



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

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

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

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

- Offer MORE STATE FUNDED BENEFITS to certain groups of immigrants in the following benefits programs: Temporary Assistance for Needy Families (TANF), TANF-Funded Child Care, State Food Assistance Program, Child Health Insurance Program (CHIP), Prenatal care, Medicaid, Family Medical Leave Act (FMLA), Post-secondary education in-state tuition and financial aid, State driver's licenses, Housing Essential Needs Referral Program, and Washington Voluntary Organizations Active in Disaster (WVOAD) and Emergency Food Network.
- Impose MORE RESTRICTIONS on immigrant access to federal public benefits: Not applicable.

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

PROGRAM	VAWA Self Petitioner and Battered Spouse Waiver ²	Refugees, ³ Asylees, T Visas	T Visa Bona Fide or Continued Presence	Deferred Action for Childhood Arrivals (DACA)	Special Immigrant Juvenile Status (SIJS)	U Visa, Bona Fide, or Wait List Approval	U Visa (Petition Filed)	Undocumented
CASH & NUTRITION ASSISTANCE, AND CHILDCARE								
<u>Temporary Assistance for Needy Families (TANF)</u> (Cash Assistance)	In WA, eligible with prima facie determination.	Eligible. In WA, eligible upon applying for asylum and while preparing an application for asylum.	Eligible with HHS certification or eligibility letter. In WA, eligible for State Family Assistance while preparing an application or with a pending application for a T visa, continued presence or HHS certification or eligibility letter.	Not eligible.	In WA, eligible upon filing for SIJS.	In WA, eligible as a U visa holder or upon receiving a bona fide determination or waitlist approval of a U visa case.	In WA, eligible for State Family Assistance while preparing a U visa application or with a pending application for a U visa.	Not eligible.
<u>Child Care Funded by TANF and the Child Care Development Fund (CCDF)</u>	Eligible for CCDF. In WA, Eligible with prima facie determination for TANF funded child care.	<u>Refugee/Asylee:</u> Eligible for CCDF and TANF funded child care. <u>Asylum applicants:</u> Eligible for CCDF. In WA, eligible for TANF-funded child care upon applying for asylum and while preparing an application for asylum. <u>T visa holder:</u> Eligible for CCDF and eligible for	Eligible for CCDF. In WA, eligible for TANF funded child care while preparing an application for a T visa, continued presence or HHS certification or eligibility letter.	Eligible for CCDF.	Eligible for CCDF. In WA, eligible for TANF funded child care upon filing for SIJS.	Eligible for CCDF. In WA, eligible for TANF funded child care as a U visa holder or upon receiving a bona fide determination or waitlist approval of a U visa case.	Eligible for CCDF. In WA, eligible for TANF funded child care while preparing or with a pending application for a U visa.	Eligible for CCDF.

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Child Care		TANF funded childcare.						
Supplemental Security Income (SSI)	Eligible with conditions upon prima facie determination.	Eligible during first 7 years after status is granted.	Eligible with conditions upon receipt of HHS certification or eligibility letter during first 7 years after status is granted.	Not eligible.	Eligible with conditions upon lawful permanent residency.	Eligible with conditions upon lawful permanent residency.	Not eligible.	Not eligible.
Supplemental Nutrition Assistance Program (SNAP)	In WA, eligible upon prima facie determination for State Food Assistance Program (FAP).	Eligible. <u>Asylum applicants:</u> In WA, eligible upon applying for asylum and while preparing an application for asylum for State Food Assistance Program (FAP).	Eligible with HHS certification or eligibility letter. In WA, eligible while preparing an application for or with a pending application for a T visa, continued presence or HHS certification for State Food Assistance Program (FAP).	In WA, DACA applicants eligible for State Food Assistance Program (FAP).	In WA, SIJS applicants eligible for State Food Assistance Program (FAP).	In WA, U visa holders and U visa applicants with prima facie determinations or wait list approval are eligible for State Food Assistance Program (FAP).	In WA, eligible while preparing an application for a U visa and when a U visa application is pending for - State Food Assistance Program (FAP).	Not eligible.
Nutrition Program: For Women, Infants & Children (WIC)	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.
HEALTHCARE								
Emergency Medicaid	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.
Health Insurance Exchanges	Eligible with prima facie determination.	<u>Refugee:</u> Eligible.	Eligible with HHS certification or eligibility letter.	Not eligible.	Eligible upon filing SIJS application.	Eligible upon U visa bona fide determination, wait	Not eligible.	Not eligible.

