

WGIUPD

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DIVISION: Office of Health Insurance Programs

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TO: Local District Commissioners, Medicaid Directors

FROM: Judith Arnold, Director
Division of Coverage and Enrollment

SUBJECT: Revised Desk Guide: "Documentation Guide to Citizenship and
Immigrant Eligibility for Health Coverage in New York State"

EFFECTIVE DATE: Immediately

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The purpose of this General Information System (GIS) message is to provide a revised desk guide based on 06 OMM/INF-5 "Eligibility for 'Federal Medicaid' Based on Immigration Status and Required Documentation" issued 12/06/06. The attached desk guide has also been revised to include updated Citizenship and Identity documentation requirements as implemented by final regulations under the Deficit Reduction Act of 2005. Additionally, the desk aid reflects changes in acceptable documentation for victims of battery and/or abuse for the purposes of determining Medicaid/FHPlus/CHPlus eligibility. Two new columns have been added to this desk guide that reflect Federal Financial Participation (FFP) and Social Security Number (SSN) Requirements.

This desk aid was last released as Attachment D-1 of 04 OMM/ADM-7. Please replace the previous desk guide dated 10/26/04 with the attached desk guide (revised 03/03/2008).

Documentation Guide

Citizenship and Immigrant Eligibility for Health Coverage in New York State

Listed below are citizenship and immigration documents that can establish one's status when applying for **public health coverage** in New York State. These documents can also be used for the purposes of applying for other federal and state benefit programs. The categories of immigrants who are eligible will vary with each benefit program.

Immigrant Eligibility for Medicaid and/or Family Health Plus

In New York State, U.S. Citizens, Nationals, Native Americans and individuals with satisfactory immigration status¹ (i.e., Qualified immigrants and PRUCOL) listed under the following categories may be eligible for Medicaid and/or Family Health Plus.

Immigrant Eligibility for Other Health Care Programs

New York State residents, regardless of their immigration status, may be eligible for Child Health Plus (CHPlus), Prenatal Care Assistance Program (PCAP), the treatment of an emergency medical condition, and sliding-fee scale at the public hospitals and clinics. For each program, the immigrant must meet other eligibility criteria, including income requirements.

Category 1: U.S. Citizens

Category	Documentation	WMS ACI Code	Federal Financial Participation (FFP)	Social Security Number (SSN) Requirement
<p>United States Citizen: (Includes the 50 U.S. States, the District of Columbia, Puerto Rico, Guam, U.S. Virgin Islands, and American Samoa, Swain's Island and the Northern Mariana Islands for purposes of Medicaid eligibility.)</p> <p><i>Note: Listed are the most common documents used to prove U.S. citizenship. The list is not exhaustive and there are other documents that can establish U.S. citizenship.</i></p> <p>CITIZENSHIP REMINDERS: A birth certificate can no longer be accepted as proof of both citizenship and identity. If the birth certificate is presented as proof of citizenship, the worker must obtain another form of identity document from the Identity documentation list, such as a driver's license. All documents must be originals or copies certified by the issuing agency. Workers are required to photocopy the original/certified copy and annotate the copy with their initials and the date of the review.</p>	<p>Primary Documents (No other document required)</p> <ul style="list-style-type: none"> ► U.S. Passport; ► Certificate of Naturalization (N-550 or N-570); or ► Certificate of U.S. Citizenship (N-560 or N-561). <hr/> <p>Secondary Documents (When a primary document is unavailable, a secondary document may be used, but also requires ONE identity document from the identity documentation list below.)</p> <ul style="list-style-type: none"> ► U.S. Birth Certificate showing birth in one of the 50 U.S. States, District of Columbia, American Samoa, Swain's Island, Puerto Rico (if born on or after 1/13/1941), Virgin Islands of the U.S. (on or after 1/17/1917), Northern Mariana Islands (after 11/4/1986 [NMI local time]), or Guam (on or after 4/10/1899); ► Certification of Report of Birth issued by the Department of State (DS-1350); ► Report of Birth Abroad of a U.S. Citizen (FS-240); ► Certification of birth issued by Department of State (Forms FS-545 or DS-1350); ► U.S. Citizen Identification Card (I-197 or I-179); ► Northern Mariana Identification Card (I-873); ► American Indian Card with classification code of "KIC" (I-872); ► Final adoption decree showing U.S. place of birth; ► Evidence of U.S. civil service employment before 6/1/1976; ► Military record of service showing U.S. place of birth (i.e., DD-214); or ► Evidence of qualifying for U.S. citizenship under the Child Citizenship Act of 2000. <hr/> <p>Third Level Documents (When a primary or secondary document is not available; also requires an identity document.)</p> <ul style="list-style-type: none"> ► Extract of hospital record on hospital letterhead. The record must have been established at the time of birth and the extract must have been created at least 5 years before the Medicaid application date (or, for children younger than 16, near the time of birth) and must show a U.S. place of birth; ► Life, health or other insurance record, if it shows a U.S. place of birth and was created at least 5 years prior to the application date (or, for children younger than 16, near the time of birth); 	C	YES	<p>A SSN is an eligibility requirement for all citizens applying for Medicaid or FHP.</p> <p>Note: Pregnant women are excluded from this requirement.</p>

