



**Centers for Medicare & Medicaid Services**  
**CMS eXpedited Life Cycle (XLC)**

## **Medicaid and CHIP Program (MACPro)**

### **S89-Citizenship and noncitizen Eligibility PRA document**

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# 1. S89- Citizenship and noncitizen Eligibility - Screenshots

## 1.1 Banner

### Medicaid State Plan Eligibility

#### Non-Financial Eligibility

#### Citizenship and noncitizen Eligibility

MEDICAID | Medicaid State Plan | Eligibility | TN2026MS0073D

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CMS-10434 OMB 0938-1188

Not Started	In Progress	Complete	
<b>Package Header</b>			
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	System-Derived		

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Figure 1: Banner

## 1.2 Citizens, Nationals and FFP-Eligible noncitizen, Pathway 1

[VIEW ALL RESPONSES](#)

\*

☒ The state provides Medicaid to citizens and nationals of the United States and certain noncitizen who meet all other Medicaid eligibility requirements under the state plan, including for coverage for individuals for whom federal financial participation (FFP) is available consistent with section 1903(v)(5) of the Social Security Act ("FFP-eligible noncitizen"), and during a reasonable opportunity period pending verification of their citizenship, U.S. national, or satisfactory immigration status.

**A. Citizens, Nationals and FFP-Eligible noncitizen**

[Collapse](#)

☒ The state provides Medicaid eligibility to individuals who meet all eligibility requirements in the State, including who are residents of 1 of the 50 states, the District of Columbia, or a territory of the United States and:

- Who are U.S. citizens or nationals of the United States; or
- Who are FFP-eligible noncitizens in an immigration status or category listed in section 1903(v)(5) of the Act and are not restricted by section 403 of PRWORA (8 U.S.C. § 1613):
  - Lawful Permanent Residents (LPRs)—Section 1903(v)(5)(B)(ii) of the Act
  - Cuban/Haitian entrants—Section 1903(v)(5)(B)(iii) of the Act
  - Compact of Free Association (COFA) migrants—Section 1903(v)(5)(B)(iv) of the Act
- Who have declared themselves to be citizens or nationals of the United States or noncitizen having satisfactory immigration status, during a reasonable opportunity period, pending verification of their U.S. citizenship, U.S. national, or satisfactory immigration status consistent with requirements of 1903(x), 1137(d), and 1902(ee) of the Social Security Act and regulations at 42 C.F.R. §§ 435.406, 407, 911, and 956.

The reasonable opportunity period begins on and extends 90 days from the date the notice of reasonable opportunity is received by the individual.

a. The agency provides for an extension of the reasonable opportunity period for noncitizen if the noncitizen is making a good faith effort to resolve any inconsistencies or obtain any necessary documentation, or the agency needs more time to complete the verification process.\*

☒ Yes

☐ No

\*

☐ b. When a reasonable opportunity period is provided, the agency furnishes benefits to otherwise eligible individuals on the following date:

Figure 2: Citizens, Nationals and FFP-Eligible noncitizen, Pathway 1

## 1.3 Citizens, Nationals and FFP-Eligible noncitizen, Pathway 2

[VIEW ALL RESPONSES](#)

\*

- ☒ The state provides Medicaid to citizens and nationals of the United States and certain noncitizen who meet all other Medicaid eligibility requirements under the state plan, including for coverage for individuals for whom federal financial participation (FFP) is available consistent with section 1903(v)(5) of the Social Security Act ("FFP-eligible noncitizen"), and during a reasonable opportunity period pending verification of their citizenship, U.S. national, or satisfactory immigration status.

### A. Citizens, Nationals and FFP-Eligible noncitizen

[Collapse](#)

- ☒ The state provides Medicaid eligibility to individuals who meet all eligibility requirements in the State, including who are residents of 1 of the 50 states, the District of Columbia, or a territory of the United States and:

1. Who are U.S. citizens or nationals of the United States; or
2. Who are FFP-eligible noncitizens in an immigration status or category listed in section 1903(v)(5) of the Act and are not restricted by section 403 of PRWORA (8 U.S.C. § 1613):
  - i. Lawful Permanent Residents (LPRs)—Section 1903(v)(5)(B)(ii) of the Act
  - ii. Cuban/Haitian entrants—Section 1903(v)(5)(B)(iii) of the Act
  - iii. Compact of Free Association (COFA) migrants—Section 1903(v)(5)(B)(iv) of the Act
- and
3. Who have declared themselves to be citizens or nationals of the United States or noncitizen having satisfactory immigration status, during a reasonable opportunity period, pending verification of their U.S. citizenship, U.S. national, or satisfactory immigration status consistent with requirements of 1903(x), 1137(d), and 1902(ee) of the Social Security Act and regulations at 42 C.F.R. §§ 435.406, 407, 911, and 956.

