



## Temporary Protected Status (TPS) and Public Health Insurance

Haitian individuals who have applied for Temporary Protected Status (TPS) may be eligible for public health insurance in New York State.

### What is Temporary Protected Status?

TPS is a temporary immigration status granted to eligible individuals of a certain country designated by the Department of Homeland Security because serious temporary conditions in that country, such as armed conflict or environmental disaster, prevents people from that country to return safely. On January 14, 2010 the United States determined that individuals from Haiti warranted TPS because of the devastating earthquake that occurred there on January 12. TPS gives undocumented Haitian residents, who were living in the U.S. on January 12, 2010, protection from forcible deportation and allows them to work legally. It is important to note that the U.S. grants TPS to individuals from other countries, as well, including individuals from El Salvador, Honduras, Nicaragua, Somalia and Sudan.

### TPS and Public Health Insurance

TPS applicants residing in New York are eligible for Medicaid and Family Health Plus as long as they also meet the income requirements for these programs. In New York, applicants for TPS are considered PRUCOL immigrants (Permanently Residing Under Color of Law) for purposes of medical assistance eligibility and thus meet the immigration status requirements for Medicaid, Family Health Plus, and the Family Planning Benefit Program. Nearly all children in New York remain eligible for Child Health Plus including TPS applicants and children who lack immigration status.

### Where to Apply

Individuals may apply for public health insurance with facilitated enrollers at community-based organizations or health plans, at HRA Medicaid offices in New York City, Social Services offices outside of New York City, public hospitals, and Department of Health Clinics. For a list of enrollers in New York City visit: [http://www.nyc.gov/html/hia/html/public\\_insurance/enroll.shtml](http://www.nyc.gov/html/hia/html/public_insurance/enroll.shtml). For enrollers outside of NYC go to: [http://www.health.state.ny.us/health\\_care/medicaid/ldss.htm](http://www.health.state.ny.us/health_care/medicaid/ldss.htm).

### What to Bring

Individuals who have applied for TPS will need to bring several documents to prove their eligibility for public health insurance. Individuals will need to bring:

- 1) Proof of identity;
- 2) Proof of residence in New York;
- 3) Proof of income;
- 4) Proof of application for TPS;
- 5) Proof that U.S. Citizenship and Immigration Services (USCIS) has received the application for TPS.

### Free Communication Assistance

All applicants for public health insurance, including Haitian Creole speakers, have a right to get help in a language they can understand. All Medicaid offices and enrollers are required to offer free communication assistance. Oral interpretation services should be provided and important documents, such as Medicaid applications, should be translated either orally or in writing. If a Medicaid office or enrollment site cannot provide a bilingual enroller or in-person interpreter, an interpreter over the telephone may be used instead. Medicaid offices and enrollers must not charge a fee for communication assistance or require that applicants bring their own interpreter.

## Related Resources on TPS and Public Health Insurance

- The New York Immigration Coalition (NYIC) has compiled a list of agencies, law firms, and law schools responding to the tragedy in Haiti and the designation of Haiti for Temporary Protected Status. A copy of the list is posted at the NYIC's website at <http://www.thenyic.org>.
- [Factsheet](http://www.legal-aid.org/media/129079/haiti%20tps%20factsheet%205.pdf) on Temporary Protected Status by [Legal Aid Society of NY](http://www.legal-aid.org): [http://www.legal-aid.org/media/129079/haiti%20tps%20factsheet%20 5 .pdf](http://www.legal-aid.org/media/129079/haiti%20tps%20factsheet%205.pdf).
- [Q&A](http://www.uscis.gov/portal/site/uscis/menuitem.eb1d4c2a3e5b9ac89243c6a7543f6d1a/?vgnextoid=e54e60f64f336210VgnVCM100000082ca60aRCRD&vgnnextchannel=e54e60f64f336210VgnVCM100000082ca60aRCRD) on Temporary Protected Status from [U.S. Citizenship and Immigration Services](http://www.uscis.gov), visit: <http://www.uscis.gov/portal/site/uscis/menuitem.eb1d4c2a3e5b9ac89243c6a7543f6d1a/?vgnextoid=e54e60f64f336210VgnVCM100000082ca60aRCRD&vgnnextchannel=e54e60f64f336210VgnVCM100000082ca60aRCRD>
- For information on eligibility for public health insurance programs call The Legal Aid Society's Health Law Unit on Tuesdays at 212-577-3575 or 888-500-2455.
- For information on immigrants' eligibility for public health insurance programs, consult the [Immigrant Guide to Publicly Funded Health Care Benefits](http://www.empirejustice.org/assets/pdf/issue-areas/immigrant-rights/immigrant-eligibility.pdf) by Barbara Weiner: <http://www.empirejustice.org/assets/pdf/issue-areas/immigrant-rights/immigrant-eligibility.pdf>.
- [Q&A](http://thenyic.org/templates/documentFinder.asp?did=17) addressing immigrants' concerns about using public benefits, visit The New York Immigration Coalition's website: <http://thenyic.org/templates/documentFinder.asp?did=17>. Available in English, Haitian Creole, Spanish, Chinese, Korean, and Russian.

### Contact:

Jenny Rejeske, Health Advocacy Coordinator, New York Immigration Coalition  
212-627-2227 x223, [jrejeske@thenyic.org](mailto:jrejeske@thenyic.org)

Lisa Sbrana, Health Law Attorney, Legal Aid Society  
212-577-3394, [LBSbrana@legal-aid.org](mailto:LBSbrana@legal-aid.org)

Barbara Weiner, Senior Staff Attorney, Empire Justice Center (for help outside New York City)  
518-462-6831, [bweiner@empirejustice.org](mailto:bweiner@empirejustice.org)

# # #