Category 1: U.S. Citizens continued

Category	Documentation	WMS ACI Code	Federal Financial Participation (FFP)	Social Security Number (SSN) Requirement
U.S. Citizen (Includes the 50 U.S. States, the District of Columbia, Puerto Rico, Guam, U.S. Virgin Islands, and American Samoa, Swain's Island and the Northern Mariana Islands for purposes of Medicaid eligibility.)	<p>Third level Documentation (continued) (When a primary or a secondary document is not available: also requires ONE identity document.)</p> <p>► Religious record recorded in the U.S. within 3 months of birth showing a U.S. place of birth and either the date of birth or the individual's age at the time the record was made; or ► Early school record showing date of admission, a U.S. place and date of birth and names and places of birth of the applicant's parents.</p> <hr/> <p>Fourth Level Documents (Are the least reliable and should only be used in rarest of circumstances; also requires an identity document.)</p> <p>► Federal or State census record showing U.S. citizenship or a U.S place of birth; or ► The following other documents are acceptable if they indicate a U.S. place of birth and were created at least 5 years prior to the application date (or, for children younger than 16, near the time of birth):</p> <ul style="list-style-type: none"> ▪ Medical (clinic, doctor, or hospital) record; ▪ Seneca Indian tribal census; ▪ Bureau of Indian Affairs tribal census records of the Navajo Indians; ▪ U.S. State Vital Statistics official notification of birth registration; ▪ Delayed U.S. public birth record that is recorded more than 5 years after the person's birth; ▪ Statement signed by the physician/midwife who was in attendance at the time of birth; or ▪ Bureau of Indian Affairs Roll of Alaska Natives; <p>► Institutional admission papers from a nursing facility, skilled care facility or other institution (created at least 5 years before the application date) showing a U.S. place of birth; or ► Written affidavit (to be used only in rare instances). The affidavit must contain the following information under the following circumstances:</p> <ul style="list-style-type: none"> • There must be at least two affidavits by two individuals who have personal knowledge of the event(s) establishing the applicant's or recipient's claim of citizenship. • The two affidavits can be combined in a joint affidavit. • At least one of the individuals making the affidavit cannot be related to the applicant or recipient. • The person(s) making the affidavit must be able to provide proof of his or her own citizenship and identity for the affidavit to be accepted. • The affidavit must also be signed under penalty of perjury by the person making the affidavit, but need not be notarized. <p>A separate affidavit from the applicant/recipient or other knowledgeable individual (guardian or representative) explaining why documentary evidence does not exist or cannot be readily obtained must also be obtained.</p>	C	YES	<p>A SSN is an eligibility requirement for all citizens applying for Medicaid or FHP.</p> <p>Note: Pregnant women are excluded from this requirement.</p>

