

ELIGIBILITY FOR CASH ASSISTANCE PROGRAMS

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I. Government Benefits Basics

- Most benefit programs are need-based & have **INCOME & ASSET** limitations.
- Most programs have **STATE RESIDENCY** requirements.
- Most programs have limitations based on **IMMIGRATION STATUS**.
- Most cash and food benefits are issued **ELECTRONICALLY**.
- Some programs have limitations based on **AGE** &/or **DISABILITY STATUS**.
- Most programs include **APPEAL RIGHTS** for applicants & recipients through state or federal agency.

II. Cash Assistance Programs

1. **MFIP**: Minnesota Family Investment Program
(*Minn. Stat. ch. 256J*)

What Is MFIP?

- **MFIP** is a welfare-to-work cash & food assistance program for low-income families.
- Federal welfare reform law enacted **8/22/96** eliminated **AFDC** (Aid to Families with Dependent Children) family cash entitlement program.
- **AFDC** was replaced with **TANF (Temporary Assistance for Needy Families)** block grants to states.

- **MFIP** is administered by **county welfare agencies**.
- It has been Minnesota's **TANF** program since **1998**.
- Federal law imposes lifetime limits on receipt of **TANF**, maximum 60 months; Minnesota has chosen maximum **5-year limit** for **MFIP**.
- Federal law includes **strict work requirements**.
- Federal funding is contingent on participants meeting "**participation rate**" set by government.

Things to know about MFIP

- ❑ **State law** governs most aspects of **MFIP**, with minimal directives from federal law.
- ❑ **MFIP** benefits are **retroactive** only to date of application.
- ❑ **MFIP** has very restrictive **income & asset** limits.
- ❑ **MFIP applicants** can own only **\$2000** in non-excluded assets; **recipients** can own up to **\$5000** in assets.
- ❑ **MFIP applicants** are subject to initial income test; **recipients** must meet monthly income test.

- ❑ **MFIP** consists of a **cash** component & a **food** component. A “food only” grant does **not** count toward 5-year lifetime limit.
- ❑ **MFIP cash grant levels** (\$437 for HH of 2, \$532 for HH of 3, \$621 for HH of 4) haven't changed since **1986**.
- ❑ Starting **7/1/15**, **MFIP** recipients not living in subsidized housing will get a **\$110/month housing assistant grant**.
- ❑ **Child-only MFIP** units will **not** be eligible for the housing grant.

- Financial eligibility for **MFIP** is determined **prospectively**, based on anticipated income.
- Income is budgeted “retrospectively” by 2 months, so income received in October affects December **MFIP** grant.
- Special rules allow a **cash supplement** (called “**significant change**”) up to twice a year when income decreases at least **40%** due to loss of job or child support & retrospective budgeting doesn’t accurately reflect household income.
- Eligibility for **MFIP** ends when income exceeds **115%** of FPG. (115% FPG for 2013 is \$1487.37/mo for HH of 2, \$1871.62/mo for HH of 3, \$2256.87/mo for HH of 4).

- ❑ Families may be **exempt** from 5-year lifetime limit.
- ❑ **Exempt** months include those in which caregiver is **60** or older, caregiver is **18 or 19** & going to school, or household is experiencing **family violence**.
- ❑ Some non-exempt families may qualify for **“extensions”** beyond 5 years **if** they meet statutory criteria (**illness** of self or family member, **family violence**, **low IQ** or **learning disability**, **“unemployability,”** or **inability to earn** enough \$ to get off **MFIP**).

“Ill or Incapacitated”

To qualify for a **hardship extension** under this category, an MFIP participant must:

- a. suffer from an **illness, injury** or **incapacity** which:
 - ❖ is **certified** by a qualified professional;
 - ❖ is expected to **last > 30 days**; **and**
 - ❖ “severely **limits** the person’s ability to **obtain or maintain** suitable employment”;

OR

b. be **needed in home** as caregiver because of the **illness, injury** or **incapacity** of **another member** of the unit, a relative in the household, or a foster child when:

- **illness** or **incapacity AND need** for person to **provide assistance in home** has been **certified** by qualified professional; **and**
- **Illness** or **incapacity** will **last >30 days**;

OR

c. be **caregiver** with child or adult in household who **meets disability** or **medical criteria** for:

- home based services; or
- home & community-based waived services program; or
- “severe emotional disturbance”; or
- “serious & persistent mental illness”

