforce the immigrant's departure.); NAT'L IMMIGR. L. CTR., *Table 12: State-Funded Food Assistance Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 134-35 (4th ed. 2002, table updated August 2016), https://www.nilc.org/issues/economic-support/state_food/; Eligibility for the program may be affected by deeming but there are exceptions for certain categories of immigrants including battered immigrant VAWA self-petitioners, refugees, asylees, trafficking victims with HHS certification, and certain other battered immigrants. See Catherine Longville & Leslye Orloff, *Public Benefits: What is "Deeming" and What are its Exceptions*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (Jan. 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>; See also *Basic Food*, ECON SERVS. ADMIN., <https://www.dshs.wa.gov/esa/community-services-offices/basic-food> (last visited July 12, 2018); Applicants for SNAP who meet all the requirements except citizenship status may be eligible for the State Food Assistance Program (FAP), See *State Food Assistance Program*, ECONOMIC SERVS. ADMIN., <https://www.dshs.wa.gov/esa/community-services-offices/state-food-assistance-program-fap> (last visited June 6, 2018); *Public Benefit Eligibility for Survivors of Certain Crimes*, WASH. STATE ECONOMIC SERVICES ADMIN., <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes> (last visited Jan. 17, 2025).

¹⁴⁴ WASH. ADMIN. CODE §§ 388-424-0020 (2024); 388-424-0001(3)(2024);); *Public Benefit Eligibility for Survivors of Certain Crimes*, WASH. STATE ECONOMIC SERVICES ADMIN., <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes> (last visited Jan. 17, 2025).

¹⁴⁵ WASH. ADMIN. CODE §§ 388-424-0030(b)(2024); 388-400-0050 (2024); NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018).

¹⁴⁶ *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). (Eligible children are exempt from sponsor deeming.)

¹⁴⁷ *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). (Five-year residency includes time in qualified status prior to turning 18.) May be subject to deeming.

¹⁴⁸ See *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). (Although eligibility based on 40 work quarters includes work performed by applicant, spouse, and parents while the applicant was under 18, SIJS youth are generally not able to satisfy this condition.)

¹⁴⁹ *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). (Born on or before August 22, 1931 and lawfully resided in the U.S. on August 22, 1996.) May be subject to deeming.

¹⁵⁰ *SNAP Policy on Non-Citizen Eligibility*, U.S. DEP'T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, <https://www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility> (last accessed Oct. 24, 2018). May be subject to deeming.

¹⁵¹ Citizenship and alien status – Definitions, WASH. ADMIN. CODE §388-424-0001(2)(2024).

¹⁵² WASH. ADMIN. CODE §388-424-0030(1)(a)(2024).

¹⁵³ WASH. ADMIN. CODE §388-400-0050 (2024); NAT'L IMMIGR. L. CTR., *Table 12: State-Funded Food Assistance Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 134-35 (4th ed. 2002, table updated August 2016), https://www.nilc.org/issues/economic-support/state_food/; Eligibility for the program may be affected by deeming but there are exceptions for certain categories of immigrants including battered immigrant VAWA self-petitioners, refugees, asylees, trafficking victims with HHS certification, and certain other battered immigrants. See Catherine Longville & Leslye Orloff, *Public Benefits: What is "Deeming" and What are its Exceptions*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (Jan. 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>; See also *Basic Food*, ECON SERVS. ADMIN., <https://www.dshs.wa.gov/esa/community-services-offices/basic-food> (last visited July 12, 2018); Applicants for SNAP who meet all the requirements except citizenship status may be eligible for the State Food Assistance Program (FAP), See *State Food Assistance Program*, ECONOMIC SERVS. ADMIN., <https://www.dshs.wa.gov/esa/community-services-offices/state-food-assistance-program-fap> (last visited June 6, 2018); *Public Benefit Eligibility for Survivors of Certain Crimes*, WASH. STATE ECONOMIC SERVICES ADMIN., <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes> (last visited Jan. 17, 2025).

¹⁵⁴ WASH. ADMIN. CODE §§ 388-424-0001(4)(b)(2024); 388-400-0050 (2024).

- ¹⁵⁵ WASH. ADMIN. CODE §§ 388-400-0030(1)(c)(2024); 388-400-0050 (2024); 3d Sub. S. 5164, 66th Leg., Reg. Sess. (Wa. 2020) <https://lawfilesexternal.wa.gov/biennium/2019-20/Pdf/Bills/Senate%20Passed%20Legislature/5164-S3.PL.pdf?q=20220303054314>; Effective Feb. 1, 2022, survivors of trafficking or other serious crimes and asylum applicants who have filed or are preparing to file applications for T or U status, ORR certification, or asylum. *Letter Regarding Third Substitute Bill 5164*, STATE OF WA DEP'T OF SOC. SERVS. (Jan. 18, 2022) https://www.dcyf.wa.gov/sites/default/files/pdf/gov/docs/DSHS_SHB5164_Letter.pdf.
- ¹⁵⁶ WASH. ADMIN. CODE §§ 388-424-0001(4)(b)(2024); 388-400-0050 (2024).
- ¹⁵⁷ WASH. ADMIN. CODE §§ 388-400-0030(1)(c)(2024); 388-400-0050 (2024); 3d Sub. S. 5164, 66th Leg., Reg. Sess. (Wa. 2020) <https://lawfilesexternal.wa.gov/biennium/2019-20/Pdf/Bills/Senate%20Passed%20Legislature/5164-S3.PL.pdf?q=20220303054314>; Effective Feb. 1, 2022, survivors of trafficking or other serious crimes and asylum applicants who have filed or are preparing to file applications for T or U status, ORR certification, or asylum. *Letter Regarding Third Substitute Bill 5164*, STATE OF WA DEP'T OF SOC. SERVS. (Jan. 18, 2022) https://www.dcyf.wa.gov/sites/default/files/pdf/gov/docs/DSHS_SHB5164_Letter.pdf.
- ¹⁵⁸ 42 U.S.C.S. § 1786; *Women, Infants, and Children (WIC)*, U.S. DEP'T OF AGRIC. FOOD & NUTRITION SERV., <https://www.fns.usda.gov/wic/women-infants-and-children-wic> (last visited June 14, 2018).
- ¹⁵⁹ *WIC Contacts*, U.S. DEP'T OF AGRIC. FOOD & NUTRITION SERV., <https://www.fns.usda.gov/wic-contacts> (last visited June 14, 2018).
- ¹⁶⁰ *WIC Eligibility Requirements*, U.S. DEP'T OF AGRIC. FOOD & NUTRITION SERV., <https://www.fns.usda.gov/wic/wic-eligibility-requirements> (last visited June 14, 2018).
- ¹⁶¹ *What is WIC?*, WASH. STATE DEP'T OF HEALTH, <https://www.doh.wa.gov/YouandYourFamily/WIC> (last visited June 19, 2018).
- ¹⁶² *WIC Eligibility*, WASH. STATE DEP'T OF HEALTH, <https://www.doh.wa.gov/YouandYourFamily/WIC/Eligibility> (last visited June 19, 2018).
- ¹⁶³ 8 U.S.C. § 1641(c); HealthCare.gov, *Immigrants, Immigration status and the Marketplace* (last visited November 29, 2023) (Listing immigrants with which immigration statuses are legally able to use the Marketplace); See NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024)* <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.
- ¹⁶⁴ 8 U.S.C. § 1641(c); HealthCare.gov, *Immigrants, Immigration status and the Marketplace* (last visited November 29, 2023) (Listing immigrants with which immigration statuses are legally able to use the Marketplace); See NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024)* <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.
- ¹⁶⁵ NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. See 8 U.S.C. § 1641(c); See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024)* <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.
- ¹⁶⁶ Washington healthplanfinder, *Cost Savings Options*, <https://www.wahealthplanfinder.org/us/en/tools-and-resources/health-care-education/cost-savings-options.html> (last visited Jan 17, 2025).
- ¹⁶⁷ Washington State Healthcare Authority, *Apple Health Expansion*, <https://www.hca.wa.gov/about-hca/programs-and-initiatives/apple-health-medicaid/apple-health-expansion> (last visited Jan 7, 2025).
- ¹⁶⁸ NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 2 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. See 8 U.S.C. § 1641(b)(2); See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024)* <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.
- ¹⁶⁹ Cindy Mann, CTR. FOR MEDICARE & MEDICAID SERV., U.S. DEP'T OF HEALTH & HUM. SERV., MEDICAID AND CHIP COVERAGE FOR "LAWFULLY RESIDING" CHILDREN AND PREGNANT WOMEN 3 (2010), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/>. See 8 U.S.C. § 1641(b)(3); 45 C.F.R. § 152.2(5) (2017) ("A pending applicant for asylum under section 208(a) of the INA (8 U.S.C. § 1158) or for withholding of removal under section 241(b)(3) of the INA (8 U.S.C. § 1231) or under the Convention Against Torture who has been granted employment authorization, and such an applicant under the age of 14 who has had an application pending for at least 180 days."); See, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024)* <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.
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CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>.

¹⁷¹ 42 C.F.R. § 435.4(2)(ii), (iv), and (v); *See*, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>.

¹⁷² Washington healthplanfinder, *Cost Savings Options*, <https://www.wahealthplanfinder.org/us/en/tools-and-resources/health-care-education/cost-savings-options.html> (last visited Jan 17, 2025).

¹⁷³ Washington State Healthcare Authority, *Apple Health Expansion*, <https://www.hca.wa.gov/about-hca/programs-and-initiatives/apple-health-medicaid/apple-health-expansion> (last visited Jan 7, 2025).

¹⁷⁴ NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. *See* 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)). *See*, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>.

¹⁷⁵ OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. *See* 22 U.S.C. § 7105(b).

¹⁷⁶ NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. *See* 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)). *See*, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>.

¹⁷⁷ Washington healthplanfinder, *Cost Savings Options*, <https://www.wahealthplanfinder.org/us/en/tools-and-resources/health-care-education/cost-savings-options.html> (last visited Jan 17, 2025).

¹⁷⁸ Washington State Healthcare Authority, *Apple Health Expansion*, <https://www.hca.wa.gov/about-hca/programs-and-initiatives/apple-health-medicaid/apple-health-expansion> (last visited Jan 7, 2025).

¹⁷⁹ 45 C.F.R. 152.2(4)(vi); 8 C.F.R. 236.22. (Beginning November 1, 2024 recipients of Deferred Action for Childhood Arrivals (DACA) are eligible for access to state and federal healthcare exchanges.); *See*, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024)* <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

¹⁸⁰ Washington healthplanfinder, *Cost Savings Options*, <https://www.wahealthplanfinder.org/us/en/tools-and-resources/health-care-education/cost-savings-options.html> (last visited Jan 17, 2025).

¹⁸¹ Washington State Healthcare Authority, *Apple Health Expansion*, <https://www.hca.wa.gov/about-hca/programs-and-initiatives/apple-health-medicaid/apple-health-expansion> (last visited Jan 7, 2025).

¹⁸² 45 C.F.R. 152.2(7); NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>; *See*, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024)* <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

¹⁸³ Washington healthplanfinder, *Cost Savings Options*, <https://www.wahealthplanfinder.org/us/en/tools-and-resources/health-care-education/cost-savings-options.html> (last visited Jan 17, 2025).

¹⁸⁴ Washington State Healthcare Authority, *Apple Health Expansion*, <https://www.hca.wa.gov/about-hca/programs-and-initiatives/apple-health-medicaid/apple-health-expansion> (last visited Jan 7, 2025).

¹⁸⁵ 45 C.F.R. 152.2(4)(vi); U visa bona fide determinations come with deferred action which is protection from deportation and which makes U visa applicants eligible for health care as lawfully residing immigrant. Cindy Mann, CTR. FOR MEDICARE & MEDICAID SERV., U.S. DEP'T OF HEALTH & HUM. SERV., MEDICAID AND CHIP COVERAGE FOR "LAWFULLY RESIDING" CHILDREN AND PREGNANT WOMEN 3 (2010), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/>; *See*, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024)* <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

¹⁸⁶ 45 C.F.R. 152.2(4)(vi); Cindy Mann, CTR. FOR MEDICARE & MEDICAID SERV., U.S. DEP'T OF HEALTH & HUM. SERV., MEDICAID AND CHIP COVERAGE FOR "LAWFULLY RESIDING" CHILDREN AND PREGNANT WOMEN 3 (2010), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/>; Carly Erickson & Leslye E. Orloff, *U-Visa Victim Benefits under the Affordable Care Act (ACA)*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (June 18, 2014), <http://niwaplibrary.wcl.american.edu/pubs/u-visa-healthcare-aca/>; *See*,

Centers for Medicare and Medicaid Services (CMS), Department of Health and Human Services (HHS), *Clarifying the Eligibility of Deferred Action for Childhood Arrivals (DACA) Recipients and Certain Other Noncitizens for a Qualified Health Plan through an Exchange, Advance Payments of the Premium Tax Credit, Cost-Sharing Reductions, and a Basic Health Program* (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024)* <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.

¹⁸⁷ Washington healthplanfinder, *Cost Savings Options*, <https://www.wahealthplanfinder.org/us/en/tools-and-resources/health-care-education/cost-savings-options.html> (last visited Jan 17, 2025).

¹⁸⁸ Washington State Healthcare Authority, *Apple Health Expansion*, <https://www.hca.wa.gov/about-hca/programs-and-initiatives/apple-health-medicaid/apple-health-expansion> (last visited Jan 7, 2025).

¹⁸⁹ Carly Erickson & Leslye E. Orloff, *U-Visa Victim Benefits under the Affordable Care Act (ACA)*, NAT'L IMMIGR. WOMEN'S ADVOC. PROJECT (June 18, 2014), <http://niwaplibrary.wcl.american.edu/pubs/u-visa-healthcare-aca/>; NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5-6 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>.

¹⁹⁰ Washington healthplanfinder, *Cost Savings Options*, <https://www.wahealthplanfinder.org/us/en/tools-and-resources/health-care-education/cost-savings-options.html> (last visited Jan 17, 2025).

¹⁹¹ Washington State Healthcare Authority, *Apple Health Expansion*, <https://www.hca.wa.gov/about-hca/programs-and-initiatives/apple-health-medicaid/apple-health-expansion> (last visited Jan 7, 2025).

¹⁹² NAT'L IMMIGR. L. CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 1 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf> (DACA coverage limited to those "lawfully present" in the United States).

¹⁹³ Washington healthplanfinder, *Cost Savings Options*, <https://www.wahealthplanfinder.org/us/en/tools-and-resources/health-care-education/cost-savings-options.html> (last visited Jan 17, 2025).

¹⁹⁴ Washington State Healthcare Authority, *Apple Health Expansion*, <https://www.hca.wa.gov/about-hca/programs-and-initiatives/apple-health-medicaid/apple-health-expansion> (last visited Jan 7, 2025).

¹⁹⁵ Footnotes in this section contain additional details on health care subsidies, including co-pays that may be required. They contain further state by state information on health care access for immigrant survivors of domestic and sexual violence. See MORGAN, LEWIS & BOCKIUS, LLP *Chapter 17.1: Emergency Medicaid – Urgent Medical Services for Immigrant Crime Victims and Children*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (December 2016), <http://niwaplibrary.wcl.american.edu/pubs/ch17-1-emergencymedicaid>; see *id.* *Chapter 17.2: Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (February 12, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-2-forensiccoverageimmvictims>; see *id.* *Chapter 17.3: Post-Assault Healthcare and Crime Victim Compensation for Immigrant Victims of Violence* (June 13, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-3-postassault-healthcare-compensation>; see *id.* *Chapter 17.4: Pre-Natal and Child Health Care For Immigrant Victims and Their Children* (February 17, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-4-prenatal-care>.

¹⁹⁶ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(c).

¹⁹⁷ Health Case.gov, *Immigrants, Coverage for U.S. Citizens and U.S. Nationals* (last visited November 29, 2023) <https://www.healthcare.gov/immigrants/immigration-status/>. NAT'L IMMIGRATION LAW CTR., "LAWFULLY PRESENT" INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), <https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf>. See 8 U.S.C. § 1641(c).

¹⁹⁸ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

¹⁹⁹ 42 U.S.C. § 3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); See, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. See also, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

²⁰⁰ Washington State Health Care Authority, *Children*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/children> (last visited Aug. 1, 2024).

²⁰¹ Wash. Admin. Code § 182-503-0535 (2023); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) <https://www.hca.wa.gov/assets/free-or-low-cost/citizenship-alien-status-guide.pdf> (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status. All immigrant children are eligible for Apple Health for Kids); See also, Washington State Health Care Authority, *Children*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/children> (last visited Aug. 1, 2024). State funded CHIP also available without regard to immigration status for children in families earning between 215% and 317% of poverty with monthly premiums required. See *MAGI Income – Persons subject to the modified adjusted gross income (MAGI) methodology*, Wash. Admin. Code. § 182-509-0305 (2024).. NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

²⁰² Washington State Health Care Authority, *Eligibility Overview: Washington Apple Health (Medicaid) Programs*, <https://www.hca.wa.gov/assets/free-or-low-cost/22-315.pdf>; Washington State Health Care Authority, *Children*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/children> (last visited Aug. 1, 2024). See also *Washington apple health – Citizenship and immigration status*, WASH. ADMIN. CODE § 182-503-0535 (2023); NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

²⁰³ Washington State Health Care Authority, Pregnant Individuals, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/pregnant-individuals> (last visited Jan. 17, 2025); Washington State Health Care Authority, Citizenship and immigration status (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals).

²⁰⁴ Apple Health for Pregnant Individuals during pregnancy covers prenatal care, dental and vision care, First Steps Maternity Support Services, inpatient hospital services for pregnant individuals with substance abuse history, mental health services including therapy and counseling, child birth education, and other services.) Washington State Health Care Authority, Pregnancy care resources <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/pregnancy-care-resources> (last visited Jan. 17, 2025).

²⁰⁵ Washington State Health Care Authority, *After-Pregnancy Coverage*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/after-pregnancy-coverage> (last visited Jan. 17, 2025).

²⁰⁶ Washington State Health Care Authority, *Family Planning*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/family-planning-only> (last visited Jan. 17, 2025).

²⁰⁷ Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals); *See also Washington apple health – Eligibility for pregnant minors*, WASH. ADMIN. CODE § 182-505-0117; Wash. Admin. Code § 182-503-0535 (2023); NAT’L IMMIGRATION LAW CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

²⁰⁸ 8 U.S.C. §§ 1612(b)(2)(A); 1613. Federal eligibility for Medicaid for refugees and asylees extends for the first seven years after attaining that status; however, in most states their eligibility can continue past this seven-year limitation, since by seven years they may have become lawful permanent residents with 40 qualifying quarters of work credit and will have satisfied the five-year bar to access to Medicaid. *See* 8 U.S.C. § 1612(b)(2)(B). Or, they may be a veteran and/or a member of a veteran’s family, for whom the five-year bar and seven-year limit do not apply. *See* 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2). States can also continue to provide benefits once the mandated seven-year federal coverage period for refugees and asylees ends. *See also* Nat’l Immigration Law Ctr., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in Guide to Immigrant Eligibility for Federal Programs 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. *See* state law citations in this chart to identify if this state provides benefits for asylees and refugees beyond the seven-year limitation.

²⁰⁹ 22 U.S.C. § 7105(b)(1). Human trafficking victims with HHS certification or an HHS determination letter are eligible as refugees for 7 years. To continue to receive benefits once 7 years has passed since they received their HHS certification or HHS determination letter, they will need to file for and be granted a T visa. This allows them to continue to qualify for public benefits as qualified immigrants. So long as the trafficking victim files for a T visa soon after receiving HHS certification or determination, they should gain qualified immigrant status and the 5-year bar will be completed prior to reaching the 7-year limit on refugee benefits. States can also continue to provide benefits once the mandated seven-year federal coverage period for refugees and asylees ends. *See also* Nat’l Immigration Law Ctr., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in Guide to Immigrant Eligibility for Federal Programs 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. *See* state law citations in this chart to identify if this state provides benefits for asylees and refugees beyond the seven-year limitation.

²¹⁰ *See* 8 U.S.C. § 1641(c)(4).

²¹¹ 42 C.F.R. § 435.4(2)(ii), (iv), and (v).

²¹² NAT’L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

²¹³ 42 U.S.C. § 3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); *See*, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. *See also*, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

²¹⁰ *See* 8 U.S.C. § 1641(c)(4).

²¹¹ 42 C.F.R. § 435.4(2)(ii), (iv), and (v).

²¹² NAT’L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

²¹³ 42 U.S.C. § 3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); *See*, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. *See also*, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

²¹⁴ Washington State Health Care Authority, *Children*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/children> (last visited Aug. 1, 2024).

²¹⁵ Wash. Admin. Code § 182-503-0535 (2023); Washington State Health Care Authority, Citizenship and immigration status (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status. All immigrant children are eligible for Apple Health for Kids); *See also*, Washington State Health Care Authority, *Children*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/children> (last visited Aug. 1, 2024). State funded CHIP also available without regard to immigration status for children in families earning between 215% and 317% of poverty with monthly premiums required. *See MAGI Income – Persons subject to the modified adjusted gross income (MAGI) methodology*, Wash. Admin. Code. § 182-509-0305 (2024).. NAT’L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

²¹⁶ Washington State Health Care Authority, *Eligibility Overview: Washington Apple Health (Medicaid) Programs*, <https://www.hca.wa.gov/assets/free-or-low-cost/22-315.pdf>; Washington State Health Care Authority, *Children*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/children> (last visited Aug. 1, 2024). *See also Washington apple health –*

Citizenship and immigration status, WASH. ADMIN. CODE § 182-503-0535 (2023); NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

²¹⁷ Washington State Health Care Authority, *Pregnant Individuals*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/pregnant-individuals> (last visited Jan. 17, 2025); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals).

²¹⁸ Apple Health for Pregnant Individuals during pregnancy covers prenatal care, dental and vision care, First Steps Maternity Support Services, inpatient hospital services for pregnant individuals with substance abuse history, mental health services including therapy and counseling, child birth education, and other services.) Washington State Health Care Authority, *Pregnancy care resources* <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/pregnancy-care-resources> (last visited Jan. 17, 2025).

²¹⁹ Washington State Health Care Authority, *After-Pregnancy Coverage*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/after-pregnancy-coverage> (last visited Jan. 17, 2025).

²²⁰ Washington State Health Care Authority, *Family Planning*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/family-planning-only> (last visited Jan. 17, 2025).

²²¹ Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals); *See also Washington apple health – Eligibility for pregnant minors*, WASH. ADMIN. CODE § 182-505-0117; Wash. Admin. Code § 182-503-0535 (2023); NAT'L IMMIGRATION LAW CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

²²² WASH. ADMIN. CODE § 388-424-0001(4)(c)(ii)(2024) (Specific crimes include: crimes related to human trafficking, kidnapping, unlawful imprisonment, custodial interference, luring, trafficking, coercion of involuntary servitude, luring, protection order violations, sexual exploitation of children, and substantially similar crimes under federal law or the laws of another state).

²²³ WASH. ADMIN. CODE §§ 388-400-0010(2)(f)(2024); 388-424-0001(4)(c)(ii)(2024)

²²⁴ *See Health care coverage – Program benefit packages – Scope of service categories*, WASH. ADMIN. CODE § 182-501-0060, <https://app.leg.wa.gov/wac/default.aspx?cite=182-501-0060> (last visited Aug. 9, 2018); NAT'L IMMIGRATION LAW CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>; *Public Benefit Eligibility for Survivors of Certain Crimes*, 8. *What benefits are survivors of certain crimes potentially eligible for?* WASH. STATE ECONOMIC SERVICES ADMIN., <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes> (last visited Jan. 17, 2025).