Category 1: U.S. Citizens continued

Category	Documentation	WMS ACI Code	Federal Financial Participation (FFP)	Social Security Number (SSN) Requirement
Collectively Naturalized Evidence that establishes U.S. Citizenship for Collectively Naturalized individuals.	<p><u>Puerto Rico</u> ► Evidence of birth in Puerto Rico on or after 4/11/1899 and the applicant's or recipient's (A/R's) statement that he or she was residing in the U.S., a U.S. possession or Puerto Rico on 1/13/1941; or ► Evidence that the A/R was a Puerto Rican citizen and the A/R's statement that he or she was residing in Puerto Rico on 3/1/1917 and that he or she did not take an oath of allegiance to Spain.</p> <p><u>U.S. Virgin Islands</u> ► Evidence of birth in the U.S. Virgin Islands, and the A/R's statement of residence in the U.S., a U.S. possession or the U.S. Virgin Islands on 2/25/1927; or ► The A/R's statement indicating residence in the U.S. Virgin Islands as a Danish citizen on 1/17/1917 and residence in the U.S., a U.S. possession or the U.S. Virgin Islands on 2/25/1927, and that he or she did not make a declaration to maintain Danish citizenship; or ► Evidence of birth in the U.S. Virgin Islands and the A/R's statement indicating residence in the U.S., a U.S. possession or territory or the Canal Zone on 6/28/1932.</p> <p><u>Northern Mariana Islands (NMI) (formerly part of the Trust Territory of the Pacific Islands [TTPI])</u> ► Evidence of birth in the NMI, TTPI citizenship and residence in the NMI, the U.S., or a U.S. territory or possession on 11/3/1986 (NMI local time) and the A/R's statement that he or she did not owe allegiance to a foreign State on 11/4/1986 (NMI local time); or ► Evidence of TTPI citizenship, continuous residence in the NMI since before 11/3/1981 (NMI local time), voter registration prior to 1/1/1975 and the A/R's statement that he or she did not owe allegiance to a foreign State on 11/4/1986 (NMI local time); or ► Evidence of continuous domicile in the NMI since before 1/1/1974 and the A/R's statement that he or she did not owe allegiance to a foreign State on 11/4/1986 (NMI local time). If a person entered the NMI as a nonimmigrant and lived in the NMI since 1/1/1974, this does not constitute continuous domicile and the individual is not a U.S. citizen.</p>	C	YES	<p>A SSN is an eligibility requirement for all citizens applying for Medicaid or FHP.</p> <p>Note: Pregnant women are excluded from this requirement</p>

Category 1: U.S. Citizens continued

Category	Identity Documents (One identity document must be used with secondary, third or fourth level citizenship documentation).	WMS ACI Code	Federal Financial Participation (FFP)	Social Security Number (SSN) Requirement
<p>U.S. Citizen (Includes the 50 U.S. States, the District of Columbia, Puerto Rico, Guam, U.S. Virgin Islands, and American Samoa, Swain's Island and the Northern Mariana Islands for purposes of Medicaid eligibility.)</p>	<p>► A driver's license issued by State or Territory either with a photograph of the individual or other identifying information of the individual such as name, age, sex, race, height, weight or eye color. Canadian driver's licenses may not be used;</p> <p>► School identification card with a photograph of the individual;</p> <p>► U.S. military card or draft record;</p> <p>► Identification card issued by Federal, State, or local government with the same information included on the driver's license;</p> <p>► Military dependent's identification card;</p> <p>► Certificate of Degree of Indian Blood, or other U.S. Native American/Alaska native tribal document with photo or other identifying information;</p> <p>► U.S. Coast Guard Merchant Mariner card;</p> <p>► A cross-match with a Federal or State governmental, public assistance, law enforcement, or corrections agency's data system;</p> <p>► If none of the above identity documents is available, a combination of three or more corroborating documents such as marriage certificates, divorce decrees, high school or college diplomas, employer ID cards or property deeds/titles. Voter registration cards are not acceptable;</p> <p>► 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 need not be notarized.</p> <p>► Children under age 16 may have their identity documented using other means:</p> <ul style="list-style-type: none"> ▪ Clinic, doctor or hospital record; ▪ School records including report card, day care or nursery school record. Records must be verified with the issuing school; ▪ 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 should not be used if a citizenship affidavit was used. Affidavits need not be notarized. Identity affidavits may be used for children under 18 when a school ID card or driver's license is not available to the child until he or she is 18 years of age. 	C	Not applicable to identity documents	Not applicable to identity documents