The reasonable opportunity period begins on and extends 90 days from the date the notice of reasonable opportunity is received by the individual.

- a. The agency provides for an extension of the reasonable opportunity period for noncitizen if the noncitizen is making a good faith effort to resolve any inconsistencies or obtain any necessary documentation, or the agency needs more time to complete the verification process.\***

☐ Yes

☒ No

\*

- ☒ b. When a reasonable opportunity period is provided, the agency furnishes benefits to otherwise eligible individuals on the following date:

**The date benefits are furnished is: \***

☐ i. The date of the application containing the declaration of U.S. citizenship, U.S. national, or satisfactory immigration status.

☒ ii. The first day of the month of application.

Figure 3: Citizens, Nationals and FFP-Eligible noncitizen, Pathway 2

## 1.4 Optional Coverage of All FFP-Eligible noncitizen, Pathway 1

### B. Optional Coverage of All FFP-Eligible noncitizen

[Collapse](#)

The state provides Medicaid coverage to LPRs and Cuban/Haitian entrants whose eligibility is not restricted by section 403 of PRWORA (8 U.S.C. §1613) and meet all other eligibility requirements in the state plan.\*

☒ Yes

☐ No

Figure 4: Optional Coverage of All FFP-Eligible noncitizen, Pathway 1

## 1.5 Optional Coverage of All FFP-Eligible noncitizen, Pathway 2

### B. Optional Coverage of All FFP-Eligible noncitizen

[Collapse](#)

The state provides Medicaid coverage to LPRs and Cuban/Haitian entrants whose eligibility is not restricted by section 403 of PRWORA (8 U.S.C. §1613) and meet all other eligibility requirements in the state plan.\*

- ☐ Yes  
☒ No

Indicate which requirements apply:

1. The state requires Lawful Permanent Residents (LPRs) to have 40 qualifying work quarters under Title II of the Social Security Act.\*

- ☐ Yes  
☒ No

2. The state limits Medicaid coverage to 7 years for the following noncitizen:

a. Noncitizen granted status as a Cuban/Haitian Entrant, as defined in section 501(e) of the Refugee Education Assistance Act of 1980

- ☐ Yes  
☒ No

Figure 5: Optional Coverage of All FFP-Eligible noncitizen, Pathway 2

## 1.6 Coverage of Lawfully Residing Individuals, Pathway 1, Screenshot 1

### C. Coverage of Lawfully Residing Individuals

[Collapse](#)

The state elects the option to provide Medicaid coverage to lawfully residing in the United States, as provided in section 1903(v)(4) of the Act who meet all other eligibility requirements in the state plan.

- ☒ Yes  
☐ No

☒ 1. Pregnant women

☐ 2. Individuals under a specified age:

3. An individual is considered to be lawfully residing in the United States if he or she is lawfully present and otherwise meets the eligibility requirements in the state plan.

4. An individual is considered to be lawfully present in the United States if they are:

a. A qualified noncitizen as defined in 8 U.S.C. 1641(b) and (c);

b. A noncitizen in a valid nonimmigrant status, as defined in 8 U.S.C. 1101(a)(15) or otherwise under the immigration laws (as defined in 8 U.S.C. 1101(a)(17));

c. A noncitizen who has been paroled into the United States in accordance with 8 U.S.C.1182(d)(5) for less than 1 year, except for an individual paroled for prosecution, for deferred inspection or pending removal proceedings;

d. A noncitizen who belongs to one of the following classes:

i. Granted temporary resident status in accordance with 8 U.S.C.1160 or 1255a, respectively;

ii. Granted Temporary Protected Status (TPS) in accordance with 8 U.S.C. §1254a, and individuals with pending applications for TPS who have been granted employment authorization;

iii. Granted employment authorization under 8 CFR 274a.12(c);

iv. Family Unity beneficiaries in accordance with section 301 of Pub. L. 101-649, as amended;

v. Under Deferred Enforced Departure (DED) in accordance with a decision made by the President;

vi. Granted Deferred Action status;

vii. Granted an administrative stay of removal under 8 CFR 241;

viii. Beneficiary of approved visa petition who has a pending application for adjustment of status;

e. Is an individual with a pending application for asylum under 8 U.S.C. 1158, or for withholding of removal under 8 U.S.C.1231, or under the Convention Against Torture who:

i. Has been granted employment authorization; or

ii. Is under the age of 14 and has had an application pending for at least 180 days;

f. Has been granted withholding of removal under the Convention Against Torture;

g. Is a child who has a pending application for Special Immigrant Juvenile status as described in 8 U.S.C.1101(a)(27)(J);

h. Is lawfully present in American Samoa under the immigration laws of American Samoa; or

i. Is a victim of severe trafficking in persons, in accordance with the Victims of Trafficking and Violence Protection Act of 2000, Pub. L. 106-386, as amended (22 §U.S.C. 7105(b)).

