



Health Reform: **Beyond the Basics**

healthreformbeyondthebasics.org

Immigrant Eligibility for Health Coverage Programs

Coverage Year 2019

Center on Budget and Policy Priorities

In partnership with the National Immigration Law Center

October 23, 2018



Part I:

Eligibility for Medicaid and CHIP Based on Immigration Status

“Qualified” Immigrants:

- Lawful Permanent Resident (LPR/green card holder)
- Refugee
- Asylee
- Cuban/Haitian Entrant
- Paroled into the U.S. for at least one year
- Conditional Entrant
- Granted Withholding of Deportation or Withholding of Removal
- Battered Spouse, Child and Parent
- Trafficking Survivor and his/her Spouse, Child, Sibling or Parent

Others:

- Member of a federally-recognized Indian tribe or American Indian born in Canada

- “Qualified” immigrants are subject to a five-year waiting period (also known as the “5-year bar”)
 - The five years begin when an immigrant obtains a “qualified” immigration status

Some people with a “qualified” immigration status are not subject to the 5-year bar:

- ✓ Immigrants who physically entered the U.S. before 8/22/96 and remained in the U.S. continuously until obtaining a qualified status
- ✓ Refugees, asylees, persons granted withholding of deportation/removal (even if they later become LPRs)
- ✓ Cuban/Haitian entrants, certain Amerasian immigrants, individuals granted Iraqi or Afghan special immigrant status, trafficking survivors (even if they later become LPRs)
- ✓ Qualified immigrants who are U.S. veterans or on active military duty and their spouses or children
- ✓ Children (at state option)
- ✓ Pregnant women (at state option)

Federal Medicaid/CHIP Options

- States have the option to cover lawfully residing children and/or pregnant women → this includes:
 - Qualified immigrants, without the 5-year bar restriction
 - **Lawfully residing** people, a broader group than “qualified” immigrants
- * *Two-thirds of states have taken up this option for children and nearly half for pregnant women*
- Through CHIP, states can provide pregnant women certain medical services (such as prenatal care) regardless of immigration status

State-Funded Options

- States can cover additional immigrants with state-only funds



- **Medicaid payment for limited services related to an emergency medical condition** is available to people who meet all the state's Medicaid eligibility requirements except for immigration status, including:
 - ✓ Qualified immigrants who have not met the 5-year waiting period
 - ✓ Lawfully present but not qualified immigrants, such as persons with Temporary Protected Status (TPS) and many others
 - ✓ Undocumented immigrants
 - ✓ DACAmented immigrants

Part II:

Eligibility for Marketplace Coverage Based on Immigration Status

Statuses Eligible for Medicaid:	Other “Lawfully Present” Immigrants:
<p>“Qualified” Immigrants:</p> <ul style="list-style-type: none">• Lawful Permanent Resident (LPR/green card holder)• Refugee• Asylee• Cuban/Haitian Entrant• Paroled into the U.S. for at least one year• Conditional Entrant• Granted Withholding of Deportation or Withholding of Removal• Battered Spouse, Child and Parent• Trafficking Survivor and his/her Spouse, Child, Sibling or Parent <p>Others:</p> <ul style="list-style-type: none">• Member of a federally-recognized Indian tribe or American Indian born in Canada	<ul style="list-style-type: none">• Granted relief under the Convention Against Torture (CAT)• Temporary Protected Status (TPS)• Deferred Enforced Departure (DED)• Deferred Action (except DACA)*• Paroled into the US for less than one year• Individual with Nonimmigrant Status (includes worker visas; student visas; U visas; citizens of Micronesia, the Marshall Islands, and Palau; and many others)• Administrative order staying removal issued by the Department of Homeland Security• Lawful Temporary Resident• Family Unity
<p>*EXCEPTION: Individuals granted deferred action under the 2012 Deferred Action for Childhood Arrivals (DACA) program are <u>not</u> eligible to enroll in coverage in the Marketplace.</p>	

APPLICANT for Any of These Statuses:	Must Also Have Employment Authorization:
<ul style="list-style-type: none">• Lawful Permanent Resident (with an approved visa petition)• Asylum*• Special Immigrant Juvenile Status• Victim of Trafficking Visa• Withholding of deportation or withholding of removal, under the immigration laws or under the Convention Against Torture (CAT)*	<ul style="list-style-type: none">• Applicant for Temporary Protected Status• Registry Applicants• Order of Supervision• Applicant for Cancellation of Removal or Suspension of Deportation• Applicant for Legalization under IRCA• Applicant for LPR under the LIFE Act
<p><i>*Only those who have been granted employment authorization or are under the age of 14 and have had an application pending for at least 180 days are eligible</i></p>	

- Ineligible to purchase qualified health plans in the individual Marketplaces, even at full price
 - Can purchase private coverage outside the Marketplace or through employer
- Exempt from the individual mandate
- Can apply for health insurance for eligible family members, and be part of household of eligible family members
 - If applying for PTC on behalf of eligible family members, must file a tax return
 - If not eligible for a Social Security number (SSN), may file a tax return using an Individual Taxpayer Identification Number (ITIN)
- May be eligible for health programs available to ALL, regardless of immigration status