²²⁵ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. *See* 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)). *See also* 8 U.S.C. § 1641(c)(4). Human trafficking victims with HHS certification or an HHS determination letter are eligible as refugees for 7 years. To continue to receive benefits once 7 years has passed, since they received their HHS certification or HHS determination letter, they will need to file for and be granted a T visa. This allows them to continue to qualify for public benefits as qualified immigrants. So long as the trafficking victim files for a T visa soon after receiving HHS certification or determination, they should gain qualified immigrant status and the 5-year bar will be completed prior to reaching the 7-year limit on refugee benefits.

²²⁶ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. *See* 22 U.S.C. § 7105(b).

²²⁷ 22 U.S.C. § 7105(b)(1). Bona fide T visa applicants with HHS certification, trafficking victims under 18 with HHS eligibility determination, and family members with T visa status are eligible for public benefits to the same extent as refugees. NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. *See* 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)).

²²⁸ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

²²⁹ 42 U.S.C. § 3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); *See*, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. *See also*, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant->

[survivors-factsheet/](#) (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

²³⁰ Washington State Health Care Authority, *Children*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/children> (last visited Aug. 1, 2024).

²³¹ Wash. Admin. Code § 182-503-0535 (2023); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status. All immigrant children are eligible for Apple Health for Kids); *See also*, Washington State Health Care Authority, *Children*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/children> (last visited Aug. 1, 2024). State funded CHIP also available without regard to immigration status for children in families earning between 215% and 317% of poverty with monthly premiums required. *See MAGI Income – Persons subject to the modified adjusted gross income (MAGI) methodology*, Wash. Admin. Code. § 182-509-0305 (2024).. NAT’L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

²³² Washington State Health Care Authority, *Eligibility Overview: Washington Apple Health (Medicaid) Programs*, <https://www.hca.wa.gov/assets/free-or-low-cost/22-315.pdf>; Washington State Health Care Authority, *Children*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/children> (last visited Aug. 1, 2024). *See also Washington apple health – Citizenship and immigration status*, WASH. ADMIN. CODE § 182-503-0535 (2023); NAT’L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

²³³ Washington State Health Care Authority, *Pregnant Individuals*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/pregnant-individuals> (last visited Jan. 17, 2025); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals).

²³⁴ Apple Health for Pregnant Individuals during pregnancy covers prenatal care, dental and vision care, First Steps Maternity Support Services, inpatient hospital services for pregnant individuals with substance abuse history, mental health services including therapy and counseling, child birth education, and other services.) Washington State Health Care Authority, *Pregnancy care resources* <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/pregnancy-care-resources> (last visited Jan. 17, 2025).

²³⁵ Washington State Health Care Authority, *After-Pregnancy Coverage*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/after-pregnancy-coverage> (last visited Jan. 17, 2025).

²³⁶ Washington State Health Care Authority, *Family Planning*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/family-planning-only> (last visited Jan. 17, 2025).

²³⁷ Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals); *See also Washington apple health – Eligibility for pregnant minors*, WASH. ADMIN. CODE § 182-505-0117; Wash. Admin. Code § 182-503-0535 (2023); NAT’L IMMIGRATION LAW CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

²³⁸ WASH. ADMIN. CODE §§ 388-400-0010(2)(f)(2024); 388-424-0001(2)(b)(ii)(A)(2024)

²³⁹ WASH. ADMIN. CODE §§ 388-400-0010(2)(f)(2024); 388-424-0001(4)(c)(i)(2024)

²⁴⁰ *See Health care coverage – Program benefit packages – Scope of service categories*, WASH. ADMIN. CODE § 182-501-0060, <https://app.leg.wa.gov/wac/default.aspx?cite=182-501-0060> (last visited Aug. 9, 2018); NAT’L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>; *Public Benefit Eligibility for Survivors of Certain Crimes*, 8. *What benefits are survivors of certain crimes potentially eligible for?* WASH. STATE ECONOMIC SERVICES ADMIN., <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes> (last visited Jan. 17, 2025).

²⁴¹ NAT’L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

²⁴² 42 U.S.C. § 3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); *See*, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. *See also*, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

²⁴³ Washington State Health Care Authority, *Children*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/children> (last visited Aug. 1, 2024).

²⁴⁴ WASH. ADMIN. CODE § 182-503-0535 (2023); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status. All immigrant children are eligible for Apple Health for Kids); *See also*, Washington State Health Care Authority, *Children*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/children> (last visited Aug. 1, 2024). State funded CHIP also available without regard to immigration status for children in families earning between 215% and 317% of poverty with monthly

premiums required. See *MAGI Income – Persons subject to the modified adjusted gross income (MAGI) methodology*, Wash. Admin. Code. § 182-509-0305 (2024).. NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

²⁴⁵ Washington State Health Care Authority, *Eligibility Overview: Washington Apple Health (Medicaid) Programs*, <https://www.hca.wa.gov/assets/free-or-low-cost/22-315.pdf>; Washington State Health Care Authority, *Children*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/children> (last visited Aug. 1, 2024). See also *Washington apple health – Citizenship and immigration status*, WASH. ADMIN. CODE § 182-503-0535 (2023); NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

²⁴⁶ Washington State Health Care Authority, *Pregnant Individuals*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/pregnant-individuals> (last visited Jan. 17, 2025); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals).

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²⁴⁹ Washington State Health Care Authority, *Family Planning Only*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/family-planning-only> (last visited Jan. 17, 2025).

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²⁵¹ See *Health care coverage – Program benefit packages – Scope of service categories*, WASH. ADMIN. CODE § 182-501-0060, <https://app.leg.wa.gov/wac/default.aspx?cite=182-501-0060> (last visited Aug. 9, 2018); NAT'L IMMIGRATION LAW CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>; *Public Benefit Eligibility for Survivors of Certain Crimes*, 8. *What benefits are survivors of certain crimes potentially eligible for?* WASH. STATE ECONOMIC SERVICES ADMIN., <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes> (last visited Jan. 17, 2025).

²⁵² NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(b)(1).

²⁵³ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

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²⁵⁶ Wash. Admin. Code § 182-503-0535 (2023); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status. All immigrant children are eligible for Apple Health for Kids); See also, Washington State Health Care Authority, *Children*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/children> (last visited Aug. 1, 2024). State funded CHIP also available without regard to immigration status for children in families earning between 215% and 317% of poverty with monthly premiums required. See *MAGI Income – Persons subject to the modified adjusted gross income (MAGI) methodology*, Wash. Admin. Code. § 182-509-0305 (2024).. NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

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²⁶³ *See Health care coverage – Program benefit packages – Scope of service categories*, WASH. ADMIN. CODE § 182-501-0060, <https://app.leg.wa.gov/wac/default.aspx?cite=182-501-0060> (last visited Aug. 9, 2018); NAT’L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27* (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>; *Public Benefit Eligibility for Survivors of Certain Crimes*, 8. *What benefits are survivors of certain crimes potentially eligible for?* WASH. STATE ECONOMIC SERVICES ADMIN., <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes> (last visited Jan. 17, 2025).

²⁶⁴ 8 U.S.C. § 1641(b)(1). NAT’L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

²⁶⁵ NAT’L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. *See* 8 U.S.C. § 1641(b)(1).

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²⁶⁷ 42 U.S.C. § 3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); *See*, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. *See also*, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

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²⁶⁹ WASH. ADMIN. CODE § 182-503-0535 (2023); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status. All immigrant children are eligible for Apple Health for Kids); *See also*, Washington State Health Care Authority, *Children*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/children> (last visited Aug. 1, 2024). State funded CHIP also available without regard to immigration status for children in families earning between 215% and 317% of poverty with monthly premiums required. *See MAGI Income – Persons subject to the modified adjusted gross income (MAGI) methodology*, Wash. Admin. Code. § 182-509-0305 (2024).. NAT’L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27* (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

²⁷⁰ Washington State Health Care Authority, *Eligibility Overview: Washington Apple Health (Medicaid) Programs*, <https://www.hca.wa.gov/assets/free-or-low-cost/22-315.pdf>; Washington State Health Care Authority, *Children*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/children> (last visited Aug. 1, 2024). *See also Washington apple health – Citizenship and immigration status*, WASH. ADMIN. CODE § 182-503-0535 (2023); NAT’L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27* (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

²⁷¹ Washington State Health Care Authority, Pregnant Individuals, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/pregnant-individuals> (last visited Jan. 17, 2025); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals).

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²⁷⁴ Washington State Health Care Authority, *Family Planning*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/family-planning-only> (last visited Jan. 17, 2025).

²⁷⁵ Washington State Health Care Authority, Citizenship and immigration status (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals); *See also* Washington apple health – Eligibility for pregnant minors, WASH. ADMIN. CODE §§ 182-505-0117; 182-503-0535 (2023); NAT’L IMMIGRATION LAW CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

²⁷⁶ WASH. ADMIN. CODE §§ 388-424-0001(4)(b)(2024); 388-400-0050 (2024).

²⁷⁷ *See Health care coverage – Program benefit packages – Scope of service categories*, WASH. ADMIN. CODE § 182-501-0060, <https://app.leg.wa.gov/wac/default.aspx?cite=182-501-0060> (last visited Aug. 9, 2018); NAT’L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>; *Public Benefit Eligibility for Survivors of Certain Crimes*, 8. *What benefits are survivors of certain crimes potentially eligible for?* WASH. STATE ECONOMIC SERVICES ADMIN., <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes> (last visited Jan. 17, 2025).

²⁷⁸ NAT’L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

²⁷⁹ 42 U.S.C. §3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); *See*, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. *See also*, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

²⁸⁰ Washington State Health Care Authority, *Children*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/children> (last visited Aug. 1, 2024).

²⁸¹ WASH. ADMIN. CODE § 182-503-0535 (2023); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status. All immigrant children are eligible for Apple Health for Kids); *See also*, Washington State Health Care Authority, *Children*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/children> (last visited Aug. 1, 2024). State funded CHIP also available without regard to immigration status for children in families earning between 215% and 317% of poverty with monthly premiums required. *See MAGI Income – Persons subject to the modified adjusted gross income (MAGI) methodology*, Wash. Admin. Code. § 182-509-0305 (2024).. NAT’L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

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²⁸⁶ Washington State Health Care Authority, *Family Planning*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/family-planning-only> (last visited Jan. 17, 2025).

²⁸⁷ Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals); *See also* *Washington apple health – Eligibility for pregnant minors*, WASH. ADMIN. CODE § 182-505-0117; Wash. Admin. Code § 182-503-0535 (2023); NAT’L IMMIGRATION LAW CTR., *Table: Medical Assistance Programs for Immigrants in Various States in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

²⁸⁸ WASH. ADMIN. CODE §§ 388-424-0001(4)(b)(2024); 388-400-0050 (2024).

²⁸⁹ *See Health care coverage – Program benefit packages – Scope of service categories*, WASH. ADMIN. CODE § 182-501-0060, <https://app.leg.wa.gov/wac/default.aspx?cite=182-501-0060> (last visited Aug. 9, 2018); NAT’L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>; *Public Benefit Eligibility for Survivors of Certain Crimes*, 8. *What benefits are survivors of certain crimes potentially eligible for?* WASH. STATE ECONOMIC SERVICES ADMIN., <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes> (last visited Jan. 17, 2025).

²⁹⁰ NAT’L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

²⁹¹ 42 U.S.C. §3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); *See*, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. *See also*, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

²⁹² Washington State Health Care Authority, *Children*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/children> (last visited Aug. 1, 2024).

²⁹³ WASH. ADMIN. CODE §182-503-0535 (2023); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status. All immigrant children are eligible for Apple Health for Kids); *See also*, Washington State Health Care Authority, *Children*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/children> (last visited Aug. 1, 2024). State funded CHIP also available without regard to immigration status for children in families earning between 215% and 317% of poverty with monthly premiums required. *See MAGI Income – Persons subject to the modified adjusted gross income (MAGI) methodology*, Wash. Admin. Code. § 182-509-0305 (2024).. NAT’L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

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²⁹⁵ Washington State Health Care Authority, *Pregnant Individuals*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/pregnant-individuals> (last visited Jan. 17, 2025); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals).

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²⁹⁹ Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals); *See also* *Washington apple health – Eligibility for pregnant minors*, WASH. ADMIN. CODE § 182-505-0117; Wash. Admin. Code § 182-503-0535 (2023); NAT’L IMMIGRATION LAW CTR., *Table: Medical Assistance Programs for Immigrants in Various States in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

³⁰⁰ *See*, Washington State Health Care Authority, *Program benefits packages and scope of services* <https://www.hca.wa.gov/billers-providers-partners/program-information-providers/program-benefit-packages-and-scope-services> (last visited Jan. 17, 2025)(Provides a useful comparison what services are covered by each of the health care programs available in Washington State); The footnotes in this section contain additional details on health care subsidies including co-pays that may be required. For additional state-by-state information on health care access for immigrant survivors of

domestic and sexual violence. See MORGAN, LEWIS & BOCKIUS, LLP *Chapter 17.1: Emergency Medicaid – Urgent Medical Services for Immigrant Crime Victims and Children*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (December 2016), <http://niwaplibrary.wcl.american.edu/pubs/ch17-1-emergencymedicaid>; see *id.* *Chapter 17.2: Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (February 12, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-2-forensiccoverageimmvictims>; see *id.* *Chapter 17.3: Post-Assault Healthcare and Crime Victim Compensation for Immigrant Victims of Violence* (June 13, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-3-postassault-healthcare-compensation>; see *id.* *Chapter 17.4: Pre-Natal and Child Health Care For Immigrant Victims and Their Children* (February 17, 2017) <http://niwaplibrary.wcl.american.edu/pubs/ch17-4-prenatal-care>.

³⁰¹ WASH. ADMIN. CODE § 182-505-0250 (2024) Washington State Health Care Authority, Apple Health for Adults, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/apple-health-adults> (last visited Jan. 17, 2025); Washington State Health Care Authority, Individual Adults, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/individual-adults#program-requirements> (last visited Jan. 17, 2025)

³⁰² WASH. ADMIN. CODE § 182-505-0240 (2024); Washington State Health Care Authority, Apple Health for parents and caretakers, (August 21, 2024) <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/apple-health-parents-and-caretakers>.

³⁰³ WASH. ADMIN. CODE § 182-503-0535(1)(b)(i) & (ii)(2024); Washington State Health Care Authority, Citizenship and immigration status (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status including Apple Health for Adults and Apple Care for Families and Caretaker Relatives.); NAT’L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(c).

³⁰⁴ WASH. ADMIN. CODE § 182-505-0250 (2024) Washington State Health Care Authority, Apple Health for Adults, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/apple-health-adults> (last visited Jan. 17, 2025); Washington State Health Care Authority, Individual Adults, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/individual-adults#program-requirements> (last visited Jan. 17, 2025)

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³⁰⁶ WASH. ADMIN. CODE § 182-503-0535(1)(c)(2024); Washington State Health Care Authority, Citizenship and immigration status (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks citizen and immigrant eligibility for each of Washington State’s health care options by type of immigration status including Apple Health for Adults and Apple Care for Families and Caretaker Relatives.); *Immigrants, Coverage for U.S. Citizens and U.S. Nationals*, HEALTHCARE.GOV (last visited November 29, 2023) [https://www.healthcare.gov/immigrants/immigration-status/.NAT’L IMMIGRATION LAW CTR., “LAWFULLY PRESENT” INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 \(2012, rev. 2016\), https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf](https://www.healthcare.gov/immigrants/immigration-status/.NAT’L IMMIGRATION LAW CTR., “LAWFULLY PRESENT” INDIVIDUALS ELIGIBLE UNDER THE AFFORDABLE CARE ACT 5 (2012, rev. 2016), https://www.nilc.org/wp-content/uploads/2015/10/lawfully-present-imm-categories-ACA-2016-07.pdf). See 8 U.S.C. § 1641(c).

³⁰⁷ NAT’L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

³⁰⁸ 42 U.S.C. § 3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); See, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegregg, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. See also, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

³⁰⁹ WASH. HEALTH CARE AUTHORITY, *Citizenship and Immigration Status*, (July 28, 2022) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf;

³¹⁰ Under Washington State law survivors are eligible for state funded medical care services (MCS) if the survivor has filed or are preparing to file T visa or U visa applications or has been harmed by specific crimes which include: human trafficking, kidnapping, unlawful imprisonment, custodial interference, luring, trafficking, coercion of involuntary servitude, sexual exploitation of children, or similar crimes listed under Chapter 9A.40 RCW or similar laws from other states and has filed an application for asylum or been granted continued presence. It is important to note that VAWA self-petitioners who entered the U.S. after August 22, 1996 are subject to a 5-year bar on access to state subsidized health care in Washington State unless they are also preparing to file or have also filed U visa or T visa applications or have been harmed by one of the specific crimes listed in WAC 388-424-0111(4) and have filed an application for asylum or been granted continued presence. See *Washington Apple Health Medical Care Services – Eligibility and Scope of Coverage WAC 182-508-005(1)(a)(iii) (Survivors of certain crimes (SCC) program)* (February 1, 2022) <https://app.leg.wa.gov/wac/default.aspx?cite=182-508-0005>; See also, *Verifications – Survivors of certain crimes WAC 388-424-0035 (1) and (2)* (February 1, 2022) <https://app.leg.wa.gov/WAC/default.aspx?cite=388-424-0035>; and *Citizenship and Immigration Status -- Definitions WAC 388-424-0001(4)(Survivors of certain crimes)* (June 25, 2022).

³¹¹ Washington Healthplanfinder, *Health Care Options for Immigrants*, <https://www.wahealthplanfinder.org/us/en/tools-and-resources/health-care-education/health-care-options-for-immigrants.html> (last visited Jan. 17, 2025)(Provides a useful chart that outlines which immigrants are eligible for which healthcare insurance plans, healthcare savings plans, tax credits, and state-funded health care programs).

³¹² During the 5-year bar non-pregnant adult lawful permanent residents, VAWA self-petitioners, and Battered Spouse Waivers are not eligible for Apple Health for Adults, Apple Health got Families and Caregivers, Apple Health Expansion, and Medical Care Services. See, Washington State Health Care Authority, Citizenship and immigration status (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf; Apple Health Expansion, Frequently Asked Questions, Enrollment and eligibility 1 (August 8, 2024) <https://www.hca.wa.gov/assets/free-or-low-cost/apple-health-expansion-faq.pdf> (“If you are an immigrant who has not met the five-year waiting period to become eligible for Apple Health you will not qualify for Apple Health Expansion. This is due to having an immigration status that makes you eligible for tax credits through Washington Healthplanfinder. Undocumented individuals do qualify for coverage.”); VAWA self-petitioners and Battered Spouse Waivers who are subject to the 5 year bar are treated the same as lawful permanent residents for purposes of access to subsidized

health care programs in Washington State and are not granted the access that victims of human trafficking or U visa crime victims who have filed or are in the process of filing U or T visa applicants and victims of human trafficking or child sexual exploitation have who have filed or are preparing to file asylum applications have to the Washington State Medical Care Services program. See, WAC 388-424-0001(4); Washington State Health Care Authority, Medical Care Services (MCS) program, (December 19, 2023) <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/medical-care-services-mcs-program>.

³¹³ Washington State Health Care Authority, Pregnant Individuals, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/pregnant-individuals> (last visited Jan. 17, 2025); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals).

³¹⁴ Apple Health for Pregnant Individuals during pregnancy covers prenatal care, dental and vision care, First Steps Maternity Support Services, inpatient hospital services for pregnant individuals with substance abuse history, mental health services including therapy and counseling, child birth education, and other services.) Washington State Health Care Authority, Pregnancy care resources <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/pregnancy-care-resources> (last visited Jan. 17, 2025).

³¹⁵ Washington State Health Care Authority, *After-Pregnancy Coverage*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/after-pregnancy-coverage> (last visited Jan. 17, 2025).

³¹⁶ Washington State Health Care Authority, *Family Planning* <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/family-planning-only> (last visited Jan. 17, 2025).

³¹⁷ Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals); *See also Washington apple health – Eligibility for pregnant minors*, WASH. ADMIN. CODE § 182-505-0117; Wash. Admin. Code § 182-503-0535 (2023); NAT’L IMMIGRATION LAW CTR., *Table: Medical Assistance Programs for Immigrants in Various States in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

³¹⁸ *See Washington Apple Health Alien Emergency Medical, Alien emergency medical program (AEM)*. <https://www.hca.wa.gov/health-care-services-supports/program-administration/apple-health-alien-emergency-medical> (last visited Jan. 17, 2025); (Provides detailed information about what health care is covered. Also explains that the Alien Medical Programs in Washington State include the federally-funded Alien Emergency Medicaid (AEM) program WAC 182-507-0110 and the Washington state-funded Long-Term Care (LTC) program WAC 182-5077-0125.) Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status including Alien Medical Programs.);

³¹⁹ WASH. ADMIN. CODE § 182-505-0250 (2024) Washington State Health Care Authority, Apple Health for Adults, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/apple-health-adults> (last visited Jan. 17, 2025); Washington State Health Care Authority, Individual Adults, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/individual-adults#program-requirements> (last visited Jan. 17, 2025)

³²⁰ WASH. ADMIN. CODE § 182-505-0240 (2024); Washington State Health Care Authority, Apple Health for parents and caretakers, (August 21, 2024) <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/apple-health-parents-and-caretakers>.

³²¹ WASH. ADMIN. CODE §§ 182-503-0535(1)(b)(vi) & (vii)(2024); 8 U.S.C. §§ 1612(b)(2)(A); 1613. Federal eligibility for Medicaid for refugees and asylees extends for the first seven years after attaining that status; however, in most states their eligibility can continue past this seven-year limitation, since by seven years they may have become lawful permanent residents with 40 qualifying quarters of work credit and will have satisfied the five-year bar to access to Medicaid. *See* 8 U.S.C. § 1612(b)(2)(B). Or, they may be a veteran and/or a member of a veteran’s family, for whom the five-year bar and seven-year limit do not apply. *See* 8 U.S.C. §§ 1612(b)(2)(C), 1613(b)(2). States can also continue to provide benefits once the mandated seven-year federal coverage period for refugees and asylees ends. *See also* Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status including Apple Health for Adults and Apple Care for Families and Caretaker Relatives.); Nat’l Immigration Law Ctr., *Table 1: Overview of Immigrant Eligibility for Federal Programs in Guide to Immigrant Eligibility for Federal Programs* 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. *See* state law citations in this chart to identify if this state provides benefits for asylees and refugees beyond the seven-year limitation.

³²² WASH. ADMIN. CODE § 182-505-0250 (2024) Washington State Health Care Authority, Apple Health for Adults, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/apple-health-adults> (last visited Jan. 17, 2025); Washington State Health Care Authority, Individual Adults, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/individual-adults#program-requirements> (last visited Jan. 17, 2025)

³²³ WASH. ADMIN. CODE § 182-505-0240 (2024); Washington State Health Care Authority, Apple Health for parents and caretakers, (August 21, 2024) <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/apple-health-parents-and-caretakers>.

³²⁴ WASH. ADMIN. CODE §§ 182-503-0535(1)(b)(xiv)(2024); 22 U.S.C. § 7105(b)(1). Human trafficking victims with HHS certification or an HHS determination letter are eligible as refugees for 7 years. To continue to receive benefits once 7 years has passed since they received their HHS certification or HHS determination letter, they will need to file for and be granted a T visa. This allows them to continue to qualify for public benefits as qualified immigrants. So long as the trafficking victim files for a T visa soon after receiving HHS certification or determination, they should gain qualified immigrant status and the 5-year bar will be completed prior to reaching the 7-year limit on refugee benefits. States can also continue to provide benefits once the mandated seven-year federal coverage period for refugees and asylees ends. *See also*, Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status including Apple

Health for Adults and Apple Care for Families and Caretaker Relatives.); Nat'l Immigration Law Ctr., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in *Guide to Immigrant Eligibility for Federal Programs* 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See state law citations in this chart to identify if this state provides benefits for asylees and refugees beyond the seven-year limitation.

