

# YOUR HEALTH, YOUR FUTURE: MAKING DACA WORK FOR YOU IN THE GOLDEN STATE

Public Benefits Available to Recipients of Deferred  
Action for Childhood Arrivals in California





## **MAKING DACA WORK FOR YOU IN THE GOLDEN STATE: Benefits Available for DACA Recipients in California**

In June 2012, as a result of powerful organizing and advocacy led by undocumented youth, the U.S. Department of Homeland Security created the “Deferred Action for Childhood Arrivals” program, or “DACA” for short.

DACA provides temporary relief from deportation for young undocumented immigrants who meet certain requirements. The program lasts for two years at a time, and may be renewed.

Immigrant youth who obtain DACA— we’ll call them DACA recipients or “DACAmented” individuals – are eligible for work permits.

But what about other key tools for success like accessing medical care to stay healthy? Obtaining driver’s licenses to get to work? Securing college scholarships for aspiring doctors, scientists, thinkers, artists, writers, and more?

To answer those questions, the **California Immigrant Policy Center** has prepared this guide to explain the public benefits and resources available in California for DACA recipients. We also provide context on how these benefits work and how they serve both DACAmented youth and the state of California as a whole.

## WHAT'S INSIDE?

### I. How do I get DACA?

- a. DACA Fees
- b. What documents do I need?
- c. Who do I consult with?

### II. DACA and Public Benefits in California

- a. Health Care for DACA Recipients
  - i. Federal Benefits and State Benefits
  - ii. What is Medi-Cal?
  - iii. Eligibility
- b. Health Programs Available to DACA Recipients
  - i. Child Health and Disability Prevention Program (CHDP)
  - ii. Access for Infants and Mothers (AIM)
  - iii. Family Planning Access Care Treatment (Family PACT)
  - iv. AIDS Drug Assistance Program (ADAP)
- c. Other Public Benefits for DACA in California
  - i. Driver's Licenses and California ID's

### ii. Traveling Domestically

### ii. Traveling Internationally

### iv. Unemployment Benefits

## HOW DO I GET DACA?

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If you have not applied for DACA yet, it is not too late! The key requirements<sup>1</sup> are that you:

- ✓ Were under the age of 31 as of June 15, 2012;
- ✓ Came to the United States before reaching your 16th birthday;
- ✓ Have continuously resided in the United States since June 15, 2007, up to the present time;
- ✓ Were physically present in the United States on June 15, 2012, and at the time of making your request for consideration of deferred action with USCIS (U.S. Citizenship and Immigration Services);
- ✓ Entered without inspection before June 15, 2012, or your lawful immigration status expired as of June 15, 2012;
- ✓ Are currently in school, have graduated or obtained a certificate of completion from high school, have obtained a general education development (GED) certificate, or are an honorably discharged veteran of the Coast Guard or Armed Forces of the United States; and
- ✓ Have not been convicted of a felony, significant misdemeanor, three or more other misdemeanors, and do not otherwise pose a threat to national security or public safety; and
- ✓ Pass a background check

<sup>1</sup> Source: U.S. Citizenship and Immigration Services, Consideration of Deferred Action for Childhood Arrivals Process, July 2013. Available at [www.uscis.gov/childhoodarrivals](http://www.uscis.gov/childhoodarrivals)

## DACA FEES

The DACA application fee is \$465, which includes a \$380 employment authorization application fee and an \$85 fee for biometrics “background check.” To provide some assistance to those who encounter financial barriers when applying for DACA, we have provided the following resources<sup>2</sup>:

### **Educators for Fair Consideration (E4FC)**

Educators for Fair Consideration (E4FC) provide DACA Mini Grants periodically. The DACA Mini Grants are open to any undocumented youth who is currently residing in the San Francisco Bay Area and has been approved for DACA. To receive a mini grant you must submit an application and supporting documents. For application deadlines, the DACA Mini Grant application, and the Frequently Asked Questions sheet go to [www.e4fc.org/dacaminigrants.html](http://www.e4fc.org/dacaminigrants.html)