j. Exception: An individual with deferred action under the Department of Homeland Security's deferred action for the childhood arrivals process, as described in the Secretary of Homeland Security's June 15, 2012 memorandum, shall not be considered to be lawfully present with respect to any of the above categories in paragraphs (a) through (i) of this definition.

☐ k. Other

Figure 6: Coverage of Lawfully Residing Individuals, Pathway 1, Screenshot 1

## 1.7 Coverage of Lawfully Residing Individuals, Pathway 1, Screenshot 2

### C. Coverage of Lawfully Residing Individuals

Collapse

The state elects the option to provide Medicaid coverage to lawfully residing in the United States, as provided in section 1903(v)(4) of the Act who meet all other eligibility requirements in the state plan.

☒ Yes  
☐ No

☒ 1. Pregnant women

☒ 2. Individuals under a specified age:
 

☒ a. Individuals under age 21  
☐ b. Individuals under age 20  
☐ c. Individuals under age 19

3. An individual is considered to be lawfully residing in the United States if he or she is lawfully present and otherwise meets the eligibility requirements in the state plan.

4. An individual is considered to be lawfully present in the United States if they are:

a. A qualified noncitizen as defined in 8 U.S.C. 1641(b) and (c);

b. A noncitizen in a valid nonimmigrant status, as defined in 8 U.S.C. 1101(a)(15) or otherwise under the immigration laws (as defined in 8 U.S.C. 1101(a)(17));

c. A noncitizen who has been paroled into the United States in accordance with 8 U.S.C.1182(d)(5) for less than 1 year, except for an individual paroled for prosecution, for deferred inspection or pending removal proceedings;

d. A noncitizen who belongs to one of the following classes:

i. Granted temporary resident status in accordance with 8 U.S.C.1160 or 1255a, respectively;

ii. Granted Temporary Protected Status (TPS) in accordance with 8 U.S.C. §1254a, and individuals with pending applications for TPS who have been granted employment authorization;

iii. Granted employment authorization under 8 CFR 274a.12(c);

iv. Family Unity beneficiaries in accordance with section 301 of Pub. L. 101-649, as amended;

v. Under Deferred Enforced Departure (DED) in accordance with a decision made by the President;

vi. Granted Deferred Action status;

vii. Granted an administrative stay of removal under 8 CFR 241;

viii. Beneficiary of approved visa petition who has a pending application for adjustment of status;

e. Is an individual with a pending application for asylum under 8 U.S.C. 1158, or for withholding of removal under 8 U.S.C.1231, or under the Convention Against Torture who:

i. Has been granted employment authorization; or

ii. Is under the age of 14 and has had an application pending for at least 180 days;

f. Has been granted withholding of removal under the Convention Against Torture;

g. Is a child who has a pending application for Special Immigrant Juvenile status as described in 8 U.S.C.1101(a)(27)(J);

h. Is lawfully present in American Samoa under the immigration laws of American Samoa; or

i. Is a victim of severe trafficking in persons, in accordance with the Victims of Trafficking and Violence Protection Act of 2000, Pub. L. 106-386, as amended (22 §U.S.C. 7105(b)).

j. Exception: An individual with deferred action under the Department of Homeland Security's deferred action for the childhood arrivals process, as described in the Secretary of Homeland Security's June 15, 2012 memorandum, shall not be considered to be lawfully present with respect to any of the above categories in paragraphs (a) through (i) of this definition.

☐ k. Other

**Figure 7: Coverage of Lawfully Residing Individuals, Pathway 1, Screenshot 2**

## 1.8 Coverage of Lawfully Residing Individuals, Pathway 1, Screenshot 3

**C. Coverage of Lawfully Residing Individuals** Collapse

The state elects the option to provide Medicaid coverage to lawfully residing in the United States, as provided in section 1903(v)(4) of the Act who meet all other eligibility requirements in the state plan.

☒ Yes  
☐ No

☒ 1. Pregnant women

☒ 2. Individuals under a specified age:

☒ a. Individuals under age 21  
☐ b. Individuals under age 20  
☐ c. Individuals under age 19

3. An individual is considered to be lawfully residing in the United States if he or she is lawfully present and otherwise meets the eligibility requirements in the state plan.

