

FREQUENTLY ASKED QUESTIONS

In Home Support Services (IHSS) & Immigration

benefitsSF

1. What is IHSS?

In-Home Supportive Services (IHSS) provides in-home care services to low-income aged, blind and disabled individuals who are Medi-Cal eligible. Services include domestic services, non-medical personal care services, paramedical services and assistance while traveling to medical appointments. IHSS allows Medi-Cal eligible persons to remain safely in their own homes as an alternative to out-of-home institutional care. IHSS is administered by the San Francisco Human Services Agency (HSA).

2. I am not a US citizen, can I get IHSS?

To be eligible for IHSS, an individual must be a U.S. citizen or a lawful permanent resident (a green card holder). Undocumented immigrants are not eligible to receive IHSS.

3. Will my immigration status be reported to immigration authorities if I'm an IHSS client?

No. Your immigration status information will only be used to check whether you are eligible for IHSS. San Francisco's City of Refuge Ordinance prohibits city employees from assisting or cooperating with any federal immigration investigation, detention or arrest procedure except where specifically required by law. Immigration authorities cannot use your IHSS or MediCal information to deport you unless there is a criminal violation involved. IHSS applicants must fill out a Medi-Cal application. If you claim to be a U.S. citizen when you apply, that claim must be verified by HSA. In some situations it is necessary for the HSA eligibility worker to confirm citizenship status by requesting information from INS. This is for verification purposes only.

4. Will applying for IHSS make it harder for me to get a "green card" or become a citizen in the future?

No. Unlike receiving other cash assistance, receiving IHSS does not make an immigrant a "public charge." An immigrant cannot be denied entry to the country, or denied lawful permanent residence of a "green card" because he or she receives IHSS. An immigrant's use of IHSS is not relevant in deciding whether he or she can become a U.S. citizen.

Any non-citizen who is concerned about the potential impact of using public benefits on future ability to obtain a "green card" or citizenship status should speak with an immigration attorney or legal aid office.

5. Do I have to be fingerprinted to get IHSS?

No. IHSS applicants are not required to be fingerprinted, but they do have to provide proof of identification, citizenship or other documents to verify their identity.

6. Will information about sponsorship be required as a component of applying for IHSS?

No. Sponsorship information is not requested for non-citizen applicants for IHSS.

7. I am not a U.S. citizen. Can I be hired as an Independent Provider for an IHSS recipient? Will my immigration status be reported to immigration authorities if I'm working as an Independent Provider for an IHSS recipient?

Non-citizens can be hired as IHSS Providers but must provide a valid California ID, Social Security Card and must be a legal resident alien who is allowed to work in the U.S.

Immigration status is confirmed, but your status information is only used to check whether you are eligible to be hired as an Independent Provider or not. Your status will not be reported to immigration authorities by IHSS.

San Francisco's City of Refuge Ordinance prohibits city employees from assisting or cooperating with any federal immigration investigation, detention, or arrest procedures unless specifically required by federal law.

8. Do I have to be fingerprinted to become an IHSS Independent Provider?

IHSS Providers are not required to be fingerprinted. However, an IHSS client-employer may request to have the provider undergo a criminal record clearance, which involves fingerprinting of the provider. However, this is only voluntary and not an IHSS Program requirement for employment. The IHSS Provider may refuse this request, but the client will have the right not to hire the Provider if this request is refused.

9. Will information about sponsorship be required as a component of working as an Independent Provider for an IHSS recipient?

No. Sponsorship information is not requested of Independent Providers for IHSS recipients.

This document is intended to provide basic information about immigration requirements in the IHSS Program. It is not intended to be a substitute for legal advice. Consult with an attorney if you have questions about your immigration status or with your eligibility worker for questions related to the IHSS Program.

For more information regarding IHSS or to apply for IHSS, please call: 415-557-5251.

For more information regarding immigration issues, please call the National Immigration Law Center at: 510-663-8282.

This FAQ provides general guidance only and is not meant to substitute for legal advice. For more information on immigrant eligibility for public benefits: National Immigration Law Center at www.nilc.org. For info about how benefits impact your immigration status: <http://www.uscis.gov> and search for "public charge."