### **Dream Team Los Angeles**

Dream Team Los Angeles provides limited DACA grants. DACA grants are open to undocumented immigrants who meet the DACA eligibility requirements established by USCIS and who currently reside in Southern California (in one of the following counties: Santa Barbara, San Bernardino, Ventura, Los Angeles, Orange, Riverside, and San Diego. Those interested must submit an application, a personal statement, a brief essay, and an intake form. To apply for a DACA grant or for more information go to [www.dreamteamla.org/scholarships-grants](http://www.dreamteamla.org/scholarships-grants)

### **U.S. Citizenship and Immigration Services (USCIS) Fee Waiver**

USCIS provides limited fee exemptions for the biometrics process. *USCIS does not provide a fee waiver for the employment authorization application.* A fee waiver request must be filed and accepted before an individual files their DACA application. In order to be considered for a fee waiver you must meet certain criteria and submit supporting documents. For more information go to [www.uscis.gov](http://www.uscis.gov) and search for *Consideration of Deferred Action for Childhood Arrivals Fee Exception*.

## WHAT DOCUMENTS DO I NEED?

If you meet all the requirements for DACA, you will need to submit supporting documents to prove you are eligible. There are many documents that you need to provide. Below is a short list of documents that you may submit along with your DACA application. Make sure you do not send originals and instead send copies of your documents. Also, some of these documents take time to retrieve from government agencies, so please allot ample time to collect all required documents.

Documents needed<sup>3</sup>:

- ✓ Copy of unexpired passport from your country of origin OR copy of birth certificate and translation sheet [birth certificate must be translated to English]
- ✓ Two passport-style photographs [for the Employment Authorization application]
- ✓ Copy of school records. *Here are some examples:*
  - Proof of Enrollment

<sup>2</sup> This guide provides a short list of resources on the topic of financial assistance for DACA applications. Please note that in the past, the following organizations have also provided some sort of DACA financial support: Coalition for Humane Immigrant Rights of Los Angeles, Liberty Hill Foundation, Pilipino Workers Center-Southern California, and Dream Activist Network.

<sup>3</sup> This list is a short summary of documents you can submit. For a complete list, go to <http://www.uscis.gov/childhoodarrivals>

- Report Cards and/or Transcripts
- Awards from high school and college
- ✓ Copy of high school diploma or GED
- ✓ Proof of entry before the age of 16 and continuous residence in U.S. from June 15, 2007 to June 15, 2012. *Here are some examples:*
  - Letters from internships and volunteer work
  - Medical records
  - Leases, rental receipts, other dated receipts, utility bills, and cell phone bills
  - Bank statements
  - Birth certificates of children born in the U.S. for the stated period
  - Affidavits from relatives, friends, teachers, and churches attesting to your presence
  - Photographs placing you in the U.S. before the age of 16 and since 2007
- ✓ Criminal history record [if applicable]: If you have been arrested in the past, you should request a copy of your criminal history from your state or the Federal Bureau of Investigation (FBI). You should also request a letter, from each court in which you had a criminal case, describing the sentence of the case(s).

### **WHO DO I CONSULT WITH?**

To apply for DACA, we recommend that you seek the guidance of a qualified immigration attorney or licensed legal services organization. You may be eligible to apply for other permanent relief that you may not be aware of unless you seek qualified professional help. Many qualified non-profit organizations offer free educational workshops and pro-bono to low-bono services.