4. An individual is considered to be lawfully present in the United States if they are:

a. A qualified noncitizen as defined in 8 U.S.C. 1641(b) and (c);

b. A noncitizen in a valid nonimmigrant status, as defined in 8 U.S.C. 1101(a)(15) or otherwise under the immigration laws (as defined in 8 U.S.C. 1101(a)(17));

c. A noncitizen who has been paroled into the United States in accordance with 8 U.S.C.1182(d)(5) for less than 1 year, except for an individual paroled for prosecution, for deferred inspection or pending removal proceedings;

d. A noncitizen who belongs to one of the following classes:

i. Granted temporary resident status in accordance with 8 U.S.C.1160 or 1255a, respectively;

ii. Granted Temporary Protected Status (TPS) in accordance with 8 U.S.C. §1254a, and individuals with pending applications for TPS who have been granted employment authorization;

iii. Granted employment authorization under 8 CFR 274a.12(c);

iv. Family Unity beneficiaries in accordance with section 301 of Pub. L. 101-649, as amended;

v. Under Deferred Enforced Departure (DED) in accordance with a decision made by the President;

vi. Granted Deferred Action status;

vii. Granted an administrative stay of removal under 8 CFR 241;

viii. Beneficiary of approved visa petition who has a pending application for adjustment of status;

e. Is an individual with a pending application for asylum under 8 U.S.C. 1158, or for withholding of removal under 8 U.S.C.1231, or under the Convention Against Torture who:

i. Has been granted employment authorization; or

ii. Is under the age of 14 and has had an application pending for at least 180 days;

f. Has been granted withholding of removal under the Convention Against Torture;

g. Is a child who has a pending application for Special Immigrant Juvenile status as described in 8 U.S.C.1101(a)(27)(J);

h. Is lawfully present in American Samoa under the immigration laws of American Samoa; or

i. Is a victim of severe trafficking in persons, in accordance with the Victims of Trafficking and Violence Protection Act of 2000, Pub. L. 106-386, as amended (22 §U.S.C. 7105(b)).

j. Exception: An individual with deferred action under the Department of Homeland Security's deferred action for the childhood arrivals process, as described in the Secretary of Homeland Security's June 15, 2012 memorandum, shall not be considered to be lawfully present with respect to any of the above categories in paragraphs (a) through (i) of this definition.

☒ k. Other

Description: \*

Figure 8: Coverage of Lawfully Residing Individuals, Pathway 1, Screenshot 3

## 1.9 Coverage of Lawfully Residing Individuals, Pathway 2

### C. Coverage of Lawfully Residing Individuals

Collapse

The state elects the option to provide Medicaid coverage to lawfully residing in the United States, as provided in section 1903(v)(4) of the Act who meet all other eligibility requirements in the state plan.

☐ Yes

☒ No

Figure 9: Coverage of Lawfully Residing Individuals, Pathway 2

## 1.10 Emergency Coverage

### D. Emergency Coverage

[Collapse](#)

☒ Regardless of whether an individual has a satisfactory immigration status for full Medicaid benefits, the state assures that it provides care and services that are necessary for the treatment of an emergency medical condition as defined in 1903(v)(3) of the Social Security Act, not related to the care and services for an organ transplant procedure, (commonly referred to as "emergency Medicaid"), to the following individuals who meet all Medicaid eligibility requirements, except are not required to have verified U.S. citizenship or satisfactory immigration status and/or present an SSN:

1. LPRs subject to the five-year waiting period described in 8 U.S.C. § 1613(a) and who have not met the five-year waiting period;
2. All other noncitizen who are not FFP-eligible noncitizens, unless covered as a lawfully residing child or pregnant woman by the state under the option in accordance with section 1903(v)(4) of the Act.

Figure 10: Emergency Coverage

## 1.11 Additional Information (optional) and Validation & Navigation

### E. Additional Information (optional)

[Collapse](#)

xxxxxx

Character count: 6/4000

#### Validation & Navigation

Would you like to validate the reviewable unit data?

☐ Yes ☒ No

Warning: Any field containing more than 4000 characters will be truncated when saved.

