

## **Documentation Guide for Citizen and Non-Citizen Eligibility for Health Insurance Coverage in New York State**

Included in this Documentation Guide are citizenship and immigration documents that can establish an individual's immigration or citizenship status when applying for public health insurance coverage.

### **Immigrant Eligibility for Public Health Insurance**

In New York State, U.S. citizens, nationals, naturalized citizens, American Indians/Alaska Natives, qualified immigrants, including those who are Permanently Residing Under Color of Law (PRUCOL), and non-immigrants, who are lawfully present **and** are New York State residents, may be eligible for Medicaid, Child Health Plus (CHPlus), Family Planning Benefit Program (FPBP), Essential Plan (EP), Advanced Premium Tax Credit (APTC), Cost Savings Reduction Subsidies (CSR) or Qualified Health Plans (QHP).

### **Immigrant Eligibility for Other Public Health Insurance Programs**

Regardless of immigration status, applicants may be eligible for CHPlus, prenatal care, the treatment of an emergency medical condition, and a sliding-fee scale at public hospitals and clinics. For these programs, the applicant must meet other eligibility criteria, including identity and income requirements.

For purposes of this Documentation Guide, Federal Financial Participation refers to federal “**Medicaid**” funding. Consumers who are eligible for federal assistance through CHPlus, EP, PTC/APTC, CSR and QHP must apply for and enroll in health insurance through New York’s health plan marketplace, NY State of Health. Consumers who are age 65 or older, and not a caretaker relative, must continue to apply at their local department of social services.

Income eligibility guidelines, by citizenship and immigration status, for Medicaid, including FPBP, CHPlus, EP, and the treatment of an emergency medical condition, are located on pages 35–39 of this Documentation Guide. Eligibility guidelines for both Modified Adjusted Gross Income (MAGI) consumers, who enroll through the marketplace, and Non-MAGI consumers, who enroll through the local district, are included.

### **Acronyms Used**

**WMS** - Welfare Management System  
**FFP** - Federal Financial Participation  
**SSN** - Social Security Number  
**ACI** - Alien/Citizenship Indicator

**EOIR** - Executive Office for Immigration Review  
**USCIS** - United States Citizenship and Immigration Services  
**ICE** - Immigration and Customs Enforcement  
**INA** - Immigration and Nationality Act

**The following Documentation Guide lists the most common documents presented by citizen and non-citizen consumers who apply for health insurance in New York State. The guide is not all inclusive.**

**Category 1: U.S. Citizens**

<b>Category 1: U.S. Citizens/Nationals/Naturalized Citizens</b>	<b>Documentation</b> <b>Listed are the most common documents used to prove both U.S. citizenship and identity. The list is not exhaustive; there are other documents that can establish both U.S. citizenship and identity.</b>	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<p><b>U.S. Citizens:</b></p> <p>Individuals born in the 50 United States, the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, or the Northern Mariana Islands and most individuals born outside of the U.S. to U.S. citizen parents.</p> <p><b>U.S. Nationals:</b></p> <p>Individuals born in American Samoa and Swain's Island.</p> <p><b>Collectively Naturalized Citizens:</b></p> <p>Individuals born in: Puerto Rico, on or after 1/13/1941; Guam, on or after 4/11/1899; the U.S. Virgin Islands, on or after 2/25/1927; and the Northern Mariana Islands (NMI), on or after 11/14/1986, NMI local time.</p> <p><b>U.S. citizens, U.S. nationals and Collectively Naturalized citizens are eligible to apply for Medicaid.</b></p> <p><b>Citizenship Reminders:</b>  <i>An individual who attests to be a U.S. citizen and provides a valid SSN, will have their citizenship, identity and date of birth verified by an electronic data match.</i></p>	<p>The following documents are considered <b>stand-alone</b> evidence of <b>U.S. citizenship and identity</b> and <b>DO NOT</b> require a separate identity document.</p> <ul style="list-style-type: none"> <li>▶ U.S. passport;</li> <li>▶ Certificate of Naturalization (N-550 or N-570);</li> <li>▶ Certificate of U.S. Citizenship (N-560 or N-561);</li> <li>▶ New York State Enhanced Driver's License (EDL) or Enhanced Non-Driver Identity card; and</li> <li>▶ Native American Tribal Document (issued by a Federally Recognized Tribe) indicating tribal membership, enrollment in, or affiliation with a tribe which may include the following: A tribal enrollment card;</li> <li>• A tribal census document;</li> <li>• A document issued by an Alaskan Native village/tribe, or an ANCSA corporation;</li> <li>• A certificate of degree of Indian blood issued by the Bureau of Indian Affairs; or</li> <li>• Any tribal document indicating affiliation with the tribe.</li> </ul>	<p><b>C</b></p>	<p><b>Yes</b></p>	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one; or</p> <p>Attest they will apply or are in the process of applying for an SSN.</p>

**Category 1: U.S. Citizens**

<b>Category 1: U.S. Citizens/ Nationals/Naturalized Citizens</b>	<b>Documentation Listed are the most common documents used along with identity documents to prove U.S. citizenship</b>	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<p><b>U.S. Citizens:</b></p> <p>Individuals born in the 50 United States, the District of Columbia, Puerto Rico, U.S. Virgin Islands, Guam, and the Northern Mariana Islands.</p> <p><b>U.S. Nationals:</b></p> <p>Individuals born in American Samoa and Swain’s Island.</p> <p><b>Collectively Naturalized Citizens:</b></p> <p>Individuals born in: Puerto Rico, on or after 1/13/1941; Guam, on or after 4/11/1899, the U.S. Virgin Islands, on or after 2/25/1927; and the Northern Mariana Islands (NMI), on or after 11/14/1986, NMI local time.</p> <p><b>Citizenship Reminders:</b> <i>An individual who attests to being a U.S. citizen and provides a valid SSN, will have their citizenship, identity and date of birth verified by an electronic data match.</i></p>	<p>The following documents are <b>NOT</b> considered <b>stand-alone</b> evidence of <b>U.S. citizenship and identity</b> and <b>will require a separate identity document.</b> (Please see list of Identity Documents on page 6.)</p> <ul style="list-style-type: none"> <li>▶ U.S. public birth certificate showing birth in one of the 50 United States, the District of Columbia, American Samoa, Swain’s Island, Puerto Rico, Guam, the U.S. Virgin Islands, or the Northern Mariana Islands (NMI);</li> <li>▶ Certification of Report of Birth issued by the Department of State (DS-1350, FS-545);</li> <li>▶ Report of Birth Abroad of a U.S. Citizen (FS-240);</li> <li>▶ U.S. Citizen Identification Card (I-197 or I-179);</li> <li>▶ Northern Mariana Identification Card (I-873);</li> <li>▶ Final adoption decree showing U.S. place of birth;</li> <li>▶ Evidence of U.S. civil service employment before 6/1/1976;</li> <li>▶ Military record of service showing U.S. place of birth (i.e., DD-214);</li> <li>▶ Evidence of qualifying for U.S. citizenship under Child Citizenship Act of 2000;</li> <li>▶ An extract of hospital record which must show a U.S. place of birth;</li> <li>▶ Life, health, or other insurance record, if it shows a U.S. place of birth;</li> <li>▶ Religious record recorded in the U.S. showing a U.S. place of birth;</li> <li>▶ Federal or State census record showing a U.S. citizenship or a U.S. place of birth;</li> </ul> <p>The following other documents are acceptable if they indicate a U.S. place of birth;</p> <ul style="list-style-type: none"> <li>• Medical (clinic, doctor, or hospital) record; or</li> <li>• U.S. Vital Statistics official notification of birth registration.</li> </ul> <ul style="list-style-type: none"> <li>▶ School record (pre-school, Head Start, daycare) showing a U.S. place of birth;</li> <li>▶ Institutional admission papers from a nursing facility, skilled care facility/institution showing a U.S. place of birth; and</li> <li>▶ An affidavit or statement signed by someone who can attest under penalty of perjury to the applicant’s citizenship, and contains the applicant’s name, date of birth, and place of U.S. birth (including a physician or midwife or a statement from the adoption agency). The document does not need to be notarized.</li> </ul>	<p><b>C</b></p>	<p><b>Yes</b></p>	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one; or</p> <p>Attest that they will apply or are in the process of applying for an SSN.</p> <p style="text-align: right;"><b>3</b></p>