³²⁵ WASH. ADMIN. CODE § 182-505-0250 (2024) Washington State Health Care Authority, Apple Health for Adults, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/apple-health-adults> (last visited Jan. 17, 2025); Washington State Health Care Authority, Individual Adults, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/individual-adults#program-requirements> (last visited Jan. 17, 2025)

³²⁶ WASH. ADMIN. CODE § 182-505-0240 (2024); Washington State Health Care Authority, Apple Health for parents and caretakers, (August 21, 2024) <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/apple-health-parents-and-caretakers>.

³²⁷ WASH. ADMIN. CODE § 182-503-0535(1)(b)(xiv)(2024); See 8 U.S.C. § 1641(c)(4).; Washington State Health Care Authority, Citizenship and immigration status (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status including Apple Health for Adults and Apple Care for Families and Caretaker Relatives.).

³²⁸ WASH. ADMIN. CODE § 182-505-0250 (2024) Washington State Health Care Authority, Apple Health for Adults, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/apple-health-adults> (last visited Jan. 17, 2025); Washington State Health Care Authority, Individual Adults, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/individual-adults#program-requirements> (last visited Jan. 17, 2025)

³²⁹ WASH. ADMIN. CODE § 182-505-0240 (2024); Washington State Health Care Authority, Apple Health for parents and caretakers, (August 21, 2024) <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/apple-health-parents-and-caretakers>.

³³⁰ WASH. ADMIN. CODE §§ 182-503-0535(1)(b)(xii) & (xiii)(2024); 42 C.F.R. § 435.4(2)(ii), (iv), and (v); *to enroll in qualified health and dental plans through Washington's State Exchange (Healthplanfinder)* (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status including Apple Health for Adults and Apple Care for Families and Caretaker Relatives.);

³³¹ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in *GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

³³² 42 U.S.C. § 3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); See, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. See also, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

³³³ WAC 388-424-0001(4)(c)(ii)(2024)(Specific crimes include: crimes related to human trafficking, kidnapping, unlawful imprisonment, custodial interference, luring, trafficking, coercion of involuntary servitude, luring, protection order violations, sexual exploitation of children, and substantially similar crimes under federal law or the laws of another state).

³³⁴ WASH. ADMIN. CODE §§ 388-400-0010(2)(f)(2024); 388-424-0001(4)(c)(ii)(2024)

³³⁵ See *Health care coverage – Program benefit packages – Scope of service categories*, WASH. ADMIN. CODE § 182-501-0060, <https://app.leg.wa.gov/wac/default.aspx?cite=182-501-0060> (last visited Aug. 9, 2018); NAT'L IMMIGRATION LAW CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in *GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>; *Public Benefit Eligibility for Survivors of Certain Crimes*, 8. *What benefits are survivors of certain crimes potentially eligible for?* WASH. STATE ECONOMIC SERVICES ADMIN., <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes> (last visited Jan. 17, 2025).

³³⁶ Washington State Health Care Authority, Pregnant Individuals, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/pregnant-individuals> (last visited Jan. 17, 2025); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals).

³³⁷ Apple Health for Pregnant Individuals during pregnancy covers prenatal care, dental and vision care, First Steps Maternity Support Services, inpatient hospital services for pregnant individuals with substance abuse history, mental health services including therapy and counseling, child birth education, and other services.) Washington State Health Care Authority, *Pregnancy care resources* <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/pregnancy-care-resources> (last visited Jan. 17, 2025).

³³⁸ Washington State Health Care Authority, *After-Pregnancy Coverage*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/after-pregnancy-coverage> (last visited Jan. 17, 2025).

³³⁹ Washington State Health Care Authority, *Family Planning Only*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/family-planning-only> (last visited Jan. 17, 2025).

³⁴⁰ Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals); See also *Washington apple health – Eligibility for pregnant minors*, WASH. ADMIN. CODE § 182-505-0117; Wash. Admin. Code § 182-503-0535 (2023); NAT'L IMMIGRATION LAW CTR.,

Table: Medical Assistance Programs for Immigrants in Various States in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

³⁴¹ See *Washington Apple Health Alien Emergency Medical, Alien emergency medical program (AEM)*. <https://www.hca.wa.gov/health-care-services-supports/program-administration/apple-health-alien-emergency-medical> (last visited Jan. 17, 2025); (Provides detailed information about what health care is covered. Also explains that the Alien Medical Programs in Washington State include the federally-funded Alien Emergency Medicaid (AEM) program WAC 182-507-0110 and the Washington state-funded Long-Term Care (LTC) program WAC 182-5077-0125.) Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status including Alien Medical Programs.);

³⁴² WASH. ADMIN. CODE § 182-505-0250 (2024) Washington State Health Care Authority, *Apple Health for Adults*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/apple-health-adults> (last visited Jan. 17, 2025); Washington State Health Care Authority, Individual Adults, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/individual-adults#program-requirements> (last visited Jan. 17, 2025)

³⁴³ WASH. ADMIN. CODE § 182-505-0240 (2024); Washington State Health Care Authority, *Apple Health for parents and caretakers*, (August 21, 2024) <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/apple-health-parents-and-caretakers>.

³⁴⁴ WASH. ADMIN. CODE § 182-503-0535(1)(b)(xiv)(2024); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status including Apple Health for Adults and Apple Care for Families and Caretaker Relatives.); NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)).

³⁴⁵ WASH. ADMIN. CODE § 182-505-0250 (2024) Washington State Health Care Authority, *Apple Health for Adults*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/apple-health-adults> (last visited Jan. 17, 2025); Washington State Health Care Authority, Individual Adults, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/individual-adults#program-requirements> (last visited Jan. 17, 2025)

³⁴⁶ WASH. ADMIN. CODE § 182-505-0240 (2024); Washington State Health Care Authority, *Apple Health for parents and caretakers*, (August 21, 2024) <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/apple-health-parents-and-caretakers>.

³⁴⁷ WASH. ADMIN. CODE § 182-503-0535(1)(b)(xiv)(2024); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status including Apple Health for Adults and Apple Care for Families and Caretaker Relatives.); NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. See 22 U.S.C. § 7105(b).

³⁴⁸ WASH. ADMIN. CODE § 182-505-0250 (2024) Washington State Health Care Authority, *Apple Health for Adults*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/apple-health-adults> (last visited Jan. 17, 2025); Washington State Health Care Authority, Individual Adults, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/individual-adults#program-requirements> (last visited Jan. 17, 2025)

³⁴⁹ WASH. ADMIN. CODE § 182-505-0240 (2024); Washington State Health Care Authority, *Apple Health for parents and caretakers*, (August 21, 2024) <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/apple-health-parents-and-caretakers>.

³⁵⁰ 22 U.S.C. § 7105(b)(1). Bona fide T visa applicants with HHS certification, trafficking victims under 18 with HHS eligibility determination, and family members with T visa status are eligible for public benefits to the same extent as refugees. NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)).

³⁵¹ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

³⁵² 42 U.S.C. § 3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); See, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. See also, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

³⁵³ WASH. ADMIN. CODE §§ 388-400-0010(2)(f)(2024); 388-424-0001(2)(b)(ii)(A)(2024)

³⁵⁴ WASH. ADMIN. CODE §§ 388-400-0010(2)(f)(2024); 388-424-0001(4)(c)(i)(2024)

³⁵⁵ See *Health care coverage – Program benefit packages – Scope of service categories*, WASH. ADMIN. CODE § 182-501-0060, <https://app.leg.wa.gov/wac/default.aspx?cite=182-501-0060> (last visited Aug. 9, 2018); NAT'L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27* (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>; *Public Benefit Eligibility for Survivors of Certain Crimes*, 8. *What benefits*

are survivors of certain crimes potentially eligible for? WASH. STATE ECONOMIC SERVICES ADMIN., <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes> (last visited Jan. 17, 2025).

³⁵⁶ Washington State Health Care Authority, Pregnant Individuals, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/pregnant-individuals> (last visited Jan. 17, 2025); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals).

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³⁵⁸ Washington State Health Care Authority, After-Pregnancy Coverage, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/after-pregnancy-coverage> (last visited Jan. 17, 2025).

³⁵⁹ Washington State Health Care Authority, *Family Planning*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/family-planning-only> (last visited Jan. 17, 2025).

³⁶⁰ Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals); *See also Washington apple health – Eligibility for pregnant minors*, WASH. ADMIN. CODE § 182-505-0117; Wash. Admin. Code § 182-503-0535 (2023); NAT’L IMMIGRATION LAW CTR., *Table: Medical Assistance Programs for Immigrants in Various States in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

³⁶¹ *See Washington Apple Health Alien Emergency Medical, Alien emergency medical program (AEM)*. <https://www.hca.wa.gov/health-care-services-supports/program-administration/apple-health-alien-emergency-medical> (last visited Jan. 17, 2025); (Provides detailed information about what health care is covered. Also explains that the Alien Medical Programs in Washington State include the federally-funded Alien Emergency Medicaid (AEM) program WAC 182-507-0110 and the Washington state-funded Long-Term Care (LTC) program WAC 182-5077-0125.) Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status including Alien Medical Programs.);

³⁶² NAT’L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

³⁶³ 42 U.S.C. §3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); *See*, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. *See also*, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

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³⁶⁵ Washington Healthplanfinder, *Health Care Options for Immigrants*, <https://www.wahealthplanfinder.org/us/en/tools-and-resources/health-care-education/health-care-options-for-immigrants.html> (last visited Jan. 17, 2025)(Provides a useful chart that outlines which immigrants are eligible for which healthcare insurance plans, healthcare savings plans, tax credits, and state-funded health care programs).

³⁶⁶ DACA recipients while under the age of 19 are eligible for Apple Health For Kids, Apple Health For Pregnant Individuals, After Pregnancy Coverage and Family Planning Only programs. After age 19 DACA recipients as lawfully present adults are eligible for Apple Health For Pregnant Individuals, After Pregnancy Coverage, Family Planning Only programs, Alien Emergency Medical Programs, and qualify for qualified health plans with tax credits through Washington Healthplanfinder. *See*, Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf; Apple Health Expansion, *Frequently Asked Questions, Enrollment and eligibility 1* (August 8, 2024) <https://www.hca.wa.gov/assets/free-or-low-cost/apple-health-expansion-faq.pdf> (“If you are an immigrant who has not met the five-year waiting period to become eligible for Apple Health you will not qualify for Apple Health Expansion. This is due to having an immigration status that makes you eligible for tax credits through Washington Healthplanfinder.”) Both SIJS applicants with approved petitions and DACA recipients are not eligible for Washington State’s Apple Health Expansion. *See*, *Washington Apple Health, Update for Deferred Action for Childhood Arrivals applying*

for *Apple Health Expansion Frequently Asked Questions, 1* (December 3, 2024) <https://www.hca.wa.gov/assets/free-or-low-cost/apple-health-expansion-deferred-action-for-childhood-arrivals-faq.pdf>.

³⁶⁷ See *Washington apple health – Alien medical programs*, WASH. ADMIN. CODE § 182-507-0110, <http://apps.leg.wa.gov/wac/default.aspx?cite=182-507-0110> (last visited July 12, 2018).

³⁶⁸ NAT'L IMMIGRATION LAW CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>. See also *Washington apple health – Citizenship and immigration status*, WASH. ADMIN. CODE § 182-503-0535, <http://apps.leg.wa.gov/wac/default.aspx?cite=182-503-0535> (last visited July 12, 2018); *Washington apple health – Eligibility for pregnant women*, WASH. ADMIN. CODE § 182-505-0115, <http://apps.leg.wa.gov/wac/default.aspx?cite=182-505-0115> (last visited July 12, 2018).

³⁶⁹ Washington State Health Care Authority, *Pregnant Individuals*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/pregnant-individuals> (last visited Jan. 17, 2025); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals).

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³⁷¹ Washington State Health Care Authority, *After-Pregnancy Coverage*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/after-pregnancy-coverage> (last visited Jan. 17, 2025).

³⁷² Washington State Health Care Authority, *Family Planning*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/family-planning-only> (last visited Jan. 17, 2025).

³⁷³ Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals); See also *Washington apple health – Eligibility for pregnant minors*, WASH. ADMIN. CODE § 182-505-0117; Wash. Admin. Code § 182-503-0535 (2023); NAT'L IMMIGRATION LAW CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

³⁷⁴ See *Washington Apple Health Alien Emergency Medical, Alien emergency medical program (AEM)*. <https://www.hca.wa.gov/health-care-services-supports/program-administration/apple-health-alien-emergency-medical> (last visited Jan. 17, 2025); (Provides detailed information about what health care is covered. Also explains that the Alien Medical Programs in Washington State include the federally-funded Alien Emergency Medicaid (AEM) program WAC 182-507-0110 and the Washington state-funded Long-Term Care (LTC) program WAC 182-5077-0125.) Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status including Alien Medical Programs.);

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³⁷⁶ 42 U.S.C. § 3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); See, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. See also, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

³⁷⁷ WASH. ADMIN. CODE § 182-505-0250 (2024) Washington State Health Care Authority, *Apple Health for Adults*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/apple-health-adults> (last visited Jan. 17, 2025); Washington State Health Care Authority, *Individual Adults*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/individual-adults#program-requirements> (last visited Jan. 17, 2025)

³⁷⁸ WASH. ADMIN. CODE § 182-505-0240 (2024); Washington State Health Care Authority, *Apple Health for parents and caretakers*, (August 21, 2024) <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/apple-health-parents-and-caretakers>.

³⁷⁹ WASH. ADMIN. CODE § 182-503-0535(1)(b)(i)(2024); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status including Apple Health for Adults and Apple Care for Families and Caretaker Relatives.); NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(b)(1).

³⁸⁰ WASH. HEALTH CARE AUTHORITY, *Citizenship and Immigration Status*, (July 28, 2022) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf;

³⁸¹ Under Washington State law survivors are eligible for state funded medical care services (MCS) if the survivor has filed or are preparing to file T visa or U visa applications or has been harmed by specific crimes which include: human trafficking, kidnapping, unlawful imprisonment, custodial interference, luring, trafficking, coercion of involuntary servitude, sexual exploitation of children, or similar crimes listed under Chapter 9A.40 RCW or similar laws from other states and has filed an application for asylum or been granted continued presence. It is important to note that VAWA self-petitioners who entered the U.S. after August 22, 1996 are subject to a 5-year bar on access to state subsidized health care in Washington State unless they are also preparing to file or have also filed U

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³⁸² Washington Healthplanfinder, *Health Care Options for Immigrants*, <https://www.wahealthplanfinder.org/us/en/tools-and-resources/health-care-education/health-care-options-for-immigrants.html> (last visited Jan. 17, 2025)(Provides a useful chart that outlines which immigrants are eligible for which healthcare insurance plans, healthcare savings plans, tax credits, and state-funded health care programs).

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³⁸⁶ Washington State Health Care Authority, *After-Pregnancy Coverage*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/after-pregnancy-coverage> (last visited Jan. 17, 2025).

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³⁹² WASH. ADMIN. CODE §182-505-0250 (2024) Washington State Health Care Authority, *Apple Health for Adults*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/apple-health-adults> (last visited Jan. 17, 2025); Washington State Health Care Authority, *Individual Adults*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/individual-adults#program-requirements> (last visited Jan. 17, 2025)

³⁹³ WASH. ADMIN. CODE §AC 182-505-0240 (2024); Washington State Health Care Authority, *Apple Health for parents and caretakers*, (August 21, 2024) <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/apple-health-parents-and-caretakers>.

³⁹⁴ WASH. ADMIN. CODE §182-503-0535(1)(b)(i)(2024); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status including Apple Health for Adults and Apple Care for Families and Caretaker Relatives.); NAT’L IMMIGR. LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 17, 17-20, footnote 7 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

³⁹⁵ WASH. ADMIN. CODE §182-503-0535(1)(b)(i)(2024); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status including Apple Health for Adults and Apple Care for Families and Caretaker Relatives.); NAT’L IMMIGR. LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. § 1641(b)(1).

³⁹⁶ WASH. ADMIN. CODE §§388-424-0001(4)(b)(2024); 388-400-0050 (2024).

³⁹⁷ See *Health care coverage – Program benefit packages – Scope of service categories*, WASH. ADMIN. CODE § 182-501-0060, <https://app.leg.wa.gov/wac/default.aspx?cite=182-501-0060> (last visited Aug. 9, 2018); NAT’L IMMIGR. L. CTR., *Table: Medical Assistance Programs for Immigrants in Various States in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>; *Public Benefit Eligibility for Survivors of Certain Crimes*, 8. *What benefits are survivors of certain crimes potentially eligible for?* WASH. STATE ECONOMIC SERVICES ADMIN., <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes> (last visited Jan. 17, 2025).

³⁹⁸ WASH. HEALTH CARE AUTHORITY, *Citizenship and Immigration Status*, (July 28, 2022) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf;

³⁹⁹ Under Washington State law survivors are eligible for state funded medial care services (MCS) if the survivor has filed or are preparing to file T visa or U visa applications or has been harmed by specific crimes which include: human trafficking, kidnapping, unlawful imprisonment, custodial interference, luring, trafficking, coercion of involuntary servitude, sexual exploitation of children, or similar crimes listed under Chapter 9A.40 RCW or similar laws from other states and has filed an application for asylum or been granted continued presence. It is important to note that VAWA self-petitioners who entered the U.S. after August 22, 1996 are subject to a 5-year bar on access to state subsidized health care in Washington State unless they are also preparing to file or have also filed U visa or T visa applications or have been harmed by one of the specific crimes listed in WAC 388-424-0111(4) and have filed an application for asylum or been granted continued presence. See *Washington Apple Health Medical Care Services – Eligibility and Scope of Coverage WAC 182-508-005(1)(a)(iii) (Survivors of certain crimes (SCC) program)* (February 1, 2022) <https://app.leg.wa.gov/wac/default.aspx?cite=182-508-0005>; See also, *Verifications – Survivors of certain crimes WAC 388-424-0035 (1) and (2)* (February 1, 2022) <https://app.leg.wa.gov/WAC/default.aspx?cite=388-424-0035>; and *Citizenship and Immigration Status -- Definitions WAC 388-424-0001(4)(Survivors of certain crimes)* (June 25, 2022).

⁴⁰⁰ Washington Healthplanfinder, *Health Care Options for Immigrants*, <https://www.wahealthplanfinder.org/us/en/tools-and-resources/health-care-education/health-care-options-for-immigrants.html> (last visited Jan. 17, 2025)(Provides a useful chart that outlines which immigrants are eligible for which healthcare insurance plans, healthcare savings plans, tax credits, and state-funded health care programs).

⁴⁰¹ During the 5-year bar non-pregnant adult lawful permanent residents, VAWA self-petitioners, and Battered Spouse Waivers are not eligible for Apple Health for Adults, Apple Health got Families and Caregivers, Apple Health Expansion, and Medical Care Services. See, Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf; Apple Health Expansion, *Frequently Asked Questions, Enrollment and eligibility 1* (August 8, 2024) <https://www.hca.wa.gov/assets/free-or-low-cost/apple-health-expansion-faq.pdf> (“If you are an immigrant who has not met the five-year waiting period to become eligible for Apple Health you will not qualify for Apple Health Expansion. This is due to having an immigration status that makes you eligible for tax credits through Washington Healthplanfinder. Undocumented individuals do qualify for coverage.”); VAWA self-petitioners and Battered Spouse Waivers who are subject to the 5 year bar are treated the same as lawful permanent residents for purposes of access to subsidized health care programs in Washington State and are not granted the access that victims of human trafficking or U visa crime victims who have filed or are in the process of filing U or T visa applicants and victims of human trafficking or child sexual exploitation have who have filed or are preparing to file asylum applications have to the Washington State Medical Care Services program. See, WAC 388-424-0001(4); Washington State Health Care Authority, *Medical Care Services (MCS) program*, (December 19, 2023) <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/medical-care-services-mcs-program>.

⁴⁰² Washington State Health Care Authority, *Pregnant Individuals*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/pregnant-individuals> (last visited Jan. 17, 2025); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals).

⁴⁰³ Apple Health for Pregnant Individuals during pregnancy covers prenatal care, dental and vision care, First Steps Maternity Support Services, inpatient hospital services for pregnant individuals with substance abuse history, mental health services including therapy and counseling, child birth education, and other services.) Washington State Health Care Authority, *Pregnancy care resources* <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/pregnancy-care-resources> (last visited Jan. 17, 2025).

⁴⁰⁴ Washington State Health Care Authority, *After-Pregnancy Coverage*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/after-pregnancy-coverage> (last visited Jan. 17, 2025).

⁴⁰⁵ Washington State Health Care Authority, *Family Planning*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/family-planning-only> (last visited Jan. 17, 2025).

⁴⁰⁶ Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals); See also *Washington apple health – Eligibility for pregnant minors*, WASH. ADMIN. CODE § 182-505-0117; Wash. Admin. Code § 182-503-0535 (2023); NAT’L IMMIGRATION LAW CTR.,

Table: *Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

⁴⁰⁷ See *Washington Apple Health Alien Emergency Medical, Alien emergency medical program (AEM)*. <https://www.hca.wa.gov/health-care-services-supports/program-administration/apple-health-alien-emergency-medical> (last visited Jan. 17, 2025); (Provides detailed information about what health care is covered. Also explains that the Alien Medical Programs in Washington State include the federally-funded Alien Emergency Medicaid (AEM) program WAC 182-507-0110 and the Washington state-funded Long-Term Care (LTC) program WAC 182-5077-0125.) Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status including Alien Medical Programs.);

⁴⁰⁸ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

⁴⁰⁹ 42 U.S.C. §3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); See, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. See also, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

⁴¹⁰ WASH. ADMIN. CODE §§ 388-424-0001(4)(b)(2024); 388-400-0050 (2024).

⁴¹¹ See *Health care coverage – Program benefit packages – Scope of service categories*, WASH. ADMIN. CODE § 182-501-0060, <https://app.leg.wa.gov/wac/default.aspx?cite=182-501-0060> (last visited Aug. 9, 2018); NAT'L IMMIGRATION LAW CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>; *Public Benefit Eligibility for Survivors of Certain Crimes*, 8. *What benefits are survivors of certain crimes potentially eligible for?* WASH. STATE ECONOMIC SERVICES ADMIN., <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes> (last visited Jan. 17, 2025).

⁴¹² Washington State Health Care Authority, *Pregnant Individuals*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/pregnant-individuals> (last visited Jan. 17, 2025); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals).

⁴¹³ Apple Health for Pregnant Individuals during pregnancy covers prenatal care, dental and vision care, First Steps Maternity Support Services, inpatient hospital services for pregnant individuals with substance abuse history, mental health services including therapy and counseling, child birth education, and other services.) Washington State Health Care Authority, *Pregnancy care resources* <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/pregnancy-care-resources> (last visited Jan. 17, 2025).

⁴¹⁴ Washington State Health Care Authority, *After-Pregnancy Coverage*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/after-pregnancy-coverage> (last visited Jan. 17, 2025).

⁴¹⁵ Washington State Health Care Authority, *Family Planning*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/family-planning-only> (last visited Jan. 17, 2025).

⁴¹⁶ Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals); See also *Washington apple health – Eligibility for pregnant minors*, WASH. ADMIN. CODE § 182-505-0117; Wash. Admin. Code § 182-503-0535 (2023); NAT'L IMMIGRATION LAW CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.

