PROTECTING IMMIGRANT FAMILIES

Provisions on Immigrants' Access to Public Benefits in the Final Reconciliation Package

On July 4, 2025, President Trump signed into law a budget "reconciliation" bill, passed by an extremely narrow margin in Congress, with major consequences for the health of millions of families. The law brings additional risks for the country's immigrant families and their health and well-being, the economy, and state and local budgets. Below is a summary of the major changes passed in this law affecting immigrants' access to public benefits and economic supports.

Nutrition Assistance

Terminates eligibility for SNAP for many lawfully present immigrants	
Current policy	**Effective date not specified**
Eligibility for the Supplemental Nutrition Assistance Program (SNAP) is limited to "qualified immigrants" as defined under the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). Adults who are qualified immigrants are generally subject to a five-year waiting period before they can access SNAP, but the five-year bar does not apply to children, refugees, and certain other humanitarian immigrants.	Eligibility for SNAP will be limited to citizens, lawful permanent residents, Cuban-Haitian entrants, and people present in the U.S. in accordance with a Compact of Free Association (citizens of Micronesia, the Marshall Islands, and Palau, often referred to as "COFA migrants"). The five-year bar for adults remains. All other immigrants, including humanitarian immigrants, are ineligible for SNAP.

Child Tax Credit

Limits eligibility for the CTC to children with a parent who has a Social Security Number	
Current policy	**Effective for taxable years beginning after December 31, 2024**
Children who have Social Security Numbers (SSNs) may receive the Child Tax Credit (CTC) even if one or both of their parents use an Individual Taxpayer Identification Number (ITIN) to file taxes.	The new law makes permanent the 2017 exclusion of ITIN children's access to the CTC and also denies the CTC to more than 2 million citizen children, by requiring at least one parent to have an SSN.

Healthcare

Ends access to Marketplace Premium Tax Credits for many lawfully present immigrants	
Current policy	**Effective January 1, 2027**
Immigrants who are "lawfully present" are eligible for Affordable Care Act (ACA) coverage and an Advanced Premium Tax Credit ("APTC") that provides subsidies that make marketplace coverage more affordable. See a list of lawfully present immigrants here. In general, immigrants who are undocumented are not considered lawfully present and are ineligible to enroll in these marketplaces, even at full cost.	The only immigrants who will remain eligible for Advanced Premium Tax Credits (APTCs) are lawful permanent residents/green card holders, Cuban-Haitian entrants, and COFA migrants. All other immigrants would be ineligible for premium tax credits that make marketplace coverage more affordable.

Terminates Marketplace coverage for people who are lawfully present earning below 100% of the Federal Poverty Level	
Current policy	**Effective January 1, 2026**
The ACA generally excluded people earning less than 100% of the federal poverty level (FPL) from marketplace coverage, assuming that they would be able to receive Medicaid. Because many low-income, lawfully present immigrants were ineligible for Medicaid coverage and would have been excluded from any coverage options, the ACA created a special exception to the income thresholds for marketplace eligibility. The current law allows lawfully present immigrants earning under 100% of federal poverty level to receive subsidized marketplace coverage.	The new law eliminates the provision allowing lawfully present immigrants who are ineligible for Medicaid due to their status and who earn less than 100% of FPL to enroll in ACA coverage. This means that certain low-incomNe immigrants would not be eligible for the ACA or Medicaid, denying them any pathway to affordable health coverage.