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		<p><u>Asylee:</u> Eligible upon receipt of work authorization or 6 months after filing for asylum for children under age 14.</p> <p><u>T visa:</u> Eligible with HHS certification or eligibility letter.</p>				list approval or U visa.		
<u>Medicaid</u>	In WA, eligible with prima facie determination, with conditions for treatment under Medical Care Services or Apple Health Alien Emergency Medical programs.	<p>Eligible.</p> <p>In WA, certain crime victims preparing to file asylum applications or with pending asylum applications are eligible for Medical Care Services and for Apple Health Alien Emergency Medical programs.</p>	<p>Eligible with HHS certification or eligibility letter.</p> <p>In WA, victims preparing T visa applications and requests for continued presence, or HHS certification or eligibility letters are eligible for Medical Care Services and for Apple Health Alien Emergency Medical programs.</p>	In WA, may be eligible for Apple Health Alien Emergency Medical for treatment.	In WA, eligible with lawful permanent residency with conditions for treatment under Medical Care Services or Apple Health Alien Emergency Medical programs.	<p>Eligible with lawful permanent residency with conditions.</p> <p>In WA, U visa holders and U visa applicants with prima facie determinations or waitlist approvals, and victims preparing U visa applications are eligible for Medical Care Services and for Apple Health Alien Emergency Medical programs.</p>	In WA, victims preparing U visa applications are eligible for Medical Care Services and for Apple Health Alien Emergency Medical programs.	In WA, may be eligible for Apple Health Alien Emergency Medical for treatment of cancer, dialysis, COVID 19, long term care or certain other medical emergencies.
<u>Prenatal Care</u>	In WA, eligible for prenatal care.	In WA, eligible for prenatal care.	In WA, eligible for prenatal care.	In WA, eligible for prenatal care.	In WA, eligible for prenatal care.	In WA, eligible for prenatal care.	In WA, eligible for prenatal care.	In WA, eligible for prenatal care.

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<u>Children's Health Insurance Program (CHIP)</u>	<p>In WA, eligible up to age 19 upon prima facie determination.</p> <p>In WA, children in households at or below 210% of poverty eligible.</p> <p>After age 19, eligible with prima facie determination, with conditions for treatment under Medical Care Services or Apple Health Alien Emergency Medical programs.</p>	<p>Eligible.</p> <p>In WA, children in households at or below 210% of poverty eligible.</p> <p>In WA, certain crime victims preparing to file asylum applications or with pending asylum applications are eligible for Medical Care Services and for Apple Health Alien Emergency Medical programs.</p>	<p>Eligible upon HHS certification or eligibility letter.</p> <p>In WA, children in households at or below 210% of poverty eligible.</p> <p>In WA, victims preparing to file or with pending T visa applications and requests for continued presence, or HHS certification or eligibility letters are eligible for Medical Care Services and for Apple Health Alien Emergency Medical programs.</p>	<p>In WA, children in households at or below 210% of poverty eligible.</p>	<p>In WA, eligible up to age 19 upon filing.</p> <p>In WA, children in households at or below 210% of poverty eligible.</p> <p>After age 19 eligible with conditions upon legal permanent residency for treatment under Medical Care Services or Apple Health Alien Emergency Medical programs.</p>	<p>In WA, eligible up to age 19 upon receipt of U visa, bona fide determination or wait list approval.</p> <p>In WA, children in households at or below 210% of poverty eligible.</p> <p>In WA, U visa victims preparing U visa applications are eligible for Medical Care Services and for Apple Health Alien Emergency Medical programs.</p> <p>After age 19 eligible with conditions upon legal permanent residency for treatment under Medical Care Services or Apple Health Alien Emergency Medical programs.</p>	<p>In WA, victims preparing U visa applications are eligible for Medical Care Services and for Apple Health Alien Emergency Medical programs.</p> <p>In WA, children in households at or below 210% of poverty eligible.</p>	<p>In WA, children in households at or below 210% of poverty eligible.</p>
<u>Victims of Crime Act (VOCA) Compensation</u>	<p>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.</p>							

