

# MISSISSIPPI DIVISION OF MEDICAID

## Eligibility Policy and Procedures Manual

### CHAPTER 102 – Non-Financial Requirements

#### 102.05.15 ALIEN STATUS CHART

The following chart identifies the following: each alien group, whether the group can receive the full range of Medicaid benefits or just emergency services, and acceptable documentation used to establish alien status. The Systematic Alien Verification for Entitlement (SAVE) program procedures must be used to validate alien documentation presented by each individual in these groups. SAVE procedures are also used to verify the date of entry to the US for lawful permanent residents, parolees and conditional residents to determine if an individual in one of these qualified alien groups is entitled to full benefits or emergency services only.

<u>OVERVIEW OF ALIEN ELIGIBILITY FOR MEDICAID</u>		
VERIFICATION DOCUMENTATION	<i>ALIEN STATUS</i>	ELIGIBILITY STATUS
<ul style="list-style-type: none"> <li>• <b>I-551</b> (Alien Registration Receipt Card) commonly referred to as the “green card”</li> <li>• <b>Foreign passport</b> stamped with an un-expired temporary I-551 stamp</li> <li>• <b>I-94</b> annotated stamped with a temporary I-551 stamp (for recent arrivals or aliens who have applied for a replacement I-551)</li> </ul>	<p><b>LAWFULLY ADMITTED FOR PERMANENT RESIDENCE (LPR)</b></p>	<p>Eligible for full Medicaid benefits if “grandfathered in” or entered the U.S. before August 22, 1996, and obtained qualified status prior to that date or obtained qualified status after 8/22/96 and was continuously present in the U. S. from 8/22/96 until qualified alien status obtained.</p> <p>If entered the U. S. on or after August 22, 1996, disqualified for full Medicaid benefits for 5 years from the date entered the country or obtained qualified status, whichever is later.</p> <p>Eligible for emergency services only during the 5-year disqualification period.</p> <p>Eligible for full Medicaid benefits after the 5-year disqualification period only if they have 40 QQs.</p>
<ul style="list-style-type: none"> <li>• <b>I-94</b> stamped showing admission under section 207 of the INA and date of entry to the United States</li> <li>• <b>I-688B</b> (Employment Authorization Card) annotated 274a.12(a)(3)</li> <li>• <b>I-766</b> (Employment Authorization Document) annotated “A3”</li> <li>• <b>I-571</b> (Refugee Travel Document)</li> </ul>	<p><b>REFUGEE</b></p>	<p>Can qualify for full Medicaid until 7 years after date of entry even if adjusts to LPR status during the 7-year period.</p> <p>After 7 years, must have adjusted to LPR with 40 QQs or be exempt from this requirement to establish continued eligibility.</p>

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<p><b>REFUGEE (Continued)</b></p> <p>Refugees become eligible to apply for adjustment to LPR status after 12 months in the U. S., but it takes another 6 – 12 months to be approved. They are still considered refugees for eligibility purposes when they have an I-551 with a code of RE-6, RE-7, RE-8 or RE-9)</p>		<p>5-Year disqualification period does not apply.</p> <p>If they do not meet categorical requirements, then they are eligible for full benefits for 8 months beginning with date of entry through the Refugee Assistance Program.</p>
<ul style="list-style-type: none"> <li>• <b>I-94</b> stamped showing grant of asylum under section 208 of the INA and date of entry</li> <li>• <b>A grant letter</b> from the Asylum Office of the USCIS</li> <li>• <b>I-688B</b> (Employment Authorization Card) annotated “274a.12(a)(5)”</li> <li>• <b>I-766</b> (Employment Authorization Document) annotated “A5”</li> <li>• <b>Court order</b> of an immigration judge showing asylum granted under section 208 of the INA</li> </ul>	<b><u>ASYLEE</u></b>	<p>Can qualify for full Medicaid until 7 years after the grant of asylum even if adjusts to LPR status during the 7 year period.</p> <p>After 7 years, must have adjusted to LPR with 40 QQs or be exempt from this requirement to establish continued eligibility.</p> <p>5-Year disqualification period does not apply.</p> <p>If they do not meet categorical requirements, then they are eligible for full benefits for 8 months beginning with date of entry through the Refugee Assistance Program.</p>
<ul style="list-style-type: none"> <li>• <b>Order</b> of an immigration judge showing deportation withheld under section 243(h) of INA as in effect prior to April 1, 1997, or removal withheld under Sec. 241(b)(3) of the INA and date of grant</li> <li>• <b>I-688B</b> (Employment Authorization Card) annotated 274a.12(a)910)</li> <li>• <b>I-766</b> (Employment Authorization Document) annotated “A10”</li> </ul>	<b><u>DEPORTATION WITHHELD</u></b>	<p>Can qualify for full Medicaid until 7 years after the grant of withholding even if adjusts to LPR during the 7-year period.</p> <p>After 7 years, must have adjusted to LPR with 40 QQs or be exempt to establish continued eligibility.</p> <p>The 5-Year disqualification period does not apply.</p>
<ul style="list-style-type: none"> <li>• <b>I-94</b> annotated with stamp showing grant of parole under 212(d)(5) and a date showing granting of parole for at least one year. (Applicant cannot aggregate periods of admission for less than one year to meet the one-year requirement)</li> </ul>	<b><u>PAROLEE</u></b>	<p>Eligible for full Medicaid benefits if “grandfathered in” or entered the U.S. before August 22, 1996, and obtained qualified status prior to that date or</p>