Navigate to Reviewable Unit

-- Select Reviewable Unit --

Not Started	In Progress	Complete
<p>PRA Disclosure Statement: Centers for Medicare &amp; Medicaid Services (CMS) collects this mandatory information in accordance with (42 U.S.C. 1396a) and (42 CFR 430.12); which sets forth the authority for the submittal and collection of state plans and plan amendment information in a format defined by CMS for the purpose of improving the state application and federal review processes, improve federal program management of Medicaid programs and Children's Health Insurance Program, and to standardize Medicaid program data which covers basic requirements, and individualized content that reflects the characteristics of the particular state's program. The information will be used to monitor and analyze performance metrics related to the Medicaid and Children's Health Insurance Program in efforts to boost program integrity efforts, improve performance and accountability across the programs. Under the Privacy Act of 1974 any personally identifying information obtained will be kept private to the extent of the law. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1188. The time required to complete this information collection is estimated to range from 1 hour to 80 hours per response (see below), including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.</p>		

EXIT

SAVE REVIEWABLE UNIT

GO TO SELECTED REVIEWABLE UNIT

Figure 11: Additional Information (optional) and Validation & Navigation



# 1.12 Citizenship and noncitizen Eligibility (entire Reviewable Unit)

## Medicaid State Plan Eligibility

### Non-Financial Eligibility

#### Citizenship and noncitizen Eligibility

MEDICAID | Medicaid State Plan | Eligibility | TN2026MS0073D

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Not Started	In Progress	Complete
<b>Package Header</b>		
<b>Package ID</b> TN2026MS0073D	<b>SPA ID</b> N/A	
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<b>Approval Date</b> N/A	<b>Effective Date</b> N/A	
<b>Superseded SPA ID</b> TN-26-8888 System-Derived		

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\*

- ☒ The state provides Medicaid to citizens and nationals of the United States and certain noncitizen who meet all other Medicaid eligibility requirements under the state plan, including for coverage for individuals for whom federal financial participation (FFP) is available consistent with section 1903(v)(5) of the Social Security Act ("FFP-eligible noncitizen"), and during a reasonable opportunity period pending verification of their citizenship, U.S. national, or satisfactory immigration status.

#### A. Citizens, Nationals and FFP-Eligible noncitizen

[Collapse](#)

- ☒ The state provides Medicaid eligibility to individuals who meet all eligibility requirements in the State, including who are residents of 1 of the 50 states, the District of Columbia, or a territory of the United States and:

- Who are U.S. citizens or nationals of the United States; or
- Who are FFP-eligible noncitizens in an immigration status or category listed in section 1903(v)(5) of the Act and are not restricted by section 403 of PRWORA (8 U.S.C. § 1613):
  - Lawful Permanent Residents (LPRs)—Section 1903(v)(5)(B)(ii) of the Act
  - Cuban/Haitian entrants—Section 1903(v)(5)(B)(iii) of the Act
  - Compact of Free Association (COFA) migrants—Section 1903(v)(5)(B)(iv) of the Act

and

- Who have declared themselves to be citizens or nationals of the United States or noncitizen having satisfactory immigration status, during a reasonable opportunity period, pending verification of their U.S. citizenship, U.S. national, or satisfactory immigration status consistent with requirements of 1903(x), 1137(d), and 1902(ee) of the Social Security Act and regulations at 42 C.F.R. §§ 435.406, 407, 911, and 956.

The reasonable opportunity period begins on and extends 90 days from the date the notice of reasonable opportunity is received by the individual.

- a. The agency provides for an extension of the reasonable opportunity period for noncitizen if the noncitizen is making a good faith effort to resolve any inconsistencies or obtain any necessary documentation, or the agency needs more time to complete the verification process.\*

☒ Yes  
☐ No

\*

- ☐ b. When a reasonable opportunity period is provided, the agency furnishes benefits to otherwise eligible individuals on the following date:

[VIEW ALL RESPONSES](#)

\*

- ☒ The state provides Medicaid to citizens and nationals of the United States and certain noncitizen who meet all other Medicaid eligibility requirements under the state plan, including for coverage for individuals for whom federal financial participation (FFP) is available consistent with section 1903(v)(5) of the Social Security Act ("FFP-eligible noncitizen"), and during a reasonable opportunity period pending verification of their citizenship, U.S. national, or satisfactory immigration status.