**Category 2: Naturalized U.S. Citizens**

<b>Category 2: Naturalized U.S. Citizens</b>	<b>Documentation</b> Listed are the most common documents used to prove U.S. citizenship for naturalized U.S. citizens	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<p><b>Naturalized U.S. Citizen</b></p> <p><i>Individuals born outside the U.S., emigrated to the U.S., applied for, and passed a citizenship test, and then became a U.S. citizen.</i></p>	<p>The following documents are considered <b>stand-alone</b> evidence of <b>naturalized U.S. citizenship and identity</b> and <b>DO NOT</b> require a separate identity document.</p> <ul style="list-style-type: none"> <li>▶ U.S. passport;</li> <li>▶ Certificate of Naturalization (N-550 or N-570); or</li> <li>▶ Certificate of U.S. Citizenship (N-560 or N-561).</li> </ul>	<p><b>C</b></p>	<p><b>Yes</b></p>	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one; or</p> <p>Attest that they will apply or are in the process of applying for an SSN.</p>

## Identity Documents – For U. S. Citizens/ Nationals and Naturalized, U.S. Citizens

<p><b>Category 1 and 2 Identity Documents</b></p>	<p><b>Identity documents for U.S. citizens, nationals, and naturalized, U.S. citizens.</b>  <b>Listed are the most common documents used to prove identity. The list is not exhaustive; other documents can be used to establish identity.</b></p>
<p><b>Identity</b>                  For the purposes of Medicaid eligibility, includes the 50 United States, the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, American Samoa, Swain's Island, and the Northern Mariana Islands.</p>	<ul style="list-style-type: none"> <li>▶ A driver's license issued by a state or U.S. territory either with a photograph of the individual or other identifying information such as name, age, sex, race, height, weight, or eye color;</li> <li>▶ U.S. school identification card with a photograph of the individual;</li> <li>▶ U.S. military card or draft record;</li> <li>▶ Identification card issued by federal, state, or local government with the same information included on the driver's license;</li> <li>▶ U.S. military dependent's identification card;</li> <li>▶ U.S. Coast Guard Merchant Mariner card; or</li> <li>▶ A cross-match with a federal or State governmental, public assistance, law enforcement, or corrections agency's data system.</li> </ul> <p>If <b>none</b> of the above identity documents are available, a combination of two or more corroborating documents such as a marriage certificate, divorce decree, high school or college diploma, employer ID card or property deed/title, may be used.</p> <ul style="list-style-type: none"> <li>▶ Disabled individuals in residential care facilities may have identity attested to by the facility director or administrator, on behalf of the individual in the facility, when the individual does not have or cannot get any document listed above. This affidavit must be signed under penalty of perjury but does not need to be notarized.</li> <li>▶ Children under <b>19</b> years of age may have their identity documented using other means:                         <ul style="list-style-type: none"> <li>• Clinic, doctor, or hospital record;</li> <li>• School records including report card, day care or nursery school record. Records must be verified with the issuing school; or</li> <li>• Affidavit signed under penalty of perjury by a parent, guardian, or caretaker relative stating the date and place of the child's birth, if no other documents are available. An identity affidavit cannot be used if a citizenship affidavit was used. Affidavits do not need to be notarized. Identity affidavits may be used for children under 19 when a school ID or driver's license is not available.</li> </ul> </li> </ul> <p><b>Canadian driver's licenses may not be used for Identity Documents.</b></p>

## Most Common U. S. Citizenship and Immigration Services (USCIS) Documents (Forms) Presented to Show Lawful Presence or Lawful Permanent Residence in the U.S.

**I-94** Arrival Departure Record/Card  
**I-130** Petition for Alien Relative  
**I-140** Immigrant Petition for Alien Worker  
**I-179** United States Citizen Identification Card (no longer issued, but still accepted)  
**I-181** Memorandum of Creation of Record of Lawful Permanent Residence  
**I-197** United States Citizenship Identification Card (no longer issued, but still acceptable)  
**I-210** Voluntary Departure  
**I-220B** Order of Supervision  
**I-327** Permit to Reenter the United States  
**I-360** Petition for Amerasian, Widow(er), or Special Immigrant (VAWA) Self-Petitioner  
**I-485** Application to Register Permanent Residence or Adjust Status

**I-551** Permanent Resident Card, Resident Alien Card commonly referred to as a “Green Card”  
**I-571** Refugee Travel Document  
**I-766** Employment Authorization Document (with photograph)  
**I-797\*\*** Notice of Action  
**DD Form 2** Military Identification Card  
**DD-214** Report of Separation Military Discharge Document  
**N-560** Certificate of Citizenship  
**N-561** Certificate of Citizenship Replacement  
**N-550** Certificate of Naturalization  
**N-570** Certificate of Naturalization Replacement

\*\* Note - An I-797 Notice of Action Document is issued by USCIS for several different reasons. It is important to read the language included in the I-797 notice to identify the specific action that has been taken when determining the status of a non-citizen applying for Medicaid. Non-citizens applying for Medicaid may need to provide additional documents if their application to USCIS to adjust their immigration status is pending approval or has not been processed yet.

**Category 3: Immigrant Non-Citizens – Qualified Non-Citizens**

<b>Category 3: Immigrant Non-Citizens Qualified Non-Citizens</b>	<b>Documentation</b> Listed are the most common documents used to prove the immigrant non-citizen category.	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<b>Native Americans born in Canada</b>	► I-94 coded S1-3; ► I-551 Permanent Resident Card stamped S1-3; ► Temporary I-551 stamp coded S1-3 in a Canadian passport; or ► Tribal Record or document certifying at least 50% American Indian blood, as required by Section 289 of the Immigration and Nationality Act (INA) and satisfactory evidence of birth in Canada such as the following: <ul style="list-style-type: none"> <li>• Birth or Baptismal Certificate issued on a reservation;</li> <li>• Letter from Canadian Department of Indian Affairs; or</li> <li>• School Records.</li> </ul>	<b>C</b>	<b>Yes</b>	<b>Individuals applying for coverage must:</b>  Provide their SSN if they have one;  Attest that they will apply or are in the process of applying for an SSN; or  Attest that they are not eligible for an SSN due to their immigration status.
<b>Native Americans belonging to a federally recognized tribe born outside of the U.S.</b>	Membership card or other tribal document (i.e., tribal card) demonstrating membership in a federally recognized Indian tribe under Section 4(e) of the Indian Self-Determination and Education Assistance Act and satisfactory evidence of birth outside the U.S.	<b>C</b>	<b>Yes</b>	

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<b>Category 3: Immigrant Non-Citizens Qualified Non-Citizens</b>	<b>Documentation Listed are the most common documents used to prove the immigrant non-citizen category.</b>	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<b>Refugees</b>	<ul style="list-style-type: none"> <li>▶ I-94 or foreign passport with annotation “Section 207” of the INA or “Refugee,” RE1, RE2, RE3, RE4 or RE5;</li> <li>▶ I-551 coded R8-6, RE6, RE7, RE8, or RE9;</li> <li>▶ I-571 Refugee Travel Document; or</li> <li>▶ I-766 Employment Authorization Document annotated A3.</li> </ul>	<p style="text-align: center;"><b>R</b></p>	<p style="text-align: center;"><b>Yes</b></p>	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one;</p> <p>Attest that they will apply or are in the process of applying for an SSN; or</p>
<b>Asylees</b>	<ul style="list-style-type: none"> <li>▶ I-94 or foreign passport annotated “granted Asylum under Section 208 of the INA”, “Section 208” or “Asylee”;</li> <li>▶ I-551 coded AS1, AS2, AS3, AS6, AS7, or AS8;</li> <li>▶ I-571 Refugee Travel Document;</li> <li>▶ I-766 Employment Authorization Document annotated A5; or</li> <li>▶ Grant letter/order from the USCIS Asylum Office or immigration judge granting asylum.</li> </ul>	<p style="text-align: center;"><b>A</b></p>	<p style="text-align: center;"><b>Yes</b></p>	<p>Attest that they are not eligible for an SSN due to their immigration status.</p>