- Emergency-only Medicaid
- Programs using federal health care block grants: mental health, maternal and child health, family planning, communicable diseases, immunizations
- Programs providing health services necessary to protect life or safety: emergency medical, food or shelter, mental health crisis, domestic violence, crime victim assistance, disaster relief
- Hospital financial assistance programs or charity care
- Community Health Centers/FQHCs, Migrant Health Centers



Example: Ricky, Eva and Karina

- Ricky and Eva are married and have a daughter, Karina
- Ricky became a lawful permanent resident (LPR) 2 years ago
- Eva is a naturalized citizen
- Karina is a U.S. citizen



Who is applying for coverage?

- Ricky, Eva and Karina



Applying for coverage:	YES	Subject to 5-year bar:	YES	MAY BE ELIGIBLE FOR: ✓ QHP Enrollment
Citizen:	NO	Satisfied 5-year bar:	NO	
Immigration status:	LPR	Lawfully present:	YES	
Qualified immigrant:	YES			



Applying for coverage:	YES	Subject to 5-year bar:	----	MAY BE ELIGIBLE FOR: ✓ Medicaid ✓ QHP Enrollment
Citizen:	YES	Satisfied 5-year bar:	----	
Immigration status:	----	Lawfully present:	----	
Qualified immigrant:	----			



Applying for coverage:	YES	Subject to 5-year bar:	----	MAY BE ELIGIBLE FOR: ✓ Medicaid/CHIP ✓ QHP Enrollment
Citizen:	YES	Satisfied 5-year bar:	----	
Immigration status:	----	Lawfully present:	----	
Qualified immigrant:	----			

Part III:

Special Marketplace and PTC Eligibility

- Seniors who are not eligible for premium-free Medicare Part A may be eligible for enrollment in Marketplace plans and PTC/CSR
- To qualify for premium-free Medicare Part A, individuals must have met the applicable work history requirement or quarters of coverage (QC):
 - QC are earned by paying Social Security and Medicare payroll taxes; people working full-time generally earn four QC in a year
 - People can get quarters of coverage based on their own work history or in some cases the work history of their spouse



Note: People who plan on enrolling in Medicare should pay close attention to deadlines. Fees associated for not enrolling by certain deadlines are steep and permanent.



- Lin, 74, lives with his daughter, Mei and grandson, Michael
- More about Lin:
 - has been a lawful permanent resident for 4 years
 - has never worked in the U.S.
 - receives a \$2,500 a year from a pension related to work completed abroad
 - is not enrolled in Medicare Part A
- More about Mei:
 - provides more than 50% of Lin's support
 - claims Lin and Michael as tax dependents
 - household income is \$41,560 a year (200% FPL)



-
- ✓ **Lin is eligible for QHP enrollment** → Lin is eligible to enroll in a Marketplace plan with subsidies even though he is over 65 because he is not eligible for Medicare Part A based on his work history

! *If a person can be claimed as a tax dependent, must indicate that when applying for PTC*

Can Lin apply on his own for PTC?

- Lin qualifies as Mei's dependent:
 - Lin lives with Mei (and is also her relative)
 - Mei pays for more than half his support
 - Lin's annual income is less than \$4,150

Lin is Mei's tax dependent, so he cannot apply for PTC on his own as a household of 1

→ He may be eligible for PTC, but must include Mei (and her income) on his application for health coverage

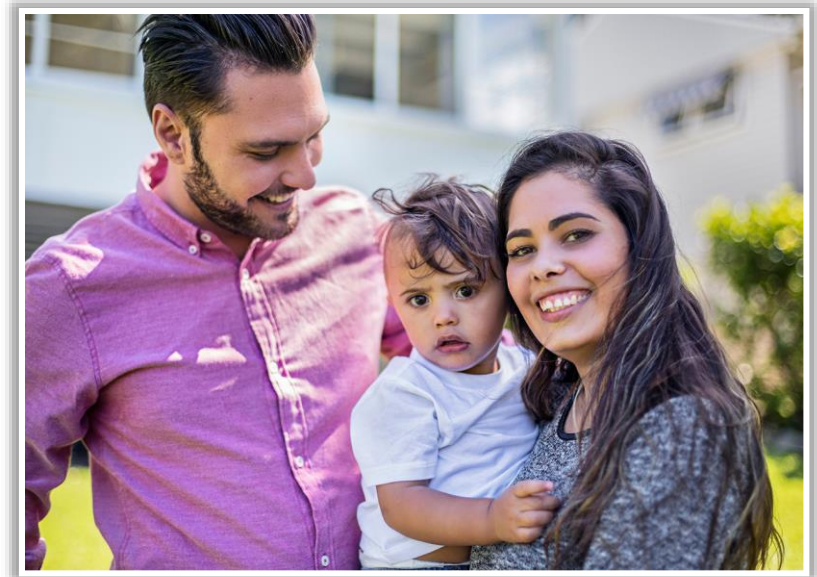


IMPORTANT: If Lin receives PTC, Mei must file a tax return and reconcile his PTC on her tax return

