General Information Memorandum

ISD-GI 17-47

TO: ISD Employees
FROM: Mary Brogdon, Director, Human Services Department
RE: Immigration Eligibility Reference
DATE: December 1, 2017

This GI contains an immigration eligibility reference from the immigration training. The “Immigrant Eligibility” training was released on blackboard in November 2017. This training will be provided to new hires as part of the normal new hire training.

The immigration eligibility reference contains two tables:

- Complete list of eligible immigrants for SNAP – this list combines the qualified status with the other criteria necessary to make a person eligible for SNAP
- Complete List of Immigrants eligible for Medicaid

All ISD workers must complete the blackboard training before December 31, 2017. Beginning in 2018, immigration eligibility training will be a new module in Phase 1 for new employees and will be an instructor led training. HSD will also maintain the Blackboard training as a refresher training for all ISD employees.

If you have questions regarding this memorandum please contact Marisa Vigil at (505) 827-1326 or marisa.vigil@state.nm.us.
accordance with 7 CFR 273.4(a)(5); or

a victim of human trafficking and their derivative beneficiaries, in their status as Indians; or

the special programs and services provided by the U.S. to Indians because of the Immigration and Nationality Act apply; or a member of an Indian tribe as defined at section 4(e) of 25 U.S.C. 450b(e) which is recognized as eligible for the provisions of section 289 of the Immigration and Nationality Act to whom the provisions of section 289 of

an American Indian born in Canada, who possesses at least 50 per centum of

tribe member) who are lawfully present in the U.S.; or

militarily assisted the U.S., (includes spouse, surviving spouse, or child of

a member of Lahu or Laotian tribe during the Vietnam era, when the tribe

or non-citizen national, or

The following non-citizens/immigrants are eligible for SNAP

NMAC

8.139.410.9

Immigrant Eligibility Policy for SNAP
All listed statuses in black italics DO NOT need to meet the 5 year bar:

- are in Iraq or Afghanistan special immigrant status,
- not married, or the child;
- are a veteran, active duty military, or the spouse, or the surviving spouse who has
- are receiving blindness or disability-Related assistance or
- are a Cuban/Haitian entrant, or American immigrant,
- were granted refugee or asylum status or withholding of deportation/removal;
- qualifying quarters of employment,
- are lawful permanent residents who have worked or can be credited with 40
- have been in qualifying immigrant status for at least five years, or
- are under age 18, or
- were 65 or older and were lawfully residing in the U.S. on August 22, 1996, or
- (5) a qualified immigrant that ALSO meets at least one of the criteria above.

The following non-citizens/immigrants are eligible for SNAP
Deportation is not planned.

and must provide the person with written assurance that enforcement of "under color of law, " the USCIS must know of the person's presence in the U.S."
courts and is a public benefits eligibility category. For a person to be residing
Citizenship and Immigration Services (USCIS), this category was created by the
Color of Law (POLUL) is not recognized as an immigration status by the U.S.
Permanently residing in the U.S., under color of law, = Permanent Residence Under
Immigrant is
and remained continuously present in the United States and is a qualified
Entered the United States prior to August 22, 1996

The following non-citizens/immigrants are eligible for Medicaid

Immigrants Eligible for Medicaid

NMAC

8.200.410.41
Battered spouses and children do not have to meet the 5-year bar under a state exemption. Statuses in black italics DO NOT need to meet the 5-year bar.

- Certain battered spouses and children, un-remarried surviving spouse/child.
- or children
- is a lawful residing veteran or active duty in the Armed Forces, including spouse
- Afghan special immigration status;
- is a Cuban/Haitian entrant, or American, a victim of human trafficking; or has an I-94 or
- was granted refugee or asylum status or withholding of deportation/Removal; or
- Has been in a “qualified status” for at least 5 years. Or

The following non-citizens/emigrants are eligible for Medicaid:

8.200.410.11
NMAC

Immigrant Eligibility Policy for Medicaid
The following non-citizens/immigrants are eligible for Medicaid:

8.200.410.11

NMTC

- Certain individuals receiving foster care
- Individual receiving SSI on or after August 22, 1996
- Member of a Federally Recognized Indian tribe,
- Certain American Indians born abroad,
- Lawfully residing pregnant woman or child under 21.