

This document is one in a series of stand-alone resources developed for state and territorial health officials and other decision-makers regarding health services for immigrant, and in particular, undocumented individuals.

The following is a list of relevant resources compiled by ASTHO staff covering the following topics including immigration definitions and eligibility criteria, health program laws and regulations, and state-specific resources. Inclusion of resources on this page does not constitute a recommendation by ASTHO; rather this resource is a partial inventory of resources either used or identified by ASTHO staff during this project. ASTHO will be adding to this resource on a continual basis.

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Background Resources:

Definitions: Immigration Status and Eligibility

Congressional Research Service: Noncitizen Eligibility for Federal Public Assistance: Policy Overview and Trends 19 January 2007. http://assets.opencrs.com/rpts/RL33809_20070119.pdf

Department of Health and Human Services. The Application Process For TANF, Food Stamps, Medicaid, and SCHIP: Chapter 2. "The Demographic Context: Immigration and Language Diversity." <http://aspe.hhs.gov/hsp/app-process03/Chapter2.htm>

Health Resources and Services Administration, Bureau of Primary Health Care Public Charge Program Assistance Letter <http://bphc.hrsa.gov/policy/pal9925.htm>

National Conference of State Legislatures: Chart of Immigrant Eligibility for Federal Programs 14 October 2008. <http://www.ncsl.org/programs/immig/eligibilitychart08.htm>

National Conference of State Legislatures: Health Care Access for Children in Immigrant Families: A Primer for State Legislators 23 April 2008. <http://www.ncsl.org/programs/immig/immighealthprimer.htm>

U.S. Citizenship and Immigration Services: <http://www.uscis.gov/portal/site/uscis>

Urban Institute: U.S. Immigration at the Beginning of the 21st Century. Testimony before the Subcommittee on Immigration and Claims Hearing on "The U.S. Population and Immigration" Committee on the Judiciary U.S. House of Representatives. <http://www.urban.org/publications/900417.html>

Immigration Laws and Regulations

Balanced Budget Act of 1997. P.L. 105-33. 5 August 1997. http://www.ssa.gov/OP_Home/comp2/F105-033.html (Full bill)

http://www.fns.usda.gov/snap/rules/Legislation/history/PL_105-33.htm (Summary)

Personal Responsibility and Work Opportunity Reconciliation Act. P.L. 104-193, 110 Stat. 2105. 22 August 1996. http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=104_cong_bills&docid=f:h3734enr.txt.pdf (Full bill),

http://www.fns.usda.gov/snap/rules/Legislation/history/PL_104-193.htm (Summary)

Program Resources:

Community Health Centers (Section 330 Funded Health Centers)

Health centers are community-based and patient-directed organizations that serve populations with limited access to health care. These include low income populations, the uninsured, those with limited English proficiency, migrant and seasonal farm workers, individuals and families experiencing homelessness, and those living in public housing. Section 330 funded health centers are those federally funded by the Health Resources and Services Administration.

Health Centers Consolidation Act of 1996 (PL 104-299). United States Statutes. 42 USC 201.

<http://bulk.resource.org/gpo.gov/laws/104/publ299.104.pdf>

Health Center Program Section 330 of the Public Health Service Act. 42 USCS § 254b.

<http://bphc.hrsa.gov/about/legislation/section330.htm#history>

Health Centers Section 330, Public Health Services Act (PL 94-63). United States Statutes. 42 USC

254c. <http://bphc.hrsa.gov/about/legislation/section330.htm>

Head Start and Early Head Start

Head Start is the most successful, longest-running, national school readiness program in the United States. It provides comprehensive education, health, nutrition, and parent involvement services to low-income children and their families.

Early Head Start (EHS) is a federally funded community-based program for low-income families with infants and toddlers (age zero through three) and pregnant women. EHS strives to promote healthy prenatal outcomes for pregnant women, enhance the development of very young children, and promote healthy family functioning.

§ 1305.4 Age of children and family income eligibility. Head Start Act. P.L. 97-35. United States Statutes.

45 CFR § 1305.4. http://edocket.access.gpo.gov/cfr_2007/octqtr/pdf/45cfr1305.4.pdf

Child Care Bureau, Office of Family Assistance. Log No: CCDF-ACF-PI-2008-01. Clarification of policy regarding verification of the citizenship and immigration status of Child Care and Development Fund (CCDF) applicants when non-profit organizations determine eligibility for the CCDF program and when a child receives combined CCDF and Head Start services. 2 May 2008.