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		<p><b>PAROLEE (Continued)</b></p> <p>Obtained qualified status after 8/22/96 and was continuously present in the U. S. from 8/22/96 until qualified alien status obtained.</p> <p>If entered the U. S. on or after August 22, 1996, disqualified for full Medicaid benefits for 5 years from the date entered the country or obtained qualified status, whichever is later.</p> <p>Eligible for emergency services only during the 5-year disqualification period.</p> <p>Eligible for full Medicaid benefits after the 5-year disqualification period.</p>
<ul style="list-style-type: none"> <li>● <b>I-94</b> with stamp showing admission under 203(a)(7) of the INA, refugee-conditional entry</li> <li>● <b>I-688B</b> (Employment Authorization Card) annotated 274a.12(a)(3)</li> <li>● <b>I-766</b> (Employment Authorization Document) annotated "A3"</li> </ul>	<p><b><u>CONDITIONAL ENTRANT</u></b></p>	<p>Eligible for full Medicaid benefits if "grandfathered in" or entered the U.S. before August 22, 1996, and obtained qualified status prior to that date or obtained qualified status after 8/22/96 and was continuously present in the U. S. from 8/22/96 until qualified alien status obtained.</p>

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<ul style="list-style-type: none"> <li>● <b>I-551</b> (Alien Registration Receipt Card) with the code CU6, CU7, or CH6</li> <li>● <b>Foreign passport</b> stamped with an unexpired temporary I-551 stamp with the code CU6 or CU7</li> <li>● <b>I-94</b> stamped with an unexpired temporary I-551 stamp with the code CU6 or CU7</li> <li>● <b>I-94</b> with stamp showing parole as “Cuban/Haitian Entrant” under Section 212(d)(5) or the INA.</li> </ul>	<b><u>CUBAN/HAITIAN ENTRANT</u></b>	<p>Can qualify for full Medicaid until 7 years after the grant of this status.</p> <p>After 7 years, must have adjusted to LPR with 40 QQs or be exempt from this requirement to establish continued eligibility.</p> <p>5-Year disqualification period does not apply.</p> <p>If they do not meet categorical requirements, then they are eligible for full benefits for 8 months beginning with date of entry through the Refugee Assistance Program.</p>
<ul style="list-style-type: none"> <li>● <b>I-551</b> with code AM6, AM7, or AM8</li> <li>● <b>Foreign passport</b> stamped with an unexpired temporary I-551 stamp with the code AM1, AM2, or AM3</li> <li>● <b>I-94</b> stamped with an unexpired temporary I-551 stamp with the code AM1, AM2, or AM3</li> </ul>	<b><u>AMERASIAN IMMIGRANTS</u></b>	<p>Can qualify for full Medicaid until 7 years after the entry to the United States.</p> <p>After 7 years, must have adjusted to LPR with 40 QQs or be exempt to establish eligibility.</p> <p>5-Year disqualification period does not apply.</p> <p>If they do not meet categorical requirements, then they are eligible for full benefits for 8 months beginning with date of entry through the Refugee Assistance Program.</p>
Office of Refugee Resettlement(ORR) certification letter	<b><u>VICTIM OF A SEVERE FORM OF TRAFFICKING</u></b>	<p>Eligible for benefits to the same extent as a refugee. Eligible for any Medicaid category if meets all other eligibility criteria.</p> <p>Victims of Trafficking and their derivative beneficiaries qualify during the first 7 years after status is obtained.</p> <p>5-Year disqualification period does not apply.</p>