#### A. Citizens, Nationals and FFP-Eligible noncitizen

[Collapse](#)

- ☒ The state provides Medicaid eligibility to individuals who meet all eligibility requirements in the State, including who are residents of 1 of the 50 states, the District of Columbia, or a territory of the United States and:

- Who are U.S. citizens or nationals of the United States; or
- Who are FFP-eligible noncitizens in an immigration status or category listed in section 1903(v)(5) of the Act and are not restricted by section 403 of PRWORA (8 U.S.C. § 1613):
  - Lawful Permanent Residents (LPRs)—Section 1903(v)(5)(B)(ii) of the Act
  - Cuban/Haitian entrants—Section 1903(v)(5)(B)(iii) of the Act
  - Compact of Free Association (COFA) migrants—Section 1903(v)(5)(B)(iv) of the Act

and

- Who have declared themselves to be citizens or nationals of the United States or noncitizen having satisfactory immigration status, during a reasonable opportunity period, pending verification of their U.S. citizenship, U.S. national, or satisfactory immigration status consistent with requirements of 1903(x), 1137(d), and 1902(ee) of the Social Security Act and regulations at 42 C.F.R. §§ 435.406, 407, 911, and 956.

The reasonable opportunity period begins on and extends 90 days from the date the notice of reasonable opportunity is received by the individual.

- a. The agency provides for an extension of the reasonable opportunity period for noncitizen if the noncitizen is making a good faith effort to resolve any inconsistencies or obtain any necessary documentation, or the agency needs more time to complete the verification process.\*

☐ Yes  
☒ No

\*

- ☒ b. When a reasonable opportunity period is provided, the agency furnishes benefits to otherwise eligible individuals on the following date:

The date benefits are furnished is:\*

- ☐ i. The date of the application containing the declaration of U.S. citizenship, U.S. national, or satisfactory immigration status.  
☒ ii. The first day of the month of application.

**B. Optional Coverage of All FFP-Eligible noncitizen**[Collapse](#)

The state provides Medicaid coverage to LPRs and Cuban/Haitian entrants whose eligibility is not restricted by section 403 of PRWORA (8 U.S.C. §1613) and meet all other eligibility requirements in the state plan.\*

- ☒ Yes  
☐ No

**B. Optional Coverage of All FFP-Eligible noncitizen**[Collapse](#)

The state provides Medicaid coverage to LPRs and Cuban/Haitian entrants whose eligibility is not restricted by section 403 of PRWORA (8 U.S.C. §1613) and meet all other eligibility requirements in the state plan.\*

- ☐ Yes  
☒ No

Indicate which requirements apply:

1. The state requires Lawful Permanent Residents (LPRs) to have 40 qualifying work quarters under Title II of the Social Security Act.\*

- ☐ Yes  
☒ No

2. The state limits Medicaid coverage to 7 years for the following noncitizen:

a. Noncitizen granted status as a Cuban/Haitian Entrant, as defined in section 501(e) of the Refugee Education Assistance Act of 1980

- ☐ Yes  
☒ No

**C. Coverage of Lawfully Residing Individuals**[Collapse](#)

The state elects the option to provide Medicaid coverage to lawfully residing in the United States, as provided in section 1903(v)(4) of the Act who meet all other eligibility requirements in the state plan.

- ☒ Yes  
☐ No

☒ 1. Pregnant women

☐ 2. Individuals under a specified age:

3. An individual is considered to be lawfully residing in the United States if he or she is lawfully present and otherwise meets the eligibility requirements in the state plan.

4. An individual is considered to be lawfully present in the United States if they are:

a. A qualified noncitizen as defined in 8 U.S.C. 1641(b) and (c);

b. A noncitizen in a valid nonimmigrant status, as defined in 8 U.S.C. 1101(a)(15) or otherwise under the immigration laws (as defined in 8 U.S.C. 1101(a)(17));

c. A noncitizen who has been paroled into the United States in accordance with 8 U.S.C.1182(d)(5) for less than 1 year, except for an individual paroled for prosecution, for deferred inspection or pending removal proceedings;

d. A noncitizen who belongs to one of the following classes:

i. Granted temporary resident status in accordance with 8 U.S.C.1160 or 1255a, respectively;

ii. Granted Temporary Protected Status (TPS) in accordance with 8 U.S.C. §1254a, and individuals with pending applications for TPS who have been granted employment authorization;

iii. Granted employment authorization under 8 CFR 274a.12(c);

iv. Family Unity beneficiaries in accordance with section 301 of Pub. L. 101-649, as amended;

v. Under Deferred Enforced Departure (DED) in accordance with a decision made by the President;

vi. Granted Deferred Action status;

vii. Granted an administrative stay of removal under 8 CFR 241;

viii. Beneficiary of approved visa petition who has a pending application for adjustment of status;

e. Is an individual with a pending application for asylum under 8 U.S.C. 1158, or for withholding of removal under 8 U.S.C.1231, or under the Convention Against Torture who:

i. Has been granted employment authorization; or

ii. Is under the age of 14 and has had an application pending for at least 180 days;

f. Has been granted withholding of removal under the Convention Against Torture;

g. Is a child who has a pending application for Special Immigrant Juvenile status as described in 8 U.S.C.1101(a)(27)(J);

h. Is lawfully present in American Samoa under the immigration laws of American Samoa; or

i. Is a victim of severe trafficking in persons, in accordance with the Victims of Trafficking and Violence Protection Act of 2000, Pub. L. 106-386, as amended (22 §U.S.C. 7105(b)).

j. Exception: An individual with deferred action under the Department of Homeland Security's deferred action for the childhood arrivals process, as described in the Secretary of Homeland Security's June 15, 2012 memorandum, shall not be considered to be lawfully present with respect to any of the above categories in paragraphs (a) through (i) of this definition.