<http://www.acf.hhs.gov/programs/ccb/law/guidance/current/pi2008-01/pi2008-01.htm>

Early Head Start: 45 CFR § 1304.3. <http://cfr.vlex.com/vid/1304-3-definitions-19937845>

Head Start: 45 CFR § 1305.4. http://edocket.access.gpo.gov/cfr_2007/octqtr/pdf/45cfr1305.4.pdf

Maternal and Child Health Block Grant (Title V)

Title V is made up of consolidated health programs that relate to the care of maternal and child health and services for children with special health care needs.

Maternal & Child Health: State MCH-Medicaid Coordination: A Review of Title V and Title XIX Interagency Agreements. Health Resources and Services Administration. <http://mchb.hrsa.gov/IAA/overview.htm>

Social Security Chapter 7, Subchapter V – Maternal and Child Health Services Block Grant
http://www.law.cornell.edu/uscode/42/usc_sup_01_42_10_7_20_V.html

Title V – Maternal and Child Health Block Grant. P.L. 97-35. United States Statutes, Sec. 501 – 510, 42 USC 701. http://www.ssa.gov/OP_Home/ssact/title05/0500.htm

Medicaid

Medicaid is a jointly funded, federal-state health insurance program for low-income and needy people. It covers children, the aged, blind, and/or disabled and other people who are eligible to receive federally assisted income maintenance payments.

Centers for Medicare and Medicaid Services: Are You Eligible?
http://www.cms.hhs.gov/MedicaidEligibility/02_AreYouEligible_.asp

Centers for Medicare and Medicaid Services Fact Sheet on Medicaid Eligibility Guidelines.
<http://www.cms.hhs.gov/MedicaidEligibility/downloads/Citizenshipfactsheet.pdf>

Centers for Medicare and Medicaid Services State Medicaid Directors Letter SMD 06-012.
<https://www.cms.gov/smdl/downloads/SMD06012.pdf>

Department of Health and Human Services. Centers for Medicare & Medicaid Services. 42 CFR Parts 435, 436, 440, 441, 457, and 483 [CMS–2257–IFC] RIN 0938–AO51. Medicaid Program; Citizenship Documentation Requirements. <http://edocket.access.gpo.gov/2006/pdf/06-6033.pdf>

Guttmacher Institute. Immigrants and Medicaid After Welfare Reform. The Guttmacher Report on Public Policy. May 2003, Volume 6, Number 2. <http://www.guttmacher.org/pubs/tgr/06/2/gr060206.html>

Kaiser Commission on Medicaid and the Uninsured: Covering New Americans: A Review of Federal and State Policies Related to Immigrants' Eligibility and Access to Publicly Funded Health Insurance.
<http://www.kff.org/medicaid/7214.cfm>

Social Security Act: Examination and Treatment for Emergency Medical Conditions and Women in Labor.
http://www.ssa.gov/OP_Home/ssact/title18/1867.htm#

Thomas Gustafson, Ph.D., Deputy Director, Center for Medicare Management, Centers for Medicare & Medicaid Services. Testimony on Hospitals and Immigration. Committee on Ways and Means U.S. House of Representatives. July 26, 2006. <http://www.hhs.gov/asl/testify/t060726c.html>

[Title 42, Chapter 7](#). Subchapter [XVIII](#), [Part E](#). § 1395dd. Examination and treatment for emergency medical conditions and women in labor. <http://www.law.cornell.edu/uscode/42/1395dd.html>

Title XIX – Grants to States for Medical Assistance Programs. P.L. 89-97. United States Statutes, Sec 1901-1939, Code 42 USC 1396. http://www.ssa.gov/OP_Home/ssact/title19/1900.htm

Urban Institute: Health Policy Online: The Decline in Medicaid Use by Noncitizens since Welfare Reform.
<http://www.urban.org/publications/900621.html>

Population Research and Voluntary Family Planning Programs (Title X)

The Title X Family Planning Program was enacted in 1970 as Title X of the Public Health Service Act. Title X is the only federal grant program dedicated solely to providing individuals with comprehensive family planning and related preventive health services. The Title X program is designed to provide access to contraceptive services, supplies and information to all who want and need them. By law, priority is given to persons from low-income families.

