

### ***Are there reporting requirements for food stamps?***

You must, within 10 days, report all changes that might affect your food stamps. Examples include changes in address, income, housing costs, and household size. If you are working, and in some other circumstances, you will also be required to file a report periodically, usually every six months, reporting your income.

### ***Do I have to work to get food stamps?***

In some Pennsylvania counties, people who collect food stamps may be required to work or participate in a training program. These requirements apply only to able-bodied adults age 18 to 49 who are not living with dependents. They do not apply to:

- families with children; or
- individuals with a documented disability (like one that qualifies someone for General Assistance).

The work requirements have been waived in most urban counties and many rural counties, as well as most cities other than Pittsburgh. To find out if they have been waived in your area, call your county assistance office.

If the work requirements apply to you, you must be working or in a training program for at least 20 hours a week. If you do not have a paying job, you can do workfare or community service. If you do not meet these requirements, you can only get food stamps for three months every three years. You can also be denied food stamps if you quit a job without a good reason or refuse a job offer.

### ***Can I appeal a food stamp decision?***

Yes. You are entitled to a written notice if your application is denied, or the food stamp office proposes to reduce or stop your benefits. The notice must tell you:

- the reason for the denial or the proposed change;
- when the proposed change will take place;
- your right to ask for a hearing; and
- where you can get free legal help.

If you disagree with the denial or the proposed change, you must appeal within 90 days of the written notice. If you are already receiving food stamps, you must appeal within 10 days in order to continue getting them during the appeal. If you continue to receive food stamps during your appeal and you lose your appeal, the welfare office

may require you to "repay" the food stamps by lowering any future food stamp grants.

Either before or during your appeal, you should try to work out the problem with your caseworker. If you cannot, the next step is a hearing.

Your hearing may be held over the telephone or, if you request it, in person. There are some advantages to having a hearing in person. In either case, you have the right to:

- look at your file before or during the hearing;
- tell your side of the story to an impartial hearing officer;
- bring witnesses and papers to support your case;
- ask questions of anyone testifying at the hearing;
- be represented by a lawyer or other advocate;
- get a written decision based only on the evidence presented at the hearing.

For more information about food stamps, contact your local Legal Services office.

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REMEMBER. The law often changes. Each case is different. This pamphlet is meant to give you general information and not to give you specific legal advice.

*Please use the information found in this brochure carefully since the law is constantly changing and the information may not accurately reflect any changes in the law that occurred following the creation and publication of the brochure.*

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# Food Stamp/SNAP Benefits

Public Information Pamphlet #21

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*Can immigrants and refugees get food stamps?*

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**Pennsylvania**  
**LegalAid** Network

The Pennsylvania Legal Aid Network of civil legal aid programs provides help for people who have no place else to turn



# Food Stamps/SNAP Benefits Public Information

■ The Supplemental Nutrition Assistance Program (SNAP) is the new name for the Food Stamp program. These benefits are used to buy food and help eligible low-income Pennsylvanians obtain more nutritious diets. They can be used just like money to buy most kinds of food. People use food stamps through an electronic benefits transfer credit card (called an EBT card).

## ***Can I get food stamps?***

You can get food stamps if your income is low, no matter what kind of income you have—wages, welfare, SSI, social security, child support, unemployment compensation, rental income, etc. Many people who have jobs can still get food stamps if their wages are low or if they support large families.

A group of people who live together can get food stamps as long as they buy food and make their meals together, even if they are not related. A person living alone can also get food stamps.

Homeless people can get food stamps, as well as battered women and children who live in shelters, even if the shelter provides meals.

A person who rents a room, but buys and prepares food separately, can be eligible for food stamps regardless of the income of the other people in the house.

## ***Can immigrants and refugees get food stamps?***

- New laws have made most legal immigrants eligible for food stamps. The general rule now is that almost all legal immigrants are eligible for food stamps once they have been in the U.S. for five years. To be eligible, an immigrant must be "qualified" in order to get food stamps. This means they must be one of the following type of immigrants:
- "Green card" holders (lawful permanent residents);
- Refugees, asylum seekers, Cuban/Haitian entrants, or Amerasian immigrants;
- Persons granted withholding of deportation or withholding of removal;

- Persons paroled into the United States for at least one year;
- Persons with conditional entrant status, or
- Victims of domestic violence or immigrant trafficking under some circumstances.

Some qualified immigrants are eligible right away. Those eligible immediately include:

- Immigrant children under age 18;
- Immigrants who receive benefits based on severe disability (such as SSI or disability-related Medicaid, if the disability will last a year or more);
- Refugees, asylum seekers, Cuban/Haitian entrants, Amerasians, and persons granted withholding of deportation or withholding of removal in the U.S.;
- Immigrants with work histories (who can claim 40 quarters of work through their own employment or through adding that of their parents or spouses);
- Veterans and active-duty members of the U.S. armed forces, along with their spouses and dependent children; and
- Certain Hmong or Laotian Highland tribe members, and their spouses and dependent children.

In many immigrant families, some family members have citizenship or some other immigration status which qualifies them for food stamps, while other members do not. The eligible members of these families have a right to receive food stamps for themselves regardless of the other members' immigrant status. For example, a family with two citizen children and two parents who lack legal immigrant status can get food stamps for the two children.

## ***How can I apply for food stamps?***

You can apply for food stamps at your local county assistance office. To find the address of the office nearest you, call 1 (800) 692-7462. You can also apply for food stamps at your local Social Security office, if you are applying for or receiving Supplemental Security Income (SSI). You should complete and return your application as soon as possible.

You will have an interview at which you will be asked to show proof of income and expenses such as rent or

mortgage payments, utility bills, and child care costs. You must cooperate in providing the needed information. However, if you are having problems getting this information, your caseworker must help you. You cannot be denied food stamps just because you are unable to give this information to the food stamp office.

Generally, the office at which you apply has 30 days to provide you with food stamps if you are eligible. The 30 days begin the day after you return your application. This is why it is important to return it immediately—even before your scheduled interview. Emergencies (discussed below) must be handled faster.

Applications may also be filed online using the Commonwealth of Pennsylvania Application for Social Services (COMPASS) system at <http://www.humanservices.state.pa.us/COMPASS>.

## ***What if I need food stamps right away?***

You must receive emergency food stamps within five days after you apply if:

- your household has less than \$150 in gross monthly income and has \$100 or less in liquid resources such as cash or bank accounts; or
- your household's rent or mortgage and utility expenses for the month are more than your income for the month plus your liquid resources; or
- you are a migrant worker.

If your situation qualifies you for emergency food stamps, a piece of identification is the only thing you must give the food stamp office to get your first month's food stamps. This can be a driver's license; a social security, voter's registration or library card; a piece of mail delivered to you by the U.S. Postal Service; or any other form of identification. The identification does not have to have a photo.

## ***What are the eligibility requirements for food stamps?***

To be eligible for food stamps, you must have low income. Each householder's monthly income (after certain deductions) is considered in determining eligibility and the amount of food stamps. Resources are limited to \$5,500 for most households. Households with elderly or disabled persons have a resource limit of \$9000.00. Some resources are not counted. Important examples are your home, household goods, personal belongings and one vehicle.