Please note that while DACA provides relief from deportation, it does not offer a path to citizenship. And please stay away for unscrupulous attorneys or *notarios* who promote offers of a path to citizenship and try to charge you exorbitant fees! If you are a victim of fraud you can submit a claim with the State of California Department of Justice, Office of the General Attorney at [www.oag.ca.gov/consumers](http://www.oag.ca.gov/consumers). If you have been harmed by a *notario* or immigration consultant go to [www.stopnotariofraud.org](http://www.stopnotariofraud.org)

#### *Additional Resources:*

USCIS DACA Application  
[www.uscis.gov/childhoodarrivals](http://www.uscis.gov/childhoodarrivals)

DACA Frequently Asked Questions  
 (FAQ) Sheets  
[www.nilc.org/FAQdeferredactionyouth.html](http://www.nilc.org/FAQdeferredactionyouth.html)

DACA Guide  
[www.e4fc.org/dacaguide.html](http://www.e4fc.org/dacaguide.html)

“Pocket DACA” Mobile Application  
 Available for FREE on an iPhone and Android (Check your App Store)

## HIGHLIGHTS:

*Federal-Level Health Care:* DACA individuals are excluded from federal level healthcare reform, and exempt from ACA tax penalties

*State-Level Health Care:* DACA individuals qualify for state-funded Medi-Cal if they are otherwise eligible for the program

### *Other Eligibility Areas:*

- Child Health and Disability Prevention
- Access for Infants and Mothers
- Family PACT programs
- ADAP programs

## **DACA AND PUBLIC BENEFITS IN CALIFORNIA**

Did you know that as a DACA recipient, there are many public benefits available to you here in California? Read on for all the details!

### **HEALTH CARE FOR DACA RECIPIENTS**

#### **FEDERAL BENEFITS**

**Overview:** Unfortunately, shortly after President Obama initiated the DACA program, he unfairly **excluded** DACA individuals from the federal Affordable Care Act (ACA), also known as “health care reform” or “Obamacare.”

#### ***What does this mean?***

This means that DACA recipients cannot enroll in the new health insurance marketplace, which in California goes by the name “Covered California”. As a result, DACA recipients cannot sign up for health plans through Covered California.

However, since DACA recipients are excluded from federal coverage and cannot enroll in the new health insurance marketplace, they are exempt from the “individual mandate” associated with the Affordable Care Act and do not have to pay a tax penalty for being uninsured.

#### **STATE BENEFITS**

#### ***Are DACA individuals eligible for state-level health programs?***

Yes. The good news is that here in our golden state of California, DACA individuals are eligible for state-funded health programs such as Medi-Cal.

***What is Medi-Cal?*** Medi-Cal is the name for California’s Medicaid program. Medi-Cal provides needed health services to those who qualify. This includes low-income families, persons with disabilities, seniors, pregnant women, children in foster care, and certain low-income adults.

***Eligibility:*** DACA individuals fall under a benefit eligibility category called “Permanently Residing in the United States Under Color of Law (PRUCOL)”, which makes them eligible for state-funded Medi-Cal. PRUCOL refers to individuals whom the Department of Homeland Security knows resides in the United States, but does not have the intent to initiate deportation or removal proceedings.

***Background:*** On June 28, 2013 Governor Brown signed two key bills, ABx1 1 (Perez) and SBx1 1 (Steinberg/Hernandez), which will simplify and expand Medi-Cal for single adults who are U.S. Citizens, Legal Permanent Residents, or PRUCOL, including DACA grantees, if their annual income is less than 138% of the Federal Poverty Level. (This means an individual whose annual income is less than \$15,856 and a family of three whose annual income is less than \$26,951)

Children under 21 are eligible for Medi-Cal if they earn up to 250% of the Federal Poverty Level. (That’s an income of \$28,725 or less a year for an individual, and \$48,825 or less for a family of three.)

## EXAMPLE

Esther is a 30-year old DACA recipient from Fresno, California. She is a single mother of two children and earns \$25,000 a year.

*Is Esther eligible for Covered CA? What about Medi-Cal?*

Because she has DACA, Esther is not eligible for Covered California and cannot enroll in any of its health plans. However, she may be eligible for Medi-Cal, the state-level health program for people with low or no income.