- Lawfully present people are eligible for PTC if they are not eligible for Medicaid due to their immigration status even if their income is below 100% FPL
- This includes lawfully present people who are:
 - ✓ Not “qualified” immigrants
 - ✓ Qualified immigrants who are subject to and have not met the 5-year bar

Bottom line: Many lawfully present people with incomes in the Medicaid range or below 100% FPL are eligible for PTC and CSR

- Gina and Adnan are married
- Gina is from Republic of Marshall Islands, which is nation covered under the Compact of Free Association (COFA)
- Adnan entered the U.S. as a refugee 4 years ago
 - He gained LPR status last year
- Sam is a U.S. citizen and is enrolled in CHIP

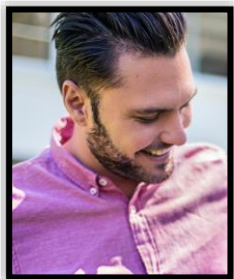


Income

- Both Gina and Adnan are full-time college students and both work part-time jobs
- They project their income will be \$18,800 for 2019 (90% FPL)

Eligibility Based on Citizenship/Immigration Status Rules

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Applying for coverage:	YES	Subject to 5-year bar:	NO	MAY BE ELIGIBLE FOR: ✓ Medicaid ✓ QHP Enrollment
Citizen:	NO	Satisfied 5-year bar:	----	
Immigration status:	REFUGEE LPR	Lawfully present:	----	
Qualified immigrant:	YES			

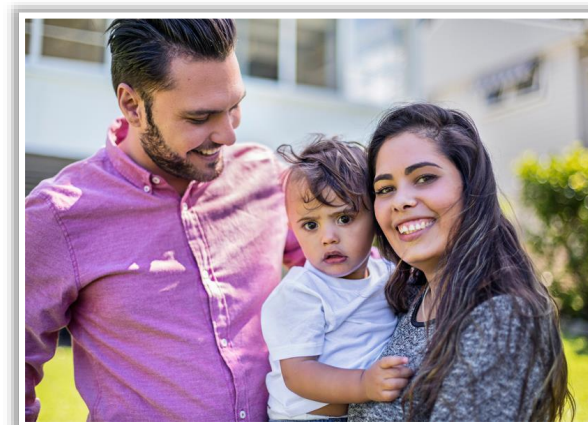


Applying for coverage:	YES	Subject to 5-year bar:	----	MAY BE ELIGIBLE FOR: ✓ QHP Enrollment
Citizen:	NO	Satisfied 5-year bar:	----	
Immigration status:	COFA	Lawfully present:	YES	
Qualified immigrant:	NO			

Eligibility for PTC and Medicaid

In Medicaid Expansion State

- Adnan is LPR and entered the U.S. as refugee → He is not subject to the 5-year bar
- His household income is below 138% FPL → He is eligible for Medicaid
- Gina has an eligible immigration status for marketplace coverage (i.e. she is lawfully present), but does not have a “qualified” status for Medicaid → She is eligible for PTC even though her income is below 100% FPL because she is ineligible for Medicaid based on immigration status

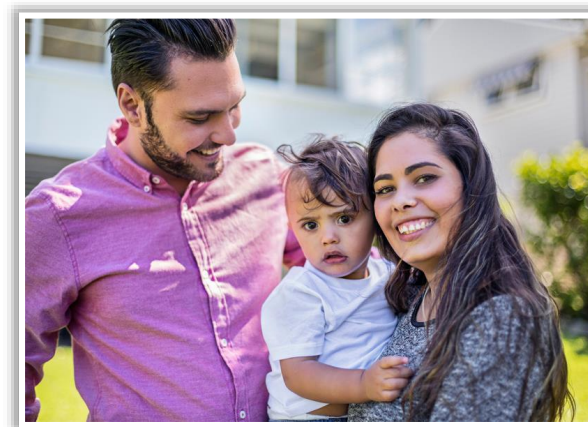


	Medicaid/CHIP				Premium Tax Credits			
	Eligible?	HH	Income	FPL	Eligible?	HH	Income	FPL
Adnan	Yes	3	\$18,800	90%	No	--	--	--
Gina	No	--	--	--	Yes	3	\$18,800	90%
Sam	N/A	--	--	--	N/A	--	--	--

In Medicaid Non-Expansion State

But what if they live in a state that DID NOT expand Medicaid?

