(1) Service Chapter: Medicaid 400

Effective Date: October 1, 2026

Overview

Changing policy to align with federal law H.R.1 Section 71109

Description of Changes

1. Ineligible Non-citizens 401.5.2 – Change

Updating policy following the changes due to the HR1 Bill Section 71109 changes.

2. Qualified Non-Citizens 401.5.3 - Change

Updating policy following the changes due to the HR1 Bill Section 71109 changes. Combined 401.5.3 and 401.5.4.

3. Non-Citizens Lawfully Admitted for Permanent Residence 401.5.4 - Change

Updating policy following the changes due to the HR1 Bill Section 71109 changes. Combined 401.5.3 and 401.5.4.

4. Emergency Services for Non-Citizens 401.5.5 - Change

Updating policy following the changes due to the HR1 Bill Section 71109 changes.

Policy Section Updates

401.5.2 Ineligible Non-Citizens

~~(1.) Some non-citizens are lawfully allowed to stay in the U.S. for a temporary or specified time period and are not eligible for Medicaid. They have the following types of documentation~~
~~A. Form I-94;~~
~~B. Arrival-Departure Record;~~
~~C. DSP-150 Border Crossing Card and B-1/B-2 visitor visa;~~
~~D. I-586 Mexican Border Crossing Card; or~~
~~E. Form I-95A, Crewman's Landing Permit.~~

~~(2.) These non-citizens are not eligible for Medicaid because they are in the U.S. temporarily~~

~~(3.) Ineligible non-citizens can receive coverage for emergency medical services.~~
~~A. Foreign government representatives on official business and their families and staff;~~
~~B. Visitors for business or pleasure, including exchange visitors;~~
~~C. Non-citizens in travel status while traveling directly through the U.S.;~~
~~D. Crewman on shore leave;~~
~~E. Treaty traders and investors and their families;~~
~~F. Foreign students;~~
~~G. International organization representation and personnel and their families and staff;~~
~~H. Temporary workers including agricultural contract workers; and~~
~~I. Members of foreign press, radio, film, or other information media and their families.~~
~~4. Illegal N~~on-citizens who do not have lawful permanent residence in the U.S. are not ~~eligible for Medicaid, except for emergency services. These individuals do not have ongoing Medicaid eligibility.~~

(1) 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.

A. Diplomats and foreign government representatives on official business and their families and staff;
B. Visitors for business or pleasure, including exchange visitors' non-citizens in travel status while traveling directly through the U.S.;
C. Crewman on shore leave;
D. Treaty traders and investors and their families;
E. Foreign students;

F. International organization representation and personnel and their families and staff;
G. Temporary workers including agricultural contract workers; and
H. Members of foreign press, radio, film, or other information media and their families.

(2) These ineligible non-citizens will have the following types of documentation:
A. Form I-94;
B. Arrival-Departure Record
C. DSP-150 Border Crossing Card and B-1/B-2 visitor visa
D. I-586 Mexican Border Crossing Card
E. Form I-95A, Crewman's Landing Permit

(3) Undocumented non-citizens are not lawfully present in the U.S. They are not eligible for Medicaid, but they could be eligible for Emergency Services if they meet all other Medicaid requirements.

401.5.3 Qualified Non-Citizens

(1) Qualified non-citizens are individuals who were legally admitted and can be eligible for Medicaid if they meet all other Medicaid eligibility criteria. Some qualified non-citizens can be eligible under the Refugee Medical Assistance Program if they do not meet all other Medicaid eligibility criteria. Table 11 outlines the categories of individuals who are qualified non-citizens. Forms shown below are U.S. Citizenship and Immigration Services (USCIS) or INS forms and the sections refer to the Immigration and Nationality Act (INA). Qualified Non-Citizens who meet the criteria found in Table 11 are eligible for Medicaid from the date they arrive in North Dakota. The five-year ban and 40 qualifying quarters requirements do not apply. They must meet all other Medicaid factors of eligibility.

Table 11. Documentation for Qualified Non-Citizens Eligible for Medicaid upon Arrival

Qualified Non-Citizens	Documentation
• Non-citizens who are lawfully admitted for permanent residence (LPR)	• Refer to 401.5.4 Non-Citizens Lawfully Admitted for Permanent Residence (*Before August 22, 1996, and after).*
• Honorably discharged veterans, • Non-citizens on active duty in the U.S. armed forces; and • The spouse or unmarried dependent child(ren) of such individuals.	• Verification of honorable U.S. military discharge (such as a DD214); or • Verification of relationship of family recipients.
• Refugees	• Form I-94 (Arrival Departure Record) showing "207" or "REFUG" or codes RE1, RE2, RE3, RE4, or RE5; • Form I-766 (Employment Authorization Document) with code A3; • Form I-571 (Refugee Travel Document); or Form I-551 or I-151 (Permanent Resident Card) with codes R8-6; RE6, RE7, RE8, RE9.
• Asylees who have asylum (not	Must have one of the following:

applicants for asylum)	• Form I-94 showing "208" or "asylee" and/or codes of AS1, AS2, or AS3); • Form I-766 annotated A5; • A grant letter from Asylum office of U.S.CIS; • An order from immigration judge granting asylum; • Form I-571; or • Form I-551 or I-151 with codes AS6, AS7, AS8, AS9, GA-6, to GA-8.
• Cuban and Haitian Entrants	Must have one of the following: • Form I-94 showing o "Cuban/Haitian Entrant"; o "Parole" under Section 212(d)(5); o Codes CU6, or CU7 or "OOE" (Outstanding orders of exclusion); o Citation of INA 212(d)(5) or the word "Parole" Automated I-94 Codes CH, CP, HF, HR, HT, HQRAP, PARCIS; or o Codes EQ1, AM2, AM3. • Form I-151 or I-551 with National of Cuba or Haiti and codes CH6,CH7,CNP, CU0, CU-6, CU-7, CU-8, CU-9, CUP, HA-6 to HA-9, HB-6 to HB-9, HD-6 to HD-9, HE-6 to HE-9, or NC-6 to NC-9; • Forms I-766 with code A04, A12, C08, C10, or C11; • Form I-327- Re-entry Permit; • Form I-797 A and C- U.S.CIS Notice of Action Receipt of Asylum Application; • Form I-862- Notice to Appear; • Form I-220A- Order of Release on Recognizance; • Form I-797A- U.S.CIS Notice of Action; • Form I-589- Date stamped by the Executive Office for Immigration Review (EOIR);

	• Form I-485- Date stamped by EOIR; • Form EOIR-26; • DHS forms: I-221, I-862, I-220A, I-122, I-221S; • Other applications for relief that have been date stamped by EOIR; or • Other documentation of an applicant's removal, exclusion, or deportation proceedings.
• Victims of a severe form of trafficking and their families (non-citizens granted non-immigrant status under Section 101(a)(15)(T) of the INA who have a pending application that sets forth a prima facie case for eligibility for that non-immigrant status)	Must have one of the following: • Form I-94 showing codes T-1 or T-2; • Form I-94 or passport showing non-immigrant status under 101(a)(15)(T); Form I-766 showing 247a.12(a)(16), A16, 274a.12(c)(25), or C25; • Other INS document showing non-immigrant status under Section101(a)(15)(T) of the INA or; • Any verification from the INS or other authoritative documents showing non-immigrant status under Section 101(a)(15)(T) of the INA.
• Non-citizens whose deportation was withheld under Section 243(h) of the INA	Must have one of the following: • Form I-94 or foreign passport showing "243(h)" or "241(b)(3)"; • Form I-766 with code of "274a.12(a)(10) or A10; or • Form I-571.
• Non-citizens admitted as an Amerasian immigrant	Must have one of the following: • Form I-94 showing National of Vietnam and AM1, AM2, or AM3; or • Form I-151 or I-551 showing National of Vietnam and AM-1, AM-2, AM-3, AM-6, AM-7, or AM-8.
• American Indians born in Canada as described in 401.5.1 American Indians Born in Canada	-
• Non-citizens paroled into the U.S. under Section 212(d)(5) of the INA for a period of at least one year	Must have one of the following: • Form I-94 showing "212(d)(5)" or "parolee" or "PIP"; • Form I-766 with code such as 274a.12(a)(4), or A4, or 274a.12(c)(11); or

	• Cuban-Haitian entrants with parole status.
• Certain battered non-citizens; • Battered non-citizen children; and • The parents of such children.	• Form I-551 card showing B2-1, B2-3, B2-6, or B2-8.
• Iraqi and Afghan Special Immigrants and their families	Must have: • Form I-94 with a stamp of "IV" and category SQ1, SQ2, SQ3, SQ4, SQ5, SI1, SI2, or SI3 and date of entry; COA of OAR, PAR, or DT; • An Afghan or Iraqi passport with a stamp of "IV" and category CQ1, CQ2, CQ3, SQ1, SQ2, SQ3, SQ6, SQ7, SQ8, SI1, SI2, or SI3 and DHS stamp or notation on passport showing date of entry; COA of OAR, PAR, or DT with CBP PAROLED stamp and/or parole COA notation; • Form I-551 showing national of Afghanistan or Iraq with "IV" code of CQ1, CQ2, CQ3, SQ1, SQ2, SQ3, SQ6, SQ7, SQ8, SQ9, SI6, SI7, SI9; or • Form I-766 with a stamp of 'IV' code of SQ4 and SQ5 with C11 Parolee category. COA of OAR, PAR, or DT with C11 Parolee category.
• Non-citizens granted conditional entry under section 203(a)(7) of the INA in effect prior to April 1, 1980	• Form I-94 or other document showing "conditional entrant", "refugee conditional entry", "seventh preference"; "section 203(a)(7)"; "P7"; • Form I-766 annotated "A3"; or • Any verification from the INS or other authoritative document.
• Individuals from the Federated States of Micronesia (FSM), Republic of Marshall Islands (RMI), or Republic of Palau (PAL)	Must have one of the following: • Form I-94 Arrival/Departure Record created electronically upon arrival to an air or seaport of entry. Paper versions can be obtained by logging on to U.S. Customs and Border Protection (CBP) at CBP's I-94 website. Form I-94 will contain an admission stamp, but not an "admit

