

OTHER ELIGIBILITY REQUIREMENTS

SATISFACTORY IMMIGRATION STATUS

Description: Immigrants in satisfactory immigration status are otherwise eligible for Medicaid, Family Health Plus (FHPlus) and Child Health Plus (CHPlus) and include qualified aliens and persons permanently residing in the United States under color of law (PRUCOL).

Policy: All immigrants in satisfactory immigration status regardless of the date they physically entered into the United States can be eligible for Medicaid provided they meet all other eligibility requirements. The only difference is that Federal Financial Participation (FFP) should be claimed for some groups but must not be claimed for others or must not be claimed until the individual has resided in the United States as a qualified alien for five years (i.e., the Federal five-year ban).

- Qualified aliens who entered the U.S. prior to August 22, 1996 receive full Medicaid coverage with Federal Financial Participation (FFP);
- Certain qualified aliens who entered the U.S. on or after August 22, 1996 receive Medicaid coverage with FFP; and
- Certain qualified aliens who entered the U.S. on or after August 22, 1996, receive Medicaid coverage with State and local funds (FNP) until they have resided in the U.S. as a qualified alien for five years (five year ban).
- Persons permanently residing in the United States under color of law (PRUCOL) are eligible for Medicaid, provided they meet all other eligibility requirements. There is no Federal Financial Participation for this group. This means the federal government will not pay a share of their Medicaid costs. The shares are generally split 50% State/50% local. (Refer to the PRUCOL section of this document)

References:

Public Law	P.L. 100-202
SSL Sect.	122 131-k
Dept. Reg.	349.3 351.1 351.2 360-3.2(j)
ADMs	04 ADM 07 97 ADM-23 92 ADM-10

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SATISFACTORY IMMIGRATION STATUS

	88 ADM-47
	88 ADM-22
	82 ADM-24
INF	06 OMM INF-5
GISs	09 MA/028
	09 MA/009
	98 MA/21
	97 TA/DC022

Interpretation: Medicaid eligibility is based on whether the immigrant is in satisfactory immigration status and meets all the other requirements of the Medicaid program(s). Immigrants who are not in a satisfactory immigration status may be eligible for the treatment of an emergency medical condition.

Individuals who file United States Citizen Immigration Services (USCIS) applications and/or petitions at certain facilities have the option to receive an e-mail and/or text message informing them that USCIS has accepted their application or petition. The E-Notification does not constitute official notice of application acceptance; the A/R will receive an official notice of application acceptance (I-797) through the U.S. Postal Service. The e-mail or text message does not grant any type of immigration status or benefit and cannot be accepted or used as evidence that USCIS has granted the individual any immigration status or benefit. Receipt of the transmission cannot be used as supporting evidence of satisfactory immigration status for any Medicaid benefit.

SPECIAL NOTE: HOMELESS INDIVIDUALS

Homeless individuals often need assistance from the eligibility worker in obtaining acceptable proof of identity, citizenship or satisfactory immigration status. When the applicant is a homeless individual, it may be difficult for him/her to establish his or her identity, citizenship or immigration status. However, just because an individual is homeless, she/he still must be identified. Proving one's identity is a requirement of the Medicaid program. (See **OTHER ELIGIBILITY REQUIREMENTS IDENTITY**).

NOTE: If an individual is unable to verify his or her identity, citizenship or satisfactory immigration status, workers should not assume she/he is therefore eligible for coverage of an emergency medical condition.