⁴¹⁷ See *Washington Apple Health Alien Emergency Medical, Alien emergency medical program (AEM)*. <https://www.hca.wa.gov/health-care-services-supports/program-administration/apple-health-alien-emergency-medical> (last visited Jan. 17, 2025); (Provides detailed information about what health care is covered. Also explains that the Alien Medical Programs in Washington State include the federally-funded Alien Emergency Medicaid (AEM) program WAC 182-507-0110 and the Washington state-funded Long-Term Care (LTC) program WAC 182-5077-0125.) Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status including Alien Medical Programs.);

⁴¹⁸ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

⁴¹⁹ 42 U.S.C. §3796gg-4 (The Violence Against Women Act requires that all state and local governments receiving STOP grants incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault); See, Michael Carlton, Peter Daub, Jennifer Feldsher, Lindsay Jackson, Daniel Kleinman, Sid Rajagopal, Michael Richman, Joseph Riley, Christine Schleppegrell, and Vasya Strizh, *Coverage for Forensic Costs for Immigrant Crime Victims: Medical Coverage and Services* (August 2, 2024), <https://niwaplibrary.wcl.american.edu/pubs/niwap-forensic-exam-coverage/>. See also, Rafaela Rodrigues and Leslye E. Orloff, *Health Care Options for Immigrant Survivors Factsheet* (June 20, 2024), <https://niwaplibrary.wcl.american.edu/pubs/health-care-options-immigrant-survivors-factsheet/> (Discussing the steps nurses, victim advocates, and attorneys can take to help immigrant sexual assault survivors cover the costs of the health care and mental health care that are not included in the costs that the state covers that are part of the forensic medical examination).

- ⁴²⁰ 45 C.F.R. § 155.20(1); *See*, CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS), CLARIFYING THE ELIGIBILITY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) RECIPIENTS AND CERTAIN OTHER NONCITIZENS FOR A QUALIFIED HEALTH PLAN THROUGH AN EXCHANGE, ADVANCE PAYMENTS OF THE PREMIUM TAX CREDIT, COST-SHARING REDUCTIONS, AND A BASIC HEALTH PROGRAM (May 8, 2024) <https://niwaplibrary.wcl.american.edu/pubs/2024-final-aca-daca-fed-reg/>; Leslye E. Orloff, *Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024)* <https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>.
- ⁴²¹ Washington State Health Care Authority, *Citizenship and immigration status* 1 (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf
- ⁴²² Washington Apple Health, *Apple Health Expansion*, <https://www.hca.wa.gov/assets/free-or-low-cost/19-0110-apple-health-expansion.pdf> (last visited Jan. 17, 2025); Washington State Health Care Authority, *Apple Health Expansion*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/apple-health-expansion#am-i-eligible> (last visited Jan. 17, 2025).
- ⁴²³ Washington State Health Care Authority, *Pregnant Individuals*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/pregnant-individuals> (last visited Jan. 17, 2025); Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals).
- ⁴²⁴ Apple Health for Pregnant Individuals during pregnancy covers prenatal care, dental and vision care, First Steps Maternity Support Services, inpatient hospital services for pregnant individuals with substance abuse history, mental health services including therapy and counseling, child birth education, and other services.) Washington State Health Care Authority, *Pregnancy care resources* <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/pregnancy-care-resources> (last visited Jan. 17, 2025).
- ⁴²⁵ Washington State Health Care Authority, *After-Pregnancy Coverage*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/after-pregnancy-coverage> (last visited Jan. 17, 2025).
- ⁴²⁶ Washington State Health Care Authority, *Family Planning*, <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/family-planning-only> (last visited Jan. 17, 2025).
- ⁴²⁷ Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status. All immigrants who are pregnant are eligible for Apple Health for Pregnant Individuals); *See also* *Washington apple health – Eligibility for pregnant minors*, WASH. ADMIN. CODE § 182-505-0117; Wash. Admin. Code § 182-503-0535 (2023); NAT’L IMMIGRATION LAW CTR., *Table: Medical Assistance Programs for Immigrants in Various States* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 122-23, 126-27 (4th ed. 2002, table rev. Jan. 2018), <https://www.nilc.org/wp-content/uploads/2015/11/med-services-for-imms-in-states.pdf>.
- ⁴²⁸ *See* *Washington Apple Health Alien Emergency Medical, Alien emergency medical program (AEM)*. <https://www.hca.wa.gov/health-care-services-supports/program-administration/apple-health-alien-emergency-medical> (last visited Jan. 17, 2025); (Provides detailed information about what health care is covered. Also explains that the Alien Medical Programs in Washington State include the federally-funded Alien Emergency Medicaid (AEM) program WAC 182-507-0110 and the Washington state-funded Long-Term Care (LTC) program WAC 182-5077-0125.) Washington State Health Care Authority, *Citizenship and immigration status* (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status including Alien Medical Programs.);
- ⁴²⁹ *See* *Washington Apple Health Alien Emergency Medical, WAC 182-507-0115 Alien emergency medical program (AEM)*. <https://www.hca.wa.gov/health-care-services-supports/program-administration/apple-health-alien-emergency-medical> (last visited MRCH 24, 2022); NAT’L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.
- ⁴³⁰ Victims of Crime Act (VOCA) compensation for crime victims is a program providing services necessary to protect health and safety of crime victims that helps victims heal and overcome the emotional and financial impact of crime victimization on their lives. VOCA compensation is separate from and does not fall within the definitions of “federal public benefit” or “state public benefit” under U.S. public benefits laws and thus is open to all crime victims without regard to immigration status. *See*, Joye E. Frost, Office for Victims of Crime, U.S. Department of Justice, Letter to Cassie T Jones Alabama Crime Victims’ Compensation Commission (July 2, 2010) available at <https://niwaplibrary.wcl.american.edu/pubs/ojp-ovc-letter-on-access-to-voca-victim-compensation-7-2-2010>; For an overview of what types of victim compensation are covered by VOCA compensation programs in each state *see*, Leslye Orloff, Katelyn Deibler and Annie Roebuck, *Post-Assault Healthcare and Victims of Crime Act Coverage for Domestic and Sexual Violence Victims* (July 18, 2018) available at: <https://niwaplibrary.wcl.american.edu/pubs/post-assault-coverage-chart>; and : Sarah Andrews, Vanessa Brown, Aurora de Heer, Joseph Leonard, Ryan Lighty, Katherine O’Keefe, Celia Soehner, William Springer, Josh Sterling, Linda Way-Smith, Beau Yanoshik, Morgan Lewis and Bockius, LLP and NIWAP, *Post-Assault Healthcare and Crime Victim Compensation for Immigrant Victims of Violence – Medical Coverage and Services for Immigrants* (July 13, 2018) available at <https://niwaplibrary.wcl.american.edu/pubs/ch17-3-postassault-healthcare-compensation> (contains a more detailed discussion of VOCA compensation available in each state with links and citations).
- ⁴³¹ Employees who are eligible for Family Medical Leave Act (FMLA) protection under federal law in addition to the protections that state laws offer. Employers are required to comply with both state and federal FMLA laws and employees are entitled to take FMLA leave described in either state or federal law. Federal FMLA laws cover employees who work for companies with 50 or more employees within a 75-mile radius who have worked at least one year and a minimum of 1,250 hours within the previous year. U.S. DEP’T OF LABOR, WAGE & HOUR DIVISION, *Employer’s Guide to The Family Medical Leave Act* 16-18, 68 available at <https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/employerguide.pdf> (last visited Sept. 1, 2022); *See also*, U.S. DEP’T OF LABOR, WAGE & HOUR DIVISION, *Family Medical Leave Act*, available at <https://www.dol.gov/agencies/whd/fmla> (last visited September 1, 2022) (Provides up-to-date guidance, fact sheets, forms, interpretive guidance, laws, regulations and training tools).
- ⁴³² Washington State Employment Security Department, *Citizenship and the legal right to work* <https://esd.wa.gov/unemployment/citizenship-and-legal-rights> (Last Visited Mar. 3, 2022); *Washington Paid Family and Medical Leave* <https://paidleave.wa.gov/> (Last Visited Mar. 3, 2022).
- ⁴³³ Washington State Employment Security Department, *Citizenship and the legal right to work* <https://esd.wa.gov/unemployment/citizenship-and-legal-rights> (Last Visited Mar. 3, 2022); *Washington Paid Family and Medical Leave* <https://paidleave.wa.gov/> (Last Visited Mar. 3, 2022).

- ⁴³⁴ U.S. DEP'T OF LABOR, WAGE & HOUR DIVISION, *Family Medical Leave Act*, available at <https://www.dol.gov/agencies/whd/fmla> (last visited September 1, 2022) (Provides up-to-date guidance, fact sheets, forms, interpretive guidance, laws, regulations and training tools).
- ⁴³⁵ Washington State Employment Security Department, *Citizenship and the legal right to work* <https://esd.wa.gov/unemployment/citizenship-and-legal-rights> (Last Visited Mar. 3, 2022); *Washington Paid Family and Medical Leave* <https://paidleave.wa.gov/> (Last Visited Mar. 3, 2022).
- ⁴³⁶ U.S. DEP'T OF LABOR, WAGE & HOUR DIVISION, *Family Medical Leave Act*, available at <https://www.dol.gov/agencies/whd/fmla> (last visited September 1, 2022) (Provides up-to-date guidance, fact sheets, forms, interpretive guidance, laws, regulations and training tools).
- ⁴³⁷ Washington State Employment Security Department, *Citizenship and the legal right to work* <https://esd.wa.gov/unemployment/citizenship-and-legal-rights> (Last Visited Mar. 3, 2022); *Washington Paid Family and Medical Leave* <https://paidleave.wa.gov/> (Last Visited Mar. 3, 2022).
- ⁴³⁸ U.S. DEP'T OF LABOR, WAGE & HOUR DIVISION, *Family Medical Leave Act*, available at <https://www.dol.gov/agencies/whd/fmla> (last visited September 1, 2022) (Provides up-to-date guidance, fact sheets, forms, interpretive guidance, laws, regulations and training tools).
- ⁴³⁹ Washington State Employment Security Department, *Citizenship and the legal right to work* <https://esd.wa.gov/unemployment/citizenship-and-legal-rights> (Last Visited Mar. 3, 2022); *Washington Paid Family and Medical Leave* <https://paidleave.wa.gov/> (Last Visited Mar. 3, 2022).
- ⁴⁴⁰ U.S. DEP'T OF LABOR, WAGE & HOUR DIVISION, *Family Medical Leave Act*, available at <https://www.dol.gov/agencies/whd/fmla> (last visited September 1, 2022) (Provides up-to-date guidance, fact sheets, forms, interpretive guidance, laws, regulations and training tools).
- ⁴⁴¹ Washington State Employment Security Department, *Citizenship and the legal right to work* <https://esd.wa.gov/unemployment/citizenship-and-legal-rights> (Last Visited Mar. 3, 2022); *Washington Paid Family and Medical Leave* <https://paidleave.wa.gov/> (Last Visited Mar. 3, 2022).
- ⁴⁴² U.S. DEP'T OF LABOR, WAGE & HOUR DIVISION, *Family Medical Leave Act*, available at <https://www.dol.gov/agencies/whd/fmla> (last visited September 1, 2022) (Provides up-to-date guidance, fact sheets, forms, interpretive guidance, laws, regulations and training tools).
- ⁴⁴³ Washington State Employment Security Department, *Citizenship and the legal right to work* <https://esd.wa.gov/unemployment/citizenship-and-legal-rights> (Last Visited Mar. 3, 2022); *Washington Paid Family and Medical Leave* <https://paidleave.wa.gov/> (Last Visited Mar. 3, 2022).
- ⁴⁴⁴ U.S. DEP'T OF LABOR, WAGE & HOUR DIVISION, *Family Medical Leave Act*, available at <https://www.dol.gov/agencies/whd/fmla> (last visited September 1, 2022) (Provides up-to-date guidance, fact sheets, forms, interpretive guidance, laws, regulations and training tools).
- ⁴⁴⁵ Washington State Employment Security Department, *Citizenship and the legal right to work* <https://esd.wa.gov/unemployment/citizenship-and-legal-rights> (Last Visited Mar. 3, 2022); *Washington Paid Family and Medical Leave* <https://paidleave.wa.gov/> (Last Visited Mar. 3, 2022).
- ⁴⁴⁶ U.S. DEP'T OF LABOR, WAGE & HOUR DIVISION, *Family Medical Leave Act*, available at <https://www.dol.gov/agencies/whd/fmla> (last visited September 1, 2022) (Provides up-to-date guidance, fact sheets, forms, interpretive guidance, laws, regulations and training tools).
- ⁴⁴⁷ Washington State Employment Security Department, *Citizenship and the legal right to work* <https://esd.wa.gov/unemployment/citizenship-and-legal-rights> (Last Visited Mar. 3, 2022); *Washington Paid Family and Medical Leave* <https://paidleave.wa.gov/> (Last Visited Mar. 3, 2022).
- ⁴⁴⁸ U.S. DEP'T OF LABOR, WAGE & HOUR DIVISION, *Family Medical Leave Act*, available at <https://www.dol.gov/agencies/whd/fmla> (last visited September 1, 2022) (Provides up-to-date guidance, fact sheets, forms, interpretive guidance, laws, regulations and training tools).
- ⁴⁴⁹ See generally OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., FEDERAL STUDENT AID HANDBOOK 2016-2017 (2016), <https://ifap.ed.gov/fsahandbook/attachments/1617FSAHbkActiveIndexMaster.pdf> (The information in this section applies to all student financial aid including grants and loans.).
- ⁴⁵⁰ OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., MANY NON-U.S. CITIZENS QUALIFY FOR FEDERAL STUDENT AID (last visited Mar. 5, 2018), <https://studentaid.ed.gov/sa/eligibility/non-us-citizens>; Daniel T. Madzellan, OFFICE OF POST-SECONDARY EDUC., U.S. DEP'T OF EDUC., ELIGIBILITY FOR TITLE IV AID FOR "BATTERED IMMIGRANTS-QUALIFIED ALIENS" AS PROVIDED FOR IN THE VIOLENCE AGAINST WOMEN ACT (2007), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-memovawapetitionsgrantsloans-6-4-10/>. See 8 U.S.C. § 1641(c); OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., FEDERAL STUDENT AID HANDBOOK 2016-2017 1-33, 1-34 (2016), <https://ifap.ed.gov/fsahandbook/attachments/1617FSAHbkActiveIndexMaster.pdf>.
- ⁴⁵¹ OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., FEDERAL STUDENT AID HANDBOOK 2022-2023 (2022), <https://fsapartners.ed.gov/knowledge-center/fsa-handbook/2022-2023/vol1/ch2-us-citizenship-eligible-noncitizens> (Naturalized citizens are eligible for financial aid).
- ⁴⁵² OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., MANY NON-U.S. CITIZENS QUALIFY FOR FEDERAL STUDENT AID (last visited Mar. 5, 2018), <https://studentaid.ed.gov/sa/eligibility/non-us-citizens>. See 8 U.S.C. §§ 1641(b)(2)-(3), (c)(4); OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., FEDERAL STUDENT AID HANDBOOK 2016-2017 1-29 (2016), <https://ifap.ed.gov/fsahandbook/attachments/1617FSAHbkActiveIndexMaster.pdf>.
- ⁴⁵³ OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., MANY NON-U.S. CITIZENS QUALIFY FOR FEDERAL STUDENT AID (last visited Mar. 5, 2018), <https://studentaid.ed.gov/sa/eligibility/non-us-citizens>. See 22 U.S.C. § 7105(b); OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., FEDERAL STUDENT AID HANDBOOK 2016-2017 1-33 (2016), <https://ifap.ed.gov/fsahandbook/attachments/1617FSAHbkActiveIndexMaster.pdf>.
- ⁴⁵⁴ OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., MANY NON-U.S. CITIZENS QUALIFY FOR FEDERAL STUDENT AID (last visited Mar. 5, 2018), <https://studentaid.ed.gov/sa/eligibility/non-us-citizens>.
- ⁴⁵⁵ OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., MANY NON-U.S. CITIZENS QUALIFY FOR FEDERAL STUDENT AID (last visited Mar. 5, 2018), <https://studentaid.ed.gov/sa/eligibility/non-us-citizens>. See 8 U.S.C. § 1641(b)(1).
- ⁴⁵⁶ OFFICE OF FED. STUDENT AID, U.S. DEP'T OF EDUC., MANY NON-U.S. CITIZENS QUALIFY FOR FEDERAL STUDENT AID (last visited Mar. 5, 2018), <https://studentaid.ed.gov/sa/eligibility/non-us-citizens>. See 8 U.S.C. § 1641(b)(1).

⁴⁵⁷ Plyler v. Doe 457 U.S. 202 (1982); U.S. DEPARTMENT OF EDUCATION, STUDENTS, IMMIGRATION STATUS, AND THE RIGHT TO PUBLIC EDUCATION (JUNE 20, 2021) <https://blog.ed.gov/2021/07/students-immigration-status-and-the-right-to-public-education/>.

⁴⁵⁸ WASH. REV. CODE 28B.15.012(2)(e) & (4)(2024); RCW 28B.118.010(4)(b)(i)(2024); RCW 28B.145.030(2)(h) 7 (4)(b)(2024).

⁴⁵⁹ WASH. REV. CODE 28B.15.012(2)(d)(2024). *Classification as resident or nonresident student – Definitions*, WASH. REV. CODE § 28B.15.012, <http://app.leg.wa.gov/rcw/default.aspx?cite=28B.15.012> (last visited May 29, 2018).

⁴⁶⁰ WASH. STUDENT ACHIEVEMENT COUNCIL, *Student Residency*, <https://wsac.wa.gov/student-residency> (last visited Mar. 24, 2022); Senate Bill 5194 (July 25, 2021) <https://lawfilesexternal.wa.gov/biennium/2021-22/Pdf/Bills/Session%20Laws/Senate/5194-S2.SL.pdf?q=20210804092118>.

⁴⁶¹ SOC. SECURITY ADMIN., UNDERSTANDING SUPPLEMENTAL SECURITY INCOME SSI ELIGIBILITY REQUIREMENTS – 2017 EDITION (2017), <https://www.ssa.gov/ssi/text-eligibility-ussi.htm> (While the chart shows eligibility to apply for SSI benefits by immigration status, those with qualified immigration statuses must also meet all other eligibility requirements. To obtain SSI benefits individuals must be aged 65 or over, blind, or disabled; and have limited income, limited resources, be a resident of one of the 50 states, DC, or Northern Mariana Islands, and not be absent from the country for a full calendar month, in addition to other requirements.).

⁴⁶² WASH. ADMIN. CODE §182-512-0050 (April 14, 2014) (SSI Related Medical Assistance available under Apple Health) <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/overview>; Washington State Health Care Authority, Citizenship and immigration status (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status and lists which immigrants are eligible for SSI-Related Medicaid).

⁴⁶³ NAT’L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>. See 8 U.S.C. §§ 1612(a)(2)(E) (prior SSI), 1612(a)(2)(F) (current disability), 1641(c) (battered immigrant).

⁴⁶⁴ See 8 U.S.C. § 1612(a)(2)(H).

⁴⁶⁵ WASH. ADMIN. CODE §182-512-0050 (April 14, 2014) (SSI Related Medical Assistance available under Apple Health) <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/overview>; Washington State Health Care Authority, Citizenship and immigration status (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status and lists which immigrants are eligible for SSI-Related Medicaid).

⁴⁶⁶ *Noncitizen Eligibility for Federal Public Assistance: Policy Overview*, CONGRESSIONAL RESEARCH SERVICE, Alison Siskin, Specialist in Immigration Policy (Dec. 12, 2016) (p. 10, note a), <https://fas.org/sgp/crs/misc/RL33809.pdf>. In 2018, \$5,280 = 4 quarters of work credit. <https://www.ssa.gov/oact/cola/QC.html>.

⁴⁶⁷ NAT’L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>. See 8 U.S.C. § 1641(b)(1) (Due to the work requirement, few SIJS children will qualify, although work done by the applicant, parent or spouse counts toward the 40 quarters of work.).

⁴⁶⁸ SOC. SEC. ADMIN., *Understanding Supplemental Security Income SSI, Eligibility Requirements – 2023 Edition, Supplemental Security Income (SSI) Eligibility Requirements*, <https://www.ssa.gov/ssi/text-eligibility-ussi.htm> (last visited November 29, 2023).

⁴⁶⁹ WASH. ADMIN. CODE §388-424-0015(1)(a)(2024).

⁴⁷⁰ WASH. ADMIN. CODE §388-424-0001(2)(a) and (e) (2024).

⁴⁷¹ Washington State Department of Social and Health Services, Economic Services Administration, Aged, Blind or Disabled Cash Program <https://www.dshs.wa.gov/esa/community-services-offices/aged-blind-or-disabled-cash-program> (last visited Jan. 17, 2025); WASH. ADMIN. CODE § 388-424-0015(1)(a)(2024); Washington State Department of Social and Health Services, Economic Services Administration, *Citizenship and Alien Status for State Cash Programs*, <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/citizenship-and-alien-status-state-cash-programs> (last visited Jan. 17, 2025).

⁴⁷² WASH. ADMIN. CODE §182-512-0050 (April 14, 2014) (SSI Related Medical Assistance available under Apple Health) <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/overview>; Washington State Health Care Authority, Citizenship and immigration status (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State’s health care options by type of immigration status and lists which immigrants are eligible for SSI-Related Medicaid).

⁴⁷³ NAT’L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in* GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>. See 8 U.S.C. § 1641(b)(2)-(3). For some Federal programs such as SSI, a general bar applies where qualified immigrants are ineligible, unless they have attained LPR status with 40 qualifying quarters and satisfy the five-year bar, have a specified military connection, or fall within other limited exceptions. See 8 U.S.C. 1612(a)(2). For refugees and asylees, this bar does not apply until seven years after the date that they are admitted to refugee or asylee status; however, § 1612(b)(2) lists exceptions that independently lift the bar after seven years.

⁴⁷⁴ See 22 U.S.C. § 7105(b).

⁴⁷⁵ 22 U.S.C. § 7105(b)(1). T visa holders, bona fide T visa applicants with HHS certification, trafficking victims under 18 with HHS eligibility determination, and family members with T visa status are eligible for public benefits to the same extent as refugees. See 8 U.S.C. §§ 1612(a)(1)-(2); 1613. Federal eligibility for refugees and asylees extends for the first seven years after attaining that

status. However, § 1612(b)(2) lists exceptions that independently lift the seven year limit; including, if they have attained LPR status with 40 qualifying quarters, are a veteran, and/or a member of a veteran's family. See § 1641(b)(2)-(3). States can also continue to provide benefits once the mandated seven year federal coverage period for refugees and asylees ends. See state law citations in this chart to identify if this state provides benefits for asylees and refugees beyond the seven year limitation. NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>.

⁴⁷⁶ WASH. ADMIN. CODE § 182-512-0050 (April 14, 2014) (SSI Related Medical Assistance available under Apple Health) <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/overview>; Washington State Health Care Authority, Citizenship and immigration status (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status and lists which immigrants are eligible for SSI-Related Medicaid).

⁴⁷⁷ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>. See 8 U.S.C. §§ 1612(a)(2)(E) (prior SSI), 1612(a)(2)(F) (current disability), 1641(c)(4) (trafficking victims).

⁴⁷⁸ See 8 U.S.C. § 1612(a)(2)(H).

⁴⁷⁹ See 8 U.S.C. § 1641(c)(4).

⁴⁸⁰ WASH. ADMIN. CODE § 388-424-0001(4)(c)(ii)(2024) (Specific crimes include: crimes related to human trafficking, kidnapping, unlawful imprisonment, custodial interference, luring, trafficking, coercion of involuntary servitude, luring, protection order violations, sexual exploitation of children, and substantially similar crimes under federal law or the laws of another state).