*Does she qualify for Medi-Cal?*

Yes! Since she earns less than 138% of the Federal Poverty Level for a family of three, Esther qualifies to enroll in Medi-Cal.

*Additional Resources:*

Department of Health Care Services, Medi-Cal  
[www.medi-cal.ca.gov](http://www.medi-cal.ca.gov)

Department of Health Care Services, Medi-Cal Forms  
[www.dhcs.ca.gov/formsandpubs/forms/Pages/Medi-CalForms.aspx](http://www.dhcs.ca.gov/formsandpubs/forms/Pages/Medi-CalForms.aspx)

Federal Poverty Guidelines  
[www.aspe.hhs.gov/poverty/13poverty.cfm](http://www.aspe.hhs.gov/poverty/13poverty.cfm)

If you are interested in exploring a career in the health care field, or in advocating for more inclusive health policies, Pre-Health Dreamers (PHD) is a rapidly growing information-sharing network of over 150 pre-health undocumented students across the country.

<http://www.phdreamers.org/>

## HEALTH PROGRAMS AVAILABLE TO DACA RECIPIENTS

### CHILD HEALTH AND DISABILITY PREVENTION PROGRAM (CHDP)

*Overview:* CHDP is a preventive program that delivers periodic health assessments and services to low income children and youth in California.<sup>43</sup> This program provides health exams and immunizations that are important for prevention of disease and disabilities for children and young adults.

*What this means:* A health assessment includes a health history, physical examination, developmental assessment, nutritional assessment, dental assessment, vision and hearing tests, a tuberculin test, laboratory tests, immunizations, and health education, along with counseling on the results and referral for any needed diagnosis and treatment.<sup>5</sup>

*Who's eligible?* Children and youth from birth to age 19 whose family income is equal to less than 200% of the federal income guidelines. All DACA children and teenagers are eligible for health assessments based on the same schedule used for Medi-Cal children and youth.



Photo credit: Pocho One Photography

<sup>4</sup>Source: <http://www.dhcs.ca.gov/services/chdp/Pages/default.aspx>

<sup>5</sup>Source: <http://www.dhcs.ca.gov/services/chdp/Pages/ProgramOverview.aspx>

*Additional Resources:*

Department of Health Care Services- CHDP  
[www.dhcs.ca.gov/services/chdp/Pages/default.aspx](http://www.dhcs.ca.gov/services/chdp/Pages/default.aspx)

**ACCESS FOR INFANTS AND MOTHERS (AIM)**

*Overview:* Access for Infants and Mothers (AIM) is a low-cost health coverage program for pregnant women. The program is for middle-income families who do not have health insurance and whose income is too high for no-cost Medi-Cal. This program is crucial for pregnant women because going without prenatal care can cause many problems for the mother and the baby<sup>6</sup>.

*Why it matters:* Studies show that women who do not receive prenatal care often have more complicated and expensive births.<sup>7</sup> Moreover, risk of low weight and birth defects increases for the baby whose mother did not receive prenatal care<sup>8</sup>.



Photo credit: Pocho One Photography

*Additional Resources:*

Access for Infants and Mothers (AIM)  
[www.aim.ca.gov/Home/default.aspx](http://www.aim.ca.gov/Home/default.aspx)

AIM Federal Income Guidelines  
[www.aim.ca.gov/Costs/Income\\_Guidelines.aspx](http://www.aim.ca.gov/Costs/Income_Guidelines.aspx)

AIM Application  
[www.aim.ca.gov/Downloads](http://www.aim.ca.gov/Downloads)

**FAMILY PLANNING ACCESS CARE TREATMENT (FAMILY PACT)**

*Overview:* Family PACT is a program for low-income men and women of childbearing age that provides medical knowledge, assistance, and services on family planning. The purpose of family planning is to empower women and men to decide for themselves the number, timing, and spacing of their children.