Hard-to-employ

Another basis for an **MFIP extension** is if person:

- a. is **developmentally disabled** or **mentally ill**,
IF:
- Diagnosed by **licensed physician**, **psychological practitioner**, or other **qualified professional**, **AND**
 - Condition **“severely limits”** person’s ability to **obtain or maintain** suitable employment;
- OR**

b. has been **assessed** by **vocational specialist**
OR county agency as “**unemployable**”; **or**

c. has **IQ below 80**, **IF**:

- determination was made by **qualified professional**, and
- person was assessed as “**employable**” by vocational specialist or county agency, **BUT**
- condition **severely limits** person’s ability to **obtain or maintain** suitable employment;

OR

d. has **learning disability IF:**

- determined by **“qualified professional,”**
- determination was **made or confirmed** within previous **12 months, and**
- condition **severely limits** ability to **obtain or maintain** suitable employment.

NOTE: If rehabilitation plan is developed or approved by county agency, plan must be incorporated into employment plan.

Definition: “Severely limits...person’s ability to obtain or maintain suitable employment”

- ❖ **qualified professional** has determined that person’s condition prevents her/him from working **20 or more hours/week; OR**
- ❖ **qualified professional** has determined that person with **low IQ** or **LD** has condition that:
 - significantly **restricts range** of employment person is able to perform, **OR**
 - significantly **interferes** with person’s ability to obtain or maintain suitable employment **20 or more hours/week**

Assessing non-English-speakers in “**hard-to-employ**” category

- ❑ In cases involving **low IQ** or **LD** for non-English-speakers,
 - ✓ **determination** of low IQ or LD must be made by **qualified professional** with experience conducting **culturally-appropriate** assessments;
 - ✓ report must include statement of assessor’s **confidence in results.**
 - ✓ For **IQ** test, county must accept reports that **identify an IQ range** as opposed to a specific score.

- **MFIP** has “**family cap**” preventing most families from getting increase in cash grant for new baby. (Family cap will be **ending 1/1/15**).
- “**Fleeing felons**” & parole violators are **not eligible** for **MFIP**; those convicted of **felony drug offense** within 10 years of application must have benefits “**vendored.**”
- Most **immigrants** in U.S. can get MFIP if residing here **permanently & lawfully**.
- U.S. citizen child of ineligible parents can get “**child only**” grant.
- **New** immigrants (in U.S. < 1 year) get **FSS**, not **MFIP**.
- **Sponsor-deeming** may affect eligibility.

- **MFIP** has “**universal participation**” requirement. Almost all participants must have **employment plan** approved by county (even if plan doesn't call for work).
- Most parents **have to work** or look for work specified number of hours per week.
- Once-in-a-lifetime **work exemption** exists for single-parent families with **child under 12 months**.

- Failure to cooperate in developing or following employment plan results in **financial sanction**.
- Failure to “fix” sanction causes **another sanction** following month.
- Applicants & recipients must **cooperate** with establishment of **paternity** & collection of **child support**; failure also results in **financial sanction**.
- **MA, MinnesotaCare, & child care assistance** programs also require cooperation with child support enforcement.

“Good cause” for non-cooperation with child support collection efforts exists when:

Pursuit of support could **“reasonably result”** in:

- ✓ **Physical or emotional harm** (of “serious nature”) to child, **OR**
- ✓ **Physical harm** to parent or caregiver that would reduce ability to adequately care for child, **OR**
- ✓ **Emotional harm** to parent or caregiver, **IF** of such nature or degree that it reduces ability to adequately care for child (must demonstrate emotional impairment that **“substantially affects”** parent’s ability to function).

Additional bases for “good cause”:

- ✓ child was conceived as result of **incest or rape, OR**
- ✓ legal proceedings for child’s **adoption** are pending in court, **OR**
- ✓ parent is currently being assisted by social services to resolve issues of **whether to keep or place child for adoption**. (This exemption lasts only **90 days**).

“**Best interests of child**” are considered in determining “good cause.”