☐ k. Other

### C. Coverage of Lawfully Residing Individuals

[Collapse](#)

The state elects the option to provide Medicaid coverage to lawfully residing in the United States, as provided in section 1903(v)(4) of the Act who meet all other eligibility requirements in the state plan.

☒ Yes

☐ No

☒ 1. Pregnant women

☒ 2. Individuals under a specified age:

☒ a. Individuals under age 21

☐ b. Individuals under age 20

☐ c. Individuals under age 19

3. An individual is considered to be lawfully residing in the United States if he or she is lawfully present and otherwise meets the eligibility requirements in the state plan.

4. An individual is considered to be lawfully present in the United States if they are:

a. A qualified noncitizen as defined in 8 U.S.C. 1641(b) and (c);

b. A noncitizen in a valid nonimmigrant status, as defined in 8 U.S.C. 1101(a)(15) or otherwise under the immigration laws (as defined in 8 U.S.C. 1101(a)(17));

c. A noncitizen who has been paroled into the United States in accordance with 8 U.S.C.1182(d)(5) for less than 1 year, except for an individual paroled for prosecution, for deferred inspection or pending removal proceedings;

d. A noncitizen who belongs to one of the following classes:

i. Granted temporary resident status in accordance with 8 U.S.C.1160 or 1255a, respectively;

ii. Granted Temporary Protected Status (TPS) in accordance with 8 U.S.C. §1254a, and individuals with pending applications for TPS who have been granted employment authorization;

iii. Granted employment authorization under 8 CFR 274a.12(c);

iv. Family Unity beneficiaries in accordance with section 301 of Pub. L. 101-649, as amended;

v. Under Deferred Enforced Departure (DED) in accordance with a decision made by the President;

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viii. Beneficiary of approved visa petition who has a pending application for adjustment of status;

e. Is an individual with a pending application for asylum under 8 U.S.C. 1158, or for withholding of removal under 8 U.S.C.1231, or under the Convention Against Torture who:

i. Has been granted employment authorization; or

ii. Is under the age of 14 and has had an application pending for at least 180 days;

f. Has been granted withholding of removal under the Convention Against Torture;

g. Is a child who has a pending application for Special Immigrant Juvenile status as described in 8 U.S.C.1101(a)(27)(J);

h. Is lawfully present in American Samoa under the immigration laws of American Samoa; or

i. Is a victim of severe trafficking in persons, in accordance with the Victims of Trafficking and Violence Protection Act of 2000, Pub. L. 106-386, as amended (22 §U.S.C. 7105(b)).

j. Exception: An individual with deferred action under the Department of Homeland Security's deferred action for the childhood arrivals process, as described in the Secretary of Homeland Security's June 15, 2012 memorandum, shall not be considered to be lawfully present with respect to any of the above categories in paragraphs (a) through (i) of this definition.

☐ k. Other

### C. Coverage of Lawfully Residing Individuals

[Collapse](#)

The state elects the option to provide Medicaid coverage to lawfully residing in the United States, as provided in section 1903(v)(4) of the Act who meet all other eligibility requirements in the state plan.

- ☒ Yes  
☐ No

☒ 1. Pregnant women

☒ 2. Individuals under a specified age:

- ☒ a. Individuals under age 21  
☐ b. Individuals under age 20  
☐ c. Individuals under age 19

3. An individual is considered to be lawfully residing in the United States if he or she is lawfully present and otherwise meets the eligibility requirements in the state plan.