**Category 3: Immigrant Non-Citizens – Qualified Non-Citizens**

<b>Category 3: Immigrant Non- Citizens Qualified Non-Citizens</b>	<b>Documentation Listed are the most common documents used to prove the immigrant non-citizen category.</b>	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<p><b>Persons Granted Withholding of Deportation or Removal:</b></p> <p>Non-citizens whose deportation or removal has been withheld based on a finding that the person’s life or freedom is threatened in the country of deportation based on race, religion, nationality, or membership in a social group or political opinion.</p>	<ul style="list-style-type: none"> <li>▶ I-94 or foreign passport stamped “Section 243(h)” or “Section 241(b)(3)”;</li> <li>▶ I-766 Employment Authorization Document annotated A10; or</li> <li>▶ Order issued by an immigration judge, the Board of Immigration appeals or a federal court showing the date that deportation was withheld under Section 243(h) of the INA, as in effect prior to April 1, 1997, or the date that removal was withheld under Section 241(b)(3) of the INA.</li> </ul>	<p><b>J</b></p>	<p><b>Yes</b></p>	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one;</p> <p>Attest that they will apply or are in the process of applying for an SSN; or</p> <p>Attest that they are not eligible for an SSN due to their immigration status.</p>

**Category 3: Immigrant Non-Citizens – Qualified Non-Citizens**

<b>Category 3: Immigrant Non-Citizens Qualified Non-Citizens</b>	<b>Documentation</b> Listed are the most common documents used to prove the immigrant non-citizen category.	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<b>Cuban/Haitian Entrants</b>	<ul style="list-style-type: none"> <li>▶ I-94 with annotation “Cuban-Haitian Entrant” Section 212(d)(5) of the INA, CU6, CU7 or any other notation indicating “parole” under 212(d)(5) on or after 10/10/80; and satisfactory evidence that the parolee has been a Citizen of Cuba or Haiti;</li> <li>▶ I-551 coded CU6, CU7, CH6, CN-P, LB-2, LB-6, or LB-7;</li> <li>▶ Temporary I-551 stamp coded CU-6 or CU-7 in a foreign passport;</li> <li>▶ I-766 Employment Authorization Document annotated C8, and satisfactory evidence that the parolee has been a Citizen of Cuba or Haiti;</li> <li>▶ Order to Show Cause (OSC), I-221S, or Notice to Appear (NTA), I-862, indicating pending exclusion, removal or deportation proceedings and satisfactory evidence that the parolee has been a Citizen of Cuba or Haiti; or</li> <li>▶ Any document indicating pending asylum application or filing of I-589 Application for Asylum, with satisfactory evidence on the document that the person has been a Citizen of Cuba or Haiti.</li> </ul>	<p style="text-align: center;"><b>H</b></p>	<p style="text-align: center;"><b>Yes</b></p>	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one;</p> <p>Attest that they will apply or are in process of applying for an SSN; or</p> <p>Attest that they are not eligible for an SSN due to their immigration status.</p>

**Category 3: Immigrant Non-Citizens – Qualified Non-Citizens**

<b>Category 3: Immigrant Non-Citizens Qualified Non-Citizens</b>	<b>Documentation</b> Listed are the most common documents used to prove the immigrant non-citizen category.	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<b>Amerasians</b>	<ul style="list-style-type: none"> <li>▶ I-94 Arrival/Departure Record of Vietnamese passport or exit visa stamped AM1, AM2, AM3, AM6, AM7, or AM8;</li> <li>▶ I-551 Permanent Resident Card coded AM1, AM2, AM3, AM6, AM7, AM8;</li> <li>▶ Temporary I-551 stamp in Vietnamese passport AM1, AM2, AM3, AM6, AM7, AM8; or</li> <li>▶ I-571 Refugee Travel Document.</li> </ul>	<b>R</b>	<b>Y</b>	<b>Individuals applying for coverage must:</b>  Provide their SSN if they have one;  Attest that they will apply or are in the process of applying for an SSN; or  Attest that they are not eligible for an SSN due to their immigration status.
<b>Citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, OR the Republic of Palau</b>	<ul style="list-style-type: none"> <li>▶ I- 766 Employment Authorization Document annotated A8;</li> <li>▶ I-94 coded CFA/FSM, CFA/MIS, CFA/PAL</li> </ul>	<b>R</b>	<b>Y</b>	

**Category 3: Immigrant Non-Citizens – Qualified Non-Citizens**

<b>Category 3: Immigrant Non-Citizens Qualified Non-Citizens</b>	<b>Documentation</b> Listed are the most common documents used to prove the immigrant non-citizen category.	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<b>Victims of a Severe Form of Human Trafficking with Certification/ Eligibility Letter</b>	<ul style="list-style-type: none"> <li>▶ Certification letter (for individuals age 18 and over) or eligibility letter (for individuals under age 18) from the Office on Trafficking in Persons (OTIP) or the Office of Refugee Resettlement (ORR). Districts must call 1-866-401-5510 to verify certification;</li> <li>▶ I-94 Arrival/Departure Record coded T1 stating admission under Section 212(d)(5) of the INA if status is granted for at least one year <b>and</b> Certification letter from OTIP or ORR (for individuals age 18 and older) or eligibility letter (for individuals up to age 18);</li> <li>▶ I-94 Arrival/Departure Record coded T2, T3, T4, or T5 stating admission under Section 212(d)(5) of the INA if status is granted for at least one year; or</li> <li>▶ I-797 Notice of Action acknowledging receipt of I-914, Application for T non-immigrant status <b>and</b> Certification letter from OTIP or ORR (for individuals age 18 and older) or eligibility letter (for individuals up to age 18).</li> </ul>	<b>D</b>	<b>Yes</b>	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one;</p> <p>Attest that they will apply or are in the process of applying for an SSN; or</p> <p>Attest that they are not eligible for an SSN due to their immigration status.</p>

**Category 3: Immigrant Non-Citizens – Qualified Non-Citizens**

<b>Category 3: Immigrant Non-Citizens Qualified Non-Citizens</b>	<b>Documentation</b> Listed are the most common documents used to prove the immigrant non-citizen category.	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<b>Veterans and Their Immediate Family Members</b>	<ul style="list-style-type: none"> <li>▶ DD Form 214 showing “Honorable” discharge; or</li> <li>▶ Original or notarized copy of the veteran’s discharge papers.</li> </ul> <p><b>(Immediate family members must show documentation of relationship to the veteran, such as military I.D. card, marriage license or birth certificate.)</b></p>	<b>V</b>	<b>Yes</b>	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one;</p> <p>Attest that they will apply or are in the process of applying for an SSN; or</p>
<b>Persons on Active Duty in the Armed Forces and Their Immediate Family Members</b>	<ul style="list-style-type: none"> <li>▶ Military I.D. card - DD Form 2 (active); or</li> <li>▶ Original or notarized copy of current orders showing the person is on full time duty in the U. S. Armed Forces.</li> </ul> <p><b>Note:</b> Immediate family members must show documentation of relationship to the person on active duty, such as a military I.D. card, marriage license or birth certificate.</p>	<b>M</b>	<b>Yes</b>	<p>Attest that they are not eligible for an SSN due to their immigration status.</p>

### Eligibility for Certain Qualified Non-Citizens Five-Year Bar

Qualified non-citizens who entered the U.S. before August 22, 1996 are eligible for Federal Financial Participation (FFP), if otherwise eligible. Qualified non-citizens who entered the U.S. on or after August 22, 1996 are subject to the five-year bar and are not eligible for FFP until they have resided continuously in the U.S. for five years in a qualified non-citizen status.

Qualified non-citizens subject to the five-year bar include Lawful Permanent Residents (LPRs), parolees admitted to the U.S. for at least one year, and victims of battery/abuse. **During the five-year bar these qualified non-citizens may be eligible for coverage under State funded Medicaid or Essential Plan (EP), if otherwise eligible.**

The relevant Date for Eligibility is the **DATE OF STATUS (DOS)**. This is the date **QUALIFIED STATUS** was either achieved or granted by a Federal Immigration Agency. The **DATE ENTERED COUNTRY (DEC)** is the date the individual arrived in the country. The appropriate State and Federal Charge Codes must be entered to assure proper claiming of federal and State shares. For qualified non-citizens subject to the five-year bar, the date on which they physically entered the U. S. (after August 22, 1996), and the length of time they have continuously resided in the U.S., in a qualified non-citizen status, will determine their eligibility for FFP.