Alrich, C. Public Funding for Family Planning Reaches New Heights, Propelled By State Efforts to Expand Medicaid Eligibility. *Guttmacher Policy Review*. Winter 2008, Volume 11, Number 1.

<http://www.guttmacher.org/pubs/gpr/11/1/gpr110124.html>

Family Planning Services and Population Research Act of 1970. P.L. 91-572. United States Statutes. US Code 42 USC 300. <http://www.hhs.gov/opa/about/legislation/pl91-572.pdf>

Gold, RB. Stronger Together: Medicaid, Title X Bring Different Strengths to Family Planning Effort *Guttmacher Policy Review*. Spring 2007, Volume 10, Number 2.

<http://www.guttmacher.org/pubs/gpr/10/2/gpr100213.html>

Sonfield, A. The Impact of Anti-Immigrant Policy on Publicly Subsidized Reproductive Health Care *Guttmacher Policy Review*. Winter 2007, Volume 10, Number 1.

<http://www.guttmacher.org/pubs/gpr/10/1/gpr100107.html>

Title X. of the Social Security Act. Part 59 – Grants for Family Planning Services 42 CFR § 59.1.

http://www.hhs.gov/opa/about/legislation/ofp_regs_42cfr59_10-1-2000.pdf

U.S. Department of Health and Human Services. Office of Public Health and Science. Office of Population Affairs. Family Planning. <http://www.hhs.gov/opa/familyplanning/index.html>

School Breakfast, Lunch, and Special Milk Programs

The U.S. Department of Agriculture's Food and Nutrition Service is made up of programs that provide children and low-income people access to food, a healthful diet, and nutrition education during the school year.

Child Nutrition Program, Food Nutrition Service, USDA. Eligibility Manual for School Meals: Federal Policy for Determining and Verifying Eligibility. January 2008.

<http://www.fns.usda.gov/cnd/Governance/notices/iegs/EligibilityManual.pdf>

Determining Eligibility for Free and Reduced Price Meals and Free Milk in Schools: 7 CFR § 245.3, 245.5.

http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title07/7cfr245_main_02.tpl

Part 220 - School Breakfast Program (PL 89-642). Food Nutritional Service, USDA. 7 CFR § 220.

http://edocket.access.gpo.gov/cfr_2003/7CFR220.htm

Part 210 - National School Lunch Act (PL 101-147). Food Nutritional Service, USDA, 7 CFR §210.

<http://www.fns.usda.gov/cnd/Governance/regulations/7CFR210.pdf>

Special Milk Program: 42 U.S.C. 1772. <http://www.fns.usda.gov/cnd/governance/Legislation/NSLA-10-2008.pdf>

Subpart C - Special Supplemental Nutrition Program for Women, Infants, and Children (PL 89-642).

United States Statutes. 7 CFR § 246.7. http://edocket.access.gpo.gov/cfr_2008/janqtr/pdf/7cfr246.7.pdf

Title 7 – Agriculture. Subtitle B – Regulations of the Department of Agriculture. Chapter II – Food and Nutrition Service, Department of Agriculture. Subchapter A – Child Nutrition Programs.

http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=c5778aa81303fbd390e16a1c181a9bef&c=ecfr&tpl=/ecfrbrowse/Title07/7cfrv4_02.tpl

State Children's Health Insurance Program (SCHIP)

SCHIP is a federal and state program that covers children under age 19 in families whose income is too high for Medicaid but still fits within certain guidelines.

An Act to amend Title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes. H.R. 2. <http://www.govtrack.us/congress/bill.xpd?bill=hr111-52>

Guttmacher Institute. Immigrants and Medicaid After Welfare Reform. The Guttmacher Report on Public Policy. May 2003, Volume 6, Number 2. <http://www.guttmacher.org/pubs/tgr/06/2/gr060206.html>

Morse, A. SCHIP and Access for Children in Immigrant Families. National Council of State Legislators. Retrieved 12 January 2009. <http://www.ncsl.org/programs/health/forum/pub6682.htm>.