Proof of “good cause”

Those claiming good cause have **20 days** to provide evidence, including:

- ❖ birth, medical, or law enforcement records indicating child conceived by **rape**, **OR**
- ❖ court or other records showing **adoption pending** in court, **OR**
- ❖ court, medical, criminal, child protection, social services, domestic violence advocate services, psychological, or law enforcement records indicating alleged **father might inflict physical or emotional harm** on child, parent or caregiver, **OR**

- ❖ medical records or written statements from “**licensed medical professional**” indicating emotional health history, status, diagnosis or prognosis re: **emotional health** of child, parent or caregiver, **OR**
- ❖ written statement from social services agency that parent is **deciding** whether to keep or place child for adoption, **OR**
- ❖ sworn statements from **other individuals** that provide evidence supporting a “good cause” claim.

NOTE: if requested by person seeking good cause claim, child support & public assistance agencies “**shall**” **assist** in obtaining evidence of good cause.

Duration of “good cause” claim

- ❖ “Good cause” requires **annual** redetermination, **BUT**
- ❖ “good cause” must be allowed to **continue without additional evidence** when factors that led to exemption continue to exist.

- Families sanctioned **6** times for non-cooperation with work **OR** child support **lose all benefits** the **7th month** of sanction.
- Months don't have to be consecutive.
- Once **MFIP** is closed, it must **stay closed full month**.
- Families in sanction are **not eligible** for **EA**.

- **Overpayments** must be **repaid** regardless of fault.
- **Fraud** is dealt with criminally or through civil Administrative Disqualification Hearing (**ADH**) process. 1st ADH fraud determination renders adult recipients **ineligible** for **12 months**.
- ADH Disqualification requires **clear & convincing** proof of **intent** to defraud.

MFIP has carried over some old AFDC concepts:

- ❖ There must be “**needy child**” in home, with some exceptions.
- ❖ Parents under 20 must **stay in school** to remain eligible.
- ❖ **Blood** or **legal relationship** must be proven between caregiver & child.
- ❖ **Both parents** must be on **MFIP** grant if both are in home, unless they're exempt (due to receipt of **SSI** or because of immigration status).

MFIP has some new features as well:

- People **living with MFIP** family who are not caring for household's children must be reported; their presence may **reduce grant by 10%**.
- Most families living in **subsidized housing will lose \$50** of cash grant.
- New applicants have to meet **30-day Minn. residency** requirement unless hardship documented.

2. **DWP: Diversionary Work Program**

(Minn. Stat. § 256J.95)

What Is DWP?

- ✓ **DWP** is 4-month program for new **MFIP** applicants & former **MFIP** recipients reapplying after being off 12 months. Such applicants are ineligible for **MFIP**.
- ✓ **DWP** is administered by **county welfare** departments.
- ✓ **Goal** is to provide short-term supports & services for families to get them **back to work** post-haste.

- ✓ Many aspects of **DWP** are same as in **MFIP**: financial eligibility, state residency, retroactivity, immigration issues, cooperation requirements, & overpayments.
- ✓ During 4 months of **DWP**, family receives no cash. Vendor payments are made for rent & utilities, up to standard **MFIP** grant. (Leftover \$ can be given in form of “personal needs” allowance).
- ✓ If no work is secured during 4 months of **DWP**, family gets transferred automatically to **MFIP**.
- ✓ Supports, including **SNAP (Food Stamps)**, **Medical Assistance (MA)**, & **MFIP** child care, are provided to **DWP** households.

- ✓ **DWP** families have to have an **employment plan**. It basically says, “Go find a job.”
- ✓ Certain families are **exempted** from **DWP**, including those determined appropriate for **Family Stabilization Services (FSS)** or considered “unlikely to benefit” from **DWP**.
- ✓ Among those **exempted** from **DWP** are:

- ❖ those determined appropriate for **FSS**;
- ❖ “**child only**” cases (parent on **SSI** or ineligible due to immigration status);
- ❖ single-parent families with **child under 12 months** (exemption available **only once in lifetime**);
- ❖ caregivers age **60 or older**;
- ❖ parents **under 20** with no high school diploma who plan to go to school; &
- ❖ **non-citizen immigrants** who arrived in U.S. **< 12 months** before applying for assistance.

- **DWP** does not use retrospective budgeting. Budgeting does not change during 4-month period, so recipients who find job get to **keep** all their earnings.
- Non-cooperation with **DWP** employment plan means **no eligibility** for **MFIP** or **EA**.
- **DWP** months do not count toward MFIP 60-month lifetime limit.

3. **FSS: Family Stabilization Services** (Minn. Stat. § 256J.575)

What Is FSS?