**Pregnant consumers and children less than 21 years of age are exempt from the five-year bar and are eligible for FFP. Please refer to the ACI Codes listed in this Desk Guide and the MAGI Eligibility Charts on Pages 35 and 36 for clarification.**

### Permanently Residing Under Color of Law (PRUCOL)

Permanently Residing Under Color of Law (PRUCOL) is not recognized as an immigration status by the USCIS. PRUCOL was created by the courts for non-citizens awaiting a decision regarding their application for status adjustment and is a public benefits category, only. For a non-citizen to be residing "under color of law," the USCIS must know of the person's presence in the U.S., must be permitting or acquiescing to the non-citizen's presence, and must not be contemplating enforcement of the non-citizen's deportation. PRUCOL immigrants are considered to have the same rights as lawful residents for public benefit eligibility purposes. **Please refer to 21 OHIP/INF-1 for more information.**

**PRUCOL immigrants are not eligible for FFP unless they are pregnant or a child less than 21 years of age. PRUCOL immigrants ages of 21 to 64 may be eligible for State funded Medicaid or EP, if otherwise eligible. PRUCOL immigrants age 65 or older may be eligible for State funded Medicaid, if otherwise eligible.**

### Residual PRUCOL

Certain categories of PRUCOL, including Deferred Action for Childhood Arrivals (DACAs), Requests for Deferred Action cases that are pending for longer than 6 months, and Applicants for Asylum without Employment Authorization, **are not eligible for federally funded Medicaid (FFP) and are ONLY eligible for State funded Medicaid, if otherwise eligible. This includes pregnant consumers and children less than age 21 in these specific Residual PRUCOL categories.**

**Category 3: Immigrant Non-Citizens – Qualified Non-Citizens in Five – Year Bar**

<b>Category 3: Immigrant Non-Citizens Qualified Non-Citizens</b>	<b>Documentation This is a list of the most common documents used to prove the immigrant non-citizen category.</b>	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<p><b>Lawful Permanent Residents (LPRs)</b> LPRs are commonly referred to as “Green Card” holder(s).</p>	<ul style="list-style-type: none"> <li>▶ I-94 Arrival/Departure Record or foreign passport stamped I-551;</li> <li>▶ I-551 Lawful Permanent Resident Card “Green Card;”</li> <li>▶ I-327 Reentry permit; or</li> <li>▶ I-181 Memorandum of Creation of Record of Lawful Permanent Residence with approval stamp.</li> </ul>	<p style="text-align: center;"><b>K</b> without 40 quarters</p> <p style="text-align: center;">Or</p> <p style="text-align: center;"><b>S</b> with 40 quarters</p>	<p style="text-align: center;"><b>No</b></p> <p style="text-align: center;">If non-pregnant adult age 21 or older in the 5-year bar.</p> <p style="text-align: center;"><b>Yes</b></p> <p style="text-align: center;">If pregnant or child less than age 21 or has completed the 5-year bar.</p>	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one;</p> <p>Attest that they will apply or are in the process of applying for an SSN; or</p> <p>Attest that they are not eligible for an SSN due to their immigration status.</p>

**Category 3: Immigrant Non-Citizens – Qualified Non-Citizens in Five – Year Bar**

<p><b>Category 3: Immigrant Non-Citizens Qualified Non-Citizens</b></p>	<p><b>Documentation This is a list of the most common documents used to prove the immigrant non-citizen category.</b></p>	<p><b>WMS ACI Code</b></p>	<p><b>FFP</b></p>	<p><b>SSN</b></p>
<p><b>Parolees Admitted into the U.S. for at Least One Year</b></p> <p>Non-citizens who have been allowed to come into the U.S. for humanitarian or public interest reasons.</p>	<ul style="list-style-type: none"> <li>▶ I-94 Arrival/Departure Record with annotation “Paroled Pursuant to Section 212(d)(5)” or “parole” or “PIP” or “public interest” with the date of entry and date of expiration indicating <b>at least one year</b>; or</li> <li>▶ I-766 Employment Authorization Document annotated A4 or C11.</li> </ul>	<p><b>G</b></p>	<p><b>No</b></p> <p>If non-pregnant adult age 21 or older in the 5-year bar.</p> <p><b>Yes</b></p> <p>If pregnant or child less than age 21 or has completed the 5-year bar.</p>	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one; Attest that they will apply or are in the process of applying for an SSN; or</p> <p>Attest that they are not eligible for an SSN due to their immigration status.</p>



**Category 3: Immigrant Non-Citizens – Qualified Non-Citizens in Five – Year Bar**

<b>Category 3: Immigrant Non-Citizens Qualified Non-Citizens</b>	<b>Documentation This is a list of the most common documents used to prove the immigrant non-citizen category.</b>	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<b>Victims of a Severe Form of Human Trafficking Without a Certification/ Eligibility Letter</b>	<ul style="list-style-type: none"> <li>▶ I-94 Arrival/Departure Record coded T1 stating admission under Section 212(d)(5) of the INA if status is granted for at least one year; or</li> <li>▶ I-797 Notice of Action acknowledging receipt of I-914, Application for T non-immigrant status.</li> </ul> <p><b>Note:</b> Victims of Trafficking without a certification letter must be treated as qualified non-citizens in the five-year bar.</p>	<b>B</b>	<p><b>Yes</b></p> <p><b>No</b> If non-pregnant adult age 21 or older in the 5-year bar.</p> <p><b>Yes</b> If pregnant or child less than age 21 or has completed the 5-year bar.</p>	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one;</p> <p>Attest that they will apply or are in the process of applying for an SSN; or</p> <p>Attest that they are not eligible for an SSN due to their immigration status.</p>

**Category 3: Immigrant Non-Citizens – Qualified Non-Citizens in Five Year - Bar**

<b>Category 3: Immigrant Non-Citizens Qualified Non-Citizens</b>	<b>Documentation This is a list of the most common documents used to prove the immigrant non-citizen category</b>	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<p><b>Victims of Battery/Abuse</b></p> <p>The term “battered qualified non-citizen” includes the following immigrants described at 8 U.S.C. §1641(c):</p> <ul style="list-style-type: none"> <li>▶ A non-citizen who has been battered or abused in the U.S. by a spouse or parent, or by a member of the spouse’s or parent’s family residing in the same household as the non-citizen; or</li> <li>▶ The parent of a battered or abused child; or</li> <li>▶ The child of a battered or abused parent.</li> </ul>	<p><b>A variety of documents provide evidence that a non-Citizen meets this definition.</b></p> <ul style="list-style-type: none"> <li>▶ I-797 Notice of Action indicating that the non-citizen has an <u>approved</u> I-360 self-petition (<b>Do not refer to Domestic Violence Liaison (DVL)</b>);</li> <li>▶ I-797 Notice of Action indicating that the non-citizen has a pending I-360 self-petition that has established a prima facie case (<b>Do not refer to DVL</b>);</li> <li>▶ Order from the Executive Office for Immigration Review (“EOIR”) granting or finding prima facie case for granting, suspension of deportation or cancellation of removal (<b>Do not refer to DVL</b>);</li> <li>▶ I-797 Notice of Action indicating that the non-citizen has a pending I-360 self-petition AND credible evidence of battery or abuse (<b>Request non-citizen’s permission to refer to DVL</b>);</li> <li>▶ I-797 Notice of Action indicating the non-citizen is the beneficiary of a <u>pending or approved</u> I-130 petition and credible evidence of battery and/or abuse (<b>Request non-citizen’s permission to refer to DVL</b>);</li> <li>▶ I-94 coded, K3, K4, V1, V2 or V3 and credible evidence of battery or abuse (<b>Request non-citizen’s permission to refer to DVL</b>);</li> </ul>	<p><b>B</b></p>	<p><b>No</b></p> <p>If non-pregnant adult age 21 or older in the 5-year bar.</p> <p><b>Yes</b></p> <p>If pregnant or child less than age 21 or has completed the 5-year bar.</p>	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one;</p> <p>Attest that they will apply or are in the process of applying for an SSN; or</p> <p>Attest that they are not eligible for an SSN due to their immigration status.</p>

