

## Immigration Status Job Aid

**Note: Use applicant’s statement when answering questions below; do not require that applicant provide verification of legal immigration status.**

<p>1. Does the applicant state that they have an eligible immigration status?</p>	<p>If yes, go to Step 2.</p>	<p>If no, the applicant is not eligible.</p>
<p>2. Is the applicant a Legal Permanent Resident who meets one of the following criteria?</p> <ul style="list-style-type: none"> <li>• An honorably discharged veteran or active duty military member</li> <li>• A spouse, unmarried surviving spouse, or minor unmarried child of an honorably discharged veteran or active duty military member</li> <li>• Canadian Born American Indian</li> <li>• Member of a federally recognized Indian tribe</li> <li>• Received SSI or Medicaid on August 22, 1996, and lawfully residing in the U.S. on or before August 22, 1996</li> <li>• Legally admitted prior to August 22, 1996 and can be credited with 10 years of work (either from self, spouse or parent)</li> <li>• Legally admitted on or after August 22, 1996, five years have passed since their legal date of entry, <b>and</b> can be credited with 10 years of work (either from self, spouse, or parent)</li> </ul>	<p>If yes, the applicant meets immigration status requirements.</p>	<p>If no, go to Step 3.</p>
<p>3. Was the applicant <b>legally</b> admitted with one of the following statuses?</p> <ul style="list-style-type: none"> <li>• Refugee</li> <li>• Asylee</li> <li>• Deportation withheld</li> <li>• Parolee</li> <li>• Conditional Entrant</li> <li>• Cuban Haitian Entrant</li> <li>• Amerasian</li> <li>• Afghani or Iraqi special immigrant</li> </ul>	<p>If yes, the applicant meets immigration status requirements for 7 years from their date of entry.</p>	<p>If no, go to Step 4.</p>
<p>4. Was the applicant admitted as a Victim of Severe Human Trafficking?</p>	<p>If yes, the applicant meets immigration status requirements for 4 years from their</p>	<p>If no, go to Step 5.</p>

	date of entry or later if law enforcement has extended their status past the 4 years.	
<p>5. Is the applicant a battered alien who meets one of the following criteria?</p> <ul style="list-style-type: none"> <li>• Legally admitted prior to August 22, 1996</li> <li>• Legally admitted to the U.S. on or after August 22, 1996 and 5 years has passed since their legal date of entry</li> </ul> <p><b>Note:</b> Battered aliens residing in the U.S. prior to August 22, 1996, but had not obtained legal status on or after August 22, 1996 may not be subject to the 5-year bar if they can provide proof of continuous residence.</p>	If yes, the applicant meets immigration status requirements.	If no, go to Step 6.
6. Is applicant under age 19 or a former foster care child age 20 or younger?	If yes, the applicant meets immigration status requirements.	If no, the applicant is not eligible.

**Notes:**

- Applicants who do not meet alien status requirement may be eligible for Emergency Medicaid if they meet all other eligibility criteria. Refer them to [www.YourTexasBenefits.com](http://www.YourTexasBenefits.com) or the local HHSC eligibility office if they wish to apply for Emergency Medicaid.
- Refer individuals who do not know their immigration status to [www.YourTexasBenefits.com](http://www.YourTexasBenefits.com) or the local HHSC eligibility office.