

TO:	Local District Commissioners, Medicaid Directors
FROM:	Lisa Sbrana, Director Division of Eligibility and Marketplace Integration
SUBJECT:	Medicaid Eligibility for Evacuees from Afghanistan
ATTACHEMENTS:	Examples of Afghan Humanitarian Parole Stamps (I-94)
EFFECTIVE DATE:	Immediately
CONTACT PERSON:	Local District Support Units Upstate (518) 474-8887 NYC (212) 417-4500

The purpose of this General Information System (GIS) message is to provide local department of social services (LDSS) with guidance regarding Medicaid eligibility for individuals entering the United States from Afghanistan. This GIS updates the policy included in GIS08 MA/012, "Special Immigrant Visa (SIV): Iraqi and Afghan Immigrants (Upstate)."

Due to recent events in Afghanistan, vulnerable evacuees from Afghanistan have resettled, or are in the process of resettling, in the United States. Many of these individuals are expected to fall into three groups:

- special immigrant visa (SIV) holders;
- special immigrant SQ/SI parolees;
- and humanitarian parolees.

Afghan nationals that are SIV holders or special immigrant SQ/SI parolees are generally interpreters and/or translators (or members of their families) who performed work in Afghanistan with the U.S. Armed Forces or under the authority of the Chief of Mission for Afghanistan. In addition, the United States Citizenship and Immigration Services (USCIS) may exercise discretion to authorize humanitarian parole on a case-by-case basis for evacuees from Afghanistan with urgent humanitarian or significant public benefit reasons to come to the United States for a temporary period.

SIV Holders and Special Immigrant SQ/SI Parolees

Under the Afghan Allies Protection Act of 2009, Afghan SIV holders evacuating Afghanistan are being admitted to the United States by the U.S. Department of Homeland Security (DHS) as special immigrant (SI) lawful permanent residents (LPRs). In addition, due to the recent evacuation of Afghan nationals from Afghanistan, DHS began admitting Afghan SIV holders to the United States as SI conditional permanent residents (CPRs). A CPR becomes an LPR after

DHS removes the conditions upon admission. The following Class of Admission (COA) codes, often referred to as category codes on USCIS documents, indicate SI CPR: CQ1, CQ2, or CQ3.

The Department of Homeland Security also created new COA codes for those who may qualify for SIVs but due to the extenuating circumstances surrounding the evacuation were not able to complete the SIV process prior to their evacuation. These special immigrant SQ/SI parole codes are: SQ4 or SQ5.

Afghan SIV holders, including SI LPRs and SI CPRs, or special immigrant SQ/SI parolees are eligible for Medicaid, if otherwise eligible. These non-citizens will be coded using ACI code "R" in the Welfare Management System (WMS).

The following is a list of common USCIS documents Afghan SIV holders or special immigrant SQ/SI parolees may present to districts:

- Form I-94, Arrival/Departure Record, stamped/coded with one of the following category codes: CQ1, CQ2, CQ3, SI1, SI2, SI3, SI6, SI7, SI8, SI9, SQ1, SQ2, SQ3, SQ4, SQ5, SQ6, SQ7, SQ8, SQ9, or stamp noting SQ/SI parole, or stamp noting admission under Section 101(a)(27) of the Immigration and Nationality Act (INA), or
- Form I-94, Arrival/Departure Record, stamped/coded with one of the following category codes: CQ1, CQ2, CQ3, SI1, SI2, SI3, SI6, SI7, SI8, SI9, SQ1, SQ2, SQ3, SQ4, SQ5, SQ6, SQ7, SQ8, SQ9, or stamp noting SQ/SI parole, or stamp noting admission under Section 101(a)(27) of the Immigration and Nationality Act (INA), or
- A separate, printed page on Customs and Border Protection (CBP) letterhead with the Form I-94, Arrival/Departure Record, and the following notation, signed and dated by a USCIS officer: Special Immigrant Status SQ/SI Parolee; Section 602(b)(1) AAPA/Section 1059(a) NDAA 2006; Date _____ USCIS officer: _____, or
- DHS/CBP or DHS/USCIS Temporary I-551 Alien Documentation Identification and Telecommunication (ADIT) stamp, or
- Afghan passport with an immigrant visa stamped with one of the following category codes: CQ1, CQ2, CQ3, SI1, SI2, SI3, SI6, SI7, SI8, SI9, SQ1, SQ2, SQ3, SQ4, SQ5, SQ6, SQ7, SQ8, SQ9, or stamp noting admission under Section 101(a)(27) of the INA, or
- Form I-551, Permanent Resident Card, with one of the following category codes: CQ1, CQ2, CQ3, SI1, SI2, SI3, SI6, SI7, SI8, SI9, SQ1, SQ2, SQ3, SQ4, SQ5, SQ6, SQ7, SQ8, SQ9, or
- Form I-766, Employment Authorization Document (EAD), with a C11 parolee category code **and** a response from the Systematic Alien Verification for Entitlements (SAVE) system with a COA code of SQ4 or SQ5, or

- Any other authoritative USCIS document indicating the Afghan national was granted a SIV or special immigrant SQ/SI parole.

Afghan Humanitarian Parolees

In addition to the Afghan SIV holders and special immigrant SQ/SI parolees that are detailed above, other individuals arriving from Afghanistan may be granted humanitarian parole under INA Section 212(d)(5)(A).

Effective September 30, 2021, the federal government is providing evacuees from Afghanistan who enter the United States on humanitarian parole access to federal benefits and services through the Afghanistan Supplemental Appropriations Act, 2022. Citizens or nationals of Afghanistan, or individuals with no nationality who last resided in Afghanistan, may be eligible for benefits if they have completed DHS's background checks, their parole has not been terminated by DHS, and if they were:

1. paroled into the U.S. between July 31, 2021 and September 30, 2022, or
2. paroled into the U.S. after September 30, 2022, and are:
 - a. the spouse or child of an evacuee from Afghanistan paroled between July 31, 2021 and September 30, 2022, or
 - b. the parent or legal guardian of an unaccompanied child paroled between July 31, 2021 and September 30, 2022.

The Afghanistan Supplemental Appropriations Act, 2022 allows these individuals to receive benefits, if otherwise eligible, for a limited time, either through March 31, 2023, or until the end of their parole term, whichever is later. If otherwise eligible, these non-citizens are eligible for Medicaid, and will be coded using ACI code "R" in WMS.

The following is a list of common USCIS documents Afghan humanitarian parolees may present to districts:

- Form I-94, Arrival/Departure Record, noting Humanitarian Parole per INA Section 212(d)(5)(A) and reasonable evidence of being an evacuee from Afghanistan, or
- Foreign passport with DHS/CBP admission stamp noting one of the following: Operation Allies Refuge or "OAR;" or Operation Allies Welcome or "OAW;" or "DT", or
- Any other authoritative USCIS document indicating Afghan humanitarian parole was granted.

Examples of humanitarian parole stamps for evacuees from Afghanistan are included in the Attachment: "Examples of Afghan Humanitarian Parole Stamps (I-94)." These and the documents listed above are not the only forms of acceptable immigration documentation to support an Afghan humanitarian parole status.

It is important to note that the above guidance pertains specifically to Afghan humanitarian parolees covered under the Afghanistan Supplemental Appropriations Act, 2022. For guidance on the immigration documentation and on determining eligibility for other humanitarian parolees who are not evacuees from Afghanistan, LDSS staff should continue to refer to OHIP-0046 "Immigration Documentation Guide."

Please direct any questions to your local district liaison.