**Category 3: Immigrant Non-Citizens – Qualified Non-Citizens in Five Year Bar**

<b>Category 3: Immigrant Non-Citizens Qualified Non-Citizens</b>	<b>Documentation This is a list of the most common documents used to prove the immigrant non- citizen category</b>	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<p><b>Victims of Battery/Abuse – Continued</b></p> <p>A substantial connection must also exist between the battery or abuse and the need for public benefits such as Medicaid. The non-citizen must no longer be living with the batterer or abuser.</p>	<ul style="list-style-type: none"> <li>▶ Any other USCIS document indicating the non-citizen has a K or V visa pending or approved I-130 petition with credible evidence of battery or abuse <b>(Request non-citizen’s permission to refer to DVL);</b> or</li> <li>▶ I-94 or Foreign passport annotated CR1, CR2, CR6, CR7 with credible evidence of battery or abuse <b>(Request non-citizen’s permission to refer to DVL);</b> or</li> <li>▶ I-766 Employment Authorization Document annotated A9, A15 or C10 with credible evidence of battery or abuse <b>(Request non-citizen’s permission to refer to DVL).</b></li> </ul>	<p><b>B</b></p>	<p><b>No</b></p> <p>If non-pregnant adult age 21 or older in the 5-year bar.</p> <p><b>Yes</b></p> <p>If pregnant or child less than age 21 or has completed the 5-year bar.</p>	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one;</p> <p>Attest that they will apply or are in the process of applying for an SSN; or</p> <p>Attest that they are not eligible for an SSN due to their immigration status.</p>

**NOTE:** Referral to a Domestic Violence Liaison (DVL) - Applicants and recipients who cannot document that the United States Citizenship and Immigration Services (USCIS) or immigration court has determined the immigrant has in fact been subject to battery/abuse or extreme cruelty will need to see the district’s DVL for a credibility determination. These individuals must demonstrate that they are credible victims of domestic violence to be considered qualified for Medicaid as a “battered qualified non-citizen.” If the district is unable to verify that an acceptable immigration document has been filed with USCIS, the district can accept the non-citizen’s written attestation and then refer the individual to an immigration attorney or legal services for assistance. The DVL does not have the authority to determine eligibility for assistance.

**Category 3: Immigrant Non-Citizens - Persons who are Permanently Residing in the U.S. Under Color of Law (PRUCOL)**

<b>Category 3: Immigrant Non-Citizens PRUCOL</b>	<b>Documentation This is a list of the most common documents used to prove the immigrant non-citizen category.</b>	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<p><b>Persons Paroled into the U.S. for Less than a Year</b></p> <p>Non-citizens allowed to come into the U.S. without being granted admission.</p>	<ul style="list-style-type: none"> <li>▶ I-94 Arrival/Departure Record with annotation "Paroled Pursuant to Section 212(d)(5)" of the INA or "parole" or "PIP;" or</li> <li>▶ I-766 Employment Authorization Document annotated A4 or C11.</li> </ul>	<p><b>T</b></p>	<p><b>NO</b></p> <p>If non-pregnant adult age 21 or older.</p>	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one;</p> <p>Attest that they will apply or are in the process of applying for an SSN; or</p> <p>Attest that they are not eligible for an SSN due to their immigration status.</p>
		<p><b>P</b></p>	<p><b>Yes</b></p> <p>If pregnant or child less than age 21.</p>	

**Category 3: Immigrant Non-Citizens - Persons who are Permanently Residing in the U.S. Under Color of Law (PRUCOL)**

<b>Category 3: Immigrant Non-Citizens PRUCOL</b>	<b>Documentation This is a list of the most common documents used to prove the immigrant non-citizen category.</b>	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<p><b>Persons Under an Order of Supervision</b></p> <p>Non-citizens who have been found deportable but certain factors exist which make it unlikely that they will be deported.</p>	<ul style="list-style-type: none"> <li>▶ I-94 Arrival/Departure Record annotated "Order of Supervision;"</li> <li>▶ I-220B Order of Supervision; or</li> <li>▶ I-766 Employment Authorization Document annotated C18.</li> </ul>	<p><b>O</b></p>	<p><b>No</b> If non-pregnant adult age 21 or older.</p>	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one;</p> <p>Attest that they will apply or are in the process of applying for an SSN; or</p> <p>Attest that they are not eligible for an SSN due to their immigration status.</p>
		<p><b>P</b></p>	<p><b>Yes</b> If pregnant or child less than age 21.</p>	
<p><b>Persons Granted Indefinite Stay of Deportation</b></p> <p>Non-citizens who have been found deportable but deportation is deferred indefinitely due to humanitarian reasons.</p>	<ul style="list-style-type: none"> <li>▶ I-94 Arrival/Departure Record coded 106 "granted Indefinite Stay of Deportation;" or</li> <li>▶ Letter/order from the immigration agency, immigration judge or a federal court granting indefinite stay of deportation.</li> </ul>	<p><b>O</b></p>	<p><b>No</b> If non-pregnant adult age 21 or older.</p>	
		<p><b>P</b></p>	<p><b>Yes</b> If pregnant or child less than age 21.</p>	

**Category 3: Immigrant Non-Citizens - Persons who are Permanently Residing in the U.S. Under Color of Law (PRUCOL)**

<b>Category 3: Immigrant Non-Citizens PRUCOL</b>	<b>Documentation This is a list of the most common documents used to prove the immigrant non-citizen category.</b>	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<b>Persons Granted Indefinite Voluntary Departure</b>  Status that was granted before April 1997 to non-citizens who have been found deportable, but deportation is deferred indefinitely due to humanitarian reasons.	► I-94 Arrival/Departure Record or letter/order from the immigration agency or immigration judge granting voluntary departure for an indefinite time.	<b>O</b>	<b>No</b> If non-pregnant adult age 21 or older.	<b>Individuals applying for coverage must:</b>  Provide their SSN if they have one;  Attest that they will apply or are in the process of applying for an SSN; or  Attest that they are not eligible for an SSN due to their immigration status.
		<b>P</b>	<b>Yes</b> If pregnant or child less than age 21.	
<b>Persons on Whose Behalf an Immediate Relative Petition Has Been Approved</b>  U.S. citizens can file I-130 petitions for their spouses, children, parents, and siblings. Current green card holders can file I-130 petitions for their spouses and unmarried children.	► I-94 Arrival/Departure Record or I-210 indicating departure on a specified date; or  ► I-797 indicating an approved I-130 Relative Petition and a pending application for a I-551 Lawful Permanent Resident Card.	<b>O</b>	<b>No</b> If non-pregnant adult age 21 or older.	
		<b>P</b>	<b>Yes</b> If pregnant or child less than age 21.	

**Category 3: Immigrant Non-Citizens - Persons who are Permanently Residing in the U.S. Under Color of Law (PRUCOL)**

<b>Category 3: Immigrant Non-Citizens PRUCOL</b>	<b>Documentation This is a list of the most common documents used to prove the immigrant non-citizen category.</b>	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<p><b>Persons Who Have Filed Applications for Adjustment of Status to Lawful Permanent Resident Under Section 245 of the INA that the USCIS Has Accepted as “Properly Filed”</b></p> <p>Non-citizens who filed for lawful permanent resident status.</p>	<ul style="list-style-type: none"> <li>▶ I-94 Arrival/Departure Record or foreign passport with annotation “adjustment application” or as “employment authorized during status adjustment applicant;” or</li> <li>▶ I-766 Employment Authorization Document annotated C22.</li> </ul>	<p align="center"><b>O</b></p>	<p align="center"><b>No</b> If non-pregnant adult age 21 or older.</p>	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one;</p> <p>Attest that they will apply or are in the process of applying for an SSN; or</p> <p>Attest that they are not eligible for an SSN due to their immigration status.</p>
<p><b>Persons Granted Stays of Deportation</b></p> <p>Non-Citizens who have been found deportable, but the USCIS may defer deportation for a specified period due to humanitarian reasons.</p>	<ul style="list-style-type: none"> <li>▶ I-94 Arrival/Departure Record or letter/order from the immigration agency, immigration judge or court granting stay of deportation.</li> </ul>	<p align="center"><b>P</b></p>	<p align="center"><b>Yes</b> If pregnant or child less than age 21.</p>	
<p><b>Persons Granted Stays of Deportation</b></p> <p>Non-Citizens who have been found deportable, but the USCIS may defer deportation for a specified period due to humanitarian reasons.</p>	<ul style="list-style-type: none"> <li>▶ I-94 Arrival/Departure Record or letter/order from the immigration agency, immigration judge or court granting stay of deportation.</li> </ul>	<p align="center"><b>O</b></p>	<p align="center"><b>No</b> If non-pregnant adult age 21 or older.</p>	
		<p align="center"><b>P</b></p>	<p align="center"><b>Yes</b> If pregnant or child less than age 21.</p>	