*Why it matters:* Family planning can help ensure timely prenatal care, avoid maternal depression, increase likelihood of breastfeeding (which results in more healthy children), and prevent birth defects<sup>9</sup>.

*Additional Resources:*

Office of Family Planning, Family PACT  
[www.familypact.org](http://www.familypact.org)

6 Source: <http://www.aim.ca.gov/About/>

7 Source: <http://www.aim.ca.gov>

8 Source: <http://www.aim.ca.gov/Home/default.aspx>

9 Source: <http://www.healthypeople.gov/2020/topicsobjectives2020/overview.aspx?topicid=13>

## AIDS DRUG ASSISTANCE PROGRAM (ADAP)

*Overview:* ADAP is a program for low-income residents of California who are at least 18 years of age and have been diagnosed with HIV. The program provides uninsured and under-insured individuals with access to life-saving HIV medications. ADAP is an integral component of HIV care in the United States<sup>10</sup>.

*Why it matters:* With a steady, subsidized supply of HIV medications, ADAP participants can maintain an undetectable viral load. That reduces the risk of transmitting the virus to sexual partners. The antiretroviral therapy that the program provides helps patients live longer.

### *Additional Resources:*

California Department of Public Health, Office of Aids  
[www.cdph.ca.gov/programs/aids](http://www.cdph.ca.gov/programs/aids)

Office of Aids, ADAP  
[www.cdph.ca.gov/programs/aids/Pages/tOAADAPindiv.aspx](http://www.cdph.ca.gov/programs/aids/Pages/tOAADAPindiv.aspx)

## OTHER BENEFITS AVAILABLE TO DACA RECIPIENTS

### DRIVER'S LICENSES AND CALIFORNIA ID'S

*Overview:* DACA recipients are eligible for both driver's licenses<sup>11</sup> and California identification cards!

*What this means:* With a California driver's license, you can legally drive anywhere in the United States. You can also use the license for purposes of identification. However, a driver's license does *not* serve as proof of immigration status.

*Why it matters:* DACAmented individuals can commute to school or work and transport family members without the fear of deportation for driving without a driver's license.

And this, like other benefits profiled in this guide, is important for all Californians. Allowing drivers to be licensed means more tested and insured drivers, and that means safer roads for everyone.

*Background:* AB 2189 (Cedillo) of 2012 clarified existing law to ensure eligibility for driver's licenses. And under AB 60 (Alejo) of 2013, undocumented immigrants who do not have DACA will also be eligible for driver's licenses by January 2015.

### HIGHLIGHTS:

- DACA individuals are eligible for driver's license and CA identification cards
- Driver's Licenses do not serve as proof of immigration status

<sup>10</sup> Source: <http://www.cdph.ca.gov/programs/aids/Pages/tOAADAPindiv.aspx>

<sup>11</sup> As referenced in the Vehicle Code Section 12801.6 Driver Licenses: Deferred Action for Childhood Arrivals Program

## **TRAVELING DOMESTICALLY**

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With a California state issued ID or Driver's License you have the ability to travel domestically throughout the U.S. You may also be able to travel to U.S. territories such as Puerto Rico, Guam, and the Virgin Islands. However, we recommend against traveling to U.S. territories unless it is absolutely necessary. DACA is new program and such traveling benefits have not been fully analyzed.

## **TRAVELING INTERNATIONALLY<sup>12</sup>**

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As a DACA recipient, you may be able to travel internationally depending on the purpose for travel. You can submit a I-131 *Application for Travel Document* with USCIS to travel for "humanitarian, education, and work purposes" such as studying abroad, attending a work conference, or to attend the funeral of a family member. Traveling for vacation is not a valid purpose. You will need to provide supporting documents for your reason of travel and this process may take up to 90 days.

