

Overview

Updates Medicaid non-citizen eligibility policy to align with H.R.1 Section 71109, effective October 1, 2026.

Description of Changes

Ineligible Non-Citizens - 510-03-35-55 and 510-05-35-55 - Change

Updates policy for non-citizens who are lawfully present temporarily and for undocumented non-citizens, including potential Emergency Services eligibility.

Qualified Non-Citizens - 510-03-35-58 and 510-05-35-58 - Change

Replaces the prior qualified non-citizen structure with the updated Medicaid for Non-Citizens policy, including Lawful Permanent Resident rules, exceptions, pregnancy coverage, Refugee Medical Assistance, the five-year waiting period, and qualifying work quarters.

Lawful Permanent Residence - 510-03-35-60, 510-03-35-65, 510-05-35-60, and 510-05-35-65 - Consolidation

The separate Lawful Permanent Resident topics are consolidated into the Qualified Non-Citizens topic. The existing topic URLs remain available and direct readers to the current consolidated policy.

Emergency Services for Non-Citizens - 510-03-35-70 and 510-05-35-70 - Change

Updates the categories of non-citizens who may qualify for Emergency Services and clarifies eligibility, labor and delivery, coverage end dates, and State Review Team requirements.

Policy Section Updates

Ineligible Non-Citizens - 510-03-35-55 / 510-05-35-55

- The following non-citizens may be lawfully present in the U.S. for a temporary or a specific period. These individuals are ineligible non-citizens and are not eligible for Medicaid, but they may be eligible for Emergency Services if they meet all other Medicaid requirements.
 - Diplomats and foreign government representatives on official business and their families and staff;
 - Visitors for business or pleasure, including exchange visitors;
 - Non-citizens in travel status while traveling directly through the U.S.;
 - Crewmen on shore leave;
 - Treaty traders and investors and their families;
 - Foreign students;
 - International organization representatives and personnel and their families and staff;
 - Temporary workers, including agricultural contract workers; and
 - Members of foreign press, radio, film, or other information media and their families.
- These ineligible non-citizens may have the following types of documentation:
 - Form I-94;
 - Arrival-Departure Record;
 - DSP-150 Border Crossing Card and B-1/B-2 visitor visa;
 - I-586 Mexican Border Crossing Card;
 - Form I-95A, Crewman's Landing Permit.
- Undocumented non-citizens are not lawfully present in the U.S. They are not eligible for Medicaid, but they may be eligible for Emergency Services if they meet all other Medicaid requirements.

Qualified Non-Citizens / Medicaid for Non-Citizens - 510-03-35-58 / 510-05-35-58

For purposes of this policy, there is a difference between a lawfully present non-citizen and a Lawful Permanent Resident (LPR). A lawfully present non-citizen is someone who lawfully or legally entered the U.S. A Lawful Permanent Resident is an immigrant who lawfully or legally entered the U.S. and later applied for and was approved as a Lawful Permanent Resident. Undocumented non-citizens are individuals who did not enter the U.S. legally and are not lawfully present.

- Non-citizens with the following immigration statuses may be eligible for Medicaid if they meet all other Medicaid requirements:
 - Lawful Permanent Residents who have met the five-year waiting period and the 40 quarters of work requirement, or who meet an exception described below;
 - Cuban and Haitian Entrants whose immigration status has not yet changed to Lawful Permanent Resident; and
 - Individuals from the Federated States of Micronesia (FSM), Republic of Marshall Islands (RMI), or Republic of Palau (PAL), referred to as COFA, whose immigration status has not yet changed to Lawful Permanent Resident.
- Non-citizens with the immigration statuses below are not eligible for Medicaid based on that status. Once they change to Lawful Permanent Resident, they may meet an exception that allows Medicaid eligibility without meeting the five-year waiting period

and 40 work-quarter requirements. To meet an exception, they must have an acceptable Class of Admission (COA) code listed below:

- **Amerasian Immigrants:** AM1, AM2, AM3, AM6, AM7, AM8
- **American Indians born in Canada (50%+):** 513, S13
- **Asylees:** AS6, AS7, AS8, AS9, GA6, GA7, GA8
- **Deportation Withheld:** 243(h), 241(b)(3), 274a.12(a)(10), A10
- **Refugees:** RE6, RE7, RE8, RE9, A3
- **LPR / U.S. Armed Forces:** Active-duty member and their non-citizen spouse and unmarried child; honorably discharged veteran and their spouse and unmarried child; and an unmarried widow or widower of an honorably discharged veteran. Verify active-duty status or military discharge (such as DD214) and the relationship of family members.

Note: Cuban and Haitian Entrants may be eligible for Medicaid before becoming Lawful Permanent Residents. Once their status changes to Lawful Permanent Resident, they may qualify for an exception and continue eligibility without meeting the five-year waiting period and 40 work-quarter requirements if they have one of these codes: CU6, CU7, OOE, CH, CP, HF, HR, HT, HQRAP, PARCIS, EQ1, AM2, AM3, CH6, CH7, CNP, CU0, CU8, CU9, CUP, HA6-HA9, HB6-HB9, HD6-HD9, HE6-HE9, NC6-NC9, A04, A12, C08, C10, C11.

- Non-citizens who entered the U.S. before August 22, 1996 and are now Lawful Permanent Residents do not have to meet the five-year waiting period and 40 work-quarter requirements regardless of their immigration status at entry.
 - These individuals have Forms I-551 or I-151 (Permanent Resident Cards) or a foreign passport stamped LPR or I-551.
 - Systematic Alien Verification for Entitlements (SAVE) does not update immigration status for clients who entered the U.S. before August 22, 1996 if their immigration status has expired.
- Non-citizens with one of the immigration statuses below are not eligible for Medicaid based on that status. Once they become Lawful Permanent Residents, they must meet the five-year waiting period and 40 work-quarter requirements:
 - Afghan Special Immigrant;
 - Battered spouse or child;
 - Conditional Entry;
 - Iraqi Special Immigrant;
 - Parolee;
 - Victim of Trafficking.