- Adnan is LPR and entered the U.S. as refugee → He is not subject to the 5-year bar
- He meets the Medicaid immigration status requirement but his state has not expanded Medicaid, so he is in the “coverage gap”
- He is also not eligible for PTC because his income is below 100% of FPL and he is eligible for Medicaid based on his immigration status



	Medicaid/CHIP				Premium Tax Credits			
	Eligible?	HH	Income	FPL	Eligible?	HH	Income	FPL
Adnan	No	3	\$18,800	90%	No	--	--	--
Gina	No	--	--	--	Yes	3	\$18,800	90%
Sam	N/A	--	--	--	N/A	--	--	--

- To qualify for PTC, an applicant that is married must file jointly with their spouse
- Generally, you cannot file as married filing jointly if either spouse was a nonresident at any time during the tax year
- However, a nonresident married to U.S. citizen or resident can choose to be treated as a U.S. resident and file a joint return
 - A citizen or resident married to a nonresident (who does not choose to be treated as a resident) may also file as head of household if they support a child or another closely-related relative. See IRS [Publication 501](#).

Part IV:

Understanding & Addressing Concerns Immigrants May Have When Applying for Health Programs

Miami Herald

Proposed change to immigration rule may push Florida kids out of safety net

BY DANIEL CHANG

THE TRIBUNE

Proposed rule for public charge causes fear and confusion

Oct 09, 2018

Mario Gonzalez, who would be considered a public charge, is seen in a photo. By Yesenia Amaro

Vex

THE GOODS EXPLAINERS POLITICS & POLICY WORLD CULTURE SCIENCE & HEALTH MORE

Trump is proposing a regulation that could change the face of legal immigration — by restricting low-income immigrants

Immigrants could be barred from green cards based on use of food stamps or Medicaid.

By Dara Lind | dara@vox.com | Sep 24, 2018, 9:50am EDT

THE NEW YORKER

DISPATCH

TRUMP'S PUBLIC-CHARGE RULE IS A ONE-TWO PUNCH AGAINST IMMIGRANTS AND PUBLIC ASSISTANCE



By Jonathan Blitzer September 28, 2018

USA TODAY

Immigration attorneys counsel worried clients amid confusion over Trump's planned green card rules

Alan Gomez, USA TODAY Published 5:45 a.m. ET Oct. 9, 2018 | Updated 10:03 a.m. ET Oct. 10, 2018

Proposed Changes to "Public Charge" Policies Could Lead to Declines in Medicaid and CHIP Enrollment as Immigrant Families Face Rising Fear and Uncertainty About Using Public Programs

Published: Oct 12, 2018

TIME

U.S. POLITICS WORLD TECH ENTERTAINMENT

POLITICS • IMMIGRATION

Trump Administration Targets Immigrants Who Receive Public Benefits

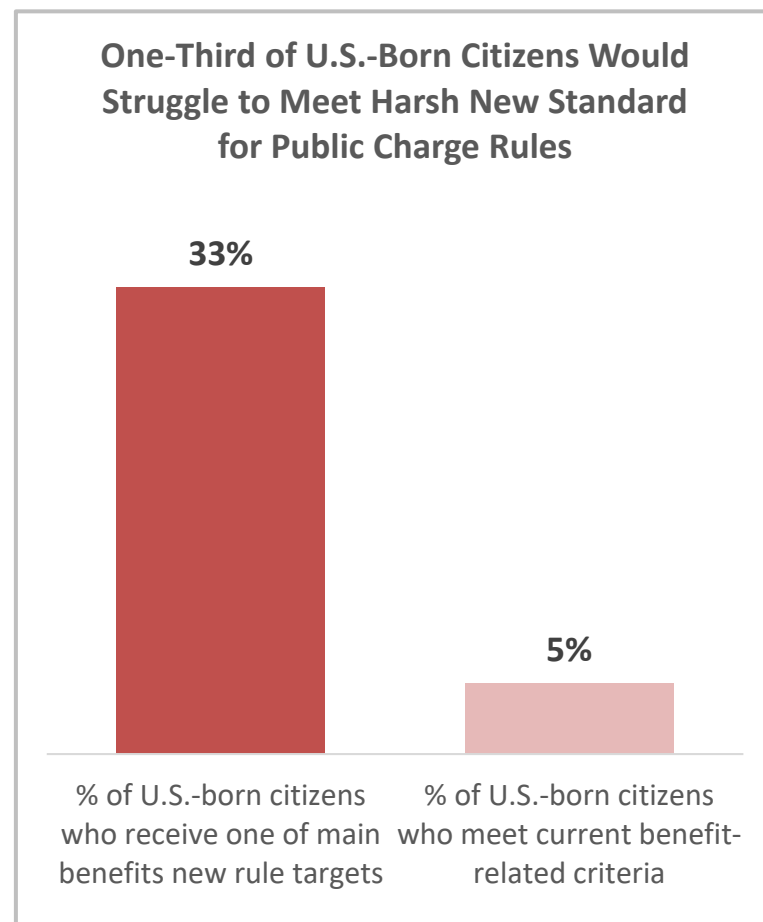
'FAMILIES ARE LIVING IN FEAR': HOW A TRUMP ADMINISTRATION PROPOSAL IS HARMING IMMIGRANTS

Fear of repercussions is keeping immigrant families from using public benefit programs like the Special Supplemental Nutrition Program for Women, Infants, and Children.