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Family Medical Leave Act	In WA, may be eligible for Paid Family and Medical Leave without regard to immigration status.	In WA, may be eligible for Paid Family and Medical Leave without regard to immigration status.	In WA, may be eligible for Paid Family and Medical Leave without regard to immigration status.	In WA, may be eligible for Paid Family and Medical Leave without regard to immigration status.	In WA, may be eligible for Paid Family and Medical Leave without regard to immigration status.	In WA, may be eligible for Paid Family and Medical Leave without regard to immigration status.	Not eligible.	Not eligible.
HOUSING AND WEATHERIZATION								
Public & Assisted Housing and Low Income Housing Tax Credit (LIHTC)⁴	Eligible upon filing. In WA, may be eligible to live in Low Income Housing Tax Credit property and for the Housing Essential Needs Referral Program.	Eligible. In WA, may be eligible to live in Low Income Housing Tax Credit property and for the Housing Essential Needs Referral Program.	Eligible with HHS certification or eligibility letter. In WA, may be eligible to live in Low Income Housing Tax Credit property and for the Housing Essential Needs Referral Program.	Not eligible. In WA, may be eligible to live in Low Income Housing Tax Credit property.	Eligible upon receiving lawful permanent residency. In WA, may be eligible to live in Low Income Housing Tax Credit property and upon receiving lawful permanent residency may be eligible for the Housing Essential Needs Referral Program.	Eligible upon receiving lawful permanent residency. In WA, may be eligible to live in Low Income Housing Tax Credit property and with U visa, bona fide determination, or waitlist approval may be eligible for the Housing Essential Needs Referral Program.	Not eligible. In WA, may be eligible to live in Low Income Housing Tax Credit property and upon filing or while preparing the U visa application may be eligible for the Housing Essential Needs Referral Program.	Not eligible. In WA may be eligible to live in Low Income Housing Tax Credit property.
Emergency Shelter, Transitional Housing, Health, and Life and Safety Services	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.	Eligible.

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Weatherization Assistance Program (WAP) and Low-Income Home Energy Assistance Program (LIHEAP)	Eligible for WAP if living in multi-family dwellings. Eligible for LIHEAP with conditions upon prima facie determination.	WAP if living in multi-family dwellings. Eligible for LIHEAP.	WAP if living in multi-family dwellings. Eligible for LIHEAP with conditions upon receipt of HHS certification or eligibility letter.	WAP if living in multi-family dwellings.	WAP if living in multi-family dwellings. Eligible with conditions for LIHEAP upon receiving lawful permanent residency.	WAP if living in multi-family dwellings. Eligible with conditions for LIHEAP upon receiving lawful permanent residency.	WAP if living in multi-family dwellings.	WAP if living in multi-family dwellings.
EDUCATION								
Federal Education	Eligible upon prima facie determination.	Eligible.	Eligible with HHS certification or eligibility letter.	Not eligible.	Eligible upon lawful permanent residency.	Eligible upon lawful permanent residency.	Not eligible.	Not eligible.
State Education	Eligible with conditions.	Eligible with conditions.	Eligible with conditions.	Eligible with conditions.	Eligible with conditions.	Eligible with conditions.	Eligible with conditions.	Eligible with conditions.
<p>All children, without regard to immigration status or citizenship are eligible to attend public elementary and secondary (K-12) schools. State schools may not request citizenship or immigration status information and may not bar students from enrolling in public elementary or secondary schools based on the citizenship or immigration status of the student, their parent or their guardian. Eligible to apply for and enroll in state funded colleges and universities without regard to immigration status.</p> <p>At its public postsecondary institutions, Washington allows in-state tuition and state financial aid for students who complete the entire senior year of high school and live in the state for 3 years prior to receiving his or her high school diploma. 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. Additionally, people who move to Washington and immediately start college are eligible for resident tuition and state financial aid without regard to immigration status.</p>								
LEGAL SERVICES, DRIVER’S LICENSES, AND EARNED INCOME TAX CREDITS								
Legal Services	Eligible for Legal Services Corporation (LSC)-funded legal services	Eligible for all LSC funded legal services. Victims of domestic, sexual, or dating	Eligible for LSC funded legal services when they receive HHS certification or eligibility letter.	May be eligible if victims of abuse for LSC funded legal	May be eligible if victims of abuse for LSC funded legal services with	Eligible for LSC-funded legal services with conditions and fully eligible when	Eligible for LSC-funded legal services with conditions and fully	May be eligible if victims of abuse for LSC funded legal

