

GENERAL INFORMATION SYSTEM

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DIVISION: Office of Health Insurance Programs

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TO: Local District Commissioners, Medicaid Directors

FROM: Judith Arnold, Director
Division of Coverage and Enrollment

SUBJECT: Medicaid for Haitians Applying for or Granted Temporary Protected Status by the U.S. Citizenship and Immigration Services (USCIS)

EFFECTIVE DATE: January 12, 2010

CONTACT PERSON: Medicaid: Local District Support Unit
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The purpose of this General Information System (GIS) message is to inform local departments of social services (LDSS) that the Department of Homeland Security (DHS) has designated Haiti for Temporary Protected Status (TPS) for a period of 18 months and the effect this designation has on Haitian nationals' eligibility for Medicaid. Haitian nationals who have been both physically present in the U.S. **and** continually residing in the U.S. as of January 12, 2010, are eligible to apply for TPS with the United States Citizenship and Immigration Services (USCIS).

Haitian nationals who have **applied** for or been **granted** Temporary Protected Status are considered Permanently Residing in the United States Under Color of Law (PRUCOL), and, if otherwise eligible, may qualify for Medicaid, Family Health Plus or Child Health Plus.

It is important to note that TPS will apply only to those Haitians who were in the United States on or before January 12, 2010. TPS is also extended to Haitians living illegally in the United States on or before January 12, 2010. TPS protects them from deportation for 18 months and allows them to work in the U.S. Haitians who attempt to travel into the U.S. after January 12, 2010, will not be eligible for TPS.

Temporary Protected Status is a temporary immigration status granted under federal law at 8 U.S.C. 1254a to aliens who are physically present in the U.S. and who are from certain countries designated by the Department of Homeland Security (DHS) as unsafe to accept their return because of ongoing environmental disasters or other extraordinary and temporary conditions. Haiti joins El Salvador, Honduras, Nicaragua and Sudan as countries currently designated for TPS. Countries designated as TPS sometimes receive extensions.

Temporary Protected Status does not lead to permanent residence. Providing a temporary refuge for Haitian nationals who are currently in the U.S. and whose personal safety would be endangered by returning to Haiti is part of continuing efforts to support Haiti's recovery from the devastating earthquake on January 12, 2010.

USCIS began taking applications for TPS from Haitian nationals on January 21, 2010. The 180-day registration period for eligible Haitian nationals to apply for TPS will end on July 20, 2010.

Granted TPS Status:

Haitians who have been **granted** TPS will have the following documentation:

- Form I-766 EAD coded 274a.12(a)(12) or A12; or
- Notice of Action (I-797) indicating temporary protected status has been granted.

Applicants for TPS Status:

Local departments of social services should request proof from the alien that he or she filed the Application for Temporary Protected Status (Form I-821) **and** the Application for Employment Authorization (Form I-765) with the United States Citizenship and Immigration Services.

Applicants for TPS will have the following documentation:

- Form I-766 EAD coded 274a.12(c)(19) or C19; or
- Notice of Action (I-797) showing filing of Form I-821 (Application for Temporary Protected Status) and Form I-765 (Application for Employment Authorization).

Haitians in the U.S. who are eligible to apply for TPS should go to www.uscis.gov or call USCIS toll-free at (800) 375-5283.