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<p><b>I-797</b> indicating filing under one of the provisions listed below and approval of the petition or a finding that a prima facie case has been established.</p> <ul style="list-style-type: none"> <li>● <b>Case Type: I-130</b> petition approved</li> <li>● <b>Case Type: I-360</b> petition approved</li> <li>● <b>I-551</b> (Resident Alien Card or Alien Registration with one of the following class of admission (COA) codes stamped on lower left side of the back of a pink card demonstrates approval of a petition under C.3.j.(1)3. Above: IB1-IB3, IB6-IB8, B11, B12, B16, B17, B20-B29, B31-B33, B36-B38, BX1-BX3, or BX6-BX8</li> <li>● <b>Order</b> from an immigration judge (EOIR) or the Board of Immigration Appeals granting suspension of deportation or cancellation of removal under VAWA (EOIR) Form 42B or an order from an immigration judge (EOIR) or Board of Immigration</li> </ul> <p>For battered aliens, the codes, types and stamps in foreign passports or on the I-94 that demonstrate an approved petition, or application under one of the provisions are too numerous to describe here. If an alien claiming pending or approved status presents a code different than those listed, or if you cannot determine the class of admission from the I-551 stamp, send a copy of the document(s) presented to USCIS with completed SAVE cover sheet to state office for submission of a G845-S.</p>	<p><b><u>BATTERED ALIEN</u></b></p> <p>Includes battered alien’s child and parent of a battered alien child</p>	<p>Eligible for full Medicaid benefits if “grandfathered in” or entered the U.S. before August 22, 1996, and obtained qualified status prior to that date or obtained qualified status after 8/22/96 and was continuously present in the U. S. from 8/22/96 until qualified alien status obtained.</p> <p>If entered the U. S. on or after August 22, 1996, disqualified for full Medicaid benefits for 5 years from the date entered the country or obtained qualified status, whichever is later.</p> <p>Eligible for emergency services only during the 5-year disqualification period.</p> <p>Eligible for full Medicaid benefits after the 5-year disqualification period.</p>
<ul style="list-style-type: none"> <li>● <b>Green Form DD-2</b> marked “ACTIVE” OR</li> <li>● <b>Current orders</b> showing the individual is on full-time duty in the US Army, Navy, Air Force, Marine Corps, or Coast Guard (Reserves are not considered active duty.)</li> </ul>	<p><b><u>ACTIVE DUTY MILITARY</u></b></p> <p>Includes spouse and unmarried dependent children under 18 or under 22 and a student</p>	<p>Eligible for any Medicaid category if meet all other eligibility criteria.</p> <p>5-Year disqualification period does not apply.</p>
<ul style="list-style-type: none"> <li>● <b>DD-214</b> indicating honorable discharge, OR</li> </ul> <p><b>Discharge papers</b> indicating honorable discharge</p>	<p><b><u>VETERAN</u></b></p> <p>Includes spouse and unmarried dependent children under 18 or under 22 and a student</p>	<p>Eligible for any Medicaid category if meet all other eligibility criteria.</p> <p>5-Year disqualification period does not apply.</p>

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<ul style="list-style-type: none"> <li>● <b>I-551</b> (Alien Registration Receipt Card) with code S13</li> <li>● Canadian passport stamped with an unexpired temporary I-551 stamp with the code S13</li> <li>● <b>I-94</b> stamped with unexpired temporary I-551 stamp with code S13</li> <li>● A letter or other tribal document certifying at least 50% American Indian blood, as required by section 289 of INA combined with a birth certificate or other satisfactory evidence of birth in Canada</li> </ul>	<p><b>AMERICAN INDIAN BORN IN CANADA</b></p>	<p>Eligible for any Medicaid category if meet all other eligibility criteria.</p> <p>5-Year disqualification does not apply for Medicaid.</p>
<ul style="list-style-type: none"> <li>● Membership card or other tribal document demonstrating membership in a federally-recognized Indian tribe under section 4(e) of the Indian Self-Determination and Education Assistance Act</li> </ul>	<p><b>AMERICAN INDIAN</b></p>	<p>5-Year disqualification does not apply for Medicaid.</p> <p>Eligible for any Medicaid category if meet all other eligibility criteria.</p> <p>This does not include a spouse of child of the individual. It also does not include a noncitizen whose membership in an Indian tribe or family is created by adoption, unless he is of at least 50% or more American Indian blood.</p>