Satisfactory Immigration Status¹

Category 2: Qualified Aliens

Category	Documentation	WMS ACI Code	Federal Financial Participation (FFP)	Social Security Number (SSN) Requirement
Native Americans born in Canada	<ul style="list-style-type: none"> ▶ 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 INA and satisfactory evidence of birth in Canada such as the following: <ul style="list-style-type: none"> -Birth or Baptismal Certificate issued on a reservation; -Letter from Canadian Department of Indian Affairs; or -School Records. 	C	YES	<p>For the purpose of Medicaid, Native Americans are classified as U.S. citizens.</p> <p>A SSN is an eligibility requirement for all citizens applying for Medicaid or FHP.</p>
Native Americans belonging to a Federally recognized Tribe born outside the U.S.	<ul style="list-style-type: none"> ▶ Membership card or other tribal document demonstrating (i.e., tribal card) 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. 	C	YES	Note: Pregnant women are excluded from this requirement
Refugees	<ul style="list-style-type: none"> ▶ I-94 or foreign passport with annotation "Section 207" of the INA or "Refugee", RE1, RE2, RE3, or RE4; ▶ I-551 coded R8-6, RE6, RE7, RE8, or RE9; ▶ I-571 Refugee Travel Document; ▶ I-688B Employment Authorization Card annotated 8 C.F.R. 274a.12(a)(3); or ▶ I-766 Employment Authorization Document annotated "A3". 	R	YES	Immigrants with or without work authorization are required to apply for a Social Security Number.
Asylees	<ul style="list-style-type: none"> ▶ I-94 or foreign passport annotated "granted Asylum under Section 208" of the INA", "Section 208" or "Asylee"; ▶ I-551 coded AS1, AS2, AS3, AS6, AS7, or AS8; ▶ I-571 Refugee Travel Document; ▶ I-688B Employment Authorization Card annotated 8 C.F.R. 274a.12(a)(5); ▶ I-766 Employment Authorization Document annotated "A5"; or ▶ Grant letter/order from the USCIS² Asylum Office or Immigration judge granting asylum. 	A	YES	LDSS must provide immigrants with a letter addressed to SSA for those immigrants without work authorization who met all the eligibility requires for federal or state benefits, except for having an SSN (08 OHIP INF-2)
Persons granted withholding of deportation or removal (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 particular social group or political opinion.)	<ul style="list-style-type: none"> ▶ I-94 or foreign passport stamped "Section 243(h)" or "Section 241(b)(3)"; ▶ I-766 Employment Authorization Document annotated "A10"; ▶ 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. 	J	YES	Note: Pregnant women are excluded from this requirement.

Category 2: Qualified Aliens continued

Category	Documentation	WMS ACI Code	Federal Financial Participation (FFP)	Social Security Number (SSN) Requirement
Cuban/Haitian Entrants	<ul style="list-style-type: none"> ► 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; ► I-551 coded CU6, CU7, CH6, CN-P, LB-2, LB-6, or LB-7; ► Temporary I-551 stamp coded "CU-6" or "CU-7" in a foreign passport; ► I-688B Employment Authorization Card annotated 8 C.F.R. 274a.12(c)(8), and satisfactory evidence that the parolee has been a citizen of Cuba or Haiti; ► I-766 Employment Authorization Document annotated "C8", and satisfactory evidence that the parolee has been a citizen of Cuba or Haiti; ► 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 ► 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. 	H	YES	<p>Immigrants with or without work authorization are required to apply for a Social Security Number.</p> <p>LDSS must provide immigrants with a letter addressed to SSA for those immigrants without work authorization who met all the eligibility requirements for federal or state benefits, except for having an SSN. (08 OHIP INF-2)</p> <p>Note: Pregnant women are excluded from this requirement.</p>
Amerasians	<ul style="list-style-type: none"> ► I-94Arrival/Departure Record of Vietnamese passport or exit visa stamped "AM1, AM2, AM3, AM6, AM7, or AM8". ► I-551 Permanent Resident Card coded "AM1, AM2, AM3, AM6, AM7, or AM8"; ► Temporary I-551 stamp in Vietnamese passport "AM1, AM2, AM3, AM6, AM7, or AM8"; or ► I-571 Refugee Travel Document. 	R	YES	
Victims of a Severe Form of Human Trafficking	<ul style="list-style-type: none"> ► I-94 Arrival/Departure Record coded T1, T2, T3, T4, or T5 stating admission under Section 212(d)(5) of the INA if status is granted for at least one year; ► Certification letter (for adults) or eligibility letter (for children) from the Office of Refugee Resettlement. Must call 1-866-401-5510 for verification; or ► I-797 Notice of Action acknowledging receipt of I-914, Application for T non-immigrant status.. 	D Upstate R NYC	YES	
Veterans (Immediate family members: documentation of relationship to veteran)	<ul style="list-style-type: none"> ► DD Form 214 showing "Honorable" discharge; or ► Original or notarized copy of the veteran's discharge papers. 	V	YES	
Persons on active duty in the Armed Forces and their immediate family members.	<ul style="list-style-type: none"> ► Military I.D. card - DD Form 2 (active); ► Original or notarized copy of current orders showing the person is on full-time duty in U.S. Armed forces; (Immediate family members must show documentation of relationship to the person on active duty.) 	M	YES	

Category 2: Qualified Aliens continued

Please Note:

Qualified Aliens who are Eligible for State Medicaid until becoming Eligible for Federal Medicaid after a Five Year Waiting

Period: Qualified aliens listed below, who entered the U.S. before August 22, 1996, are eligible for federal Medicaid, if otherwise eligible. However, qualified aliens in these four categories who entered the U.S. on or after August 22, 1996, are subject to the federal five year ban. This means that they are *not* eligible for federally funded Medicaid until they have resided in the U.S. for five years in a qualified alien status. Until becoming eligible for federally funded Medicaid, these qualified aliens are eligible for State funded Medicaid coverage of all medically necessary care and services, if they meet the program's other eligibility requirements. Districts must enter the appropriate State/federal charge codes to assure proper claiming of federal and State shares. For these individuals the date they physically entered the U.S. will determine whether or not Federal Financial Participation (FFP) is available. This date is called the "Date Entered Country" (DEC). During their first five years in the U.S the cost of their Medicaid coverage will be born solely by State and local shares (50% State/50% local). Once a qualified alien in this group has resided in the United States as a qualified alien for a period of five years, FFP will become available. This means the federal government will pay a share of their Medicaid costs.