EMILY MOON · OCT 2, 2018

- Certain people undergo a “public charge” determination when seeking to become lawful permanent residents and/or enter the U.S.
- Immigration officials can reject applications if they believe the person is likely to become a “public charge” or primarily reliant on the government for support
- In the U.S. today, immigration officials look at:
 - Past or current receipt of cash assistance (TANF, SSI, or state or local General Assistance cash programs) or long-term care in an institution paid for by government (Medicaid or state-funded program)
 - Other factors including age, health, family status, income and financial status, and education and skills
 - If there is a concern with one of these factors, officials generally rely on an Affidavit of Support – a binding contract between a sponsor and an immigrant – that says the sponsor has the resources to support the immigrant if needed

- A proposed rule would greatly expand the definition of what a “public charge” can mean
- Immigration officials could include receipt of additional benefits in the test (not just cash and long-term care):
 - Most of Medicaid
 - SNAP (food stamps)
 - Housing assistance
 - Subsidies to help Medicare beneficiaries of modest means afford prescription drugs
- The rule also specifies how other factors — such as income, age, health status, and English proficiency — can be taken into account



Timing of When the Proposed Rule Would Go Into Effect

- The rule has a long way to go before there is any policy change
 - The government is accepting public comments until December 10th
 - Then the government must read all comments and respond to them when they issue the final rule—a process that should take many months to complete
 - Some proposed rules are never finalized
- ! The rule is NOT retroactive, benefits newly added in the proposed rule, would not be counted in public charge determinations in the U.S. until 60 days **after the rule is finalized**

Important Takeaways

Who is NOT Subject to Public Charge Determination under Current and Proposed Policy

- Many immigrants or would be immigrants are not subject to public charge determinations
 - Refugees and Asylees
 - Survivors of Domestic Violence, Trafficking, or other Serious Crimes (Applicants/Recipients of U or T visa)
 - Special Immigrant Juveniles
 - Certain Parolees
 - Some other categories of non-citizens
- Lawful permanent residents applying for citizenship do not undergo a public charge determination when going through the process to become a U.S. citizen (naturalization process)

Benefits That Won't Count Under the Proposed Rule

- Benefits that are received by a person other than the person undergoing a public charge determination in the U.S..
 - Benefits received by a dependent (like a child) won't be factored in for a public charge determination of another person (like a parent)
- Any program not listed in the rule, such as the following health programs:
 - Marketplace coverage and subsidies
 - The Children's Health Insurance Program (CHIP)*
 - Certain Medicaid funded services in schools for children with disabilities or to treat an emergency medical condition

**DHS requests input in the comments about whether to include CHIP in the final rule, but it is not included in regulatory text of the proposed rule.*

- Some immigrants fear that completing an application for health coverage — even for a U.S. citizen child — could expose that there are non-citizens in the household
- Strong privacy rules protect families applying for health insurance, including families whose members have different immigration statuses

The Marketplace, Medicaid, and CHIP laws limit the use of information collected during the marketplace application processes: it can only be used to make eligibility determinations and must be protected from unauthorized disclosure for other purposes.

Citations: 42 U.S.C. § 18081(g)(1); 42 U.S.C. § 1320b-7(a)(5); 42 U.S.C. § 1396a(a)(7)

State workers, Marketplace employees and assister groups are required to keep information private and secure.

Citations: 42 U.S.C. § 18081(g)(2); 42 C.F.R. § 457.1110; 45 C.F.R. § 155.260(a)

- Households may include applicants and non-applicants:
 - **Applicants** are seeking enrollment and/or eligibility
 - **Non-applicants** are part of the households of an applicant but are not seeking enrollment or eligibility for themselves
- Non-applicants do not have to share information about their citizenship or immigration status
 - But they may have to provide other information such as income

Who needs coverage

Who are you applying for health coverage for?

- ☐ Jane Taxpayer only
- ☐ Jane Taxpayer & other family members
- ☒ Other family members, not Jane Taxpayer

Add these people

Review the information you entered so far.

You've added this person who isn't applying for coverage

Gloria Taxpayer
02/13/1950

Remember: The person listed above is in your household, but isn't applying for coverage. We need some information about them to determine your eligibility for help paying for coverage.

Is this information correct?

- ☒ Yes.
- ☐ No. I need to make changes to this information.

Medicaid and CHIP

SSNs are generally required of Medicaid applicants

- Coverage cannot be denied or delayed pending issuance or verification of SSN
- Medicaid agencies must help individuals apply for an SSN if they are eligible and don't have one, or if they don't know their SSN

Some applicants do not have to provide Social Security numbers (SSN), including:

- Newborns in process of obtaining an SSN
- Persons who have a religious objection
- Certain lawfully present immigrants who are not eligible for an SSN or can only get an SSN for a non-work purpose such as certain domestic violence survivors, trafficking survivors, asylum applicants, and others

Marketplace

Only applicants who have an SSN are required to provide one.

