Eligibility for Non-Citizens in Medicaid and CHIP

Center for Medicaid and CHIP Services
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Overview

- Eligibility for Non-Citizens (PRWORA)
- Lawfully Residing Option for Medicaid/CHIP
- Eligibility for Medicaid, CHIP, and Marketplace/QHPs
- Application and Enrollment Tips for Non-Citizens
- Accessibility/Language Services
Eligibility for Non-Citizens in Medicaid and CHIP under Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA)

- The following groups may be eligible for Medicaid and CHIP:
  - Qualified non-citizens who entered before 8/96
  - Qualified Immigrants who reach end of 5 year waiting period (i.e. LPRs/green card holders)
  - Qualified Immigrants exempt from 5-year waiting period (e.g., Refugees, Asylees, Cuban/Haitian entrants, Trafficking Victims, Veteran families)

- No federal funding to cover undocumented immigrants, except for payment for limited emergency services
Who is a “Qualified Non-Citizen”?

• Specific list includes:
  – Lawful Permanent Residents (LPRs or green card holders)
  – Asylees and Refugees
  – Cuban/Haitian entrants
  – Parolees for more than 1 year
  – Battered non-citizens, spouses and children
  – Victims of trafficking
  – Veterans and active military, and their spouses and children
• Note: Many of these groups are exempt from the 5 year waiting period
Option to Cover Lawfully Residing Children and Pregnant Women

• CHIPRA made available a state option to cover children and/or pregnant women who are:
  – Lawfully present, and otherwise eligible
  – Without a 5-year waiting period
  – Regardless of date of entry into the U.S.
• 29 states, DC and CNMI
“Lawfully Present” includes:

• Qualified non-citizen, regardless of a waiting period
• Humanitarian statuses or circumstances (Temporary Protected Status, Special Juvenile Status, asylum applicants, Convention Against Torture)
• Valid non-immigrant visa holder
• Legal status conferred by other laws (temporary resident status, LIFE Act, Family Unity individuals)
• Lawfully present in American Samoa and the Northern Mariana Islands
Seamless, Streamlined System of Eligibility and Enrollment

Submit single, streamlined application to the Exchange, Medicaid/CHIP

- Online
- Phone
- Mail
- In Person

Eligibility is determined and verified

- Supported by the Federally-managed data services hub
- Eligibility for:
  - Medicaid and CHIP
  - Enrollment in a QHP
  - Advance payments of the premium tax credit and cost-sharing reductions

Enroll in affordable coverage

- Online plan comparison tool available to inform QHP selection
- Advance payment of the premium tax credit is transferred to the QHP
- Enrollment in Medicaid/CHIP or QHP
Minimizing Burden in Application Process

• The state may only require an individual to provide the information necessary to make an eligibility determination

• Applications may ask a non-applicant for certain information necessary to determine eligibility for an applicant (i.e. income, tax filing status, relationship)
Application Process Cont.

• Request for SSN of a non-applicant is permitted if:
  - It is voluntary
  - It is used only to determine eligibility for applicant/beneficiary or for purpose directly connected to Medicaid program
  - Clear notice is provided to individual

• States should not ask for citizenship/immigration information from a non-applicant
Public Charge

• Applying for Medicaid or CHIP does not make someone a “public charge.”
  – It will not affect someone’s chances of becoming an LPR or US citizen.
  – The one exception is for individuals receiving long-term care in an institution at government expense. These people may face barriers getting a green card.
Accessibility and Federal Funds for Language Services

• Information must be accessible to individuals who are limited English proficient and individuals with disabilities
  – Entities receiving federal funds have a responsibility to provide these services and not to discriminate based on national origin for individuals who are limited English proficient under Title VI of Civil Rights Act of 1964
  – Based on disability under section 504 of the Rehabilitation Act of 1973

• Federal funds are available for oral interpretation and written translation provided to Medicaid and CHIP applicants and beneficiaries
## Eligibility Options for Non-Citizens

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<th>Program</th>
<th>Summary of Eligibility Rules</th>
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| Medicaid/CHIP | • Qualified non-citizens  
• Must apply the 5-year waiting period to certain non-citizens  
• State option to cover lawfully residing children and/or pregnant women (removes the 5-year waiting period) |
| Marketplace/QHP | • Must be *lawfully present* to purchase insurance in a Qualified Health Plan, or to be eligible for an Advance Payment for Premium Tax Credit or Cost-Sharing Reduction  
• Under 100% FPL of household income, may be eligible for APTC and CSRs, if lawfully present and ineligible for Medicaid due to immigration status |
Resources

Information on non-citizen eligibility, application, and verification for Marketplace, Medicaid and CHIP eligibility
https://www.healthcare.gov/immigrants/

Information on Medicaid and CHIP eligibility for non-citizens