Terminates eligibility for Medicare for many lawfully present immigrants	
Current policy	**Effective no later than 18 months from enactment**
There are two pathways for noncitizens to access Medicare Part A: ● People who are lawfully present and have been credited with at least 40 work quarters (~10 years) in jobs where they or their	The new law ends Medicare eligibility for many previously eligible lawfully present immigrants who were able to receive Medicare if they had adequate work experience. The only categories of immigrants who will be eligible are lawful

spouses paid Medicare payroll taxes can qualify for *premium-free* Medicare. ● People who are lawful permanent residents and have resided in the US continuously for at least five years but do not have 40 quarters of work can "buy into" Medicare.	permanent residents/green card holders, Cuban-Haitian entrants, and COFA migrants. Medicare benefits will be terminated no later than 18 months from enactment of the legislation for anyone who is currently receiving benefits but no longer eligible under these changes.
Eliminates Medicaid and CHIP eligibility for many lawfully present immigrants	
Current policy	**Effective October 1, 2026**
People who are undocumented are already ineligible for Medicaid and the Children's Health Insurance Program (CHIP). Many lawfully present immigrants, including refugees, asylees, parolees, certain survivors of abuse, and certain victims of trafficking, are eligible for Medicaid.	The only immigrants who will be eligible for Medicaid will be LPRs (after a five-year or longer waiting period), Cuban-Haitian entrants, COFA migrants, and lawfully residing children and pregnant people in states that opt to provide coverage for them.
Lowers the federal Medicaid matching rate for "emergency only" services for immigrants in the Medicaid expansion category	
Effective October 1, 2026	
States that expanded Medicaid under the ACA will receive a lower federal Medicaid matching rate (FMAP) for emergency services provided to low-income adults who are ineligible for full scope Medicaid because of their immigration status. Rather than the higher FMAP rate for this expansion group, states would receive the same rate as for the traditional Medicaid groups.	

Higher Education

Requires SSN to claim certain education credits	
Current policy	**Effective for taxable years beginning after December 31, 2025**
The American Opportunity Tax Credit (AOTC) and the Lifetime Learning Credit can be claimed with an ITIN.	The new law requires a Social Security Number in order to claim the AOTC or the Lifetime Learning Credit, which are both tax credits that offset qualified higher education costs. Both the taxpayer and their spouse, if married, will be required to have an SSN, as will the student for whom the credit is claimed, if someone else.

Budget Reconciliation Law: Implementation Dates of Provisions Affecting Immigrant Applicants for Federal Benefits *Updated July 2025*

PROTECTING IMMIGRANT FAMILIES

Unspecified/Effective Upon Enactment

Supplemental Nutrition Assistance Program (SNAP/food stamps): Eligibility for SNAP will be limited to citizens, LPRs, Cuban-Haitian entrants, and COFA migrants; five-year bar for adults remains. All other immigrants, including humanitarian immigrants, are ineligible for SNAP.

Medicare Part A eligibility: Eligibility for Medicare Part A will be limited to LPRs/green card holders, Cuban-Haitian entrants, and COFA migrants. Medicare benefits will be terminated no later than 18 months from enactment of the legislation for anyone who is currently receiving benefits but no longer eligible under these changes.

Jan 1, 2026

Child Tax Credit (CTC) exclusions*: Children of ITIN users excluded from CTC, at least one parent required to have an SSN (*effective for tax year 2025)

ACA/Marketplace: Lawfully present immigrants ineligible for Medicaid due to their status and who earn less than 100% of FPL no longer eligible to enroll in ACA coverage.

Oct 1, 2026

Medicaid /CHIP: Eligibility will be limited to LPRs (after a five-year waiting period or more), Cuban-Haitian entrants, COFA migrants, and lawfully residing children and pregnant people in CHIPRA states.

"Emergency" Services under Medicaid Expansion: States that expanded Medicaid under the ACA will get a lower federal matching rate (FMAP) for emergency services for low-income adults ineligible for full-scope Medicaid due to immigration status.

Jan 1, 2027

ACA/Marketplace Premium Tax Credits: Eligibility for Advanced Premium Tax Credits (APTCs), which make marketplace coverage more affordable, will be limited to LPRs, Cuban-Haitian entrants, COFA migrants.

American Opportunity Tax Credit (AOTC) and LIfetime Learning Credit* can no longer be claimed with an ITIN; SSN required. (*effective for tax year 2026)