4. An individual is considered to be lawfully present in the United States if they are:

- a. A qualified noncitizen as defined in 8 U.S.C. 1641(b) and (c);
- b. A noncitizen in a valid nonimmigrant status, as defined in 8 U.S.C. 1101(a)(15) or otherwise under the immigration laws (as defined in 8 U.S.C. 1101(a)(17));
- c. A noncitizen who has been paroled into the United States in accordance with 8 U.S.C.1182(d)(5) for less than 1 year, except for an individual paroled for prosecution, for deferred inspection or pending removal proceedings;
- d. A noncitizen who belongs to one of the following classes:
  - i. Granted temporary resident status in accordance with 8 U.S.C.1160 or 1255a, respectively;
  - ii. Granted Temporary Protected Status (TPS) in accordance with 8 U.S.C. §1254a, and individuals with pending applications for TPS who have been granted employment authorization;
  - iii. Granted employment authorization under 8 CFR 274a.12(c);
  - iv. Family Unity beneficiaries in accordance with section 301 of Pub. L. 101-649, as amended;
  - v. Under Deferred Enforced Departure (DED) in accordance with a decision made by the President;
  - vi. Granted Deferred Action status;
  - vii. Granted an administrative stay of removal under 8 CFR 241;
  - viii. Beneficiary of approved visa petition who has a pending application for adjustment of status;
- e. Is an individual with a pending application for asylum under 8 U.S.C. 1158, or for withholding of removal under 8 U.S.C.1231, or under the Convention Against Torture who:
  - i. Has been granted employment authorization; or
  - ii. Is under the age of 14 and has had an application pending for at least 180 days;
- f. Has been granted withholding of removal under the Convention Against Torture;
- g. Is a child who has a pending application for Special Immigrant Juvenile status as described in 8 U.S.C.1101(a)(27)(J);
- h. Is lawfully present in American Samoa under the immigration laws of American Samoa; or
- i. Is a victim of severe trafficking in persons, in accordance with the Victims of Trafficking and Violence Protection Act of 2000, Pub. L. 106-386, as amended (22 §U.S.C. 7105(b)).

j. Exception: An individual with deferred action under the Department of Homeland Security's deferred action for the childhood arrivals process, as described in the Secretary of Homeland Security's June 15, 2012 memorandum, shall not be considered to be lawfully present with respect to any of the above categories in paragraphs (a) through (i) of this definition.

☒ k. Other

Description: \*

### C. Coverage of Lawfully Residing Individuals

[Collapse](#)

The state elects the option to provide Medicaid coverage to lawfully residing in the United States, as provided in section 1903(v)(4) of the Act who meet all other eligibility requirements in the state plan.

- ☐ Yes  
☒ No

### D. Emergency Coverage

[Collapse](#)

☒ Regardless of whether an individual has a satisfactory immigration status for full Medicaid benefits, the state assures that it provides care and services that are necessary for the treatment of an emergency medical condition as defined in 1903(v)(3) of the Social Security Act, not related to the care and services for an organ transplant procedure, (commonly referred to as "emergency Medicaid"), to the following individuals who meet all Medicaid eligibility requirements, except are not required to have verified U.S. citizenship or satisfactory immigration status and/or present an SSN:

1. LPRs subject to the five-year waiting period described in 8 U.S.C. § 1613(a) and who have not met the five-year waiting period;
2. All other noncitizen who are not FFP-eligible noncitizens, unless covered as a lawfully residing child or pregnant woman by the state under the option in accordance with section 1903(v)(4) of the Act.

## E. Additional Information (optional)

Collapse

xxxxxx

Character count: 6/4000

## Validation &amp; Navigation

Would you like to validate the reviewable unit data?

☐ Yes
 ☒ No

Warning: Any field containing more than 4000 characters will be truncated when saved.

Navigate to Reviewable Unit

-- Select Reviewable Unit --

Not Started

In Progress

Complete

PRA Disclosure Statement: Centers for Medicare & Medicaid Services (CMS) collects this mandatory information in accordance with (42 U.S.C. 1396a) and (42 CFR 430.12); which sets forth the authority for the submittal and collection of state plans and plan amendment information in a format defined by CMS for the purpose of improving the state application and federal review processes, improve federal program management of Medicaid programs and Children's Health Insurance Program, and to standardize Medicaid program data which covers basic requirements, and individualized content that reflects the characteristics of the particular state's program. The information will be used to monitor and analyze performance metrics related to the Medicaid and Children's Health Insurance Program in efforts to boost program integrity efforts, improve performance and accountability across the programs. Under the Privacy Act of 1974 any personally identifying information obtained will be kept private to the extent of the law. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1188. The time required to complete this information collection is estimated to range from 1 hour to 80 hours per response (see below), including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

EXIT

SAVE REVIEWABLE UNIT

GO TO SELECTED REVIEWABLE UNIT

Figure 12: Citizenship and Noncitizen Eligibility (entire Reviewable Unit)

## Appendix A: Acronyms

Table 1: Acronyms

Acronym	Definition
PRA	Paperwork Reduction Act of 1995