

The Five-Year Bar Prevents Older Immigrants from Accessing Programs that Help Them Meet Basic Needs

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Federal public benefits provide critical support to older immigrants. But for a subset of older immigrants who are affected by the “five-year bar,” this assistance is out of reach.

In 1996, Congress passed the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). The law greatly restricted immigrants’ access to federal public benefits, including programs that are critical to ensuring older adults can meet their basic needs. One of the restrictions is the “five-year bar,” which makes older immigrants ineligible for SSI (Supplemental Security Income), TANF (Temporary Assistance for Needy Families), SNAP (Supplemental Nutrition Assistance Program), and Medicaid the first five years after attaining a “qualified” immigration status.

The five-year bar harms older immigrants who often do not have access to health insurance through employment and may not be able to qualify for Social Security and Medicare. The five-year bar and other restrictions prevent SSI and Medicaid from filling in the gap, leaving older immigrants without a basic income or health insurance.

While states can choose to provide benefits to categories of immigrants who are not eligible for federal programs, many states do not do so. In fact, some states impose even more punitive restrictions. This creates gaps from state to state in access to basic income, health insurance, and food assistance for older immigrants.

The LIFT the BAR Act Would Restore Access to SSI, Medicaid, SNAP, and Other Vital Programs

It’s time for Congress to ensure that our public benefits programs can help older immigrants and their families keep a roof over their heads, access health care, and put food on the table. The LIFT the BAR Act would restore access to SSI, Medicaid, SNAP, TANF and other programs that are critical to older immigrants by repealing harmful provisions of PRWORA. It would:

- Remove the five-year bar for programs helping low-income older immigrants.
- Redefine “qualified noncitizens” to include any individual who is lawfully present in the U.S.
- Eliminate barriers for states or localities that wish to use their own funds to establish more inclusive programs.
- Prevent states from adopting more punitive restrictions or deterring access to critical services for immigrants with sponsors.

- Help low-income immigrants enrolled in Medicare get assistance with premiums and cost-sharing.
- Ensure that older immigrants who are ineligible for premium-free Medicare Part A can continue to access Affordable Care Act health insurance.

The LIFT the BAR Act is long-overdue. Until Congress passes this legislation, older immigrants won't have access to the assistance they need, keeping them at risk of poor health outcomes, inadequate nutrition, and poverty.

Resources

- [Access to Public Benefits for Older Immigrants](#), National Center on Law & Elder Rights
- [Older Immigrants and Medicare](#), Justice in Aging
- [Guide to Immigrant Eligibility for Federal Programs & State Specific Program](#), National Immigration Law Center
- [Resources on the LIFT the BAR Act](#), Protecting Immigrant Families campaign