

Medicaid State Plan Eligibility

Non-Financial Eligibility

Citizenship and Noncitizen Eligibility

Burden impact: The changes to this form reflect proposed changes. There are no impacts to burden ceiling as a result of these changes.

Changes: see table below

Change Number	Location/page number	Reason for Change	Previous Text	Revised Text
1	Document title/header	Terminology change (hyphenation)	Citizenship and Non-Citizen Eligibility	Citizenship and Noncitizen Eligibility
2	Intro bullet (top)	Added new statutory citation and federal standard. Clarified scope to FFP-eligible noncitizens and added clarification of limitation of FFP; removed/changed CFR citation placement	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, consistent with requirements of section 1903(v)(5) of the Social Security Act 42 CFR 435.406, including during a reasonable opportunity period pending verification of their citizenship, national status or satisfactory immigration status.	The state provides Medicaid to citizens and nationals of the United States and certain noncitizens 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 noncitizens”), and during a reasonable opportunity period pending verification of their citizenship, U.S. national, or satisfactory immigration status.
3	Section A heading	Section A heading wording change	A. Citizens, Nationals and Eligible Non-Citizens	A. Citizens, Nationals and FFP-Eligible Noncitizens
4	Section A (eligibility criteria intro)	Added explicit state residency requirement required under statute	provides Medicaid eligibility to otherwise eligible individuals:	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:

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5	Section A.1	Minor terminology change (U.S. acronym added)	Who are citizens or nationals of the United States	Who are U.S. citizens or nationals of the United States
6	Section A.2 (noncitizen categories)	Replaced “qualified non-citizen/refugee statute” framework with explicit “FFP-eligible noncitizens” categories under 1903(v)(5)	Who are qualified non-citizens as defined in section 431 of PRWORA (8 U.S.C. §1641)... subject to... 8 U.S.C. §1612(b)(2)... not restricted by... 8 U.S.C. §1613; or... required by 8 U.S.C. 1612(b)(2)(E) and (F);	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) ii. Cuban/Haitian entrants—Section 1903(v)(5)(B)(iii) iii. Compact of Free Association (COFA) migrants—Section 1903(v)(5)(B)(iv)
7	Section A.3 (reasonable opportunity declaration sentence)	Wording change to “U.S. citizenship/U.S. national” and “satisfactory immigration status”; minor reference formatting differences	...pending verification of their citizenship, nationality or satisfactory immigration status... 1903(x), 1137(d), 1902(ee)... and 42 CFR 435.406, 911, and 956.	...pending verification of their U.S. citizenship, U.S. national, or satisfactory immigration status... sections 1903(x), 1137(d), and 1902(ee)... and regulations at 42 C.F.R. §§ 435.406, 407, 911, and 956.
8	Section A.3.b1 (benefits furnished date option text)	Wording change in declaration description	The date of the application containing the declaration of citizenship or immigration status.	The date of the application containing the declaration of U.S. citizenship, U.S. national, or satisfactory immigration status.
9	Section B heading	Terminology change	B. Optional Coverage of Qualified Non-Citizens	B. Optional Coverage of All FFP-Eligible Noncitizens

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10	Section B (coverage statement)	Narrowed/changed described covered groups per statute	The state provides Medicaid coverage to all otherwise-eligible Qualified Non-Citizens whose eligibility is not restricted by section 403 of PRWORA (8 U.S.C. §1613).	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.
11	Section B.1 (40 quarters line)	Minor terminology formatting change (LPR acronym added)	The state requires Lawful Permanent Residents to have 40 qualifying work quarters...	The state requires Lawful Permanent Residents (LPRs) to have 40 qualifying work quarters...
12	Section B.2 (7-year limitation line)	Wording change (eligibility vs Medicaid coverage)	The state limits eligibility to 7 years for the following non-citizens:	The state limits Medicaid coverage to 7 years for noncitizens granted status as a Cuban/Haitian Entrant, as defined in section 501(e) of the Refugee Education Assistance Act of 1980.
13	Section B (If No, indicate which requirements apply)	Replaced the list of noncitizen categories displayed	Options listed: refugees under INA 207; asylum under INA 208; deportation withheld under INA 243(h) or 241(b)(3); Cuban-Haitian entrant; Amerasian immigrants; treated as refugees under other federal statutes...	
14	Section C “Coverage of Lawfully Residing Individuals” (intro sentence)	Section “Coverage of Lawfully Residing Individuals” (intro sentence) Wording change (“otherwise eligible individuals” removed; “state plan” language added)	...provide Medicaid coverage to otherwise eligible individuals, lawfully residing in the United States, as provided in section 1903(v)(4) of the Act.	...provide Medicaid coverage to lawfully residing pregnant women and/or children in the United States, as provided in section 1903(v)(4) of the Act who meet all other eligibility requirements in the state plan.

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15	Section C.4 lawfully present definition	Terminology change	“An individual is considered to be lawfully present... if he or she is:”	“An individual is considered to be lawfully present... if they are:”
16	Section D (Emergency Coverage—intro sentence)	Reframed description of emergency coverage; removed regulation citation to 42 CFR 440.255, which is out of date; added “commonly referred to as ‘emergency Medicaid’” and “Regardless of whether...” clause	The state assures that it provides limited Medicaid services for treatment of an emergency medical condition, not related to an organ transplant procedure, as defined in 1903(v)(3)... and implemented at 42 CFR 440.255... except documentation of citizenship or satisfactory immigration status and/or present an SSN:	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)... not related to the care and services for an organ transplant procedure, (commonly referred to as “emergency Medicaid”), ... except are not required to have verified U.S. citizenship or satisfactory immigration status and/or present an SSN:
17	Section D (Emergency Coverage—who is covered, item 1)	Terminology change (qualified non-citizens → LPRs) and added “who have not met the five-year waiting period”	Qualified non-citizens subject to the 5 year waiting period described in 8 U.S.C. 1613(a);	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;
18	Section D (Emergency Coverage—who is covered, item 2)	Terminology change (non-qualified non-citizens → all other noncitizens not FFP-eligible) and removed 435.406(b) implementation reference	Non-qualified non-citizens, unless covered... under... 1903(v)(4) and implemented at 435.406(b).	All other noncitizens who are not FFP-eligible noncitizens, unless covered as a lawfully residing child or pregnant woman... under... in accordance with section 1903(v)(4) of the Act.
19	Section D (Emergency Coverage—conditional display item)	Changed group named for limited coverage election	Qualified non-citizens for whom the state has elected to limit coverage...	LPRs and/or Cuban/Haitian entrants for whom the state has elected to limit coverage...