National Archives and Records Administration. Part II: Department of Health and Human Services, Centers for Medicare and Medicaid Services: 42 CFR Part 457. State Children's Health Insurance Program; Eligibility for Prenatal Care and Other Health Services for Unborn Children. 2 October 2002. Federal Register: Vol 67. No. 191. http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2002_register&docid=02-24856-filed.pdf

Title XXI – State Children's Health Insurance Program. P.L. 105-33. United States Statutes, Sec 2101-2110, 42 USC 1397. http://www.ssa.gov/OP_Home/ssact/title21/2100.htm

Special Supplemental Food Program for Women, Infants, and Children (WIC)

WIC provides federal grants to states for supplemental foods, health care referrals, and nutrition education for low-income pregnant, breastfeeding, and non-breastfeeding postpartum women, and to infants and children up to age five who are found to be at nutritional risk.

Part 246—Special Supplemental Nutrition Program for Women, Infants, and Children. P.L. 89-642. United States Statutes. 7 CFR § 246.1. <http://www.fns.usda.gov/wic/lawsandregulations/WICRegulations-7CFR246.pdf>

Special Supplemental Nutrition Program for Women, Infants and Children: 7 CFR § 246.1. <http://www.fns.usda.gov/wic/lawsandregulations/WICRegulations-7CFR246.pdf>

Summer Food Service Program (SFSP)

SFSP provides nutritious meals during the summer months, when children cannot receive school-based nutritional programs.

Child Nutrition Program, Food Nutrition Service, USDA. Automatic Eligibility for Free Meals in the Summer Food Service Program (SFSP) for Participants in the Head Start Program. 25 August 1995. <http://www.summerfood.usda.gov/Administration/Policy/1996-1993/1995-8-25.pdf>

Child Nutrition Program, Food Nutrition Service, USDA. Eligibility Manual for School Meals: Federal Policy for Determining and Verifying Eligibility. January 2008. <http://www.fns.usda.gov/cnd/Governance/notices/iegs/EligibilityManual.pdf>

Part 225 – Summer Food Service Program. P.L. 105-336. Food Nutritional Service, USDA, 7 CFR 225. <http://www.federalregister.gov/articles/2000/12/28/00-33095/summer-food-service-program-implementation-of-legislative-reforms>

Welfare Reform Advisory Memo #3: Changes To The SFSP as Mandated by the Personal Responsibility and Work Opportunity Act of 1996. P.L. 104-193. <http://www.fns.usda.gov/cnd/summer/Administration/Policy/1999-1997/1997-1-27.pdf>

Supplemental Nutritional Assistance Program (SNAP)

SNAP provides crucial nutritional support to needy households and to those making the transition from welfare to work. The U.S. Department of Agriculture administers SNAP at the federal level through its Food and Nutrition Service (FNS). State agencies administer the program at state and local levels, including determination of eligibility and allotments, and distribution of benefits.

Amendments to the Food Stamp Act. P.L. 96-249, 94 Stat. 357-370. 26 May 1980.

http://www.fns.usda.gov/snap/rules/Legislation/history/PL_96-249.htm

Food Stamp and Commodity Distribution Amendments of 1981. P.L. 97-98, 95 Stat. 1213-1358. 22 December 1981. http://www.fns.usda.gov/snap/rules/Legislation/history/PL_97-98.htm

United States Department of Agriculture, Food Nutrition Service, Supplemental Nutrition Assistance Program. Food Stamp Policy on Immigrants.

<http://www.fns.usda.gov/snap/rules/Memo/2002/POLIMGRT.HTM>

Temporary Assistance for Needy Families (TANF)

TANF, created by the Personal Responsibility and Work Opportunity Reconciliation Act in 1996, provides states with block grants to help families become economically self sufficient. Giving benefits for up to 60 months of an individual's lifetime, states provide cash assistance, job preparation, work, and encourage marriage.

Assistant Secretary, Wade Horn's Testimony to The Committee on Ways and Means U.S. House of Representatives on Benefits to Immigrants under TANF July 26, 2006

<http://www.hhs.gov/asl/testify/t060726.html>

Comparison of Prior Law and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. P.L. 104-193. <http://aspe.hhs.gov/hsp/isp/reform.htm>

TANF Home. <http://www.acf.hhs.gov/programs/ofa/tanf/index.html>