**Category 3: Immigrant Non-Citizens - Persons who are Permanently Residing in the U.S. Under Color of Law (PRUCOL)**

<b>Category 3: Immigrant Non-Citizens PRUCOL</b>	<b>Documentation This is a list of the most common documents used to prove the immigrant non-citizen category.</b>	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<b>Persons Granted Withholding or Deferral of Removal Under Convention Against Torture (CAT)</b>	<ul style="list-style-type: none"> <li>▶ I-766 Employment Authorization Document annotated A10 or C18; or</li> <li>▶ Order issued by an immigration judge, the Board of Immigration date appeals, or a federal court showing the that deportation was withheld under Section 241(b)(3) of the INA.</li> </ul>	<b>O</b>	<b>No</b> If non-pregnant adult age 21 or older.	<b>Individuals applying for coverage must:</b>  Provide their SSN if they have one;  Attest that they will apply or are in the process of applying for an SSN; or
<b>Persons Granted Deferred Action Status</b>	<ul style="list-style-type: none"> <li>▶ I-797 or any document from USCIS granting deferred action status; or</li> <li>▶ I-766 Employment Authorization Document annotated C14.</li> </ul>	<b>P</b>	<b>Yes</b> If pregnant or child less than age 21.	
		<b>O</b>	<b>No</b> If non-pregnant adult age 21 or older.	Attest that they are not eligible for an SSN due to their immigration status.
		<b>P</b>	<b>Yes</b> If pregnant or child less than age 21.	



**Category 3: Immigrant Non-Citizens - Persons who are Permanently Residing in the U.S. Under Color of Law (PRUCOL)**

Category 3: Immigrant Non-Citizens PRUCOL	Documentation This is a list of the most common documents used to prove the immigrant non-citizen category.	WMS ACI Code	FFP	SSN
<p><b>Persons Who Entered and Continuously Resided in the U.S. before January 1, 1972</b></p> <p>Non-citizens are presumed by the USCIS to meet certain criteria for lawful permanent residence.</p>	<ul style="list-style-type: none"> <li>▶ Any documentary proof establishing entry and continuous residence; or</li> <li>▶ I-797, letter/notice from the USCIS or court indicating registry application is pending.</li> </ul>	<b>O</b>	<b>No</b>  If non-pregnant adult age 21 or older.	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one; Attest that they will apply or are in the process of applying for an SSN; or</p> <p>Attest that they are not eligible for an SSN due to their immigration status.</p>
		<b>P</b>	<b>YES</b>  If pregnant or child less than age 21.	

**Category 3: Immigrant Non-Citizens - Persons who are Permanently Residing in the U.S. Under Color of Law (PRUCOL)**

<b>Category 3: Immigrant Non-Citizens PRUCOL</b>	<b>Documentation</b> This is a list of the most common documents used to prove the immigrant non-citizen category.	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<p><b>Persons Granted Suspension of Deportation Pursuant to Section 244 of the INA; the USCIS Does Not Contemplate Enforcing Departure</b></p> <p>Non-citizens in this category have been found deportable, have met a period of continuous residence, and have filed an application for the USCIS to suspend deportation, which has been granted.</p>	<ul style="list-style-type: none"> <li>▶ I-797, letter/notice from an immigration judge or court; <b>and</b></li> <li>▶ I-94 Arrival/Departure Record showing suspension of deportation granted.</li> </ul>	<b>O</b>	<p align="center"><b>No</b></p> <p>If non-pregnant adult age 21 or older.</p>	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one;</p> <p>Attest that they will apply or are in the process of applying for an SSN; or</p> <p>Attest that they are not eligible for an SSN due to their immigration status.</p>
		<b>P</b>	<p align="center"><b>Yes</b></p> <p>If pregnant or child less than age 21.</p>	

### Category 3: Immigrant Non-Citizens – Persons who are Permanently Residing in the U.S. Under Color of Law (PRUCOL)

Category 3: Immigrant Non-Citizens PRUCOL	Documentation This is a list of the most common documents used to prove the immigrant non-citizen category.	WMS ACI Code	FFP	SSN
<p><b>Other Persons Living in the U.S. With the Knowledge and Permission of the USCIS: Examples Include, but are Not Limited to:</b></p> <ul style="list-style-type: none"> <li>▶ Applicants for adjustment of status LPR<sup>1</sup>, asylum<sup>2</sup>, suspension of deportation or cancellation of removal<sup>3</sup> or requesting deferred action <u>AND who have Employment Authorization</u> (see next section for information about those who do not have Employment Authorization);</li> <li>▶ Persons granted Deferred Enforced Departure (DED)<sup>4</sup> due to conditions in their home country;</li> <li>▶ Persons granted Temporary Protected status<sup>6</sup>;</li> <li>▶ Applicants for Temporary Protected Status<sup>7</sup> <u>with Employment Authorization</u>;</li> <li>▶ Special Non-Immigrants with a K, N, R, S, T, U, or V Visa<sup>8</sup> who are in the process of immigrating to the U.S.</li> </ul> <p><b>*Please refer to 21 OHIP/INF-1 for more information.</b></p>	<ul style="list-style-type: none"> <li>▶ I-94 Arrival/Departure Record coded K1, K2, K3, K4, N8, N9, R1, R2, S, T, U, V1, V2, or V3;</li> <li>▶ I-766 Employment Authorization Document annotated C9<sup>1</sup>, C8<sup>2</sup>, C10<sup>3</sup>, A11<sup>4</sup>, A12<sup>6</sup>, C19<sup>7</sup>, A9<sup>8</sup>, A13<sup>8</sup>, A15<sup>8</sup>, C21<sup>8</sup> or C24<sup>8</sup>.</li> </ul> <p><b>Note:</b> Victims of Trafficking (T Visas with a certification/eligibility letter) receive benefits to the same extent as refugees. Victims of Trafficking without a certification/eligibility letter are qualified non-citizens subject to the 5-year bar.</p>	<b>O</b>	<b>No</b>  If non-pregnant adult age 21 or older.	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one;</p> <p>Attest that they will apply or are in the process of applying for an SSN; or</p>
		<b>P</b>	<b>Yes</b>  If pregnant or child less than age 21.	<p>Attest that they are not eligible for an SSN due to their immigration status.</p>

**Category 3: Immigrant Non-Citizens – RESIDUAL Persons who are Permanently Residing in the U.S. Under Color of Law (PRUCOL)**

<b>Category 3: Immigrant Non-Citizens RESIDUAL PRUCOL</b>	<b>Documentation This is a list of the most common documents used to prove the immigrant non-citizen category.</b>	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<p><b>Other Persons Living in the U.S. With the Knowledge and Acquiescence of the USCIS and Whose Departure the USCIS Does Not Contemplate Enforcing*: Examples Include, but are Not Limited to:</b></p> <ul style="list-style-type: none"> <li>▶ Applicants for adjustment of status to LPR, asylum, suspension of deportation, cancellation of removal or requesting deferred action <u>who do not have Employment Authorization</u>;</li> <li>▶ Applicants for Temporary Protected Status <u>who do not have Employment Authorization</u>.</li> </ul> <p><b>*Please refer to 21 OHIP/INF-1 for more information.</b></p>	<ul style="list-style-type: none"> <li>▶ I-797 indicating the USCIS has received an application, petition, or request for change of status; or</li> <li>▶ Postal Return Receipt addressed to the federal immigration agency or a copy of a cancelled check to federal immigration agency, <b>and</b> the copy of the application, petition, or request submitted to the federal immigration agency.</li> </ul>	<p><b>O</b></p>	<p><b>No</b></p>	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one;</p> <p>Attest that they will apply or are in the process of applying for an SSN; or</p> <p>Attest that they are not eligible for an SSN due to their immigration status.</p>

**Category 3: Immigrant Non-Citizens – RESIDUAL Persons who are Permanently Residing in the U.S. Under Color of Law (PRUCOL)**

