

## From the Hotline

If you have any questions on this column or other policy and procedural material, please have your Hotline designee call the **Policy Hotline at 617-348-8478**.

**Q. 1.** A family of four applied for SNAP benefits. The family is from Iraq and entered the U.S. with Legal Permanent Resident (LPR) status. The family arrived a couple of months ago and the parents have no work history in the U.S. What benefits might they be eligible for?

**A. 1.** First, remember that children under age 18 with LPR status, regardless of their country of origin, meet the SNAP noncitizen requirements; a five-year wait is not imposed. For more information, see 106 CMR 362.220(B). (For TAFDC eligibility purposes, a child with LPR status is subject to the five-year wait or must meet other LPR eligibility criteria listed at 106 CMR 203.675(A).)

In addition, many Iraqi and Afghan families have been granted LPR status as "Special Immigrant Visa" (SIV) holders. For purposes of eligibility determination, SIV grantees are treated the same as noncitizens with Refugee status. This means that even the adults in these families are not subject to the five-year wait, for TAFDC and SNAP benefits. Look for the "SI" or "SQ" codes stamped on their passports, arrival documents (I-94) or "green cards" (I-551 card). For more information on the SIV status for Iraqis and Afghans, see Field Operations Memo 2010-19.

**Q. 2.** Besides LPR children and certain Iraqi and Afghan individuals, are there other noncitizens with LPR status who are not subject to a five-year wait, when applying for SNAP?

**A. 2.** Yes. LPRs applying for SNAP are not subject to a five-year waiting period if they are/were:

- Adjusted to LPR status from a certain qualified status (e.g. Refugees or Asylee);
- Born on or before 8/22/31 who were lawfully residing in the U.S. on 8/22/96;
- Disabled, as defined in 106 CMR 361.210;
- Worked a minimum of 40 qualifying quarters or can be credited with a minimum of 40 qualifying quarters; and
- Veterans or active duty personnel, as defined in 106 CMR 362.240(F).

**Q. 3.** Besides certain Iraqi and Afghan individuals, are there other noncitizens with LPR status, who are not subject to a five-year wait, when applying for TAFDC?

**A. 3.** Yes. When a TAFDC applicant or client has insufficient years of LPR status, remember to determine if the individual meets other LPR eligibility requirements. For examples, an applicant with LPR status may have first entered the U.S. with Refugee, Asylee, Deportation withheld, or Cuban/Haitian Entrant status. For more information, refer to 106 CMR 203.675(A).

**NOTE:** Also, remember that EAEDC clients with LPR status are not subject to a five-year waiting period before becoming eligible. See 106 CMR 320.620(A) for more information.