- ❑ **FSS** is for families not making progress in **MFIP**.
- ❑ **FSS** is administered by county welfare departments.
- ❑ **FSS** was created to increase state's **TANF** work participation rates by taking people not making progress in **MFIP** off **TANF**-funded benefits.

FSS eligibility exists for caregivers who are:

- granted or eligible for “**ill or incapacitated**” or **hard-to-employ MFIP** extensions;
- applying for **SSI** or **SSDI**;
- **non-citizens** in U.S. < **12 months**; or
- **age 60** or older.

- **FSS** has “**universal participation**” requirement but work requirements are more relaxed than in **MFIP**.
- **FSS** offers increased **protections** against **sanctions**.
- **FSS** provides **same** cash & food benefits as **MFIP**, has same **financial eligibility** requirements, & is same as **MFIP** re: **state residency, retroactivity, immigration, fraud, overpayments, & appeals**.
- **Non-citizens** on **FSS** must be provided **ESL** opportunities.
- **FSS** participants **aren't counted** in **TANF** work participation rates.

4. **WB**: Work Participation Cash Benefits
(*Minn. Stat. § 256J.621*)

What Is **WB**?

- o **WB** was created to **increase** Minnesota's **TANF participation rates** by including in **TANF** former **MFIP** recipients exiting **MFIP** due to earnings.
- o **County welfare** departments can give participants exiting **DWP** or **MFIP with earnings** **WB** benefits of **\$25/mo.**

- Other purpose of **WB** program is to give former recipients “bonus” to help them as they move toward **self-sufficiency**.
- Participants must **no longer receive DWP, MFIP, or FSS** in month.
- **WB** “bonus” program **ends 12/1/14**.

- Caregivers must be **employed** certain # hours per mo.
- **WBP** benefits are available **up to 24 consecutive months**.
- Net income must be **below 200%** of FPG.
- **WBP** months **count for** state in **TANF** participation.
- Months receiving **WBP** do **not count against** participants as **MFIP** months.
- **State residency, retroactivity, immigration** status, **overpayments, fraud, & appeal** rights are same as in **MFIP**.

5. **GA: General Assistance**

(Minn. Stat. ch. 256D; Minn. Rules ch. 9500)

What Is **GA**?

- **GA** is state-funded, non-family cash program administered by **county welfare** departments.
- **GA** is for adults who **can't work**.
- **GA** is also for **minor children** who can't qualify for **MFIP** because of inability to demonstrate blood or legal relationship to caregiver.

- **GA** has **income** & **asset** limits which are **very low**.
- Most **income** (earned or unearned) **counts dollar-for-dollar** to reduce grant.
- **GA** applicants & recipients can own only **\$1000** in real or personal property or liquid **assets**.

- ✓ Benefit payments are extremely low: **\$203** for single; **\$260** for married couple (no increase since **1986**).
- ✓ **Income** is determined **prospectively** and budgeted **retrospectively**, as it is in **MFIP**.
- ✓ Applicants must **apply for other benefits** for which they may be eligible.
- ✓ Recipients must **reimburse** county if later found eligible for other benefits (**SSI**, **SSDI**, **UI**) for same period of time.

GA has **categorical** eligibility requirements.

Applicants must:

a. suffer from a permanent or temporary **illness, injury** or **incapacity** which:

- ❖ is “**professionally certified**”
- ❖ is expected to **continue >45 days**
- ❖ prevents them from **obtaining or retaining employment**

OR

b. **be needed in the home on a substantially continuous basis:**

- ✓ **because of an illness, injury, or incapacity**
- ✓ **of another household member**
- ✓ **that has been professionally certified;**

OR

c. be placed or residing in a **licensed or certified facility** for physical or mental **health or rehabilitation**, **OR** an **approved chemical dependency** inpatient or **domestic violence** shelter facility.

- For those in rehabilitation or chemical dependency facilities, the placement must be **based on illness or incapacity AND**
- be according to a **plan** developed or **approved** by the county agency through its director or designated director;

OR

d. be **developmentally disabled** or **mentally ill**, **IF**

o **diagnosed** by a licensed physician, psychological practitioner, or other “qualified professional” **AND**

o condition prevents them from **obtaining or retaining employment**;

OR

e. have an **application** pending for, or are **appealing**, a denial or termination of **SSI** or **SSDI** benefits, **IF**

- they have a permanent or temporary **illness, injury or incapacity**
- which is **professionally certified**,
- which is expected to continue **>30 days**, and
- which prevents them from **obtaining or retaining employment**;

OR

f. are of “**advanced age**” (>54):

- which makes them unable to **obtain or retain employment** because it
- significantly affects their ability to seek or engage in “**substantial work**”;

OR

g. have been determined “**unemployable**” by **vocational specialist** in consultation with county agency.