Note: Individuals from FSM, RMI, or PAL (COFA) may be eligible for Medicaid before becoming Lawful Permanent Residents. Once their immigration status changes to LPR, they must meet the five-year waiting period and 40 work-quarter requirements.

- Pregnant Woman Coverage for non-citizens:
 - Lawfully present non-citizen pregnant women who are not eligible for Medicaid due to immigration status may be eligible for Pregnant Woman coverage during pregnancy and the 12 months following the birth if they meet all other Medicaid requirements. After the 12-month period, they cannot continue Medicaid until they become Lawful Permanent Residents and either meet the five-year waiting period and 40 work-quarter requirements or qualify for an exception above.
 - Lawful Permanent Resident pregnant women who are otherwise ineligible because they have not met the five-year waiting period and 40 work-quarter requirements may receive Pregnant Woman coverage during pregnancy and the 12 months following birth without meeting those requirements, if all other Medicaid requirements are met. After the 12-month period, they must meet the waiting-period/work-quarter requirements or an exception above.
 - Undocumented non-citizens are not lawfully present and are not eligible for Pregnant Woman coverage, but they may be eligible for Emergency Services for the birth of a child if all other Medicaid requirements are met.
- Non-citizens with the following immigration statuses are not eligible for Medicaid based on that status but may be eligible for Refugee Medical Assistance (RMA) during their first eight months in the U.S. if they meet all RMA requirements:
 - Afghan Special Immigrants;
 - Amerasian Immigrants;
 - Asylees;
 - Iraqi Special Immigrants;
 - Refugees;
 - Victims of Trafficking.

Note: Cuban and Haitian Entrants who are not yet Lawful Permanent Residents may be eligible for regular Medicaid. If they are not eligible for Medicaid during any of their first eight months in the U.S. due to excess income, they may be eligible for RMA through their eighth month if they meet all other RMA requirements. After RMA ends, they may be eligible for regular Medicaid if they meet all other Medicaid requirements.

- Five-year waiting period: The five-year waiting period starts on the date an individual enters the U.S. with a qualifying immigration status.
- Forty quarters of work:
 - The Social Security Administration (SSA) determines qualifying work quarters based on quarters in which an individual paid for Social Security coverage. The information can be obtained using Verification Interfaces / 40 Quarters in the eligibility system.

- When the system shows 40 or more work quarters, no other verification is needed.
- If the system shows fewer than 40 work quarters but the individual claims to have 40 work quarters, verify the earnings.
- Count the individual's work quarters.
- Count a spouse's work quarters during the marriage. If divorced, count work quarters from the start through the end of the marriage. If separated but still married, continue to count work quarters. If the spouse died while still married, count work quarters earned before death.
- For a natural, adoptive, or stepparent, count applicable work quarters while the non-citizen child was under age 18. For adoptive parents, count beginning with the quarter of adoption. For stepparents, count beginning with the quarter of marriage to the child's parent.
- Some earnings not counted by SSA, including certain federal, state/local government, farm, and domestic earnings, may be used as qualifying work quarters for Medicaid.
- Do not count work quarters from a parent whose parental rights were terminated.
- Do not count a work quarter in which an individual received TANF, SNAP, Medicaid, or SSI in at least one month of that quarter.

Lawful Permanent Residence - legacy topic locations

The separate Lawful Permanent Residence topics at 510-03-35-60, 510-03-35-65, 510-05-35-60, and 510-05-35-65 are consolidated into the Qualified Non-Citizens / Medicaid for Non-Citizens policy above. The existing topic locations remain in the manuals and direct readers to the consolidated policy.

Emergency Services for Non-Citizens - 510-03-35-70 / 510-05-35-70

- The following non-citizens may be eligible for Emergency Services if they meet all other Medicaid requirements:
 - Non-citizens who are lawfully present in the U.S. but are not eligible for Medicaid due to immigration status;
 - Lawful Permanent Residents who are not eligible because they must meet but have not met the five-year waiting period and/or 40 work-quarter requirement;
 - Ineligible non-citizens who are in the U.S. temporarily; and
 - Undocumented non-citizens.
- The following conditions must be met to qualify for Emergency Services:
 - The individual has a medical condition, including labor and delivery, with symptoms (including severe pain) serious enough that the absence of immediate medical attention could reasonably be expected to place the individual's health in serious jeopardy, cause serious impairment to bodily functions, or cause serious dysfunction of a bodily organ or part.
 - The medical condition cannot be related to an organ transplant procedure.
 - The individual must meet all other Medicaid eligibility requirements, except undocumented non-citizens are not required to provide verification of SSN and citizenship.
 - Medicaid coverage under Emergency Services ends once the emergency services have been provided. Emergency Services do not cover follow-up care that is not an emergency.
 - Pregnant women who are not lawfully present may be eligible for Emergency Services from hospital admission for labor and delivery through discharge. They are not eligible for the 12 months of coverage after birth under this provision. The baby is a U.S. citizen and may be eligible for 12 months of continuous coverage.
 - When an ineligible non-citizen requests Emergency Services for a reason other than childbirth, complete SFN 451, Eligibility Report on Disability/Incapacity, and send it to the State Review Team (SRT). The SRT reviews the medical records and determines whether the condition meets all Emergency Services criteria.