

8 BENEFITS AND RIGHTS FOR UNDOCUMENTED IMMIGRANTS



Regardless of your immigration status, there are federal laws and statutes that guarantee you certain rights and benefits if you live in New York City.

1. Health benefits

- New York State federal law assures that everyone — regardless of legal status, with or without medical insurance, with or without the ability to pay — has the right to emergency medical services in hospitals.
- Undocumented immigrants are eligible for Medicaid ONLY for the treatment of emergency medical conditions or prenatal care.

2. Pregnant women who are undocumented

- Pregnant women in NYC do NOT need to show any documentation regarding their immigration status in order to receive prenatal care through Medicaid.
- Pregnant women have the right to receive Medicaid until 60 days after they give birth.
- The child of a woman who is undocumented and receiving Medicaid at the time of his or her birth is automatically eligible to receive Medicaid for the first years of his or her life.

3. Child Health Plus

- Child Health Plus offers a medical package that includes doctor visits and medical services for minors up until age 18.
- This package can be obtained for free or at reduced cost, depending on the family's income.
- There are no immigration laws that state that a minor cannot receive a medical plan.
- Children who are undocumented immigrants CAN receive Child Health Plus.
- DACA (Deferred Action for Childhood Arrivals) participants also qualify to apply for Medicaid under PRUCOL (Permanent Residence Under Color of Law).

4. Access to primary and secondary school

All children — including undocumented children who turn four years old on or before December 1 during the year they start school — have the right to attend Pre-K in NYC.

8 BENEFITS AND RIGHTS FOR UNDOCUMENTED IMMIGRANTS



5. ACCES VR and OPWDD

After they turn 21 and finish school, undocumented students are not eligible to receive services from Adult Career and Continuing Education Services - Vocational Rehabilitation (ACCES-VR) or Office for People with Developmental Disabilities (OPWDD).

6. College

- There is NO federal law that states that undocumented immigrants cannot attend college.
- Usually, undocumented students are not eligible to receive financial aid (like PELL GRANTS and TAP, for example).
- However, they can apply and qualify to receive private scholarships.

7. Child care

- Citizenship/immigration requirements for child care under the Administration for Child Services (ACS) only apply to the child, and not to the parents.
- A parent, guardian, or relative can receive child care support for a minor **IF** the minor is a US citizen or a qualifying non-citizen.

8. Adoption Agency

- Children who are undocumented and put up for adoption can become legal residents and receive a Green Card as long as they apply before they turn 21.
- The adoption agency should apply on behalf of the child.
- For more information:
 - The Children's Aid Society (212) 358-8930
 - The Door (212) 942-9090
 - ACS Children's Rights (212) 676-9421