<b>Category 3: Immigrant Non-Citizens RESIDUAL PRUCOL</b>	<b>Documentation This is a list of the most common documents used to prove the immigrant non-citizen category.</b>	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<b>Deferred Action for Childhood Arrivals (DACA).</b>	<ul style="list-style-type: none"> <li>▶ I-797 indicating the USCIS has received an application or petition or request for change of status;</li> <li>▶ I-797 Notice or any document from USCIS granting deferred action for childhood arrivals status; or</li> <li>▶ I-766 Employment Authorization Document annotated C33.</li> </ul> <p><b>Note:</b> An expired Employment Authorization Document with Code C33 may only be accepted for DACA consumers.</p>	<b>O</b>	<b>No</b>	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one;</p> <p>Attest that they will apply or are in the process of applying for an SSN; or</p> <p>Attest that they are not eligible for an SSN due to their immigration status.</p>

**Category 4: Non-Immigrant Visa Holders – Temporary Non-Immigrants**

<b>Category 4: Non-Immigrant Visa Holders Temporary Non-Immigrants</b>	<b>Documentation</b> Listed are the most common documents used to verify the non-immigrant visa holder category	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<p><b>Temporary non-immigrants include but are not limited to the following visa types:</b></p> <ul style="list-style-type: none"> <li>A. Foreign government representatives on official business;</li> <li>B. B-1 or B-2 — Visitors for business or pleasure;</li> <li>C. In transit, non-citizens;</li> <li>D. Crewmember on shore leave;</li> <li>E. Treaty Traders and investors;</li> <li>F. Foreign students;</li> <li>G. Representatives of international organizations;</li> <li>H. Temporary workers (including agricultural workers);</li> <li>I. Members of the foreign press;</li> <li>J. Exchange visitors;</li> <li>L. Intra-company transferee;</li> <li>M. Students in non-academic programs;</li> <li>O. Persons with extraordinary ability or achievement;</li> <li>P. Artists, entertainers, and athletes; and</li> <li>Q. Cultural exchange visitors.</li> </ul>	<ul style="list-style-type: none"> <li>▶ I-94 Arrival/Departure Record or foreign passport stamped with non-immigrant code;</li> <li>▶ I-95A Crewmen’s Landing Permit;</li> <li>▶ I-766 Employment Authorization Document; or</li> <li>▶ B-1/B-2 Visa/Border Crossing Card (BCC) with Valid I-94 Arrival/Departure Record.</li> </ul> <p><b>Temporary non-immigrants are lawfully admitted to the U.S. for a temporary or specified period.</b></p>	<p><b>O</b></p>	<p><b>No</b></p> <p>If passed the NYS residency review and is age 21 or older and is not pregnant.</p>	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one;</p> <p>Attest that they will apply or are in the process of applying for an SSN; or</p> <p>Attest that they are not eligible for an SSN.</p>
		<p><b>P</b></p>	<p><b>Yes</b></p> <p>If passed NYS residency review and is a child less than age 21 or pregnant.</p>	
		<p><b>E</b></p> <p>If failed the NYS residency review.</p>	<p><b>Yes</b></p> <p><b>Emergency Medicaid Only</b></p>	
<p><b>WT/WB – Waiver Tourist/Waiver Business</b></p>	<ul style="list-style-type: none"> <li>▶ I-94W Visa Waiver Program</li> </ul>			

**Category 4: Non-Immigrant Visa Holders – Special Non-Immigrants**

<b>Category 4: Non-Immigrant Visa Holders Special Non-Immigrants</b>	<b>Documentation Listed are the most common documents used to prove the non- immigrant visa holder category.</b>	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<p><b>Special Non-Immigrants</b></p> <p>Some categories of non-immigrant status allow the non-immigrant to work and/or eventually adjust to LPR status. These non-immigrants can apply for adjustment to LPR status after a designated period of time.</p> <p>As special non-immigrants, the following Visa Categories are PRUCOL:</p> <ul style="list-style-type: none"> <li>K. Spouse or fiancé of U.S. citizen awaiting approval of visa petition;</li> <li>N. Parent or child of non-citizen employed or International Organization.</li> <li>R. Non-citizens and their spouse/child working in religious occupations;</li> <li>S. Certain non-citizens supplying critical information related to terrorism or organized crime;</li> <li>U. Victims of criminal activity and their spouse(s)/child(ren);</li> <li>V. Spouse and children of LPR; and</li> </ul>	<ul style="list-style-type: none"> <li>▶ I-94 Arrival/Departure Record coded K3, K4, V1, V2, V3, R, S, U or T;</li> <li>▶ I-797 indicating the USCIS has received, acted on, or approved an application or petition;</li> <li>▶ Postal Return Receipt or copy of cancelled check addressed to the USCIS <u>and</u> a copy of the enclosed documents submitted to the USCIS; or correspondence to or from the USCIS, showing that the person is living in the U.S. with the knowledge and permission or acquiescence of the USCIS, and the USCIS does not contemplate enforcing the person’s departure from the U.S.</li> </ul>	<p><b>O</b></p>	<p><b>No</b></p> <p>If age 21 or older and not pregnant.</p>	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one;</p> <p>Attest that they will apply or are in the process of applying for an SSN; or</p>
		<p><b>P</b></p>	<p><b>Yes</b></p> <p>If pregnant or child less than age 21.</p>	<p>Attest that they are not eligible for an SSN.</p>

**Category 4: Non-Immigrant Visa Holders – Special Non-Immigrants**

<b>Category 4: Non-Immigrant Visa Holders Special Non-Immigrants</b>	<b>Documentation</b> Listed are the most common documents used to prove the non-immigrant visa holder category.	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<p><b><i>Special Non-Immigrants Continued</i></b></p> <p>T. Victims of Trafficking with Certification/Eligibility Letter</p>	<ul style="list-style-type: none"> <li>▶ Certification letter (for individuals age 18 and over) or eligibility letter (for individuals under age 18) from the Office on Trafficking in Persons (OTIP) or the Office of Refugee Resettlement (ORR). Districts must call 1-866-401-5510 to verify certification;</li> <li>▶ I-94 Arrival/Departure Record coded T1 stating admission under Section 212(d)(5) of the INA if status is granted for at least one year <b>and</b> Certification letter from OTIP or ORR (for individuals age 18 and older) or eligibility letter (for individuals under age 18) from;</li> <li>▶ I-94 Arrival/Departure Record coded T2, T3, T4, or T5 stating admission under Section 212(d)(5) of the INA if status is granted for at least one year;</li> <li>▶ I-797 Notice of Action acknowledging receipt of I-914, Application for T non-immigrant status <b>and</b> Certification letter from OTIP or ORR (for individuals age 18 and over) or eligibility letter (for individuals under age 18).</li> </ul>	<p><b>D</b></p>	<p><b>Yes</b></p>	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one;</p> <p>Attest that they will apply or are in the process of applying for an SSN; or</p> <p>Attest that they are not eligible for an SSN.</p>



**Category 4: Non-Immigrant Visa Holders – Special Non-Immigrants**

<b>Category 4: Non-Immigrant Visa Holders Special Non-Immigrants</b>	<b>Documentation</b> Listed are the most common documents used to prove the non- immigrant visa holder category.	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<p><i>Special Non-Immigrants Continued</i></p> <p><b>Victims of a Severe Form of Human Trafficking Without a Certification/Eligibility Letter</b></p>	<ul style="list-style-type: none"> <li>▶ I-94 Arrival/Departure Record coded T1 stating admission under Section 212(d)(5) of the INA if status is granted for at least one year; or</li> <li>▶ I-797 Notice of Action acknowledging receipt of I-914, Application for T non-immigrant status.</li> </ul> <p><b>Note:</b> Victims of Trafficking with a certification letter are treated like refugees. Victims of Trafficking without a certification letter are qualified aliens subject to the 5-year bar.</p>	<p><b>B</b></p>	<p style="text-align: center;"><b>No</b></p> <p style="text-align: center;">If not pregnant, age 21 or older in the 5-year bar.</p> <p style="text-align: center;"><b>Yes</b></p> <p style="text-align: center;">If pregnant, or child less than age 21, or has completed the 5-year bar.</p>	<p><b>Individuals applying for coverage must:</b></p> <p>Provide their SSN if they have one;</p> <p>Attest that they will apply or are in the process of applying for an SSN, or</p> <p>Attest that they are not eligible for an SSN due to their immigration status.</p>

