

.06 Permanent Disability (NA)

REVISION 09
(07/01/09 – 09/30/09)

A Lawful Permanent Resident (LPR) who has a permanent disability based on any of the following criteria, is potentially eligible for NA:

- Receives Social Security benefits under one of the following:
 - SSI Title XVI
 - SSA disability
 - Benefits for the blind under Title I, II, X, XIV, or XVI of the Social Security Act
- Certified for, but not actually receiving SSI or RSDI. They are considered having a disability when they present an SSA Disability Notice or when they have been approved for either of the following:
 - SSI presumptive disability payments
 - SSI emergency advanced payments

WARNING

A noncitizen may remain certified for disability benefits or payments when they receive no cash benefit because the benefit is being collected by SSA to recover an overpayment.

- Is a veteran with a service connected or nonservice connected disability. The Veteran's Administration (VA) must have rated the disability as total or be paid as total under Title 38 of the U.S. Code.

NOTE There is no requirement that they receive payments from the VA.

- Is a veteran's surviving spouse and considered in need of aid and attendance, or permanently housebound, under Title 38 of the U.S. Code.

NOTE There is no requirement that they receive payments from the VA.

- Receives disability retirement benefits from a federal, state or local government agency because of a disability considered permanent under Section 221(i) of the Social Security Act.
- Receives a disability annuity under Section 2(a)(1)(v) of the Railroad Retirement Act of 1974 and meets either of the following conditions:
- Has been determined eligible for Medicare by the Railroad Retirement board.
- Is considered having a disability based on the criteria used under Title XVI of the Social Security Act.
- Receives assistance through an AHCCCS [Medicare Savings Program](#) (MSP) under Title XIX, of the Social Security Act.