⁴⁸¹ WASH. ADMIN. CODE §§ 388-400-0010(2)(f)(2024); 388-424-0001(4)(c)(ii)(2024)

⁴⁸² WASH. ADMIN. CODE §§ 388-424-0015(1)(c)(2024); 388-424-0001(4)(c)(ii)(2024); Washington State Department of Social and Health Services, Economic Services Administration, Aged, Blind or Disabled Cash Program <https://www.dshs.wa.gov/esa/community-services-offices/aged-blind-or-disabled-cash-program> (last visited Jan. 17, 2025); WASH. ADMIN. CODE § 388-424-0015(1)(a)(2024); Washington State Department of Social and Health Services, Economic Services Administration, *Citizenship and Alien Status for State Cash Programs*, <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/citizenship-and-alien-status-state-cash-programs> (last visited Jan. 17, 2025).

⁴⁸³ WASH. ADMIN. CODE § 182-512-0050 (April 14, 2014) (SSI Related Medical Assistance available under Apple Health) <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/overview>; Washington State Health Care Authority, Citizenship and immigration status (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status and lists which immigrants are eligible for SSI-Related Medicaid).

⁴⁸⁴ 22 U.S.C. § 7105(b); See NAT'L IMMIGRATION LAW CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>.

⁴⁸⁵ WASH. ADMIN. CODE §§ 388-400-0010(2)(f)(2024); 388-424-0001(2)(b)(ii)(A)(2024)

⁴⁸⁶ WASH. ADMIN. CODE §§ 388-400-0010(2)(f)(2024); 388-424-0001(4)(c)(i)(2024)

⁴⁸⁷ WASH. ADMIN. CODE §§ 388-424-0015(1)(c)(2024); 388-424-0001(4)(c)(ii)(2024); Washington State Department of Social and Health Services, Economic Services Administration, Aged, Blind or Disabled Cash Program <https://www.dshs.wa.gov/esa/community-services-offices/aged-blind-or-disabled-cash-program> (last visited Jan. 17, 2025); WASH. ADMIN. CODE § 388-424-0015(1)(a)(2024); Washington State Department of Social and Health Services, Economic Services Administration, *Citizenship and Alien Status for State Cash Programs*, <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/citizenship-and-alien-status-state-cash-programs> (last visited Jan. 17, 2025).

⁴⁸⁸ WASH. ADMIN. CODE § 182-512-0050 (April 14, 2014) (SSI Related Medical Assistance available under Apple Health) <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/overview>; Washington State Health Care Authority, Citizenship and immigration status (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status and lists which immigrants are eligible for SSI-Related Medicaid).

⁴⁸⁹ *Noncitizen Eligibility for Federal Public Assistance: Policy Overview*, CONGRESSIONAL RESEARCH SERVICE, Alison Siskin, Specialist in Immigration Policy (Dec. 12, 2016) (p. 10, note a), <https://fas.org/sgp/crs/misc/RL33809.pdf>. In 2018, \$5,280 = 4 quarters of work credit. <https://www.ssa.gov/oact/cola/QC.html>.

⁴⁹⁰ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>. See 8 U.S.C. § 1641(b)(1) (Due to the work requirement, few SIJS children will qualify, although work done by the applicant, parent or spouse counts toward the 40 quarters of work.).

⁴⁹¹ WASH. ADMIN. CODE § 388-424-0015(1)(a)(2024).

⁴⁹² WASH. ADMIN. CODE § 388-424-0001(2)(a) and (e) (2024).

⁴⁹³ STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Economic Services Administration*, Aged, Blind or Disabled Cash Program <https://www.dshs.wa.gov/esa/community-services-offices/aged-blind-or-disabled-cash-program> (last visited Jan. 17, 2025); WASH. ADMIN. CODE § 388-424-0015(1)(a)(2024); STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Economic Services Administration*, *Citizenship and Alien Status for State Cash Programs*, <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/citizenship-and-alien-status-state-cash-programs> (last visited Jan. 17, 2025).

⁴⁹⁴ WASH. ADMIN. CODE §§388-424-0015(1)(b)(2024); 388-424-0001(1) (2024)(lawfully present is defined as immigrants or noncitizens who have been inspected and admitted into the United States and have not over-stayed the period for which they were admitted, or have current per-mission from the U.S. Citizenship and Immigration Services (CIS) to stay or live in the U.S.); *Washington WorkFirst*, WASH. STATE WORKFIRST, <https://workfirst.wa.gov/> (last visited Jan. 17, 2025); *Washington State Family Assistance, Immigrant Eligibility*, <https://app.leg.wa.gov/WAC/default.aspx?cite=388-424-0015>; *Public Benefit Eligibility for Survivors of Certain Crimes*, WASH. STATE ECONOMIC SERVICES ADMIN. (FEB. 5, 2024) <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes>.

⁴⁹⁵ STATE OF WA DEP'T OF SOC. AND HEALTH SERVS. *Economic Services Administration*, Citizenship and Alien Status - For Temporary Assistance for Needy Families (TANF)(January 28, 2025). <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/citizenship-and-alien-status-temporary-assistance-needy-families-tanf> (Provides a non-inclusive list of lawfully present immigrants who are eligible for state funded benefits include State Family Assistance (SFA), Aged, Blind, and Disabled (ABD), and Pregnant Women Assistance (PWA)). See also, STATE OF WA DEP'T OF SOC. AND HEALTH SERVS. *Citizenship and Alien Status for State Cash Programs* (June 15, 2012) <https://www.dshs.wa.gov/book/export/html/1137>.

⁴⁹⁶ WASH. ADMIN. CODE § 388-424-0015(1)(b); Washington State Department of Social and Health Services, Economic Services Administration, *Citizenship and Alien Status for State Cash Programs*, <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/citizenship-and-alien-status-state-cash-programs>.

⁴⁹⁷ Eligibility for the program may be affected by deeming but there are exceptions for certain categories of immigrants including battered immigrant VAWA self-petitioners, refugees, asylees, trafficking victims with HHS certification, and certain other battered immigrants. *Citizenship and alien status – Definitions*, WASH. ADMIN. CODE § 388-424-0001, <https://app.leg.wa.gov/wac/default.aspx?cite=388-424-0001> (last visited June 19, 2018); See also *TANF and Support Services*, ECON. SERVS. ADMIN., <https://www.dshs.wa.gov/esa/community-services-offices/tanf-and-support-services> (last visited July 12, 2018); 8 U.S.C. 1631(f) (Qualified immigrants who have been battered or subjected to extreme cruelty by a spouse, a parent or a member of the spouse's or parent's family are exempt from deeming for 12 months. The exemption from deeming may be extended if the battered immigrant obtains an order from a judge or a ruling from the U.S. Department of Homeland Security recognizing the battering or extreme cruelty the immigrant victim suffered.) (Interim Guidance on Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Att'y Gen. Order No. 2129-97, 62 Fed. Reg. 61,344, at 61,371 (Nov. 17, 1997)). <http://niwaplibrary.wcl.american.edu/pubs/1997-doj-interim-guidance-benefits/> See Catherine Longville and Leslye Orloff, *Public Benefits: What is "Deeming" and What Are its Exceptions*, (January 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>; *Applicability of Public Charge and Deeming Rules to Immigrant Survivors and Their Children Eligible for Healthcare Subsidies*, in NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (April 9, 2015), <http://niwaplibrary.wcl.american.edu/public-charge-deeming/>. Qualified immigrants may also be exempt from deeming when they naturalize, when they can show they are credited with 40 qualifying quarters of work, when they qualify for the up to 12 month exception for indigence, or have another form of immigration status does not require sponsorship. See 8 U.S.C. § 1631; DEP'T OF HEALTH & HUM. SERVS., OFF. OF FAM. ASSISTANCE, *TANF-ACF-PI-2003-03 (Deeming of Sponsor's Income and Resources To A Non-Citizen)*, (2003), <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>; NAT'L IMMIGRATION LAW CTR., *Table 8: State Funded TANF Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 102-03* (4th ed. 2002, table updated Aug. 2016), https://www.nilc.org/issues/economic-support/guide_tanf/.

⁴⁹⁸ WASH. ADMIN. CODE §182-512-0050 (April 14, 2014) (SSI Related Medical Assistance available under Apple Health) <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/overview>; Washington State Health Care Authority, Citizenship and immigration status (January 2025) https://www.hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf (Provides a useful chart that tracks immigrant eligibility for each of Washington State's health care options by type of immigration status and lists which immigrants are eligible for SSI-Related Medicaid).

⁴⁹⁹ *Noncitizen Eligibility for Federal Public Assistance: Policy Overview*, CONGRESSIONAL RESEARCH SERVICE, Alison Siskin, Specialist in Immigration Policy (Dec. 12, 2016) (p. 10, note a), <https://fas.org/sgp/crs/misc/RL33809.pdf>. In 2018, \$5,280 = 4 quarters of work credit. <https://www.ssa.gov/oact/cola/OC.html>.

⁵⁰⁰ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/; SOC. SECURITY ADMIN., SPOTLIGHT ON SSI BENEFITS FOR ALIENS (2017), <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>. See 8 U.S.C. §§ 1612(a)(2)(B) (LPR eligibility for SSI), 1612(a)(2)(E) (prior SSI), 1612(a)(2)(F) (current disability), 1641(b)(1) (LPR qualified immigrant status).

⁵⁰¹ See 8 U.S.C. § 1612(a)(2)(H).

⁵⁰² WASH. ADMIN. CODE §§ 388-424-0015(1)(b)(2024); 388-424-0001(1) (2024)(lawfully present is defined as immigrants or noncitizens who have been inspected and admitted into the United States and have not over-stayed the period for which they were admitted, or have current per-mission from the U.S. Citizenship and Immigration Services (CIS) to stay or live in the U.S.); *Washington WorkFirst*, WASH. STATE WORKFIRST, <https://workfirst.wa.gov/> (last visited Jan. 17, 2025); *Washington State Family Assistance, Immigrant Eligibility*, <https://app.leg.wa.gov/WAC/default.aspx?cite=388-424-0015>; *Public Benefit Eligibility for Survivors of Certain Crimes*, WASH. STATE ECONOMIC SERVICES ADMIN. (FEB. 5, 2024) <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes>.

⁵⁰³ U visa bona fide determinations come with deferred action which is protection from deportation and which makes U visa applicants eligible for health care as lawfully residing immigrant. Cindy Mann, CTR. FOR MEDICARE & MEDICAID SERV., U.S. DEP'T OF HEALTH & HUM. SERVS., MEDICAID AND CHIP COVERAGE FOR "LAWFULLY RESIDING" CHILDREN AND PREGNANT WOMEN 3 (2010), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/>; *Public Benefit Eligibility for Survivors of Certain Crimes*, WASH. STATE ECONOMIC SERVICES ADMIN., <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/public-benefit-eligibility-survivors-certain-crimes> (last visited Jan. 17, 2025).

⁵⁰⁴ STATE OF WA DEP'T OF SOC. AND HEALTH SERVS., *Economic Services Division*, Citizenship and Alien Status - For Temporary Assistance for Needy Families (TANF)(January 28, 2025). <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/citizenship-and-alien-status-temporary-assistance-needy-families-tanf> (Provides a non-inclusive list of lawfully present immigrants who are eligible for state funded benefits include State Family Assistance (SFA), Aged, Blind, and Disabled (ABD), and Pregnant Women Assistance (PWA)); See also, Washington State Department of Social and Health Services, Citizenship and Alien Status for State Cash Programs (June 15, 2012) <https://www.dshs.wa.gov/book/export/html/1137>.

⁵⁰⁵ WASH. ADMIN. CODE § 388-424-0015(1)(b); Washington State Department of Social and Health Services, Economic Services Administration, *Citizenship and Alien Status for State Cash Programs*, <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/citizenship-and-alien-status-state-cash-programs>.

⁵⁰⁶Eligibility for the program may be affected by deeming but there are exceptions for certain categories of immigrants including battered immigrant VAWA self-petitioners, refugees, asylees, trafficking victims with HHS certification, and certain other battered immigrants. *Citizenship and alien status – Definitions*, WASH. ADMIN. CODE § 388-424-0001, <https://app.leg.wa.gov/wac/default.aspx?cite=388-424-0001> (last visited June 19, 2018); See also *TANF and Support Services*, ECON. SERVS. ADMIN., <https://www.dshs.wa.gov/esa/community-services-offices/tanf-and-support-services> (last visited July 12, 2018); 8 U.S.C. 1631(f) (Qualified immigrants who have been battered or subjected to extreme cruelty by a spouse, a parent or a member of the spouse’s or parent’s family are exempt from deeming for 12 months. The exemption from deeming may be extended if the battered immigrant obtains an order from a judge or a ruling from the U.S. Department of Homeland Security recognizing the battering or extreme cruelty the immigrant victim suffered.) (Interim Guidance on Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Att’y Gen. Order No. 2129-97, 62 Fed. Reg. 61,344, at 61,371 (Nov. 17, 1997)). <http://niwaplibrary.wcl.american.edu/pubs/1997-doj-interim-guidance-benefits/> See Catherine Longville and Leslye Orloff, *Public Benefits: What is “Deeming” and What Are its Exceptions*, (January 13, 2015), <http://niwaplibrary.wcl.american.edu/pubs/deeming-fact-sheet/>; *Applicability of Public Charge and Deeming Rules to Immigrant Survivors and Their Children Eligible for Healthcare Subsidies*, in NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (April 9, 2015), <http://niwaplibrary.wcl.american.edu/public-charge-deeming/>. Qualified immigrants may also be exempt from deeming when they naturalize, when they can show they are credited with 40 qualifying quarters of work, when they qualify for the up to 12 month exception for indigence, or have another form of immigration status does not require sponsorship. See 8 U.S.C. § 1631; DEP’T OF HEALTH & HUM. SERVS., OFF. OF FAM. ASSISTANCE, *TANF-ACF-PI-2003-03 (Deeming of Sponsor’s Income and Resources To A Non-Citizen)*, (2003), <https://www.acf.hhs.gov/ofa/resource/policy/pi-ofa/2003/pi2003-2htm-0>; NAT’L IMMIGRATION LAW CTR., *Table 8: State Funded TANF Replacement Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 102-03* (4th ed. 2002, table updated Aug. 2016), https://www.nilc.org/issues/economic-support/guide_tanf/.

⁵⁰⁷ WASH. ADMIN. CODE §388-424-0001(4)(b)(2024).

⁵⁰⁸ WASH. ADMIN. CODE §§ 388-424-0015(1)(c)(2024); 388-424-0001(4)(c)(ii)(2024); STATE OF WA DEP’T OF SOC. AND HEALTH SERVS. *Economic Services Administration, Aged, Blind or Disabled Cash Program* <https://www.dshs.wa.gov/esa/community-services-offices/aged-blind-or-disabled-cash-program> (last visited Jan. 17, 2025); WASH. ADMIN. CODE § 388-424-0015(1)(a)(2024); Washington State Department of Social and Health Services, Economic Services Administration, *Citizenship and Alien Status for State Cash Programs*, <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/citizenship-and-alien-status-state-cash-programs> (last visited Jan. 17, 2025).

⁵⁰⁹ *Noncitizen Eligibility for Federal Public Assistance: Policy Overview*, CONGRESSIONAL RESEARCH SERVICE, Alison Siskin, Specialist in Immigration Policy (Dec. 12, 2016) (p. 10, note a), <https://fas.org/sgp/crs/misc/RL33809.pdf>. In 2018, \$5,280 = 4 quarters of work credit. <https://www.ssa.gov/oact/cola/QC.html>.

⁵¹⁰ WASH. ADMIN. CODE §388-424-0001(4)(b)(2024).

⁵¹¹ WASH. ADMIN. CODE §§ 388-424-0015(1)(c)(2024); 388-424-0001(4)(c)(ii)(2024); STATE OF WA DEP’T OF SOC. AND HEALTH SERVS. *Economic Services Administration, Aged, Blind or Disabled Cash Program* <https://www.dshs.wa.gov/esa/community-services-offices/aged-blind-or-disabled-cash-program> (last visited Jan. 17, 2025); WASH. ADMIN. CODE § 388-424-0015(1)(a)(2024); Washington State Department of Social and Health Services, Economic Services Administration, *Citizenship and Alien Status for State Cash Programs*, <https://www.dshs.wa.gov/esa/citizenship-and-alien-status-requirements-specific-program/citizenship-and-alien-status-state-cash-programs> (last visited Jan. 17, 2025).

⁵¹² *Noncitizen Eligibility for Federal Public Assistance: Policy Overview*, CONGRESSIONAL RESEARCH SERVICE, Alison Siskin, Specialist in Immigration Policy (Dec. 12, 2016) (p. 10, note a), <https://fas.org/sgp/crs/misc/RL33809.pdf>. In 2018, \$5,280 = 4 quarters of work credit. <https://www.ssa.gov/oact/cola/QC.html>.

⁵¹³ H.B.1889 68th Legislature, 2024 Regular Session (March 13, 2024)(contains a full list of licenses and certifications that are to be available to all persons without regard to immigration status and an ITIN can be submitted in lieu of a social security number).

⁵¹⁴ NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT, ACCEPTABLE FORMS OF DOCUMENTATION AND IDENTIFICATION FOR STATE DRIVER’S LICENSE/IDENTIFICATION CARD (SEPTEMBER 5, 2014) 1 (2014), <http://library.niwap.org/wp-content/uploads/2015/Drivers-License-Access.pdf>.

⁵¹⁵ REAL ID Act of 2005, 49 U.S.C. § 30301 Note (2005). See also 6 C.F.R. § 37.11 (g) (2012); Joan Friedland, *Updates on REAL ID and Increased Information Sharing by Departments of Motor Vehicles*, NAT’L IMMIGR.L. CTR., (Jan. 8, 2018), <https://www.nilc.org/news/the-torch/1-04-18/>.

⁵¹⁶ See 6 C.F.R. § 37.11(g)(1) (2012).

⁵¹⁷ See *SAVE CaseCheck*, U.S. CITIZENSHIP & IMMGR. SERVS., <https://www.uscis.gov/save/casecheck> (last visited July 9, 2018). For special rules and step-by-step instructions for SAVE verification in cases of VAWA self-petitioners, see PIH NOTICE 2017-02 (HA), VIOLENCE AGAINST WOMEN ACT (VAWA) SELF-PETITIONER VERIFICATION PROCEDURES (2017), <http://niwaplibrary.wcl.american.edu/pubs/hud-vawa-self-petitioner-verification-procedures/> and Benish Anver, Alexandra Brown and Leslye E. Orloff, HOW TO ADVOCATE FOR PUBLIC AND ASSISTED HOUSING FOR YOUR BATTERED IMMIGRANT OR TRAFFICKING SURVIVOR CLIENT (2017) <http://niwaplibrary.wcl.american.edu/pubs/pub-asst-housing-advocacy>.

⁵¹⁸ See 6 C.F.R. § 37.11(g)(2) (2012); Cindy Mann, CTR. FOR MEDICARE & MEDICAID SERV., U.S. DEP’T OF HEALTH & HUM. SERV., MEDICAID AND CHIP COVERAGE FOR “LAWFULLY RESIDING” CHILDREN AND PREGNANT WOMEN 2 (2010), <http://niwaplibrary.wcl.american.edu/pubs/pb-gov-hhslawfullyresidingmedicaid-07-01-10-also-in-qualified-immigrants/> (For example, the U.S. Department of Health and Human Services has identified categories of lawfully present immigrants for purposes of Medicaid and CHIP eligibility. These individuals should be able to access full Real ID compliant driver’s licenses without waiting for work authorization. This may be an area for advocacy in individual cases).

⁵¹⁹ See 6 C.F.R. § 37.11(h) (2012); NAT’L IMMIGRATION LAW CTR., THE REAL ID ACT: QUESTIONS AND ANSWERS 8-9 (2016), <https://www.nilc.org/wp-content/uploads/2015/11/REAL-ID-Act-Q-and-A.pdf>.

⁵²⁰ See *Application for enhanced driver’s license or identocard*, WASH. ADMIN. CODE § 308-105-020, <http://app.leg.wa.gov/WAC/default.aspx?cite=308-105-020> (last visited July 12, 2018).

⁵²¹ See *Steps to getting your first driver license: Proof of identity*, WASH. STATE DEP’T OF LICENSING, <http://www.dol.wa.gov/driverslicense/idproof.html> (last visited May 29, 2018)

⁵²² See *Application for driver’s license or identocard*, WASH. ADMIN. CODE § 308-104-014, <http://app.leg.wa.gov/WAC/default.aspx?cite=308-104-014> (last visited July 12, 2018).

⁵²³ See *Getting a driver license: Mandatory insurance*, WASH. STATE DEP'T OF LICENSING, <https://www.dol.wa.gov/driverslicense/insurance.html> (last visited July 12, 2018).

⁵²⁴ See *Getting a driver license: Medical and vision screening*, WASH. STATE DEP'T OF LICENSING, <https://www.dol.wa.gov/driverslicense/medicalvision.html> (last visited July 12, 2018).

⁵²⁵ VAWA self-petitioners receive employment authorization once their case has been approved. Trafficking victims receive legal work authorization based on HHS certification for victims with continued presence and for T visa applicants with bona fide determinations. U visa applicants will receive work authorization after their case has been wait-list approved based on deferred action. Asylum applicants become eligible for work authorization approximately 6 months after filing for asylum. DACA recipients receive work authorization based on deferred action and SIJS children receive work authorization once they are granted lawful permanent residency. Once an immigrant receives legal work authorization from DHS they can apply for and receive a Social Security Number.

⁵²⁶ VAWA self-petitioners receive employment authorization once their case has been approved. Trafficking victims receive legal work authorization based on HHS certification for victims with continued presence and for T visa applicants with bona fide determinations. U visa applicants will receive work authorization after their case has been wait-list approved based on deferred action. Asylum applicants become eligible for work authorization approximately 6 months after filing for asylum. DACA recipients receive work authorization based on deferred action and SIJS children receive work authorization once they are granted lawful permanent residency. Once an immigrant receives legal work authorization from DHS they can apply for and receive a Social Security Number.

⁵²⁷ See *Steps to getting your first driver license: Proof of identity*, WASH. STATE DEP'T OF LICENSING, <http://www.dol.wa.gov/driverslicense/idproof.html> (last visited May 29, 2018)

⁵²⁸ NAT'L IMMIGR.L. CTR., STATE LAWS PROVIDING ACCESS TO DRIVER'S LICENSES OR CARDS, REGARDLESS OF IMMIGRATION STATUS (2017), <https://www.nilc.org/wp-content/uploads/2015/11/drivers-license-access-table.pdf>; See also *Steps to getting your first driver license: Proof of identity*, WASH. STATE DEP'T OF LICENSING, <http://www.dol.wa.gov/driverslicense/idproof.html> (last visited May 29, 2018).

⁵²⁹ U.S. Dep't of Justice, Dep't of Health & Human Servs. & Dep't of Hous. & Human Dev., Joint Letter on Immigrant Access to Shelter and Transitional Housing (Aug. 5, 2016), <http://niwaplibrary.wcl.american.edu/pubs/joint-letter-hud-hhs-ad-doj-immigrant-access-shelter-transitional-housing-aug-2016/> (stating that services must be in-kind, available regardless of income, and provided at the community level). See 8 U.S.C. § 1611(b)(1)(D).

⁵³⁰ CATHERINE LONGVILLE & LESLYE E. ORLOFF, PROGRAMS OPEN TO IMMIGRANT VICTIMS AND TO ALL IMMIGRANTS WITHOUT REGARD TO IMMIGRATION STATUS 1 (2014), <http://niwaplibrary.wcl.american.edu/pubs/programs-open-to-all-immigrants/>; *Three Federal Agencies Issue Joint Letter on Shelters and Transitional Housing*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (Aug. 12, 2016), <http://niwaplibrary.wcl.american.edu/joint-agency-letter-shelters-transitional-housing/>.

⁵³¹ *Emergency Solutions Grant (ESG)*, WA STATE DEP'T OF COMMERCE, <https://www.commerce.wa.gov/serving-communities/homelessness/emergency-solutions-grant/> (last visited Sept. 4, 2022).