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

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Earned Income Tax Credit (EITC)	Eligible with conditions upon receipt of work authorization.	Eligible with conditions upon receipt of work authorization.	Eligible with conditions upon receipt of work authorization.	Eligible with conditions upon receipt of work authorization.	Eligible with conditions upon receipt of work authorization.	Eligible with conditions upon receipt of work authorization.	Not eligible.	Not eligible.
FEMA AND UNEMPLOYMENT INSURANCE								
Federal Emergency Management Agency (FEMA)	Eligible for disaster relief. Eligible upon prima facie determination for food, unemployment and other FEMA assistance. In WA, eligible for Washington Voluntary Organizations Active in Disaster (WVOAD) and Emergency Food Network.	Eligible for disaster relief. Eligible for food, unemployment and other FEMA assistance. In WA, eligible for Washington Voluntary Organizations Active in Disaster (WVOAD) and Emergency Food Network.	Eligible for disaster relief. Eligible upon receipt of HHS determination or eligibility letter for food, unemployment and other FEMA assistance. In WA, eligible for Washington Voluntary Organizations Active in Disaster (WVOAD) and Emergency Food Network.	Eligible for disaster relief. In WA, eligible for Washington Voluntary Organizations Active in Disaster (WVOAD) and Emergency Food Network.	Eligible for disaster relief. Eligible upon receipt of lawful permanent residency for food, unemployment and other FEMA assistance. In WA, eligible for Washington Voluntary Organizations Active in Disaster (WVOAD) and Emergency Food Network.	Eligible for disaster relief. Eligible upon receipt of lawful permanent residency for food, unemployment and other FEMA assistance. In WA, eligible for Washington Voluntary Organizations Active in Disaster (WVOAD) and Emergency Food Network.	Eligible for disaster relief. In WA, eligible for Washington Voluntary Organizations Active in Disaster (WVOAD) and Emergency Food Network.	Eligible for disaster relief. In WA, eligible for Washington Voluntary Organizations Active in Disaster (WVOAD) and Emergency Food Network.
Unemployment Insurance	Eligible upon receipt of work authorization. In WA, may be eligible for Paid Family and	<u>Refugees:</u> Eligible upon receipt of work authorization. <u>Asylees:</u> Eligible upon receipt of work	Eligible upon receipt of work authorization.	Eligible upon receipt of work authorization.	Eligible upon receipt of work authorization.	Eligible upon receipt of work authorization.	Not eligible.	Not eligible.

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Unemployment Insurance	Medical Leave without regard to immigration status.	authorization. T Visa: Eligible upon receipt of bona fide determination with work authorization.						
*To be eligible for unemployment insurance, each class of immigrant must have had prior work authorization and had to have been working with the authorization at the time they applied for unemployment. Work authorization must remain valid while they receive unemployment and if work authorization expires, then so does the eligibility for unemployment.								

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

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

³ Afghans granted humanitarian parole between July 31, 2021, and September 30, 2022 — and their spouses and children, and parents or guardians of unaccompanied children granted parole after September 30, 2022 — also are eligible for federal benefits to the same extent as refugees. Eligibility for this group continues until March 31, 2023, or the end of their parole term, whichever is later. Extending Government Funding and Delivering Emergency Assistance Act, Pub. L. 117-43 (Sept. 30, 2021). Ukrainians paroled into the U.S. between February 24, 2022, and September 30, 2023 – and their spouses and children, and parents, guardians or primary caregivers of unaccompanied children paroled into the U.S. after September 30, 2023 – are eligible for federal benefits to the same extent as refugees. Department of Homeland Security, President Biden to Announce Uniting For Ukraine, a New Streamlined Process to Welcome Ukrainians Fleeing the Russian Invasion of Ukraine. (April 21, 2022) <https://www.dhs.gov/news/2022/04/21/president-biden-announce-uniting-ukraine-new-streamlined-process-welcome-ukrainians>.

⁴ Some households, depending on the immigration status of its residents, may qualify for the Low-Income Housing Tax Credit; see [Access to State-Funded Public Benefits in Washington State for Survivors](#) to determine whether the immigrant or family members may be eligible. For more information on LIHTC see <https://www.vawahome.com/>.