

# Individual Who Applied For or Has Been Granted VAWA Self-Petitioner Status

## September 2023

If you have applied for or have been granted status under the Violence Against Women Act (also known as a VAWA self-petitioner) this fact sheet will help you understand your eligibility for health coverage in Illinois. The Affordable Care Act (ACA) Marketplace and Medicaid both cover services such as doctor visits, hospital care and medications. To be eligible for the Marketplace or Medicaid, you must be a resident of Illinois. If you are on an active non-immigrant visa you may not qualify.

[HealthCare.gov](https://www.healthcare.gov) is the Marketplace in Illinois where you can get coverage with lower monthly premiums or savings on out-of-pocket costs (e.g., co-pay, deductible) based on your income.

Medicaid and Medicaid-like programs are state health coverage for low income populations depending on age, immigration status, household size, and income:

- **ACA Adult Medicaid:** 19-64 years old with income up to 138% FPL.
- **Aid to the Aged, Blind, and Disabled (AABD) Medicaid:** 65 or older or disabled with income up to 100% FPL.
- **Moms & Babies:** Pregnant and up to 12 months postpartum with income up to 213% FPL.
- **Health Benefit for Immigrant Seniors (HBIS)** Medicaid-like program: 65 or older with income up to 100% FPL.
- **Health Benefit for Immigrant Adult (HBIA)** Medicaid-like program: Must be ages 42-64 years old with income up to 138% FPL.
- **VTTC Medical** Medicaid-like program: 19 years of age and older with income up to 100% of FPL.
- **All Kids Medicaid program:** up to age 19, with household income up to 318% FPL.
- **Family Planning Program (FPP/FPPE):** comprehensive reproductive health services for individuals of any age or gender with income up to 213% FPL; FPPE is available regardless of immigration status.

### What About Public Charge?

When certain individuals (most likely applying through the family immigration pathway) apply for LPR (commonly known as green card) status, immigration officials assess several factors to determine whether the applicant is *likely to become primarily dependent on the government for their subsistence* -- and if so, the applicant could be denied the green card on *public charge* grounds. **Enrollment in health coverage (such as Medicaid and Marketplace coverage) is NOT counted in the public charge test; the only counted health benefit in the public charge test is use of long term care in an institution paid for by Medicaid.** For a longer list of “safe” benefits see [this link](#). Green card holders when *renewing* their green card or when *applying for citizenship* are not subject to the public charge test. For a longer list of immigration statuses that are exempt from the public charge test see [this link](#).

### How to Apply:

- **Medicaid:** Use ABE – Application for Benefits Eligibility to apply for Medicaid and other benefits in Illinois: <https://abe.illinois.gov/abe/access/>. Medicaid can be backdated up to three months from the day you apply, if you were eligible and had medical expenses during those three months.
- **Marketplace Coverage:** Use [HealthCare.gov](https://www.healthcare.gov) to apply for Marketplace coverage during Open Enrollment (Nov. 1 – Jan. 15) or if you qualify for a [Special Enrollment Period](#) during other parts of the year. [A Navigator or Assister](#) can help you enroll in Marketplace or Medicaid for free.

# Individual Who Applied For or Has Been Granted VAWA Self-Petitioner Status Eligibility for Marketplace and Medicaid Health Coverage

If you have applied for or have been granted VAWA Self-Petitioner status, this fact sheet will help you understand your eligibility for health coverage in Illinois. If you have applied for VAWA self-petitioner status, you are *lawfully present* after you receive a “*prima facie*” determination letter and therefore are eligible for the Marketplace. If you received *deferred action* status while your VAWA self-petitioner application is pending, you are *lawfully present* and eligible for the Marketplace. If you applied for VAWA self-petitioner status, you will be eligible for Federal Medicaid five years after you receive a *prima facie* determination letter OR five years after your application has been approved. **Eligibility for Medicaid or the Marketplace depends on whether you fall into one of the below categories:**

1. **I applied for VAWA Status and My Application is Still Pending.**
2. **I applied for VAWA Status and my petition is pending. However, I received a *prima facie* determination letter of eligibility. I have had this letter for less than five years, or I have been granted deferred action.**
3. **I applied for VAWA Status and my petition is pending. However, I received a *prima facie* determination letter of eligibility. I have had this letter for more than five years.**
4. **My VAWA status has been approved. My petition has been approved for less than five years.**
5. **My VAWA status has been approved. My petition has been approved for five or more years.**

## Applicant for VAWA Status And Application Still Pending

	ACA Adult	AABD	All Kids	HBIA	HBIS	VTTC Medical*	Moms & Babies	Marketplace
Eligible?	No	No	Yes	Yes	Yes	No	Yes	No

## Applicant for VAWA Status And Application Still Pending AND Have *Prima Facie* letter for < 5 Years, or Been Granted Deferred Action

	ACA Adult	AABD	All Kids	HBIA	HBIS	VTTC Medical*	Moms & Babies	Marketplace
Eligible?	No	YNo	Yes	Yes	Yes	No	Yes	Yes

## Applicant for VAWA Status And Application Still Pending But Have *Prima Facie* letter for > 5 Years

	ACA Adult	AABD	All Kids	HBIA	HBIS	VTTC Medical*	Moms & Babies	Marketplace
Eligible?	Yes	Yes	Yes	No	No	No	Yes	Yes

## VAWA Status Approved Less than Five Years Ago.

	ACA Adult	AABD	All Kids	HBIA	HBIS	VTTC Medical*	Moms & Babies	Marketplace
Eligible?	No	No	Yes	Yes	Yes	No	Yes	Yes

\*If you are eligible for status under VAWA, you may also be eligible for the Victims of Trafficking, Torture and Other Crimes (VTTC) cash/ food/ medical assistance program **if** you are preparing to file an application, (or have filed an application) for a U visa, T visa, or asylum. For more information on VTTC, please see this [VTTC Fact sheet](#).

# Individual Who Applied For or Has Been Granted VAWA Self-Petitioner Status Eligibility for Marketplace and Medicaid Health Coverage

## VAWA Status Approved For Five or More Years.

	ACA Adult	AABD	All Kids	HBIA	HBIS	VTTC Medical	Moms & Babies	Marketplace
Eligible?	Yes	Yes	Yes	No	No	No	Yes	Yes

### Eligibility for Additional Benefits & Programs

If you have applied for VAWA self-petitioner status or have been granted VAWA self-petitioner status you are also eligible for [WIC](#) and for the benefits and programs provided in [this fact sheet](#). Additionally, if you have VAWA self-petitioner status and have had that status for five years or longer you may be [eligible for TANF](#). You are also eligible for [WIC](#) and for the benefits and programs provided in [this fact sheet](#). A parent who has VAWA self-petitioner status for any length of time may be eligible for [SNAP](#).

### Need More Information?

- Public Charge questions? email [pifillinois@povertylaw.org](mailto:pifillinois@povertylaw.org) or visit the [Protecting Immigrant Families Illinois](#) website or visit [Keepyourbenefits.us](http://Keepyourbenefits.us) website to determine if you would be subject to the public charge test.
- Statewide [Community Service Agencies Serving Immigrants](#) and [IDHS Welcoming Centers](#) and ICIRR-administered [Family and Community Resource Centers](#) (FCRCs)

Have a question or want to report a concern about this fact sheet?: [pifillinois@povertylaw.org](mailto:pifillinois@povertylaw.org)