Category	Documentation	WMS ACI Code	Federal Financial Participation (FFP)	Social Security Number (SSN) Requirement
Lawful Permanent Residents (LPRs or "green card" holders)	<ul style="list-style-type: none"> ► I-94 Arrival/Departure Record or foreign passport stamped I-551; ► I-551 Lawful Permanent Resident Card "green card" ► I-327 Reentry permit; or ► I-181 Memorandum of Creation of Record of Lawful Permanent Residence with approval stamp. 	K (without 40 quarters) OR S (with 40 quarters)	YES After 5 yrs in a qualified status	Immigrants with or without work authorization are required to apply for a Social Security Number. LDSS must provide immigrants with a letter addressed to SSA for those immigrants without work authorization who met all the eligibility requirements for federal or state benefits, except for having an SSN (08 OHIP INF-2)
Parolees admitted into the U.S. for at least one year (Non-citizens who have been allowed to come into the U.S. for humanitarian or public interest reasons.)	<ul style="list-style-type: none"> ► 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 at least one year; ► I-688B Employment Authorization Card annotated 8 C.F. R. 274a.12(a)(4) or 274a.12(c)(11); or ► I-766 Employment Authorization Document annotated "A4" or "C11". 	G	YES After 5 yrs in a qualified status	
Conditional Entrants (Status granted to refugees before 1980.)	<ul style="list-style-type: none"> ► I-94 Arrival/Departure Record stamped Section 203(a)(7), or otherwise indicating status as a conditional entrant; ► I-688B Employment Authorization Card annotated 8 C.F.R.274a.12(a)(3); or ► I-766 Employment Authorization Document annotated "A3". 	F	YES After 5 yrs in a qualified status	Note: Pregnant women are excluded from this requirement.

Category 2: Qualified Aliens continued

Category	Documentation	WMS ACI Code	Federal Financial Participation (FFP)	Social Security Number (SSN) Requirement
<p>Victims of Battery/Abuse</p> <p>The term “battered qualified alien” includes the following immigrants described at 8 U.S.C. §1641(c):</p> <ul style="list-style-type: none"> an alien 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 alien; or the parent of a battered or abused child; or the child of a battered or abused parent. <p>A substantial connection must also exist between the battery or abuse and the need for public benefits such as Medicaid. The alien must no longer be living with the batterer or abuser.</p>	<p>A variety of documents provide evidence that an alien meets this definition.</p> <ul style="list-style-type: none"> ► I-797 Notice of Action indicating that the alien has an <u>approved</u> I-360 self petition (Do not refer to DVL); ► I-797 Notice of Action indicating that the alien has a pending I-360 self-petition that has established a prima facie case (Do not refer to DVL); ► Order from the Executive Office for Immigration Review (“EOIR”) granting or finding a prima facie case for granting, suspension of deportation or cancellation of removal (Do not refer to DVL); or ► I-797 Notice of Action indicating that the alien has a pending I-360 self petition AND credible evidence of battery or abuse (Request alien’s permission to refer to DVL); or ► I-797 Notice of Action indicating the alien is the beneficiary of a <u>pending or approved</u> I-130 petition and credible evidence of battery and/or abuse (Request alien permission to refer to DVL); or ► I-94 coded, K3, K4, V1 V2 or V3 and credible evidence of battery or abuse (Request alien’s permission to refer to DVL); or ► Any other USCIS document indicating the alien has a K or V visa and a pending or approved I-130 petition with credible evidence of battery or abuse (Request alien’s permission to refer to DVL); or ► I-94 or Foreign passport annotated CR1, CR2, CR6, CR7 with credible evidence of battery or abuse (Request alien’s permission to refer to DVL); or ► I-688B Employment Authorization Card annotated 274a.12(a)(9)-spouse/children of USC or LPR (K or V visa), 274a.12(a)(15)-spouses and dependents of LPR (K or V visa), 274a.12(c)(10)-applicant for suspension of deportation with credible evidence of battery or abuse (Request alien’s permission to refer to DVL); or ► I-766 Employment Authorization Document annotated A9, A15 or C10 with credible evidence of battery or abuse (Request alien’s permission to refer to DVL). 	B	<p>YES</p> <p>After 5 yrs in a qualified status</p>	<p>Immigrants with or without work authorization are required to apply for a Social Security Number.</p> <p>LDSS must provide immigrants with a letter addressed to SSA for those immigrants without work authorization who met all the eligibility requirements for federal or state benefits, except for having an SSN. (08 OHIP INF-2)</p> <p>Note: Pregnant women are excluded from this requirement.</p>