- People are considered “**employable**” if positions exist in the local labor market they are **capable of performing**, regardless of availability of or openings for those positions.
- Onus is on applicant or recipient to obtain vocational assessments.
- Certification must occur **annually**.

OR

h. have a “**specific learning disability**” (SLD).

SLD must be determined by county agency according to rules adopted by Commissioner that qualify under state **Special Education** rules.

Must have **rehabilitation plan** developed or approved by county agency.

Must be following plan;

OR

- i. be eligible for **displaced homemaker services**, programs or assistance, **IF** enrolled as **full-time student**; **OR**
- j. be involved with **protective or court-ordered services** that prevent work at least **4 hours/day**; **OR**
- k. be **attending high school** at least **half-time** **IF** over 18 **AND** primary language is **not English**;

OR

I. have **alcohol or drug addiction** (DAA), **IF:**

- ✓ DAA is a **“material”** factor that **“contributes”** to disability; **AND**
- ✓ they undergo **assessment** by county agency to determine amenability to treatment.

- If determined **NOT amenable** to treatment, then **GA** must be **“vendor-paid”** for shelter costs up to **GA** grant amount limit.
- If determined **amenable** to treatment, must be **in treatment program** or on wait list, **AND** benefits must be **vendor-paid**.

- **GA** applicants convicted of drug offense after 7/1/97 are **ineligible** for **GA** for **5 years** after completion of sentence.
- “**Fleeing felons**” & parole violators are **not eligible**.
- **GA** applicants & recipients are subject to many of same requirements as in **MFIP**, including **state residency, retroactivity, immigration status, overpayments, & fraud**.
- **Sponsor-deeming** may affect eligibility, & non-citizens must take “**steps**” toward citizenship.
- **GA** has same **appeal** rights & processes as **MFIP**.

6. **MSA**: Minnesota Supplemental Assistance
(*Minn. Stat.. §§ 256D.33-256D.54*)

What Is **MSA**?

- MSA** is state supplement administered by county welfare departments for recipients of **SSI** & those who would receive **SSI** but for excess income.
- MSA** serves primarily to ameliorate effects of high housing costs for those living alone.
- People in “shared households” are usually ineligible (due to theory of economies of scale). Average supplement **\$81** per month.

- ❑ **MSA** can pay for furniture replacements & other needs. It can pay for special **medical diets**.
- ❑ **MSA** can be used to pay “**representative payee**” fees for **SSI** recipients required to have someone manage their federal benefits.
- ❑ To qualify, **MSA** applicants have to receive **SSI** or be barely over **SSI income limits**.
- ❑ **Asset** rules are the same as for **SSI** (i.e., very strict).
- ❑ **Immigration** limitations are very **strict** for **MSA**. They relate to eligibility for **SSI**.

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o **MSA** is similar to **MFIP** & **GA** in terms of state residency, retroactivity, fraud, & appeal rights.

7. SSI: Supplemental Security Income
(42 USC ch. 7, subch. XVI, 1381-1383; 20 CFR pts. 404, 416)

8. SSDI: Social Security Disability Insurance
(42 USC ch. 7, subch. II, secs. 401-434; 20 CFR pt. 404)

What Are **SSI** and **SSDI**?

SSI & **SSDI** are
federal disability benefits
administered by
Social Security Administration (SSA).

- ❖ **SSI** is **need-based** - no work history required, strict **income & asset** limits. Even “**in-kind**” income counts.
- ❖ Resource limit **\$2000** for single & **\$3000** for married couple on **SSI**. Recipients not paying **pro rata share** of hh expenses will have grant reduced by **1/3**.
- ❖ For **SSDI**, recipients (or deceased or disabled parent, spouse or child) must have **paid into** system via **FICA** wage deductions.
- ❖ **SSDI** has **no income** or **asset** limits, other than limitation on earned income for recipients. Receipt of other benefits may reduce payments.

- **SSI** extends only to disabled or elderly recipients, so **no “dependent” or “survivor” SSI** benefits.
- **SSDI** is available to **non-disabled dependents**, based on “family maximum” formula.
- Derivative benefits are relevant to child support determinations.

