

How a Non-Citizen Can Qualify for Social Security Disability Benefits

If you're not an American citizen that doesn't necessarily mean that you can't qualify for benefits from the [Social Security Administration](#) if you can't work. The Social Security Administration has many different types of benefit programs that are open to people who not yet citizens but do meet requirements that are set by the SSA. You could be eligible for Social Security disability if the following statements are true:

- You have a Social Security number that was issued to you before January 1, 2004 and you have worked and paid taxes on your income
- You have a non-immigrant B-1, D-1 or D-2 Visa.

The language describing who qualifies for benefits from the SSA can be very confusing but so to break it down, in order to qualify:

- If you are a legal resident of the United States
- You have a job
- You make at least \$5000 in taxable income each year or if you did until you got sick

You must also have worked for a set period of time, based on your age, in order to qualify for benefits. The older you are the longer the time requirement is to qualify for benefits. For example, a person that is 25 and is filing a claim for [disability benefits](#) will need to have worked only two years to qualify for benefits. But a person that is 60 will need to have worked for at least ten years to qualify for benefits.



Supplemental Security Income

There are different requirements for people who have never worked in the U.S. or need benefits for a dependent child not for themselves.

If you have a child that has a [disability](#) or a medical condition that requires extra care, extra therapy, or special education and you need help paying for the things the child needs you can qualify for [Supplemental Security Income \(SSI\)](#).

The requirements to qualify for SSI benefits are that a single person or parent cannot have more than \$2000 in savings or earn more than \$850 a month. If you are not a citizen and you are applying for SSI benefits you must also have “qualified alien” status.

What Is Qualified Alien Status?

People who have legal alien status fall into one of seven categories of qualified aliens that may be eligible for SSI benefits. You qualify you must be in one of these categories:

- You're Lawfully Admitted for Permanent Residence (LAPR)
- You've been granted conditional entry under Section 203(a)(7) of the Immigration and Nationality Act (INA).
- You've been paroled into the US under Section 212(d)(5) of the INA, and you've been in the US for at least one year.
- You're a refugee admitted to the US under Section 207 of the INA.
- You've been granted asylum under Section 208 of the INA.
- Your deportation is being withheld under Section 241(b)(3) of the INA.
- You're a "Cuban/Haitian entrant" as described in Section 501(e) of the Refugee Education Assistance Act of 1980.

Sometimes the requirements that you have to meet in order to be considered a qualified alien change without much notice, so you should double check your status if you are a qualified alien.

For example, a person admitted to this country under the provisions of the Victims of Trafficking and Violence Protection Act of 2000 will not be considered "qualified aliens." In that situation you would still need a non-immigrant visa to qualify for SSI.

It's wise to make an appointment to talk with someone who knows the Social Security system well and keeps up on changes to policy before filing your claim to make sure you meet the current requirements.

Applying For Social Security Disability Benefits or SSI Benefits

Since each non-citizen has a unique situation the best way to apply for Social Security benefits is online on the [SSA's website](#). Make sure to have all of [your paperwork](#) in order before applying. You also have the option of calling the SSA's toll free hotline at 1-800-772-1213 if you have any specific questions regarding your claim. After your initial application is complete, you should hear back from the SSA within 3-5 months with their decision.



Additional Resources

- <https://www.ssa.gov/>
- <https://www.ssa.gov/disability/>
- <https://www.disability-benefits-help.org/faq/how-does-ssa-define-disability>
- <https://www.ssa.gov/ssi/>
- <https://www.ssa.gov/applyfordisability/>
- <https://www.disability-benefits-help.org/glossary/social-security-disability-medical-sources>