NOTE: Referral to a domestic violence liaison (DVL): Medicaid-only offices must refer alien applicants and recipients who must demonstrate that they are credible victims of domestic violence to be considered qualified for Medical assistance as “battered aliens” to the DVL for a credibility assessment. Those applicants and recipients who cannot document eligibility in any other category and 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 or extreme cruelty will need to see the district’s DVL for a credibility determination. If districts are unable to verify that an acceptable immigration document has been filed with USCIS, districts can accept the alien’s written attestation and then refer the alien to an immigration attorney or legal services for assistance. The DVL does not have the authority to determine eligibility for assistance.

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

*PRUCOL is not an immigration status. PRUCOL is not granted by the USCIS. PRUCOL is a public benefits eligibility category.

Category	Documentation	WMS ACI Code	Federal Financial Participation (FFP)	Social Security Number (SSN) Requirement
a. Persons paroled into the U.S. for less than a year. <i>(Non-citizens allowed to come into the U.S. without being granted admission.)</i>	► I-94 Arrival/Departure Record with annotation "Paroled Pursuant to Section 212(d)(5)" of the INA or "parole" or "PIP"; ► I-688B Employment Authorization Card annotated 8 C.F.R. 274a.12(a)(4) or 274a.12(c)(11); or ► I-766 Employment Authorization Document annotated "A4" or "C11".	T	NO	Immigrants with or without work authorization are required to apply for a Social Security Number.
b. Persons under an Order of Supervision. <i>(Non-citizens who have been found deportable; however certain factors exist which make it unlikely that they will be deported.)</i>	► I-94 Arrival/Departure Record annotated "Order of Supervision"; ► I-220B Order of Supervision; ► I-688B Employment Authorization Card annotated 8 C.F.R. 274a.12 (c)(18); or ► I-766 Employment Authorization Document annotated "C18".	O	NO	
c. Persons granted indefinite stay of deportation <i>(Non-citizens who have been found deportable, but deportation is deferred indefinitely due to humanitarian reasons.)</i>	► I-94 Arrival/Departure Record coded 106 "granted Indefinite Stay of Deportation"; or ► Letter/order from the immigration agency, immigration judge or a federal court granting indefinite stay of deportation.	O	NO	LDSS must provide immigrants with a letter addressed to SSA for those immigrants without work authorization who met all the eligibility requirements for federal or state benefits, except for having an SSN. (08 OHIP INF-2)
d. Persons granted indefinite voluntary departure <i>(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>	► I-94 Arrival/Departure Record or letter/order from the immigration agency or immigration judge granting voluntary departure for an indefinite time period.	O	NO	
e. Persons on whose behalf an immediate relative petition has been approved and family members covered by the petition. <i>(Non-citizens who are immediate relatives (spouse, father, mother, or unmarried child under 21) of a U.S. citizen/LPR who has filed an I-130 Relative Petition on their behalf.)</i>	► I-94 Arrival/Departure Record or I-210 indicating departure on a specified date, however, the USCIS expects the non-citizen's visa will be available within this time; or ► I-797 indicating I-130 Relative Petition has been approved.	O	NO	
f. 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". <i>(Non-citizens who filed for legal permanent resident status.)</i>	► I-94 Arrival/Departure Record or foreign passport with annotation "adjustment application" or "employment authorized during status as adjustment applicant"; ► I-688 Temporary Resident Card or I-688A Employment Authorization Card annotated "245A"; ► I-688B Employment Authorization Card annotated 8 C.F.R. 274a.12 (c)(22); or ► I-766 Employment Authorization Document annotated "C22".	O	NO	Note: Pregnant women are excluded from this requirement.