- Neither **SSI** nor **SSDI** can be **garnished** for **most** debts.
- **Exceptions** exist in **SSDI** for federal government debts (**SNAP** [**Food Stamps**], student loans) & for **child support & maintenance**.
- **SSI** benefits can be retroactive only to **date of application**.
- **SSDI** benefits can go back **1 year before** application **if** disability is proved for that period of time.

- Both programs encourage **attempts to work** through “**Ticket to Work**” program via state vocational rehabilitation (VR) agencies.
- **SSI** allows creation of “**PASS**” plan for training & work through VR; **SSDI** program has “**trial work period**” (**TWP**) allowing recipients to try to work before losing benefits.
- In **SSI**, **half** of most **earned income** from competitive work counts (after \$65 disregard) to reduce grant.
- Disabled **SSI** recipients under 65 are **not eligible** for **Medicare**. Disabled **SSDI** recipients can get **Medicare** after **2 years** of **SSDI** eligibility.

- **SSI** applicants must be **elderly (65 or older)**, **blind**, or **disabled**. **SSDI** applicants must be **“disabled.”**
- **SSI** has **children’s** disability program. Determinations usually involve assessment of child’s **functioning** in 6 “domains,” compared with same-age, non-disabled peers.
- There is **no children’s** disability benefit program in **SSDI**, but disabled **adult** children may get benefits through deceased, disabled or retired parent.

Adult “disability” for **SSI** and **SSDI**

❖ **SSI** & **SSDI** define “disability” for adults as:

- ✓ **inability to work competitively**
- ✓ **for 12 months**
- ✓ **due to severe** impairment(s).

Considerations for adult disability include **vocational factors** (age, education, past work) & **exertional & non-exertional** limitations.

- Applications for **SSDI** or **SSI** will be denied *if* **alcoholism or drug dependency** is “**contributing**” factor “**material**” to finding of disability.
- In other words, applicants will be eligible only if they are **completely disabled without regard to usage**.
- **SSDI** & **SSI** benefits can be denied or stopped if recipient is “**fleeing felon**” or **parole violator**.

- **SSI** grant amounts are set & much higher than comparable **GA** or **MFIP** grants: **\$710** for single, **\$1066** for married couple (where both are **SSI**-eligible).
- **SSDI** grant amounts are based on workers' **earnings histories**. Benefits **vary** based on age, recency and length of work, & earnings.
- Both **SSI** & **SSDI** usually increase via **annual COLAs**.

- Applicants who “**meet**” criteria contained in one of SSA’s “**listings**” of impairments (*20 CFR Pt. 404, subpt. P, appendix 1*), or who have non-listed impairment medically “**equivalent**” in severity to listed impairment, are **categorically eligible**.
- Applicants who don’t “meet” or “equal” listing may still qualify if they prove there are no jobs they could perform regularly that are “substantial” and “gainful.” (In 2013, **substantial gainful activity [SGA]** is presumed if worker could earn **\$1040**/month).

- **SSI & SSDI overpayments (OPs)** must be repaid.
 - ▶ In **SSI**, SSA can withhold **10%** of benefits from current recipients to recover **non-fraud OP** & **entire grant** to recover **fraud OP**.
 - ▶ In **SSDI**, SSA can withhold **entire grant** in **non-fraud OP** case, but amount of withholding can be **negotiated**.
- OP **waivers** can be granted in both programs **if** recipients can show lack of **fault** in creating OP **and** **inability to repay**.

- ❑ **SSI** is **most restrictive** of federal programs for **non-citizens**.
- ❑ Eligibility depends on specific **immigration status, date of arrival** in U.S. or **of adjustment** to LPR status, & whether **sponsor-deeming** applies.
- ❑ **SSDI** has **no** immigration-related restrictions if worker resides **lawfully** in U.S. Because **SSDI** is not need-based, sponsor-deeming does **not** apply.

Immigration considerations

- Generally, only non-citizens **lawfully & permanently in US** are eligible for benefits.
- There is a **5-year bar** (waiting period) on eligibility for federally-funded benefits.
- Some immigrants in US on temporary basis, or in process of adjusting to Lawful Permanent Residency, may qualify for **state-funded** benefits.
- **Sponsor-deeming** makes many immigrants ineligible for whole range of benefits.