Medicaid and CHIP

Non-applicant household members do not have to provide an SSN for Medicaid and CHIP.

Marketplace

Non-applicant household members should not be required to provide an SSN unless **ALL** of the following are true:

- ✓ The non-applicant is a tax filer (SSN not required for non-applicant tax dependent)
- ✓ The non-applicant has a SSN
- ✓ The non-applicant filed a federal tax return in the last year



Providing an SSN when available, may increase the likelihood that information consumers provide in the application can be verified electronically, which can reduce the amount of paper documentation consumers may have to turn in to prove their circumstances.

People who are not eligible for SSNs may use Individual Taxpayer Identification Numbers (ITINs) to file taxes, but health insurance affordability program applications should not request ITINs.

- Do not ask non-applicants to disclose their citizenship or immigration status
- Use broad questions and share general information about immigrant eligibility to help people identify who may want to apply for insurance while providing other welcoming messages
- When asking questions about immigration and citizenship status of applicants, avoid asking if individuals are “undocumented” or “not legally in the U.S.”
 - Instead use words like “eligible immigration status” or “statuses considered eligible for the marketplace”

FOR EXAMPLE:

“ We keep your information private and safe. The application asks for some information about everyone in your family, but only a family member seeking coverage for him or herself has to answer questions about immigration or citizenship. ”

“ The Marketplace provides coverage to citizens and noncitizens who are lawfully present. Here’s a list of immigration statuses that are eligible for Marketplace coverage. ”



Part V:

Navigating the Application Process

- Citizenship and immigration status must be verified
- Applicants provide SSNs and/or immigration document numbers
- Those numbers and key other factors are matched against information in government data files



Why Data Matching May Be Unsuccessful

- Failure to provide SSN or other document numbers, or wrong number provided
- Name, date of birth and SSN provided on the application do not match what is in SSA or SAVE records:
 - Typos
 - Name changes
- Data matching limitations:
 - SSA can't verify citizenship for many citizens who were born outside of the U.S.
 - SAVE can't match certain immigrants in “real time”



Note: Healthcare.gov began automating a second request for verification through SAVE

- On-screen notice of DMI when application is submitted

Your eligibility is temporary: By January 11, you must submit documents to confirm some information. See your eligibility notice for details and deadlines.

- Eligibility notice will detail eligibility and next steps

Eligibility Results

Review the table below for the results of your application.

Family member(s)	Results
May Leon	<ul style="list-style-type: none">Eligible to purchase health coverage through the Marketplace, but more information is neededEligible for a tax credit (\$355.00 each month, which is \$4,260.00 for the year, for your tax household), but we need more information from you. This calculation is based on the yearly household income of \$75,000.00. This is the amount that you provided on your Marketplace application or the amount that came from the most recent income data sources available.

SAMPLE NOTICE

Next steps

Important: You must send documents. This notice includes deadlines and details.

- Choose a plan and pay your first month's premium.
- By January 11, 2018, send documents to confirm:
 - your household income
- By January 11, 2018, send documents to confirm:
 - Keeley Forrester's TRICARE coverage status
- You'll get information about when your coverage will begin and how to access health services from the Alabama Department of Public Health.



- Make a correct attestation
- Enter all document numbers that are requested for applicants
- Name change: If name on the application is not the same as on the document, use option to provide name as it appears on the document

Is Kelly Johnson the same name that appears on her document?

☐ Yes

☒ No

Enter the same name as shown Kelly Johnson's document.

First name	Middle <i>optional</i>	Last name	Suffix <i>optional</i>
<input type="text" value="Kellyann"/>	<input type="text"/>	<input type="text" value="Johnson"/>	<input type="text" value="Select..."/>

You don't have to be a U.S. citizen or U.S. national to qualify for health coverage. Select "no" to view a list of other eligible immigration statuses, and choose the status that best describes yours.

Is Jane Taxpayer a U.S. citizen or U.S. national?

[Learn more about immigration status](#)

☐ Yes

☒ No

☒ Check here if Jane Taxpayer has eligible immigration status

If this person's immigration status isn't listed here, he or she may still be able to get help paying for emergency services, including for labor and delivery if they have a baby. In some states, pregnant women may also be able to get health care coverage.

Document type *(Select one)*

[Learn more about document types](#)

Select...

Select...