Category 3: PRUCOL continued

Category	Documentation	WMS ACI Code	Federal Financial Participation (FFP)	Social Security Number (SSN) Requirement
g. Persons granted stays of deportation (Non-citizens who have been found deportable, but the USCIS may defer deportation for a specified period of time due to humanitarian reasons.)	► I-94 Arrival/Departure Record or letter/order from the immigration agency, immigration judge or court granting stay of deportation.	O	NO	Immigrants with or without work authorization are required to apply for a Social Security Number.
h. Persons granted voluntary departure under Section 242(b). (This section of the INA has been repealed.)	► I-797 Notice or form showing grant of extended voluntary departure; ► I-688B Employment Authorization Card annotated 274a.12(a)(11); or ► I-766 Employment Authorization Document annotated A11.	O	NO	
i. Persons granted deferred action status.	► I-797 or any document from USCIS granting deferred action status; ► I-688B Employment Authorization Card annotated 8 C.F.R. 274a.12 (c)(14); or ► I-766 Employment Authorization Document annotated "C14".	O	NO	
j. Persons who entered and continuously resided in the U.S. before January 1, 1972. (Non-citizens are presumed by the USCIS to meet certain criteria for legal permanent residence.)	► Any documentary proof establishing entry and continuous residence; or ► I-688B or I-766 coded 274a.12(c)(16) or C16; or ► I-797, letter/notice from the USCIS or court indicating registry application is pending.	O	NO	LDSS must provide immigrants with a letter addressed to SSA for those immigrants without work authorization who met all the eligibility requirements for federal or state benefits, except for having an SSN. (08 OHIP INF-2)
k. Persons granted suspension of deportation pursuant to Section 244 of the INA; the USCIS does not contemplate enforcing departure (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.)	► I-797, letter/notice from an immigration judge or court; and ► I-94 Arrival/Departure Record showing suspension of deportation granted. (After Lawful Permanent Residence is granted the person will have a "green Card" Form I-551).	O	NO	
l. Other persons living in the U.S. with the knowledge and permission or acquiescence of the USCIS and whose departure the USCIS does not contemplate enforcing: Examples include, but are not limited to: ► Applicants for adjustment of status to LPR ¹ , asylum ² , suspension of deportation or cancellation of removal ³ or requesting deferred action; or ► Persons granted Deferred Enforced Departure (DED) ⁴ due to conditions in their home country; or ► Permanent non-immigrants, pursuant to P.L. 99-239 (applicable to citizens of the Federated States of Micronesia and the Marshall Islands ⁵ ; ► Persons granted Temporary Protected Status ⁶ ; or ► Applicants for Temporary Protected Status ⁷ (TPS); or ► Persons having a K, V, S or U Visa. ⁸	► I-94 Arrival/Departure Record coded K1, K2, K3, K4, V1, V2, or V3, T, U, or S; ► I-688B Employment Authorization Card annotated 8 C.F.R. 274a.12(c)(9) ¹ , 274a.12(c)(8) ² , 274a.12(c)(10) ³ , 274a.12(a)(11) ⁴ , 274a.12(a)(8) ⁵ , 274a.12(a)(12) ⁶ or 274a.12(c)(19) ⁷ , 274a.12(a)(9) ⁸ , 274a.12(a)(13) ⁸ , 274a.12(a)(15) ⁸ , 274a.12(c)(21) ⁸ , and 274a.12(c)(24) ⁸ ► I-766 Employment Authorization Document annotated C9 ¹ , C8 ² , C10 ³ , A11 ⁴ , A8 ⁵ , A12 ⁶ , C19 ⁷ , A9 ⁸ , A13 ⁸ , A15 ⁸ , C21 ⁸ or C24 ⁸ . ► I-797 indicating the USCIS has received an application or petition or request for change of status; or ► Postal Return Receipt addressed to the federal immigration agency* or a copy of a cancelled check to the federal immigration agency, and a copy of the application, petition or request submitted to the federal immigration agency. (* USCIS -United States Citizenship and Immigration Services; ICE -Immigration and Customs Enforcement; EOIR -Executive Office of Immigration Review.)	O	NO	Note: Pregnant women are excluded from this requirement.