**Category 5: Other**

<b>Category 5: Other</b>	<b>Documentation</b>	<b>WMS ACI Code</b>	<b>FFP</b>	<b>SSN</b>
<p><b>Undocumented Non-Citizens</b></p> <p>Undocumented non-citizens do not have the permission of the USCIS to remain in the U.S.</p> <p>They may have entered the United States lawfully but have violated the terms of their status, (e.g., overstayed a visa), or they may have entered without documents.</p>	<p>Undocumented non-citizens are unable to provide documentation of their immigration status, or their documentation may be expired/outdated.</p> <p>Therefore, absent any documentation, undocumented non-citizens are eligible <b>only for the treatment of an emergency medical condition, if otherwise eligible.</b></p> <p><b>Note: Undocumented pregnant consumers are eligible for prenatal care services.</b></p> <p><b>Undocumented children may be eligible for CHPlus, if otherwise eligible.</b></p>	<p><b>E</b></p> <p><b>Only eligible for the treatment of an emergency medical condition</b></p>	<p><b>Yes</b></p>	<p><b>Not Required</b></p>

## Citizenship & Immigration-Based MAGI Eligibility Chart

Health Insurance Program	Citizenship or Immigration Category			
	US Citizen or Naturalized Citizen	Qualified Immigrant Non-Citizen	Qualified Immigrant Non-Citizen in the 5-Year Bar	PRUCOL
Federal Medicaid	≤ 138% FPL Age 19 and 20 living alone or over 21	≤ 138% FPL Age 19 and 20 living alone or over 21	≤ 138% FPL Age 19 and 20 living alone	≤ 138% FPL Age 19 and 20 living alone
	≤ 155% FPL Age 19 and 20 living with parents	≤ 155% FPL Age 19 and 20 living with parents	≤ 155% FPL Age 19 and 20 living with parents	≤ 155% FPL Age 19 and 20 living with parents
	≤ 154% FPL Age 1 through 18	≤ 154% FPL Ages 1 through 18	≤ 154% FPL Age 1 through 18	≤ 154% FPL Age 1 through 18
	≤ 223% FPL Birth to age 1 or Pregnant,	≤ 223% FPL Birth to age 1 or Pregnant	≤ 223% FPL Birth to age 1 or Pregnant	≤ 223% FPL Birth to age 1 or Pregnant
State Medicaid	No	No	≤ 138% FPL If age over 21 and not EP eligible	≤ 138% FPL If age over 21 and not EP eligible
Child Health Plus	≤ 400% FPL Birth through age 18	≤ 400% FPL Birth through age 18	≤ 400% FPL Birth through age 18	≤ 400% FPL Birth through age 18
Essential Plan 3	No	No	>100% - ≤ 138% FPL Age 21 through 64	>100% - ≤ 138% FPL Age 21 through 64
Essential Plan 4	No	No	≤ 100% FPL Age 21 through 64	≤ 100% FPL Age 21 through 64

### Citizenship & Immigration-Based MAGI Eligibility Chart

Health Insurance Program	Citizenship or Immigration Category			
	Residual PRUCOL	Temporary Non-Immigrant Passes Residency Review	Temporary Non-Immigrant Fails Residency Review (Emergency Coverage Only)	Undocumented (Emergency Coverage Only, unless pregnant)
Federal Medicaid	No	≤ 138% FPL Age 19 and 20 living alone	≤ 138% FPL Age 19 and 20 living alone or over 21	≤ 138% FPL Age 19 and 20 living alone or over 21
		≤ 154% FPL Age 1 through 18	≤ 155% FPL Age 19 and 20 living with parents	
		≤ 155% FPL Age 19 and 20 living with parents	≤ 154% FPL Age 1-18	
		≤ 223% FPL Birth to age 1 or Pregnant	≤ 223% FPL Birth to age 1 or Pregnant	≤ 223% FPL Pregnant (Full coverage)
State Medicaid	≤ 150% FPL If a parent or caretaker relative	≤ 138% FPL If age over 21 and not EP eligible	No	No
Child Health Plus	≤ 400% FPL Birth through age 18	≤ 400% FPL Birth through age 18	No	≤ 400% FPL Birth through age 18
Essential Plan 3	No	>100% - ≤ 138% FPL Age 21 through 64	No	No
Essential Plan 4	No	≤ 100% FPL Age 21 through 64	No	No

### Citizenship & Immigration-Based Non-MAGI Eligibility Chart

Health Insurance Program	Citizenship or Immigration Category			
	US Citizen or Naturalized Citizen	Qualified Immigrant Non-Citizen	Qualified Immigrant Non-Citizen in the 5-Year Bar	PRUCOL
Federal Medicaid	<b>Medicaid Level</b> Under age 21, ADC-related	<b>Medicaid Level</b> Under age 21, ADC-related	No	<b>Medicaid Level</b> Under age 21, ADC-related
	<i>Medicaid Level</i> <i>SSI-related</i>	<i>Medicaid Level</i> <i>SSI-related</i>		<i>Medicaid Level</i> <i>SSI-related</i>
	QMB (Qualified Medicare Beneficiary) <b>≤ 100% FPL</b>	QMB <b>≤ 100% FPL</b>		
	SLIMB (Specified Low Income Medicare Beneficiary) <b>&gt; 100% - &lt;120% FPL</b>	SLIMB <b>&gt;100% - &lt;120% FPL</b>		
	QI-1 (Qualified Individual Program) <b>≥120% - &lt; 135% FPL</b>	QI-1 <b>≥120% - &lt;135% FPL</b>		
	<i>COBRA Continuation of Coverage</i> <b>≤ 100% FPL</b>	<i>COBRA Continuation of Coverage</i> <b>≤ 100% FPL</b>		<i>COBRA Continuation of Coverage</i> <b>≤ 100% FPL</b>
	AIDS Insurance <b>≤ 185% FPL</b>	AIDS Insurance <b>≤ 185% FPL</b>		AIDS Insurance <b>≤ 185% FPL</b>
	<i>MBI-WPD</i> (Medicaid Buy-In for Working People with Disabilities) <b>≤ 250% FPL</b>	<i>MBI-WPD</i> <b>≤ 250% FPL</b>		<i>MBI-WPD</i> <b>≤ 250% FPL</b>

*Italicized programs have a resource test.*

### Citizenship & Immigration-Based Non-MAGI Eligibility Chart

Health Insurance Program	Citizenship or Immigration Category			
	US Citizen or Naturalized Citizen	Qualified Immigrant Non-Citizen	Qualified Immigrant Non-Citizen in the 5-Year Bar	PRUCOL
State Medicaid	No	No	Medicare Savings Programs  QMB: $\leq 100\%$ FPL SLIMB: $>100\%$ - $< 120\%$ FPL QI-1: $\geq 120\%$ - $< 135\%$ FPL	Yes, if not EP eligible
			<i>COBRA Continuation of Coverage</i> $\leq 100\%$ FPL	
			AIDS Insurance $\leq 185\%$ FPL	
			<i>MBI-WPD</i> $\leq 250\%$ FPL	

*Italicized programs have a resource test.*

### Citizenship & Immigration-Based Non-MAGI Eligibility Chart

		Citizenship or Immigration Category		
Health Insurance Program	Residual PRUCOL	Temporary Non-Immigrant Passes Residency Review	Temporary Non-Immigrant Fails Residency Review (Emergency Coverage Only)	Undocumented (Emergency Coverage Only, unless pregnant)
Federal Medicaid	No	<b>Medicaid Level</b> Under age 21, ADC-related	<b>Medicaid Level</b> Under age 21, ADC-related	<b>Medicaid Level</b> Under age 21, ADC-related
		<b>Medicaid Level</b> <i>SSI-related</i>		
		Medicare Savings Program		
		<i>COBRA Continuation of Coverage</i> <b>≤ 100% FPL</b>	<b>Medicaid Level</b> <i>SSI-related</i>	<b>Medicaid Level</b> <i>SSI-related</i>
		AIDS Insurance <b>≤ 185% FPL</b>		
<i>MBI-WPD</i> <b>≤ 250% FPL</b>				
State Medicaid	<b>Medicaid Level</b> Under age 21, ADC-related	No	No	No
	<b>Medicaid Level</b> <i>SSI-related</i>			

***Italicized programs have a resource test.***