If approved, you will be granted Advance Parole. Once granted Advance Parole, we highly encourage you to seek the legal advice of an immigration attorney. **Do not travel abroad or book a flight before being granted Advance Parole.** Advance Parole has strict guidelines and time restrictions. For example, if you are approved for a 7-day travel, you MUST return to the U.S. on the 7<sup>th</sup> day or prior. Otherwise you risk not being able to return to the U.S. For the latest updates and procedures on Advance Parole, check the USCIS website at [www.uscis.gov](http://www.uscis.gov) and search for *I-131 Application for Travel Document*

### *Additional Resources*

Department of Motor Vehicles  
[www.dmv.ca.gov/dl/dl\\_info.htm#two500](http://www.dmv.ca.gov/dl/dl_info.htm#two500)

Got DACA, Now What?  
[www.e4fc.org/images/E4FC\\_GOTDACA.pdf](http://www.e4fc.org/images/E4FC_GOTDACA.pdf)

State Driver's License Policies and DACA  
[www.nilc.org/dacadriverslicensestbl.html](http://www.nilc.org/dacadriverslicensestbl.html)

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<sup>12</sup> Much of the travel information above is adapted from page 4 of E4FC's "Got DACA, Now What?" publication, [http://www.e4fc.org/images/E4FC\\_GOTDACA.pdf](http://www.e4fc.org/images/E4FC_GOTDACA.pdf)

## UNEMPLOYMENT

*Overview:* DACA recipients will be eligible to garner unemployment benefits after they have worked at least a year in a job with their DACA work permit.

*What it is:* Unemployment Insurance is a program that provides regular payments to eligible workers who are unemployed and looking for work.

*Why it matters:* Since DACA individuals do not qualify for food stamps (CalFresh), public housing, or many types of cash benefits for needy families, unemployment insurance is a very important safety net for individuals to have. Unemployment insurance also serves as stimulus for the economy in the state of California, particularly in times of economic crisis. With unemployment benefits, Californians are able to provide for their families and contribute to the economy.

*How do I get unemployment?*

The same rules apply to unemployed DACA individuals as other unemployed Californians. First, all applicants for unemployment insurance need to have an authorized immigration status while they establish a “base period” of employment, which is usually 12-15 months, before unemployment insurance benefits become available. The wages from this “base period” of employment are then used to determine the amount of unemployment benefits. Applicants must remain in authorized immigrant status and have work authorization each week that benefits are collected. There are further criteria, such as **applicants must not have left their job at their own will**. However, if you think you were wrongly denied unemployment benefits, you can appeal the decision.

### EXAMPLE

*Can Bryan get unemployment?* Bryan received a work permit under DACA in the spring of 2013, while he was finishing his undergraduate studies in the Bay Area. Immediately following graduation in June 2013, he was able to start working full-time as a research assistant at a tech company in San Francisco. But unfortunately, in July 2014, Bryan is laid off. Since he will still have his work permit, he’s eligible for unemployment insurance. His earnings from the past year will be used to calculate his unemployment insurance.

*Additional Resources:*

State of California, Employment Development Department  
[www.edd.ca.gov/unemployment/](http://www.edd.ca.gov/unemployment/)

State of California, Employment Development Department,  
FAQ Sheet on Appeals [www.edd.ca.gov/unemployment/FAQ\\_-\\_Appeals.htm](http://www.edd.ca.gov/unemployment/FAQ_-_Appeals.htm)

### HIGHLIGHTS:

- DACA recipients are eligible for work permits
- That means you are eligible to collect unemployment benefits after a 12-15 month “base period” of employment as a lawfully present individual
- You must have valid work authorization/ permits each week that unemployment benefits are claimed



**The California Immigrant Policy Center** advances inclusive policies that build a prosperous future for all Californians, using policy analysis, advocacy and capacity building to unlock the power of immigrants in California. CIPC was founded to respond to the 1996 passage of federal immigration and welfare laws that profoundly affected immigrants. CIPC fights for progressive policies that advance the health of every Californian, challenge unjust detentions and deportations, and uphold the rights of immigrant workers.

#### About This Document

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