



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

Updated September 2025

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 “ <a href="#">qualified immigrants</a> ” 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, <a href="#">Cuban-Haitian entrants</a> , 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.  *Changes will not be implemented until further guidance is issued.

### 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 (Updated September 2025)
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 <a href="#">here</a> . 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.
Ends access to Marketplace Premium Tax Credits 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.	Lawfully present immigrants who are ineligible for Medicaid due to their status and who earn less than 100% of FPL will lose access to marketplace tax credits, under the new law. This means that certain low-income immigrants would not be eligible for the ACA tax credits or Medicaid, denying them any pathway to affordable health coverage. <u>Updated September 2025</u> .
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: <ul style="list-style-type: none"> <li>People who are lawfully present and have been credited with at least 40 work quarters</li> </ul>	The new law ends Medicare eligibility for many previously eligible lawfully present immigrants who were able to receive Medicare if they had adequate work

<p>(~10 years) in jobs where they or their spouses paid Medicare payroll taxes can qualify for <i>premium-free</i> Medicare.</p> <ul style="list-style-type: none"> <li>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.</li> </ul>	<p>experience. The only categories of immigrants who will be eligible are lawful 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.</p> <p>Eligibility restrictions for <i>new</i> Medicare enrollment effective immediately.</p>
<b>Eliminates Medicaid and CHIP eligibility for many lawfully present immigrants</b>	
<b>Current policy</b>	<b>Effective October 1, 2026</b>
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.
<b>Lowers the federal Medicaid matching rate for “emergency only” services for immigrants in the Medicaid expansion category</b>	
<b>Effective October 1, 2026</b>	
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

<b>Requires SSN to claim certain education credits</b>	
<b>Current policy</b>	<b>Effective for taxable years beginning after December 31, 2025</b>

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.