- Permanent Resident Card ("Green Card", I-551)
- Temporary I-551 Stamp (on passport or I-94, I-94A)
- Machine Readable Immigrant Visa (with temporary I-551 language)
- Employment Authorization Card (EAD, I-766)
- Arrival/Departure Record (I-94, I-94A)
- Arrival/Departure Record in foreign passport (I-94)
- Foreign passport
- Reentry Permit (I-327)
- Refugee Travel Document (I-571)
- Certificate of Eligibility for Nonimmigrant (F-1) Student Status (I-20)
- Certificate of Eligibility for Exchange Visitor (J-1) Status (DS2019)
- Notice of Action (I-797)
- Other documents or status types

CONTINUE

NG | VIEWERS & PL

Document Type:	What to List for Document ID:
Permanent Resident Card (I-551)	<ul style="list-style-type: none"> ✓ “Alien” registration number ✓ Card number
Temporary I-551 stamp (on passport or I-94, I-94A)	<ul style="list-style-type: none"> ✓ “Alien” registration number
Machine Readable Immigrant Visa (with temporary I-551 language)	<ul style="list-style-type: none"> ✓ Alien registration number ✓ Passport number ✓ Country of issuance
Employment Authorization Card (I-766)	<ul style="list-style-type: none"> ✓ “Alien” registration number ✓ Card number ✓ Expiration date ✓ Category code
Arrival/Departure Record (I-94/I-94A)	<ul style="list-style-type: none"> ✓ I-94 number
Arrival/Departure Record in foreign passport (I-94)	<ul style="list-style-type: none"> ✓ I-94 number ✓ Passport number ✓ Expiration date ✓ Country of issuance
Foreign passport	<ul style="list-style-type: none"> ✓ Passport number ✓ Expiration date ✓ Country of issuance

Document Type:	What to List for Document ID:
Reentry Permit (I-327)	✓ “Alien” registration number
Refugee Travel Document (I-571)	✓ “Alien” registration number
Certificate of Eligibility for Nonimmigrant Student Status (I-20)	✓ Student and Exchange Visitor Information System (SEVIS) ID
Certificate of Eligibility for Exchange Visitor Status (DS2019)	✓ SEVIS ID
Notice of Action (I-797)	✓ “Alien” registration number or an I-94 number ✓ Description of the type or name of the document
Other documents	✓ “Alien” registration number or an I-94 number ✓ Description of the type or name of the document



Permanent Resident Card ("Green card", I-551)



Alien Registration #
(may be referred to as USCIS #)

Card Number

- If the A# does not have 9 digits, add one or two zeros before the A# so that you can input nine digits
- Document/card number may be on the front or the back of the card and contains 13 characters:
 - Begins with three letters, followed by ten numbers
- Some older cards do NOT have card numbers
 - Enter “AAA00000000000” as the card number

- If the A# does not have 9 digits, add one or two zeros before the A# so that you can input nine digits
- Document/card number may be on the front or the back of the card and contains 13 characters:
 - Begins with three letters, followed by ten numbers
- Some older cards do NOT have card numbers
 - Enter “AAA0000000000” as the card number



For more info, see our [Reference Guide: Documents Used to Verify Immigration Status](#)



- Check to make sure the attestation is correct on the application
- Uploading documents to the marketplace is faster than mail
 - It must be a .pdf, .jpeg, .jpg, .gif, .xml, .png, .tiff, or .bmp
 - It can't be bigger than 10 MB
 - The file name can't include a colon, semicolon, asterisk, or any other special character. Here are a few examples of special characters that can't be in the file name: / \ : * ? " < > |
 - If the upload menu does not include the document type the consumer is trying to upload, the consumers can select "other"
- Citizens likely need two documents
 - One that proves citizenship and one that proves identity
 - Some documents prove citizenship and identity like a U.S. passport

Submit any one of the following documents to verify citizenship

U.S. Passport



Certificate of Citizenship



Certificate of Naturalization



State-issued enhanced driver's license (EDL)

- Currently available in Michigan, New York, Vermont and Washington



Document from a federally recognized Indian tribe that includes the individual's name, the name of the tribe, and shows membership, enrollment, or affiliation with the tribe

- A tribal enrollment card
- A Certificate of Degree of Indian Blood
- A tribal census document
- Documents on tribal letterhead signed by a tribal leader

NOTE: If a person does not have one of these documents, they will need two documents to prove citizenship.

If None of the Previous Documents Are Available:



Submit ONE document from EACH column (total of TWO documents)

One of the following documents:

U.S. public birth certificate
Consular Report of Birth Abroad (FS-240, CRBA)
Certification of Report of Birth (DS-1350)
Certification of Birth Abroad (FS-545)
U.S. Citizen Identification Card (I-197 or the prior version I-179)
Northern Mariana Card (I-873)
Final adoption decree showing the person's name and U.S. place of birth
U.S. Civil Service Employment Record showing employment before June 1, 1976
Military record showing a U.S. place of birth
U.S. medical record from a clinic, hospital, physician, midwife or institution showing a U.S. place of birth
U.S. life, health or other insurance record showing U.S. place of birth
Religious record showing U.S. place of birth recorded in the U.S.
School record showing the child's name and U.S. place of birth
Federal or State census record showing U.S. citizenship or U.S. place of birth
Documentation of a foreign-born adopted child who received automatic U.S. citizenship (IR3 or IH3)

AND one of the following documents:

Document must have a photograph or other information, like name, age, race, height, weight, eye color, or address

Driver's license issued by a State or Territory or ID card issued by the Federal, state, or local government
School identification card
U.S. military card or draft record or Military dependent's identification card
U.S. Coast Guard Merchant Mariner card
Voter Registration Card
A clinic, doctor, hospital, or school record, including preschool or day care records (for children under 19 years old)
2 documents containing consistent information that proves your identity, like employer IDs, high school and college diplomas, marriage certificates, divorce decrees, property deeds, or titles

- For people with income that would potentially qualify them for Medicaid, the Marketplace must verify that applicants are ineligible for Medicaid based on their immigration status before determining their eligibility for subsidies
- If Healthcare.gov can't electronically verify an individual's immigration status through SAVE in real time, that person will get an immigration status DMI

AS A RESULT:

If otherwise eligible for Medicaid based on income and all other factors:

→ sent to Medicaid

If income is below 100% and not otherwise eligible for Medicaid (appears to be in the coverage gap):

- given the opportunity to enroll in a Marketplace plan with no PTC or cost-sharing reductions (CSR)
- Asked to submit proof of immigration status

Process A: Appears Eligible for Medicaid

Appears Eligible for Medicaid Based on Income & Other Factors

Marketplace assesses or determines the applicant is eligible for Medicaid

Case sent to state Medicaid agency for further eligibility review including verification of immigration status

Medicaid agency notifies applicant that proof is needed including but not limited to immigration status

If applicant sends in proof, and is determined ineligible for Medicaid based on status, the Medicaid agency sends applicant denial notice

Case referred back to Marketplace

Marketplace notifies applicant to come back to the Marketplace with instructions on how to get correct eligibility determination

Applicant returns to Marketplace, indicates that has been denied Medicaid and provides other needed information to establish eligibility

Correct eligibility determination for PTC and CSR

- Question individuals will use to indicate they have been determined ineligible for Medicaid based on their immigration status
- Exercise caution when helping someone answer this question

Were any of these people denied coverage through Virginia Medicaid (Medicaid) or Family Access to Medical Insurance Security (FAMIS) (CHIP) since June 10, 2017? Or, were any of them denied coverage through these programs due to their immigration status since October 1, 2013?

Check the box only if a person was found not eligible for this coverage by their state, not by the Marketplace.

[Learn more about how to answer this question](#)

☐ Jose Taxpayer

☒ Matteo Taxpayer

Was this person found not eligible by their state because of their immigration status?

☒ Yes

☐ No

☐ None of these people

Process B: Treated As If in Medicaid Coverage Gap

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Income is Below 100% FPL and Not Otherwise Eligible for Medicaid

Marketplace determines applicant can enroll in coverage without PTC and notifies applicant that he may qualify for help paying for coverage but that proof of status is needed to make that determination



If applicant sends in proof, case is sent to special unit to determine if eligible under Medicaid rules



If determined ineligible for Medicaid based on status, Marketplace notifies applicant about eligibility for subsidies and special enrollment period (as applicable)



Applicant returns to Marketplace to select a plan with PTC and CSR (and will be granted a SEP, as applicable)

- Reference Guide: [Immigration Documents Used in Healthcare.gov](#)
- Webinar: [Preventing and Resolving Data-Matching Issues](#)
- Explainer: [Subsidy Eligibility for Immigrants Ineligible for Medicaid Due to Status](#)
- Key Facts:
 - [Immigrant Eligibility for Health Insurance Affordability Programs](#)
 - [Helping Families that Include Immigrants Apply for Health Coverage](#)
- Paper: [Remote ID Proofing: Impacts on Access to Health Insurance](#)

National Immigration Law Center (NILC) Resources:

- [Tips for Addressing Immigrant Families' Concerns When Applying for Health Coverage Programs](#)
- [How to Talk About "Public Charge" with Immigrants and Their Families](#)
- [Frequently Asked Questions About DACA](#)
- ["Lawfully Present" Individuals under the Affordable Care Act](#)
- Know Your Rights: Is it Safe to Apply for Health Insurance or Seek Health Care? ([English](#)) ([Spanish](#))
- [Health Care Providers and Immigration Enforcement: Know Your Rights, Know Your Patients' Rights](#)

Healthcare.gov Marketplace Resources:

- Assister Guide to Immigration Section of Healthcare.gov: marketplace.cms.gov/technical-assistance-resources/assister-guide-to-immigration-section.PDF
- Eligible immigration statuses for marketplace coverage: www.healthcare.gov/immigrants/immigration-status
- Immigration Document Types: www.healthcare.gov/help/immigration-document-types

- Sonya Schwartz, schwartz@nilc.org
- Shelby Gonzales, gonzales@cbpp.org
- Halley Cloud, cloud@cbpp.org
- For general inquiries: beyondthebasics@cbpp.org

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For more information and resources, please visit:
www.healthreformbeyondthebasics.org | www.nilc.org

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