Category 4: Non-Immigrants

Category	Documentation	WMS ACI Code	Federal Financial Participati on (FFP)	Social Security Number (SSN) Requirement
<p>Temporary Non-immigrants include but are not limited to the following visa types::</p> <p>A - Foreign government representatives on official business; B-1 or B-2 - Visitors for business or pleasure; D - Crewmember on shore leave; E - Treaty Traders and investors; F - Foreign students; G - Representatives of international organizations; H - Temporary workers (including agricultural workers); I - Members of the foreign press; J - Exchange visitors; L - Intra-company transferee; O - Persons with extraordinary ability or achievement; P - Artists, Entertainers and Athletes; Q - Cultural Exchange Visitors; and R - Religious workers.</p>	<p>► I-94 Arrival/Departure Record or foreign passport stamped with nonimmigrant code; ► I-185 Canadian Border Crossing Card*; ► I-586 Mexican Border Crossing Card*; ► I-444 Mexican Border Visitor's Permit; or ► I-95A Crewmen's Landing Permit. ► I-688B Employment Authorization Card ► I-766 Employment Authorization Document</p> <p>*B-1/B-2 Visa/Border Crossing Card (BCC) is now issued in place of these documents</p> <p>(Temporary non-immigrants are lawfully admitted to the U.S. for a temporary or specified period of time.)</p>	E	YES	<p>NOT Required.</p> <p>However, may be assigned an SSN if USCIS/DHS has granted permission to work.</p>
<p>Special Non-immigrants:</p> <p>Some categories of non-immigrant status allow the status holder to work and eventually adjust to lawful permanent residence. These categories allow the individual to apply for the adjustment to LPR status after he or she has had the nonimmigrant status for a period of time. As SPECIAL NON-IMMIGRANTS, (K), (S), (T)*, and (V) visa holders are PRUCOL and are eligible for Medicaid/FHPlus/CHPlus.</p> <p>* Victims of Trafficking (T visas) receive benefits to the same extent as refugees (04 OMM/ADM-7).</p>	<p>► I-94 Arrival/Departure Record coded K3, K4, V1, V2, or V3, T*, U, or S; ► I-797 indicating the USCIS has received, taken action on or approved an application or petition; ► Postal Return Receipt addressed to the USCIS or copy of cancelled check 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.</p>	<p>O</p> <p>PRUCOL*</p> <p>*EXCEPT FOR VICTIMS OF TRAFFICKING</p>	NO	<p>LDSS must provide immigrants with a letter addressed to SSA for those immigrants without work authorization who met all the eligibility requirements for federal or state benefits, except for having an SSN. (08 OHIP INF-2)</p> <p>Note: Pregnant women are excluded from this requirement</p>

Category 5: Undocumented Aliens

Category	Documentation	WMS ACI Code	Federal Financial Participation (FFP)	Social Security Number (SSN) Requirement
Undocumented Aliens: (Undocumented aliens do not have the permission of the USCIS to remain in the U.S. They may have entered the United States legally but have violated the terms of their status, e.g. over-stayed a visa, or they may have entered without documents.)	Undocumented aliens are unable to provide documentation of immigration status, therefore, absent any documentation they are eligible only for the treatment of an emergency medical condition. Undocumented children may be eligible for CHPlus. Undocumented pregnant women continue to be eligible for PCAP.	E Only eligible for the treatment of an emergency medical condition	YES	NOT Required

Most Common U. S. Citizenship and Immigration Services (USCIS) Documents (Forms)

I-94	Arrival Departure Record/Card	I-688B	Employment Authorization Card
I-181	Memorandum of Creation of Record of Lawful Permanent Residence	I-766	Employment Authorization Document
I-210	Voluntary Departure	I-797	Notice of Action (I-797C current version)
I-220B	Order of Supervision	DD-Form 2	Military Identification Card
I-130	Petition for Alien Relative	DD-214	Report of Separation Military Discharge Document
I-140	Immigrant Petition for Alien Worker	N-560	Certificate of Citizenship
I-327	Permit to Reenter the United States	N-561	Certificate of Citizenship Replacement
I-360	Petition for Amerasian, Widow(er), or Special Immigrant (VAWA) Self-Petitioner	N-550	Certificate of Naturalization
I-551	Permanent Resident Card, Resident Alien Card or "green card"	N-570	Certificate of Naturalization Replacement
I-571	Refugee Travel Document	I-197	United States Citizenship Identification Card (no longer issued, but still acceptable)
I-688	Temporary Resident Card	I-179	United States Citizenship Identification Card (no longer issued, but still acceptable)
I-688A	Employment Authorization Card for Legalization Applicants		

¹Satisfactory immigration status is an immigration status that makes the individual eligible for benefits under the applicable program, if they meet the other eligibility requirements of the program.

²The United States Citizenship and Immigration Services (USCIS) was formerly the Immigration and Naturalization Services (INS) and the Bureau of Citizenship and Immigration Services (BCIS).

PLEASE NOTE:

The relevant DATE for ELIGIBILITY is the **DATE OF STATUS (DOS)**. This is the **DATE QUALIFIED STATUS WAS GRANTED**.

The **DATE ENTERED THE COUNTRY (DEC)** is the day the individual actually arrived in the country. The DEC is optional for "O" PRUCOL category immigrants, however if it can be obtained it may be data entered.