⁵³² WASH. ADMIN. CODE §388-400-0070 (2024)(Available for physically or mentally incapacitated persons who are receiving Aged Blind or Disabled or Pregnant Women Assistance).

WashingtonLAWHelp.org, Help for people unable to work ABD and HEN. (June 2023) https://www.washingtonlawhelp.org/files/C9D2EA3F-0350-D9AF-ACAE-BF37E9BC9FFA/attachments/5CD0E077-EDA8-4C72-93A6-1925E784EEEE/7812en_help-for-people-unable-to-work-abd-hen.pdf.

⁵³³ *Housing and Essential Needs*, WA STATE DEP'T OF SOC. & HEALTH SERVS., <https://www.dshs.wa.gov/esa/community-services-offices/housing-and-essential-needs> (last visited May 29, 2018); *Emergency Programs*, WA STATE DEP'T OF SOC. & HEALTH SERVS., <https://www.dshs.wa.gov/esa/community-services-offices/emergency-programs> (last visited May 29, 2018).

⁵³⁴ Immigrants including victims who are lawfully residing in the United States or its territories and possessions under section 141 of the Compacts of Free Association between the U.S. and the Governments of the Marshall Islands, the Federated States of Micronesia and Palau are eligible for public and assisted housing. HUD PUBLIC AND INDIAN HOUSING, *Eligibility Determination and Denial of Assistance*, Citizenship Status 10 (November 2019) available at:

https://www.hud.gov/sites/dfiles/PIH/documents/HCV_Guidebook_Eligibility_Determination_and_Denial_of_Assistance.pdf (last visited Aug. 27, 2022) (However in Guam, such immigrants are not entitled to a preference in receiving housing assistance over a U.S. citizen or national resident who is otherwise eligible for such assistance).

⁵³⁵ See generally *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: "IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING" (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/ (contains lists of housing programs that are unrestricted and lists of housing programs that various forms of immigration restrictions).

⁵³⁶ For detailed information about Low Income Housing Tax Credit (LIHTC) funding housing eligibility and how to find LIHTC funded units in communities across the country see, VAWA Home: Rights for Survivors in LIHTC <https://www.vawahome.com/> (last visited February 10, 2022).

⁵³⁷ HUD public and assisted housing refers to HUD assisted housing covered by Section 214 of the Housing and Community Development Act of 1980, Title 42 of the U.S. Code Section 1436a. See *Housing Act. Section 214*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT, <http://niwaplibrary.wcl.american.edu/pubs/housing-act-sec-214/> (last visited Mar. 9, 2018); DEP'T OF HOUS. & URBAN DEV., PIH NOTICE 2017-02 (HA), VIOLENCE AGAINST WOMEN ACT (VAWA) SELF-PETITIONER VERIFICATION PROCEDURES (2017), <http://niwaplibrary.wcl.american.edu/pubs/hud-vawa-self-petitioner-verification-procedures/>; TONYA ROBINSON, ACTING GENERAL COUNSEL, C., U.S. DEP'T OF HOUS. & URBAN DEV., MEMORANDUM FOR SECRETARY JULIAN CASTRO ON ELIGIBILITY OF BATTERED NONCITIZEN SELF-PETITIONERS FOR FINANCIAL ASSISTANCE UNDER SECTION 214 OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1980 (2016), <http://library.niwap.org/wp-content/uploads/Eligibility-of-VAWA-Self-Petitioners-2016-12-14.pdf>; U.S. DEP'T OF HOUS. & URBAN DEV., HUD HANDBOOK 4350.3: OCCUPANCY REQUIREMENTS OF SUBSIDIZED MULTIFAMILY HOUSING PROGRAMS at Appendix 2-B (2013), <https://www.hud.gov/sites/documents/43503HSGH.PDF> (instructions for verifying battered immigrant eligibility for multi-family programs) (referring to the *Interim Guidance on Verification of Citizenship, Qualified Alien Status, and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996*, 62 FR 61344 at Exhibit B to Attachment 5 (Nov. 17, 1997)). See also 8 U.S.C. § 1641(c) (2012).

⁵³⁸ USDA RURAL HOUSING SERVICE, Interim Rule, *Reinvention of the Sections 514, 515, 516 and 521 Multi-Family Housing Programs*, 69 Fed. Reg. 69032 (Nov. 26, 2004) (to be codified at 7 C.F.R. pt. 1806, 1822, 1902, 1925 ("Appendix 2 to the HUD Handbook 4350.3 is incorporated into internal Agency procedures."); USDA RURAL HOUSING SERVICE, Interim Final Rule, *Reinvention of the*

Sections 514, 515, 516 and 521 Multi-Family Housing Programs, 70 Fed. Reg. 8503 (Feb. 22, 2005) (to be codified at 7 C.F.R. 3560) (deciding “to delay implementation of the sections listed below in order to harmonize its procedures with HUD under 42 U.S.C. 1436a”); DEP’T OF HOUS. & URBAN DEV., HUD HANDBOOK 4350.3: OCCUPANCY REQUIREMENTS OF SUBSIDIZED MULTIFAMILY HOUSING PROGRAMS at Appendix 2-B (2013), <https://www.hud.gov/sites/documents/43503HSGH.PDF> (instructions on verifying battered immigrant eligibility for HUD multi-family programs) (referring to the *Interim Guidance on Verification of Citizenship, Qualified Alien Status, and Eligibility* Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 62 FR 61344 at Exhibit B to Attachment 5) (Nov. 17, 1997); DEP’T OF HOUS. & URBAN DEV., PIH NOTICE 2017-02 (HA), VIOLENCE AGAINST WOMEN ACT (VAWA) SELF-PETITIONER VERIFICATION PROCEDURES (2017), <http://niwaplibrary.wcl.american.edu/pubs/hud-vawa-self-petitioner-verification-procedures/>; MEMORANDUM FOR SECRETARY JULIAN CASTRO ON ELIGIBILITY OF BATTERED NONCITIZEN SELF-PETITIONERS FOR FINANCIAL ASSISTANCE UNDER SECTION 214 OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1980 (2016), <http://library.niwap.org/wp-content/uploads/Eligibility-of-VAWA-Self-Petitioners-2016-12-14.pdf>. See also 8 U.S.C. § 1641(c).

⁵³⁹ See 42 U.S.C. § 1485.

⁵⁴⁰ *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/ (stating that Section 514/516: Lessee (but not household) must be U.S. Citizen or lawful permanent resident). See 7 C.F.R. § 3560.11 (including immediate family member).

⁵⁴¹ See 7 C.F.R. § 3560.158(d); USDA MFH ASSET MANAGEMENT HANDBOOK HB 2-3650, § 6.30(D) (stating that a remaining family member who is a co-tenant or member of the household, who has the legal capacity to sign the lease, and is a U.S. citizen or qualified immigrant, may remain in the housing after the original tenant has departed); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/; see also 8 U.S.C. §§ 1641(c).

⁵⁴² 42 U.S.C. § 1436a(a)(1).

⁵⁴³ See 42 U.S.C. § 1484(f)(3)(A), 1486(g)(4) (Sections 514 and 516 Farm Labor Housing); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/ (“Section 514/516: Lessee (but not household) must be U.S. Citizen or lawful permanent resident.”).

⁵⁴⁴ See 42 U.S.C. § 1490(a); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/.

⁵⁴⁵ 24 C.F.R. § 5.506(a)(1).

⁵⁴⁶ See 42 U.S.C. § 1484(f)(3)(A), 1486(g)(4) (Sections 514 and 516 Farm Labor Housing); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/ (“Section 514/516: Lessee (but not household) must be U.S. Citizen or lawful permanent resident.”).

⁵⁴⁷ See 42 U.S.C. § 1490(a); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/.

⁵⁴⁸ *Housing Essential Needs (HEN) Referral Program* <https://www.dshs.wa.gov/esa/community-services-offices/housing-and-essential-needs-hen-referral-program> (last visited March 24, 2022); WAC 388-400-00709(g); WAC 388-424-0015(1)(a).

⁵⁴⁹ See also *Washington State Requirements*, WASH. STATE HOUS. COMM’N, in *Tax Credit Compliance Procedures Manual*,

http://www.wshfc.org/managers/ManualTaxCredit/50_Chap03WashingtonStateRequirements.pdf (last visited May 29, 2018); *Appendix B- Washington State Housing Finance Commission Tax Credit Compliance Frequently Asked Questions*, WASH. STATE HOUS. COMM’N, in *Tax Credit Compliance Procedures Manual*, http://www.wshfc.org/managers/ManualTaxCredit/160_AppendixB-FAQsCompliance_TaxCredit.pdf (last visited May 29, 2018). The Washington State Housing Finance Commission does not impose immigration restrictions. However, when housing units that use these Washington based funds also receive federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants,

including VAWA self-petitioners, who could meet the eligibility requirements of the federal subsidies involved. See, DEP’T OF HOUS. & URBAN DEV., PIH NOTICE 2017-02 (HA), VIOLENCE AGAINST WOMEN ACT (VAWA) SELF-PETITIONER VERIFICATION PROCEDURES (2017), <http://niwaplibrary.wcl.american.edu/pubs/hud-vawa-self-petitioner-verification-procedures/>.

⁵⁵⁰ NAT’L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs* in *GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 17, 17-20 (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See 8 U.S.C. §§ 1641(b)(2)-(3), (c)(4).

⁵⁵¹ See 42 U.S.C. § 1485.

⁵⁵² See 42 U.S.C. § 1490(a); see also 8 U.S.C. §§ 1641(b)(2)-(3), (c)(4); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/.

⁵⁵³ *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/ (stating that Section 514/516: Lessee (but not household) must be U.S. Citizen or lawful permanent resident). See 7 C.F.R. § 3560.11 (including immediate family member).

⁵⁵⁴ See 7 C.F.R. § 3560.158(d); USDA MFH ASSET MANAGEMENT HANDBOOK HB 2-3650, § 6.30(D) (stating that a remaining family member who is a co-tenant or member of the household, who has the legal capacity to sign the lease, and is a U.S. citizen or qualified immigrant, may remain in the housing after the original tenant has departed); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/; see also 8 U.S.C. §§ 1641(b)(2)-(3), (c)(4).

⁵⁵⁵ See 42 U.S.C. § 1484(f)(3)(A), 1486(g)(4) (Sections 514 and 516 Farm Labor Housing).

⁵⁵⁶ See also *Washington State Requirements*, WASH. STATE HOUS. COMM'N, in *Tax Credit Compliance Procedures Manual*, http://www.wshfc.org/managers/ManualTaxCredit/50_Chap03WashingtonStateRequirements.pdf (last visited May 29, 2018); *Appendix B- Washington State Housing Finance Commission Tax Credit Compliance Frequently Asked Questions*, WASH. STATE HOUS. COMM'N, in *Tax Credit Compliance Procedures Manual*, http://www.wshfc.org/managers/ManualTaxCredit/160_AppendixB-FAQsCompliance_TaxCredit.pdf (last visited May 29, 2018). The Washington State Housing Finance Commission does not impose immigration restrictions. However, when housing units that use these Washington based funds also receive federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants who could meet the eligibility requirements of the federal subsidies involved. See, NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

⁵⁵⁷ *Housing Essential Needs (HEN) Referral Program* <https://www.dshs.wa.gov/esa/community-services-offices/housing-and-essential-needs-hen-referral-program> (last visited March 24, 2022); WAC 388-400-0070(g); WAC 388-424-0015(1)(a) or (c); WAC 388-424-0001(4)(a).

⁵⁵⁸ See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)).

⁵⁵⁹ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See also 22 U.S.C. 7105(b); OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>.

⁵⁶⁰ See OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>; 22 U.S.C. § 7105(b)(1)(B) (requirement to expand benefits and services); see also 22 U.S.C. 7105(b); 42 U.S.C. § 1485 (Section 515 Rural Housing); 42 U.S.C. § 1490(a) (Section 521 housing assistance); 42 U.S.C. § 1484(f)(3)(A), 1486(g)(4) (Sections 514 and 516 Farm Labor Housing). *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: "IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING" (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/.

⁵⁶¹ See also *Washington State Requirements*, WASH. STATE HOUS. COMM'N, in *Tax Credit Compliance Procedures Manual*, http://www.wshfc.org/managers/ManualTaxCredit/50_Chap03WashingtonStateRequirements.pdf (last visited May 29, 2018); *Appendix B- Washington State Housing Finance Commission Tax Credit Compliance Frequently Asked Questions*, WASH. STATE HOUS. COMM'N, in *Tax Credit Compliance Procedures Manual*, http://www.wshfc.org/managers/ManualTaxCredit/160_AppendixB-FAQsCompliance_TaxCredit.pdf (last visited May 29, 2018). The Washington State Housing Finance Commission does not impose immigration restrictions. However, when housing units that use these Washington based funds also receive federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants, T visa applicants with a bona fide determination and trafficking victims with continued presence, who could meet the eligibility requirements of the federal subsidies involved. NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/. See also 22 U.S.C. 7105(b) (2005) (Applicants under 18 require only HHS eligibility determination (not certification).); OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>.

⁵⁶² *Housing Essential Needs (HEN) Referral Program* <https://www.dshs.wa.gov/esa/community-services-offices/housing-and-essential-needs-hen-referral-program> (last visited March 24, 2022); WAC 388-400-0070(g); WAC 388-424-0015(1)(c); WAC 388-424-0001(4)(a).

⁵⁶³ See 42 U.S.C. § 1485 (2011); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: "IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING" (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/.

⁵⁶⁴ May also be eligible for proration in HUD or USDA housing programs, or for federal housing assistance from other unrestricted programs. See 7 C.F.R. § 3560.11 (2012).

⁵⁶⁵ See also *Washington State Requirements*, WASH. STATE HOUS. COMM'N, in *Tax Credit Compliance Procedures Manual*, http://www.wshfc.org/managers/ManualTaxCredit/50_Chap03WashingtonStateRequirements.pdf (last visited May 29, 2018); *Appendix B- Washington State Housing Finance Commission Tax Credit Compliance Frequently Asked Questions*, WASH. STATE HOUS. COMM'N, in *Tax Credit Compliance Procedures Manual*, http://www.wshfc.org/managers/ManualTaxCredit/160_AppendixB-FAQsCompliance_TaxCredit.pdf (last visited May 29, 2018). The Washington State Housing Finance Commission does not impose immigration restrictions. However, when housing units that use these Washington based funds also receive federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants who could meet the eligibility requirements of the federal subsidies involved. DACA applicants will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.

⁵⁶⁶ See 42 U.S.C. § 1485 (2011); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: "IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING" (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/.

⁵⁶⁷ May also be eligible for proration in HUD or USDA housing programs, or for federal housing assistance from unrestricted programs. See 7 C.F.R. § 3560.11 (2012).

⁵⁶⁸ See 8 U.S.C. § 1641(b)(1).

⁵⁶⁹ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

⁵⁷⁰ See 42 U.S.C. § 1490(a) (2011) (Section 521 rental assistance); 42 U.S.C. §§ 1484(f)(3)(A), 1486(g)(4) (2010) (Sections 514 and 516 Farm Labor Housing); 42 U.S.C. § 1485 (2011) (Section 515 Rural Rental Housing).

⁵⁷¹ See 8 U.S.C. § 1641(b)(1) (2012).

⁵⁷² See also *Washington State Requirements*, WASH. STATE HOUS. COMM'N, in *Tax Credit Compliance Procedures Manual*, http://www.wshfc.org/managers/ManualTaxCredit/50_Chap03WashingtonStateRequirements.pdf (last visited May 29, 2018); *Appendix B- Washington State Housing Finance Commission Tax Credit Compliance Frequently Asked Questions*, WASH. STATE HOUS. COMM'N, in *Tax Credit Compliance Procedures Manual*, http://www.wshfc.org/managers/ManualTaxCredit/160_AppendixB-FAQsCompliance_TaxCredit.pdf (last visited May 29, 2018). The Washington State Housing Finance Commission does not impose immigration restrictions. However, when housing units that use these Washington based funds also receive federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants including SIJS applicants upon receipt of lawful permanent residency, who could meet the eligibility requirements of the federal subsidies involved. SIJS applicants and recipients prior to receipt of lawful permanent residency will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.

See, NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

⁵⁷³ *Housing Essential Needs (HEN) Referral Program* <https://www.dshs.wa.gov/esa/community-services-offices/housing-and-essential-needs-hen-referral-program> (last visited March 24, 2022); WAC 388-400-0070; WAC 388-424-0015(1)(a).

⁵⁷⁴ See 42 U.S.C. § 1485 (2011); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: "IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING" (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/.

⁵⁷⁵ May also be eligible for proration in HUD or USDA housing programs, or for federal housing assistance from unrestricted programs. See 7 C.F.R. § 3560.11 (2012).

⁵⁷⁶ See 8 U.S.C. § 1641(b)(1).

⁵⁷⁷ NAT'L IMMIGR. L. CTR., *Table 1: Overview of Immigrant Eligibility for Federal Programs in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 17, 17-20* (4th ed. 2002, table updated Oct. 2011), https://www.nilc.org/issues/economic-support/table_ovrw_fedprogs/.

⁵⁷⁸ See 42 U.S.C. § 1490(a) (2011) (Section 521 rental assistance); 42 U.S.C. § 1484(f)(3)(A), 1486(g)(4) (2010) (Sections 514 and 516 Farm Labor Housing); 42 U.S.C. § 1485 (2011) (Section 515 Rural Rental Housing).

⁵⁷⁹ See 8 U.S.C. § 1641(b)(1) (2012).

⁵⁸⁰ See also *Washington State Requirements*, WASH. STATE HOUS. COMM'N, in *Tax Credit Compliance Procedures Manual*, http://www.wshfc.org/managers/ManualTaxCredit/50_Chap03WashingtonStateRequirements.pdf (last visited May 29, 2018); *Appendix B- Washington State Housing Finance Commission Tax Credit Compliance Frequently Asked Questions*, WASH. STATE HOUS. COMM'N, in *Tax Credit Compliance Procedures Manual*, http://www.wshfc.org/managers/ManualTaxCredit/160_AppendixB-FAQsCompliance_TaxCredit.pdf (last visited May 29, 2018). The Washington State Housing Finance Commission does not impose immigration restrictions. However, when housing units that use these Washington based funds also receive federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants who could meet the eligibility requirements of the federal subsidies involved. Prior to receipt of lawful permanent residency applicants approved for the U visa wait list will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.

⁵⁸¹ *Housing Essential Needs (HEN) Referral Program* <https://www.dshs.wa.gov/esa/community-services-offices/housing-and-essential-needs-hen-referral-program> (last visited March 24, 2022); WAC 388-400-0070; WAC 388-424-0015(1)(a).

⁵⁸² See 42 U.S.C. § 1485 (2011); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: "IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING" (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/.

⁵⁸³ May also be eligible for proration in HUD or USDA housing programs, or for federal housing assistance from unrestricted programs. See 7 C.F.R. § 3560.11 (2012).

⁵⁸⁴ See also *Washington State Requirements*, WASH. STATE HOUS. COMM'N, in *Tax Credit Compliance Procedures Manual*, http://www.wshfc.org/managers/ManualTaxCredit/50_Chap03WashingtonStateRequirements.pdf (last visited May 29, 2018); *Appendix B- Washington State Housing Finance Commission Tax Credit Compliance Frequently Asked Questions*, WASH. STATE HOUS. COMM'N, in *Tax Credit Compliance Procedures Manual*, http://www.wshfc.org/managers/ManualTaxCredit/160_AppendixB-FAQsCompliance_TaxCredit.pdf (last visited May 29, 2018). The Washington State Housing Finance Commission does not impose immigration restrictions.

However, when housing units that use these Washington based funds also receive federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants who could meet the eligibility requirements of the federal subsidies involved. Prior to receipt of lawful permanent residency, U visa applicants will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.

⁵⁸⁵ *Housing Essential Needs (HEN) Referral Program* <https://www.dshs.wa.gov/esa/community-services-offices/housing-and-essential-needs-hen-referral-program> (last visited March 24, 2022); WAC 388-400-0070(g); WAC 388-424-0015(1)(c); WAC 388-424-0001(4)(b).

⁵⁸⁶ See 42 U.S.C. § 1485 (2011); *NHLP, Chart on Federally Assisted Housing and Immigrant Eligibility (Feb. 2017)*, reprinted in LIST OF SUPPORTING DOCUMENTS FOR THE WEBINAR: “IMMIGRANT ACCESS TO FEDERALLY ASSISTED HOUSING” (FEB. 22, 2017) at Attachment A (2017), www.niwaplibrary.wcl.american.edu/pubs/info-packet-webinar-immigrant-access-and-housing/.

⁵⁸⁷ May also be eligible for proration in HUD or USDA housing programs, or for federal housing assistance from unrestricted programs. See 7 C.F.R. § 3560.11 (2012).

⁵⁸⁸ See also *Washington State Requirements*, WASH. STATE HOUS. COMM’N, in *Tax Credit Compliance Procedures Manual*, http://www.wshfc.org/managers/ManualTaxCredit/50_Chap03WashingtonStateRequirements.pdf (last visited May 29, 2018); *Appendix B- Washington State Housing Finance Commission Tax Credit Compliance Frequently Asked Questions*, WASH. STATE HOUS. COMM’N, in *Tax Credit Compliance Procedures Manual*, http://www.wshfc.org/managers/ManualTaxCredit/160_AppendixB-FAQsCompliance_TaxCredit.pdf (last visited May 29, 2018). The Washington State Housing Finance Commission does not impose immigration restrictions. However, when housing units that use these Washington based funds also receive federally funded tax credits or other federally funded subsidies, the housing units with this combination of funding would only be available to immigrants who could meet the eligibility requirements of the federal subsidies involved. Undocumented immigrants will only qualify if the housing is LIHTC only or LIHTC is combined with one of the USDA programs listed above.

⁵⁸⁹ 26 U.S.C. § 24; U.S. DEP’T OF TREASURY, I.R.S., PUB. 972, CHILD TAX CREDIT, at 3 (2017).

⁵⁹⁰ 26 U.S.C. § 24(f); U.S. DEP’T OF TREASURY, I.R.S., PUB. 972, CHILD TAX CREDIT, at 2 (2017).

⁵⁹¹ See <https://www.irs.gov/individuals/individual-taxpayer-identification-number> (IRS ITIN Information Page).

⁵⁹² 26 U.S.C.A § 21(b); U.S. DEP’T OF TREASURY, I.R.S., PUB. 503, CHILD AND DEPENDENT CARE EXPENSES, at 1, 3 (2017).

⁵⁹³ U.S. DEP’T OF TREASURY, I.R.S., PUB. 503, CHILD AND DEPENDENT CARE EXPENSES, at 3 (2017).

⁵⁹⁴ U.S. DEP’T OF TREASURY, I.R.S., PUB. 503, CHILD AND DEPENDENT CARE EXPENSES, at 2 (2017).

⁵⁹⁵ U.S. DEP’T OF TREASURY, I.R.S., WHO QUALIFIES FOR THE EARNED INCOME TAX CREDIT (EITC) (Jul.10, 2023), <https://www.irs.gov/credits-deductions/individuals/earned-income-tax-credit/who-qualifies-for-the-earned-income-tax-credit-eitc>.

⁵⁹⁶ 26 U.S.C. § 32(c)(1)(D); see also 26 U.S.C. § 6013(g); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 5, 18 (2017); see also U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 4 (2017).

⁵⁹⁷ U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 4 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31 (2017).

⁵⁹⁸ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31-32 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 7 (2017).

⁵⁹⁹ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).

⁶⁰⁰ 26 U.S.C. § 32(c)(1)(D); see also 26 U.S.C. § 6013(g); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 5, 18 (2017); see also U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 4 (2017).

⁶⁰¹ U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 4 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31 (2017).

⁶⁰² U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31-32 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 7 (2017).

⁶⁰³ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).

⁶⁰⁴ 26 U.S.C. § 32(c)(1)(D); see also 26 U.S.C. § 6013(g); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 5, 18 (2017); see also U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 4 (2017).

⁶⁰⁵ U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 4 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31 (2017).

⁶⁰⁶ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31-32 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 7 (2017).

⁶⁰⁷ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).

⁶⁰⁸ 26 U.S.C. § 32(c)(1)(D); see also 26 U.S.C. § 6013(g); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 5, 18 (2017); see also U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 4 (2017).

⁶⁰⁹ U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 4 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31 (2017).

⁶¹⁰ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31-32 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 7 (2017).

⁶¹¹ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).

⁶¹² 26 U.S.C. § 32(c)(1)(D); see also 26 U.S.C. § 6013(g); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 5, 18 (2017); see also U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 4 (2017).

⁶¹³ U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 4 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31 (2017).

⁶¹⁴ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 31-32 (2017); U.S. DEP’T OF TREASURY, I.R.S., PUB. 596, EARNED INCOME CREDIT (EIC), at 7 (2017).

⁶¹⁵ U.S. DEP’T OF TREASURY, I.R.S., PUB. 519, U.S. TAX GUIDE FOR ALIENS, at 1, 31-32 (2018).

⁶¹⁶ See Benish Anver, Henrissa Basse & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT’L LEGAL AID & DEFENDER ASS’N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/ (describing Legal Services Corporation funded legal services available to immigrant victims of violence and their families).

⁶¹⁷ Battered or subjected to extreme cruelty includes, but is not limited to, being the victim of any act or threatened act of violence, including any forceful detention, which results or threatens to result in physical or mental injury. Psychological or sexual abuse or exploitation, including rape, molestation, incest (if the victim is a minor), or forced prostitution may be considered acts of violence. Other abusive actions may also be acts of violence under certain circumstances, including acts that, in and of themselves, may not initially appear violent but that are a part of an overall pattern of

violence. 45 C.F.R. § 1626.2(b) (1996). The definition of battering or extreme cruelty is identical to that in the immigration regulations. See 45 C.F.R. §§ 1626.4(a)(1)(i) (1996) (victim); 45 C.F.R. §§ 1626.4(a)(1)(ii) (1996) (parent of victim); Leslye E. Orloff, Brittnay Roberts & Stefanie Gitler, *Battering and Extreme Cruelty: Drawing Examples from Civil Protection Order and Family Law Cases*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (Sept. 12, 2015), <http://niwaplibrary.wcl.american.edu/pubs/extreme-cruelty-examples-protection-order/>. Compare 45 C.F.R. § 1626.2(b) (1997) and 8 C.F.R. § 204.2(c)(1)(vi) (2012).

⁶¹⁸ The abuse may have occurred either inside or outside of the U.S. See RONALD S. FLAGG, GENERAL COUNSEL & VICE PRESIDENT FOR LEGAL AFFAIRS, LEGAL SERVICES CORPORATION, PROGRAM LETTER 14-3: ASSESSING ELIGIBILITY OF ALIENS UNDER 45 C.F.R. § 1626.4(c)(1) (2014) (interpreting 45 C.F.R. § 1626.4(c)).

⁶¹⁹ 45 C.F.R. 1626.4 (b) (“Related legal assistance means legal assistance directly related” “to the prevention of, or obtaining relief from, the battery [or] cruelty” and “includes representation in matters that will assist a person eligible for assistance under this part to escape from the abusive situation, ameliorate the current effects of the abuse, or protect against future abuse, so long as the recipient can show the necessary connection of the representation to the abuse. Such representation may include immigration law matters and domestic or poverty law matters (such as obtaining civil protective orders, divorce, paternity, child custody, child and spousal support, housing, public benefits, employment, abuse and neglect, juvenile proceedings and contempt actions).”). See also Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT'L LEGAL AID & DEFENDER ASS'N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/; Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005's New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, *Guide: Access to Publicly Funded Legal Services for Immigrant Survivors*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfunded/>.

⁶²⁰ 45 C.F.R. § 1626.5(a).

⁶²¹ 45 C.F.R. § 1626.5(b).

⁶²² Upon applying for 45 C.F.R. § 1626.5(b) or receiving lawful permanent residency 45 C.F.R. § 1626.5(a) victim switch eligibility tracks from anti-abuse (which includes a restriction that the legal assistance be related to the abuse 45 C.F.R. § 1626.4 to immigration related eligibility under for 45 C.F.R. § 1626.5 under which applicants are eligible of any legal assistance offered by the LSC funded agency. See Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT'L LEGAL AID & DEFENDER ASS'N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/; Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005's New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, *Guide: Access to Publicly Funded Legal Services for Immigrant Survivors*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfunded/>.

⁶²³ 45 C.F.R. § 1626.5(a)

⁶²⁴ *Can LSC Grantees Represent Undocumented Immigrants?*, LEGAL SERVICES CORPORATION, <https://www.lsc.gov/our-impact/publications/other-publications-and-reports/can-lsc-grantees-represent-undocumented> (last visited November 29, 2023) (LSC funded agencies can represent U.S. citizens which includes naturalized citizens).

⁶²⁵ OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP'T OF JUSTICE, FY 2018 LEGAL ASSISTANCE FOR VICTIMS GRANT PROGRAM PRE-APPLICATION CONFERENCE CALL TUESDAY, DECEMBER 19, 2017, <https://www.justice.gov/ovw/page/file/1020436/download> (“The purpose of the LAV Program is to increase the availability of civil and criminal legal assistance needed to effectively aid adult and youth victims of sexual assault, domestic violence, dating violence, and stalking who are seeking relief in legal matters relating to or arising out of that abuse or violence, at minimum or no cost to the victims. The LAV Grant Program supports the provision of holistic legal services. For example, survivors may also need legal assistance with other legal matters relating to or arising out of the abuse or violence, including family matters such as divorce, child custody or child support, immigration, administrative agency proceedings, housing, and assistance related to human trafficking.”).

⁶²⁶ Violence Against Women Reauthorization Act of 2000 § 1512, 34 U.S.C. § 10441 (2017) (originally codified at 42 U.S.C. § 3796gg (2000)); Victims of Trafficking and Violence Protection Act of 2000, tit. II, § 1201(a), Pub. L. 106-386, 114 Stat. 1464 (2000) [hereinafter VAWA 2000], <http://niwaplibrary.wcl.american.edu/pubs/vawa-gov-vawa-2000-pub-l-106-386-10-28-00/>.

⁶²⁷ Violence Against Women and Department of Justice Reauthorization Act of 2005 § 103, Pub. L. 109-162, 119 Stat. 2960 (2006) (codified at 34 U.S.C. § 10441 (2017)) (originally codified at 42 U.S.C. § 3796gg (2000)) [hereinafter VAWA 2005], <http://niwaplibrary.wcl.american.edu/pubs/senate-judicial-hearing-july-19-2005-1/>.

⁶²⁸ See, e.g., OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP'T OF JUSTICE, OVW FY 2017 LEGAL ASSISTANCE FOR VICTIMS (LAV) GRANT PROGRAM SOLICITATION (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

⁶²⁹ See 45 C.F.R. § 1626.5(c).

⁶³⁰ See 45 C.F.R. § 1626.4(a)(1)(i) (trafficking victim); 45 C.F.R. §§ 1626.4 (a)(1)(ii) (parent of trafficking victim); 45 C.F.R. § 1626.2(k)(2) (A “victim of trafficking” under the anti-abuse regulation is a victim of any conduct included in the definition of “trafficking” under law, including, but not limited to, local, state, and federal law, and T visa holders regardless of certification from the U.S. Department of Health and Human Services (HHS)); 45 C.F.R. § 1626.4(c)(2)(ii) (stating that to qualify for legal assistance by an LSC funded agency, the trafficking must have occurred in the U.S. or violate U.S. law, 45 C.F.R. § 1626.4(c)(1), and the trafficking victim must be present in the U.S. at the time of the application for legal assistance).

⁶³¹ See 45 C.F.R. § 1626.4(a)(2).

⁶³² OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP'T OF JUSTICE, FY 2018 LEGAL ASSISTANCE FOR VICTIMS GRANT PROGRAM PRE-APPLICATION CONFERENCE CALL TUESDAY, DECEMBER 19, 2017, <https://www.justice.gov/ovw/page/file/1020436/download> (“The purpose of the LAV Program is to increase the availability of civil and criminal legal assistance needed to effectively aid adult and youth victims of sexual assault, domestic violence, dating violence, and stalking who are seeking relief in legal matters relating to or arising out of that abuse or violence, at minimum or no cost to the

victims. The LAV Grant Program supports the provision of holistic legal services. For example, survivors may also need legal assistance with other legal matters relating to or arising out of the abuse or violence, including family matters such as divorce, child custody or child support, immigration, administrative agency proceedings, housing, and assistance related to human trafficking.”).

⁶³³ Violence Against Women Reauthorization Act of 2000 § 1512, 34 U.S.C. § 10441 (2017) (originally codified at 42 U.S.C. § 3796gg (2000)); Victims of Trafficking and Violence Protection Act of 2000, tit. II, § 1201(a), Pub. L. 106-386, 114 Stat. 1464 (2000) [hereinafter VAWA 2000], <http://niwaplibrary.wcl.american.edu/pubs/vawa-gov-vawa-2000-pub-l-106-386-10-28-00/>.

⁶³⁴ Violence Against Women and Department of Justice Reauthorization Act of 2005 § 103, Pub. L. 109-162, 119 Stat. 2960 (2006) (codified at 34 U.S.C. § 10441 (2017)) (originally codified at 42 U.S.C. § 3796gg (2000)) [hereinafter VAWA 2005], <http://niwaplibrary.wcl.american.edu/pubs/senate-judicial-hearing-july-19-2005-1/>.

⁶³⁵ See, e.g., OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP’T OF JUSTICE, OVW FY 2017 LEGAL ASSISTANCE FOR VICTIMS (LAV) GRANT PROGRAM SOLICITATION (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

⁶³⁶ See 45 C.F.R. § 1626.4(a)(2)(i)(A) (HHS certified victim); 45 C.F.R. § 1626.4(a)(2)(ii) (seeking certification); 45 C.F.R. § 1626.2(j) (“Victim of severe forms of trafficking” means any person described at 22 U.S.C. § 7105(b)(1)(C), with the inclusion of those still seeking HHS certification.); 45 C.F.R. § 1626.4(c)(1) (stating that to qualify for legal assistance by an LSC funded agency, the victim must be present in the U.S. at the time of the application for legal assistance, 45 C.F.R. § 1626.4(c)(2)(ii), and the trafficking must have occurred in the U.S. or violated U.S. law).

⁶³⁷ See 45 C.F.R. § 1626.4(a)(2)(i)(B) (visa holder); 45 C.F.R. § 1626.4(a)(2)(ii) (visa applicant); 45 C.F.R. § 1626.4(c) (stating that eligibility for legal assistance under these provisions does not require HHS certification, 45 C.F.R. § 1626.4(a)(2)(ii), although the trafficking must either have occurred in the U.S. or violated U.S. law).

⁶³⁸ OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP’T OF JUSTICE, FY 2018 LEGAL ASSISTANCE FOR VICTIMS GRANT PROGRAM PRE-APPLICATION CONFERENCE CALL TUESDAY, DECEMBER 19, 2017, <https://www.justice.gov/ovw/page/file/1020436/download> (“The purpose of the LAV Program is to increase the availability of civil and criminal legal assistance needed to effectively aid adult and youth victims of sexual assault, domestic violence, dating violence, and stalking who are seeking relief in legal matters relating to or arising out of that abuse or violence, at minimum or no cost to the victims. The LAV Grant Program supports the provision of holistic legal services. For example, survivors may also need legal assistance with other legal matters relating to or arising out of the abuse or violence, including family matters such as divorce, child custody or child support, immigration, administrative agency proceedings, housing, and assistance related to human trafficking.”).

⁶³⁹ Violence Against Women Reauthorization Act of 2000 § 1512, 34 U.S.C. § 10441 (2017) (originally codified at 42 U.S.C. § 3796gg (2000)); Victims of Trafficking and Violence Protection Act of 2000, tit. II, § 1201(a), Pub. L. 106-386, 114 Stat. 1464 (2000) [hereinafter VAWA 2000], <http://niwaplibrary.wcl.american.edu/pubs/vawa-gov-vawa-2000-pub-l-106-386-10-28-00/>.

⁶⁴⁰ Violence Against Women and Department of Justice Reauthorization Act of 2005 § 103, Pub. L. 109-162, 119 Stat. 2960 (2006) (codified at 34 U.S.C. § 10441 (2017)) (originally codified at 42 U.S.C. § 3796gg (2000)) [hereinafter VAWA 2005], <http://niwaplibrary.wcl.american.edu/pubs/senate-judicial-hearing-july-19-2005-1/>.

⁶⁴¹ See, e.g., OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP’T OF JUSTICE, OVW FY 2017 LEGAL ASSISTANCE FOR VICTIMS (LAV) GRANT PROGRAM SOLICITATION (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

⁶⁴² See 45 C.F.R. §§ 1626.4(a)(1)(i) (crime victim or family member eligible for U visa relief); 45 C.F.R. § 1626.4(a)(1)(ii) (parent of U visa eligible child); 45 C.F.R. § 1626.2(h) (definitions); 8 U.S.C. § 1101(a)(15)(U)(i)(I)-(a)(15)(U)(iii) (stating that to qualify for a U visa, the victim must have suffered substantial physical or mental abuse as a result of having been a victim of one or more of the following, or any similar activity in violation of Federal, State, or local criminal law: rape; torture; trafficking; incest; domestic violence; sexual assault; abusive sexual contact; prostitution; sexual exploitation; stalking; female genital mutilation; being held hostage; peonage; involuntary servitude; slave trade; kidnapping; abduction; unlawful criminal restraint; false imprisonment; blackmail; extortion; manslaughter; murder; felonious assault; witness tampering; obstruction of justice; perjury; fraud in foreign labor contracting (as defined in section 1351 of title 18); or attempt, conspiracy, or solicitation to commit any of the above mentioned crimes); Leslye E. Orloff, Brittney Roberts & Stefanie Gitler, *Battering and Extreme Cruelty: Drawing Examples from Civil Protection Order and Family Law Cases*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (Sept. 12, 2015), <http://niwaplibrary.wcl.american.edu/pubs/extreme-cruelty-examples-protection-order/> (suggesting the definition of battering or extreme cruelty is identical to that in the immigration regulations). Compare 45 C.F.R. § 1626.2(b) and 8 C.F.R. § 204.2(c)(1)(vi).

⁶⁴³ 45 C.F.R. §§ 1626.4(a)(1)(i) (victim); 45 C.F.R. §§ 1626.4(a)(1)(ii) (parent of victim); 45 C.F.R. § 1626.2(k) (“Victim of sexual assault or trafficking” means a victim of sexual assault subjected to any conduct included in the definition of sexual assault in VAWA, 42 U.S.C. 13925(a)(29), or a victim of trafficking subjected to any conduct included in the definition of “trafficking” under law, including, but not limited to, local, state, and federal law, and T visa holders regardless of certification from the U.S. Department of Health and Human Services.).

⁶⁴⁴ The abuse must either have occurred in the U.S. or violate U.S. law. See 45 C.F.R. § 1626.4(c).

⁶⁴⁵ Related legal assistance means legal assistance directly related to the prevention of, or obtaining relief from, the battery or cruelty and includes representation in matters that will assist a person eligible for assistance under this part to escape from the abusive situation, ameliorate the current effects of the abuse, or protect against future abuse, so long as the recipient can show the necessary connection of the representation to the abuse. Such representation may include immigration law matters and domestic or poverty law matters (such as obtaining civil protective orders, divorce, paternity, child custody, child and spousal support, housing, public benefits, employment, abuse and neglect, juvenile proceedings and contempt actions). 45 C.F.R. § 1626.4 (b); see also Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT’L LEGAL AID & DEFENDER ASS’N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/ (describing Legal Services Corporation funded legal services available to immigrant victims of violence and their families); Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005’s New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, *Guide: Access to Publicly Funded Legal Services for Immigrant Survivors*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

⁶⁴⁶ OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP’T OF JUSTICE, FY 2018 LEGAL ASSISTANCE FOR VICTIMS GRANT PROGRAM PRE-APPLICATION CONFERENCE CALL TUESDAY, DECEMBER 19, 2017, <https://www.justice.gov/ovw/page/file/1020436/download> (“The purpose of the LAV Program is to increase the availability of civil and criminal legal assistance needed to effectively aid adult and

youth victims of sexual assault, domestic violence, dating violence, and stalking who are seeking relief in legal matters relating to or arising out of that abuse or violence, at minimum or no cost to the victims. The LAV Grant Program supports the provision of holistic legal services. For example, survivors may also need legal assistance with other legal matters relating to or arising out of the abuse or violence, including family matters such as divorce, child custody or child support, immigration, administrative agency proceedings, housing, and assistance related to human trafficking.”).

⁶⁴⁷ Violence Against Women Reauthorization Act of 2000 § 1512, 34 U.S.C. § 10441 (2017) (originally codified at 42 U.S.C. § 3796gg (2000)); Victims of Trafficking and Violence Protection Act of 2000, tit. II, § 1201(a), Pub. L. 106-386, 114 Stat. 1464 (2000) [hereinafter VAWA 2000], <http://niwaplibrary.wcl.american.edu/pubs/vawa-gov-vawa-2000-pub-l-106-386-10-28-00/>.

⁶⁴⁸ Violence Against Women and Department of Justice Reauthorization Act of 2005 § 103, Pub. L. 109-162, 119 Stat. 2960 (2006) (codified at 34 U.S.C. § 10441 (2017)) (originally codified at 42 U.S.C. § 3796gg (2000)) [hereinafter VAWA 2005], <http://niwaplibrary.wcl.american.edu/pubs/senate-judicial-hearing-july-19-2005-1/>.

⁶⁴⁹ See, e.g. Office on Violence Against Women, U.S. Dep’t of Justice, OVW FY 2017 Legal Assistance for Victims (LAV) Grant Program Solicitation (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

⁶⁵⁰ 45 C.F.R. §§ 1626.4(a)(1)(i); 45 C.F.R. § 1626.2(b) (“Battered or subjected to extreme cruelty includes, but is not limited to, being the victim of any act or threatened act of violence, including any forceful detention, which results or threatens to result in physical or mental injury. Psychological or sexual abuse or exploitation, including rape, molestation, incest (if the victim is a minor), or forced prostitution may be considered acts of violence. Other abusive actions may also be acts of violence under certain circumstances, including acts that, in and of themselves, may not initially appear violent but that are a part of an overall pattern of violence.”). See Leslye E. Orloff, Brittnay Roberts & Stefanie Gitler, *Battering and Extreme Cruelty: Drawing Examples from Civil Protection Order and Family Law Cases*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (Sept. 12, 2015), <http://niwaplibrary.wcl.american.edu/pubs/extreme-cruelty-examples-protection-order/> (suggesting the definition of battering or extreme cruelty is identical to that in the immigration regulations). Compare 45 C.F.R. § 1626.2(b) and 8 C.F.R. § 204.2(c)(1)(vi).

⁶⁵¹ 45 C.F.R. § 1626.4(a)(1)(i); 45 C.F.R. § 1626.2(k) (“Victim of sexual assault or trafficking” means a victim of sexual assault subjected to any conduct included in the definition of sexual assault in VAWA, 42 U.S.C. 13925(a)(29), or a victim of trafficking subjected to any conduct included in the definition of “trafficking” under law, including, but not limited to, local, state, and federal law, and T visa holders regardless of certification from the U.S. Department of Health and Human Services.).

⁶⁵² 45 C.F.R. 1626.4(b) (“Related legal assistance means legal assistance directly related” “to the prevention of, or obtaining relief from, the battery [or] cruelty” and “includes representation in matters that will assist a person eligible for assistance under this part to escape from the abusive situation, ameliorate the current effects of the abuse, or protect against future abuse, so long as the recipient can show the necessary connection of the representation to the abuse. Such representation may include immigration law matters and domestic or poverty law matters (such as obtaining civil protective orders, divorce, paternity, child custody, child and spousal support, housing, public benefits, employment, abuse and neglect, juvenile proceedings and contempt actions).”). See also Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT’L LEGAL AID & DEFENDER ASS’N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/ (describing Legal Services Corporation funded legal services available to immigrant victims of violence and their families); Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005’s New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, *Guide: Access to Publicly Funded Legal Services for Immigrant Survivors*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

⁶⁵³ See 45 C.F.R. § 1626.5(a).

⁶⁵⁴ See 45 C.F.R. § 1626.5(b); Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT’L LEGAL AID & DEFENDER ASS’N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/ (describing Legal Services Corporation funded legal services available to immigrant victims of violence and their families); Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005’s New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, *Guide: Access to Publicly Funded Legal Services for Immigrant Survivors*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

⁶⁵⁵ OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP’T OF JUSTICE, FY 2018 LEGAL ASSISTANCE FOR VICTIMS GRANT PROGRAM PRE-APPLICATION CONFERENCE CALL TUESDAY, DECEMBER 19, 2017, <https://www.justice.gov/ovw/page/file/1020436/download> (“The purpose of the LAV Program is to increase the availability of civil and criminal legal assistance needed to effectively aid adult and youth victims of sexual assault, domestic violence, dating violence, and stalking who are seeking relief in legal matters relating to or arising out of that abuse or violence, at minimum or no cost to the victims. The LAV Grant Program supports the provision of holistic legal services. For example, survivors may also need legal assistance with other legal matters relating to or arising out of the abuse or violence, including family matters such as divorce, child custody or child support, immigration, administrative agency proceedings, housing, and assistance related to human trafficking.”).

⁶⁵⁶ Violence Against Women Reauthorization Act of 2000 § 1512, 34 U.S.C. § 10441 (2017) (originally codified at 42 U.S.C. § 3796gg (2000)); Victims of Trafficking and Violence Protection Act of 2000, tit. II, § 1201(a), Pub. L. 106-386, 114 Stat. 1464 (2000) [hereinafter VAWA 2000], <http://niwaplibrary.wcl.american.edu/pubs/vawa-gov-vawa-2000-pub-l-106-386-10-28-00/>.

⁶⁵⁷ Violence Against Women and Department of Justice Reauthorization Act of 2005 § 103, Pub. L. 109-162, 119 Stat. 2960 (2006) (codified at 34 U.S.C. § 10441 (2017)) (originally codified at 42 U.S.C. § 3796gg (2000)) [hereinafter VAWA 2005], <http://niwaplibrary.wcl.american.edu/pubs/senate-judicial-hearing-july-19-2005-1/>.

⁶⁵⁸ See, e.g., OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP'T OF JUSTICE, OVW FY 2017 LEGAL ASSISTANCE FOR VICTIMS (LAV) GRANT PROGRAM SOLICITATION (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

⁶⁵⁹ 45 C.F.R. §§ 1626.4(a)(1)(i) (crime victim or family member eligible for U visa relief); 45 C.F.R. § 1626.4(a)(1)(ii) (parent of U visa eligible child); 45 C.F.R. § 1626.2(h) (definitions); 8 U.S.C. § 1101(a)(15)(U)(i)(I)-(a)(15)(U)(iii) (stating that to qualify for a U visa, the victim must have suffered substantial physical or mental abuse as a result of having been a victim of one or more of the following, or any similar activity in violation of Federal, State, or local criminal law: rape; torture; trafficking; incest; domestic violence; sexual assault; abusive sexual contact; prostitution; sexual exploitation; stalking; female genital mutilation; being held hostage; peonage; involuntary servitude; slave trade; kidnapping; abduction; unlawful criminal restraint; false imprisonment; blackmail; extortion; manslaughter; murder; felonious assault; witness tampering; obstruction of justice; perjury; fraud in foreign labor contracting (as defined in section 1351 of title 18); or attempt, conspiracy, or solicitation to commit any of the above mentioned crimes).

⁶⁶⁰ To qualify for legal representation by an LSC funded agency, the abuse must either have occurred inside the U.S. or violated U.S. law. 45 C.F.R. § 1626.4(c)(1).

⁶⁶¹ “Related legal assistance means legal assistance directly related” “to the prevention of, or obtaining relief from, the battery [or] cruelty” and “includes representation in matters that will assist a person eligible for assistance under this part to escape from the abusive situation, ameliorate the current effects of the abuse, or protect against future abuse, so long as the recipient can show the necessary connection of the representation to the abuse. Such representation may include immigration law matters and domestic or poverty law matters (such as obtaining civil protective orders, divorce, paternity, child custody, child and spousal support, housing, public benefits, employment, abuse and neglect, juvenile proceedings and contempt actions).” 45 C.F.R. 1626.4 (b); see also Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT'L LEGAL AID & DEFENDER ASS'N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/; Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005's New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, *Guide: Access to Publicly Funded Legal Services for Immigrant Survivors*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

⁶⁶² See 45 C.F.R. § 1626.5(a).

⁶⁶³ See 45 C.F.R. § 1626.5(b); Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT'L LEGAL AID & DEFENDER ASS'N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/; Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005's New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, *Guide: Access to Publicly Funded Legal Services for Immigrant Survivors*, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

⁶⁶⁴ OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP'T OF JUSTICE, FY 2018 LEGAL ASSISTANCE FOR VICTIMS GRANT PROGRAM PRE-APPLICATION CONFERENCE CALL TUESDAY, DECEMBER 19, 2017, <https://www.justice.gov/ovw/page/file/1020436/download> (“The purpose of the LAV Program is to increase the availability of civil and criminal legal assistance needed to effectively aid adult and youth victims of sexual assault, domestic violence, dating violence, and stalking who are seeking relief in legal matters relating to or arising out of that abuse or violence, at minimum or no cost to the victims. The LAV Grant Program supports the provision of holistic legal services. For example, survivors may also need legal assistance with other legal matters relating to or arising out of the abuse or violence, including family matters such as divorce, child custody or child support, immigration, administrative agency proceedings, housing, and assistance related to human trafficking.”).

⁶⁶⁵ Violence Against Women Reauthorization Act of 2000 § 1512, 34 U.S.C. § 10441 (2017) (originally codified at 42 U.S.C. § 3796gg (2000)); Victims of Trafficking and Violence Protection Act of 2000, tit. II, § 1201(a), Pub. L. 106-386, 114 Stat. 1464 (2000) [hereinafter VAWA 2000], <http://niwaplibrary.wcl.american.edu/pubs/vawa-gov-vawa-2000-pub-l-106-386-10-28-00/>.

⁶⁶⁶ Violence Against Women and Department of Justice Reauthorization Act of 2005 § 103, Pub. L. 109-162, 119 Stat. 2960 (2006) (codified at 34 U.S.C. § 10441 (2017)) (originally codified at 42 U.S.C. § 3796gg (2000)) [hereinafter VAWA 2005], <http://niwaplibrary.wcl.american.edu/pubs/senate-judicial-hearing-july-19-2005-1/>.

⁶⁶⁷ See, e.g., Office on Violence Against Women, U.S. Dep't of Justice, OVW FY 2017 Legal Assistance for Victims (LAV) Grant Program Solicitation (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

⁶⁶⁸ See 45 C.F.R. § 1626.4(a)(1)(i) (crime victim or family member eligible for U visa relief); 45 C.F.R. § 1626.4(a)(1)(ii) (parent of U visa eligible child); 45 C.F.R. § 1626.2(h) (definitions); 8 U.S.C. § 1101(a)(15)(U)(i)(I)-(a)(15)(U)(iii) (stating that to qualify for a U visa, the victim must have suffered substantial physical or mental abuse as a result of having been a victim of one or more of the following, or any similar activity in violation of Federal, State, or local criminal law: rape; torture; trafficking; incest; domestic violence; sexual assault; abusive sexual contact; prostitution; sexual exploitation; stalking; female genital mutilation; being held hostage; peonage; involuntary servitude; slave trade; kidnapping; abduction; unlawful criminal restraint; false imprisonment; blackmail; extortion; manslaughter; murder; felonious assault; witness tampering; obstruction of justice; perjury; fraud in foreign labor contracting (as defined in section 1351 of title 18); or attempt, conspiracy, or solicitation to commit any of the above mentioned crimes).

⁶⁶⁹ To qualify for legal representation by an LSC funded agency, the abuse must either have occurred inside the U.S. or violated U.S. law. 45 C.F.R. § 1626.4(c)(1).

⁶⁷⁰ 45 C.F.R. 1626.4 (b) (“Related legal assistance means legal assistance directly related” “to the prevention of, or obtaining relief from, the battery [or] cruelty” and “includes representation in matters that will assist a person eligible for assistance under this part to escape from the abusive situation, ameliorate the current effects of the abuse, or protect against future abuse, so long as the recipient can show the necessary connection of the representation to the abuse. Such representation may include immigration law matters and domestic or poverty law matters (such as obtaining civil

protective orders, divorce, paternity, child custody, child and spousal support, housing, public benefits, employment, abuse and neglect, juvenile proceedings and contempt actions).”). See also Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT’L LEGAL AID & DEFENDER ASS’N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/ (describing Legal Services Corporation funded legal services available to immigrant victims of violence and their families); Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005’s New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, *Guide: Access to Publicly Funded Legal Services for Immigrant Survivors*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

⁶⁷¹ OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP’T OF JUSTICE, FY 2018 LEGAL ASSISTANCE FOR VICTIMS GRANT PROGRAM PRE-APPLICATION CONFERENCE CALL TUESDAY, DECEMBER 19, 2017, <https://www.justice.gov/ovw/page/file/1020436/download> (“The purpose of the LAV Program is to increase the availability of civil and criminal legal assistance needed to effectively aid adult and youth victims of sexual assault, domestic violence, dating violence, and stalking who are seeking relief in legal matters relating to or arising out of that abuse or violence, at minimum or no cost to the victims. The LAV Grant Program supports the provision of holistic legal services. For example, survivors may also need legal assistance with other legal matters relating to or arising out of the abuse or violence, including family matters such as divorce, child custody or child support, immigration, administrative agency proceedings, housing, and assistance related to human trafficking.”).

⁶⁷² Violence Against Women Reauthorization Act of 2000 § 1512, 34 U.S.C. § 10441 (2017) (originally codified at 42 U.S.C. § 3796gg (2000)); Victims of Trafficking and Violence Protection Act of 2000, tit. II, § 1201(a), Pub. L. 106-386, 114 Stat. 1464 (2000) [hereinafter VAWA 2000], <http://niwaplibrary.wcl.american.edu/pubs/vawa-gov-vawa-2000-pub-l-106-386-10-28-00/>.

⁶⁷³ Violence Against Women and Department of Justice Reauthorization Act of 2005 § 103, Pub. L. 109-162, 119 Stat. 2960 (2006) (codified at 34 U.S.C. § 10441 (2017)) (originally codified at 42 U.S.C. § 3796gg (2000)) [hereinafter VAWA 2005], <http://niwaplibrary.wcl.american.edu/pubs/senate-judicial-hearing-july-19-2005-1/>.

⁶⁷⁴ See, e.g., OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP’T OF JUSTICE, OVW FY 2017 LEGAL ASSISTANCE FOR VICTIMS (LAV) GRANT PROGRAM SOLICITATION (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

⁶⁷⁵ 45 C.F.R. §§ 1626.4(a)(1)(i) (1996) (victim); 45 C.F.R. §§ 1626.4(a)(1)(ii) (1996) (parent of victim); 45 C.F.R. § 1626.2(b) (1996) (“Battered or subjected to extreme cruelty includes, but is not limited to, being the victim of any act or threatened act of violence, including any forceful detention, which results or threatens to result in physical or mental injury. Psychological or sexual abuse or exploitation, including rape, molestation, incest (if the victim is a minor), or forced prostitution may be considered acts of violence. Other abusive actions may also be acts of violence under certain circumstances, including acts that, in and of themselves, may not initially appear violent but that are a part of an overall pattern of violence. The definition of battering or extreme cruelty is identical to that in the immigration regulations.” See Leslye E. Orloff, Brittany Roberts & Stefanie Gitler, *Battering and Extreme Cruelty: Drawing Examples from Civil Protection Order and Family Law Cases*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (Sept. 12, 2015), <http://niwaplibrary.wcl.american.edu/pubs/extreme-cruelty-examples-protection-order/>. Compare 45 C.F.R. § 1626.2(b) (1997) and 8 C.F.R. § 204.2(c)(1)(vi) (2012).

⁶⁷⁶ See 45 C.F.R. § 1626.4(a)(1)(i) (victim); 45 C.F.R. § 1626.4(a)(1)(ii) (parent of victim); 45 C.F.R. § 1626.2(k) (“Victim of sexual assault or trafficking” means a victim of sexual assault subjected to any conduct included in the definition of sexual assault in VAWA, 42 U.S.C. 13925(a)(29), or a victim of trafficking subjected to any conduct included in the definition of “trafficking” under law, including, but not limited to, local, state, and federal law, and T visa holders regardless of certification from the U.S. Department of Health and Human Services).

⁶⁷⁷ The abuse must either have occurred in the U.S. or violate U.S. law. See 45 C.F.R. § 1626.4(c).

⁶⁷⁸ See also 45 C.F.R. 1626.4(b) (“Related legal assistance means legal assistance directly related to the prevention of, or obtaining relief from, the battery or cruelty and includes representation in matters that will assist a person eligible for assistance under this part to escape from the abusive situation, ameliorate the current effects of the abuse, or protect against future abuse, so long as the recipient can show the necessary connection of the representation to the abuse. Such representation may include immigration law matters and domestic or poverty law matters (such as obtaining civil protective orders, divorce, paternity, child custody, child and spousal support, housing, public benefits, employment, abuse and neglect, juvenile proceedings and contempt actions).”; Benish Anver, Henrissa Bassey & Leslye E. Orloff, *Legal Services Access for All: Implementing the Violence Against Women Act of 2005*, NAT’L LEGAL AID & DEFENDER ASS’N CORNERSTONE Jan.-Apr. 2015, at 20, http://niwaplibrary.wcl.american.edu/pubs/anti-abuse-lsc-reg-articles-cornerstone_jan-apr-2015/; Benish Anver, Henrissa Bassey, & Leslye E. Orloff, *And Legal Services Access for All: Implementing the Violence Against Women Act of 2005’s New Path to Legal Services Corporation Funded Representation for Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and Other Crimes*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (NIWAP), (Nov. 3, 2014), <http://niwaplibrary.wcl.american.edu/pubs/and-legal-services-for-all/>; Catherine Longville, Henrissa Bassey & Leslye E. Orloff, *Guide: Access to Publicly Funded Legal Services for Immigrant Survivors*, NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT (NIWAP), (Oct. 1, 2014), <http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls/>.

⁶⁷⁹ OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP’T OF JUSTICE, FY 2018 LEGAL ASSISTANCE FOR VICTIMS GRANT PROGRAM PRE-APPLICATION CONFERENCE CALL TUESDAY, DECEMBER 19, 2017, <https://www.justice.gov/ovw/page/file/1020436/download> (“The purpose of the LAV Program is to increase the availability of civil and criminal legal assistance needed to effectively aid adult and youth victims of sexual assault, domestic violence, dating violence, and stalking who are seeking relief in legal matters relating to or arising out of that abuse or violence, at minimum or no cost to the victims. The LAV Grant Program supports the provision of holistic legal services. For example, survivors may also need legal assistance with other legal matters relating to or arising out of the abuse or violence, including family matters such as divorce, child custody or child support, immigration, administrative agency proceedings, housing, and assistance related to human trafficking.”).

⁶⁸⁰ Violence Against Women Reauthorization Act of 2000 § 1512, 34 U.S.C. § 10441 (2017) (originally codified at 42 U.S.C. § 3796gg (2000)); Victims of Trafficking and Violence Protection Act of 2000, tit. II, § 1201(a), Pub. L. 106-386, 114 Stat. 1464 (2000) [hereinafter VAWA 2000], <http://niwaplibrary.wcl.american.edu/pubs/vawa-gov-vawa-2000-pub-l-106-386-10-28-00/>.

⁶⁸¹ Violence Against Women and Department of Justice Reauthorization Act of 2005 § 103, Pub. L. 109-162, 119 Stat. 2960 (2006) (codified at 34 U.S.C. § 10441 (2017)) (originally codified at 42 U.S.C. § 3796gg (2000)) [hereinafter VAWA 2005], <http://niwaplibrary.wcl.american.edu/pubs/senate-judicial-hearing-july-19-2005-1/>.

⁶⁸² See, e.g., OFFICE ON VIOLENCE AGAINST WOMEN, U.S. DEP'T OF JUSTICE, OVW FY 2017 LEGAL ASSISTANCE FOR VICTIMS (LAV) GRANT PROGRAM SOLICITATION (2017), <https://www.justice.gov/ovw/page/file/922496/download> (listing representation of child sexual assault victims under age of 11 as out-of-scope for Legal Assistance for Victims grant funded programs).

⁶⁸³ NAT'L IMMIGR.L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

⁶⁸⁴ NAT'L IMMIGR.L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf. See 8 U.S.C. § 1641(c).

⁶⁸⁵ NAT'L IMMIGR.L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

⁶⁸⁶ NAT'L IMMIGR.L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf. See 8 U.S.C. §§ 1641(b)(2), (b)(3), (c)(4).

⁶⁸⁷ NAT'L IMMIGR.L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

⁶⁸⁸ NAT'L IMMIGR.L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf; OFFICE ON TRAFFICKING IN PERSONS, U.S. DEP'T OF HEALTH & HUM. SERV., OTIP-FS-16-01, CERTIFICATION FOR ADULT VICTIMS OF HUMAN TRAFFICKING FACT SHEET 1 (2016), <https://traffickingresourcecenter.org/sites/default/files/Certification%20Fact%20Sheet%20Posting%20%282%29.pdf>. See 22 U.S.C. § 7105(b) (Applicants over age 18 require an HHS certification. Applicants under age 18 require an HHS eligibility determination (not a certification)).

⁶⁸⁹ NAT'L IMMIGR.L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

⁶⁹⁰ NAT'L IMMIGR.L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

⁶⁹¹ NAT'L IMMIGR.L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf. See 8 U.S.C. § 1640(b)(1).

⁶⁹² NAT'L IMMIGR.L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

⁶⁹³ NAT'L IMMIGR.L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf. See 8 U.S.C. § 1641(b)(1).

⁶⁹⁴ NAT'L IMMIGR.L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

⁶⁹⁵ NAT'L IMMIGR.L. CTR., *Low-Income Home Energy (LIHEAP) and Weatherization Assistance Programs (WAP)* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 150, 150-51 (4th ed. 2002, rev. May 2006), https://www.nilc.org/wp-content/uploads/2016/03/liheapwap_pp150-51_053006.pdf.

⁶⁹⁶ 42 U.S.C. § 5121; See American Red Cross and the Nat'l Council of La Raza, and NAT'L IMMIGRATION LAW CTR., *Fact Sheet: Immigrant Eligibility for Disaster Assistance* (June 2007), <https://www.nilc.org/issues/economic-support/immigrant-eligibility-disaster-assistance/>.

⁶⁹⁷ NAT'L IMMIGR.L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>.

⁶⁹⁸ NAT'L IMMIGR.L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>;

U.S. DEP'T AGRIC. FOOD & NUTRITION SERV., DISASTER SNAP GUIDANCE: POLICY GUIDANCE, LESSONS LEARNED, AND TOOLKITS TO OPERATE A SUCCESSFUL D-SNAP (2014), https://fns-prod.azureedge.net/sites/default/files/D-SNAP_handbook_0.pdf.

⁶⁹⁹ See American Red Cross and the Nat'l Council of La Raza, and NAT'L IMMIGRATION LAW CTR., *Fact Sheet: Immigrant Eligibility for Disaster Assistance* (June 2007), <https://www.nilc.org/issues/economic-support/immigrant-eligibility-disaster-assistance/>.

⁷⁰⁰ FEMA, You May Be Able to Get Disaster Assistance (February 21, 2023), https://www.fema.gov/sites/default/files/documents/fema_undocumented-immigrants-disaster-assistance_flyer_2023.pdf

(listing naturalized citizens, lawful permanent residents, and certain battered non-citizens or their spouses or children which includes VAWA self-petitioners).

⁷⁰¹ NAT'L IMMIGR.L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters* in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/> (explaining that to receive Disaster Unemployment Assistance (DUA), "qualified" immigrants must have employment authorization). See 8 U.S.C. § 1641(c).

- ⁷⁰² NAT'L IMMIGR.L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>. See 8 U.S.C. § 1641(c).
- ⁷⁰³ *Guide to Disaster Relief & Preparedness Agencies*, WASH. VOLUNTARY ORG. ACTIVE IN DISASTER (WVOAD), <http://www.wavoad.org/cms/node/148> (last visited May 30, 2018); (See individual locations for limitations on services) *Food Pantries*, Emergency Food Network, <http://www.efoodnet.org/resources/food-banks/> (last visited May 30, 2018).
- ⁷⁰⁴ NAT'L IMMIGR.L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/> (explaining that to receive Disaster Unemployment Assistance (DUA), "qualified" immigrants must have employment authorization). See 8 U.S.C. §§ 1641(b)(2)-(b)(3), (c)(4).
- ⁷⁰⁵ NAT'L IMMIGR.L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>. See 8 U.S.C. §§ 1641(b)(2)-(b)(3).
- ⁷⁰⁶ NAT'L IMMIGR.L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>. See 8 U.S.C. § 1641(c)(4).
- ⁷⁰⁷ *Guide to Disaster Relief & Preparedness Agencies*, WASH. VOLUNTARY ORG. ACTIVE IN DISASTER (WVOAD), <http://www.wavoad.org/cms/node/148> (last visited May 30, 2018); (See individual locations for limitations on services) *Food Pantries*, Emergency Food Network, <http://www.efoodnet.org/resources/food-banks/> (last visited May 30, 2018).
- ⁷⁰⁸ NAT'L IMMIGR.L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/> (explaining that to receive Disaster Unemployment Assistance (DUA), survivors of trafficking must have employment authorization). See 22 U.S.C. §§ 7105(b).
- ⁷⁰⁹ NAT'L IMMIGR.L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/> (explaining that to receive Disaster Unemployment Assistance (DUA), survivors of trafficking must have employment authorization). See 22 U.S.C. §§ 7105(b).
- ⁷¹⁰ *Guide to Disaster Relief & Preparedness Agencies*, WASH. VOLUNTARY ORG. ACTIVE IN DISASTER (WVOAD), <http://www.wavoad.org/cms/node/148> (last visited May 30, 2018); (See individual locations for limitations on services) *Food Pantries*, Emergency Food Network, <http://www.efoodnet.org/resources/food-banks/> (last visited May 30, 2018).
- ⁷¹¹ *Guide to Disaster Relief & Preparedness Agencies*, WASH. VOLUNTARY ORG. ACTIVE IN DISASTER (WVOAD), <http://www.wavoad.org/cms/node/148> (last visited May 30, 2018); (See individual locations for limitations on services) *Food Pantries*, Emergency Food Network, <http://www.efoodnet.org/resources/food-banks/> (last visited May 30, 2018).
- ⁷¹² NAT'L IMMIGR.L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/> (explaining that to receive Disaster Unemployment Assistance (DUA), survivors of trafficking must have employment authorization). See 8 U.S.C. § 1641(b)(1).
- ⁷¹³ NAT'L IMMIGR.L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>. See 8 U.S.C. § 1641(b)(1).
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- ⁷¹⁶ NAT'L IMMIGR.L. CTR., *Disaster Assistance: Food, Shelter, Cash Payments, Loans, and Other Help for Victims of Major Disasters in GUIDE TO IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS* 162, 162-64 (4th ed. 2002, rev. Oct. 2017), <https://www.nilc.org/issues/economic-support/disaster-help/>. See 8 U.S.C. § 1641(b)(1).
- ⁷¹⁷ *Guide to Disaster Relief & Preparedness Agencies*, WASH. VOLUNTARY ORG. ACTIVE IN DISASTER (WVOAD), <http://www.wavoad.org/cms/node/148> (last visited May 30, 2018); (See individual locations for limitations on services) *Food Pantries*, Emergency Food Network, <http://www.efoodnet.org/resources/food-banks/> (last visited May 30, 2018).
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- ⁷²⁰ *Guide to Disaster Relief & Preparedness Agencies*, WASH. VOLUNTARY ORG. ACTIVE IN DISASTER (WVOAD), <http://www.wavoad.org/cms/node/148> (last visited May 30, 2018); (See individual locations for limitations on services) *Food Pantries*, Emergency Food Network, <http://www.efoodnet.org/resources/food-banks/> (last visited May 30, 2018).
- ⁷²¹ See FED. EMERGENCY MGMT. AGENCY, FEMA CITIZENSHIP/IMMIGRATION REQUIREMENTS (2015), <https://www.fema.gov/faq-details/FEMA-Citizenship-Immigration-requirements-1370032118159> (stating that undocumented individuals can apply on behalf of a minor US citizen child who has a social security card).
- ⁷²² *Guide to Disaster Relief & Preparedness Agencies*, WASH. VOLUNTARY ORG. ACTIVE IN DISASTER (WVOAD), <http://www.wavoad.org/cms/node/148> (last visited May 30, 2018); (See individual locations for limitations on services) *Food Pantries*, Emergency Food Network, <http://www.efoodnet.org/resources/food-banks/> (last visited May 30, 2018).
- ⁷²³ 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.

⁷²⁴ 8 U.S.C. § 1641(c)(1)(B)(i), or (ii); or 8 U.S.C. § 1641(c)(2), or (3).

⁷²⁵ 8 U.S.C. § 1641(b)(3).

⁷²⁶ INA § 208(d)(2); 8 C.F.R. § 274a.12(c)(8); 8 C.F.R. §§ 274a.12(a)(5). 8 U.S.C. § 1641(b)(2).

⁷²⁷ 8 U.S.C. § 1641(c)(4).

⁷²⁸ 8 U.S.C. § 1641(c)(4).

⁷²⁹ See Rebecca Smith, *Immigrant Workers' Eligibility for Unemployment Insurance*, NAT'L EMPLOYMENT LAW PROJECT (Mar. 31, 2020), <https://www.nelp.org/publication/immigrant-workers-eligibility-unemployment-insurance/> ("The general rule is that workers must have valid work authorization during the base period, at the time that they apply for benefits, and throughout the period during which they are receiving benefits.").

⁷³⁰ 8 U.S.C. § 1641(b)(1).

⁷³¹ 8 U.S.C. § 1641(b)(1).

⁷³² See Rebecca Smith, *Immigrant Workers' Eligibility for Unemployment Insurance*, NAT'L EMPLOYMENT LAW PROJECT (Mar. 31, 2020), <https://www.nelp.org/publication/immigrant-workers-eligibility-unemployment-insurance/> ("The general rule is that workers must have valid work authorization during the base period, at the time that they apply for benefits, and throughout the period during which they are receiving benefits.").

⁷³³ See Rebecca Smith, *Immigrant Workers' Eligibility for Unemployment Insurance*, NAT'L EMPLOYMENT LAW PROJECT (Mar. 31, 2020), <https://www.nelp.org/publication/immigrant-workers-eligibility-unemployment-insurance/> ("Under the current state and federal systems, undocumented workers are not eligible for unemployment benefits.").