	~~until" date. Form I-94 printed from the CBP website will show an "admitted until" date of D/S (duration of status). D/S indicates that the individual is authorized to stay in the United States as long as they keep a valid status.~~ • ~~A valid, unexpired passport from FSM, RMI, or PAL.~~ o ~~Notations on passports will be CFA/PAL (Compact of Free Association/Palau);~~ o ~~CFA/FSM (Compact of Free Association/Micronesia); or~~ o ~~CFA/MIS (older version would be RMI) (Compact of Free Association/Marshall Islands).~~ ~~Form I-94 will have either an USCIS registration number (A-number) or an 11 alphanumeric-character admission/departure number.~~

A. ~~Non-citizens who are LPR can be eligible as described in 401.5.4 Non-Citizens Lawfully Admitted for Permanent Residence.~~

~~401.5.4 Non-Citizens Lawfully Admitted for Permanent Residence~~

~~(1) Individuals who entered before August 22, 1996~~

A. ~~Non-citizens who legally became permanent residents before August 22, 1996, can be eligible for Medicaid if they meet all of the criteria. These individuals have Forms I-551 or I-151 (Permanent Resident Cards) or a foreign passport stamped LPR or I-551.~~

~~**Note:** 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. This is because the of date of entry is considered the date of entry for the purpose of determining eligibility for Federal public benefits.

(2) Individuals who entered on or after August 22, 1996

A. Non-citizens who became LPRs on or after August 22, 1996, are not eligible for Medicaid for five years from the date they got LPR status. After the five-year waiting period, non-citizens who are LPRs and have 40 qualifying quarters of Social Security coverage can be eligible for Medicaid. Verifications are:

1. Form I-551 or I-151 (Permanent Resident Card) (also known as 'green cards' but are not green); or
2. Foreign passport stamped LPR or I-551.

Note: If a qualified non-citizen's status has changed to LPR, the codes at 401.5.3 apply. If the code on the Permanent Resident Card is not in 401.5.3, the individual must meet five-year waiting period and 40 qualifying quarter requirements.

Example: An asylee entered as an AS1 (which shows on his I-94 card). He has become a LPR and his code on his I-551 is AS8. He is still an Asylee and a qualified non-citizen. If his LPR code was an SD6, which is not a qualified non-citizen code instead of the AS8, he would have to meet the five-year waiting period and the 40 quarter requirements.

(3) The SSA determines qualifying quarters of Social Security coverage, which can be obtained using the Verification Interfaces/40 quarters in the eligibility system.

A. When the system shows 40 quarters or more, no other verification is needed.

B. If the system shows fewer than 40 quarters but the individual claims to have 40 quarters of work history verify their earnings for each quarter.

Note: When determining the number of qualifying quarters an individual has, count all qualifying quarters:

1. The non-citizen has through work;
2. Worked by the non-citizen's spouse during their marriage, if they are still married or the spouse has died; and
3. Worked by a natural, adoptive, or stepparent while the non-citizen was under age 18. Adoptive parents: count from the quarter the adoption happened. Stepparents: count from the quarter of the marriage to the non-citizen's parent.

C. Some earnings are not counted by Social Security, including earnings of certain Federal workers hired before 1984, some state and local government workers, and some farm and domestic workers.

~~D. Do not count any qualifying quarters for any quarter in which an individual received Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), Medicaid, or SSI benefits (including benefits received in another state), for at least one month in the quarter, or from any parent whose parental rights have ended.~~

~~(4) Adopted or biological children born outside the U.S. can prove their automatic citizenship if they provide verification as shown in 401.4 **Table 3.** Secondary Verifications of Identity (Level 2).~~

~~(5) Pregnant women, who are legally in the U.S. and meet other Medicaid eligibility requirements, are not subject to the five-year waiting period and 40 quarter requirements through the 12 months after giving birth.~~

401.5.3 Medicaid for Non-Citizens:

For purposes of the information in this policy section, 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. These individuals are not lawfully present.

(1) Non-citizens who have the immigration statuses listed below may be eligible for Medicaid if they meet all other Medicaid requirements.

A. Lawful Permanent Residents who have met the 5-year waiting period and the 40 quarters of work requirement or they meet an exception (see #2 below).
B. Cuban and Haitian Entrants whose immigration status has not yet changed to Lawful Permanent Resident
C. 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.

(2) Non-citizens with the immigration statuses below are not eligible for Medicaid. Once they change to a Lawful Permanent Resident, they could meet an exception that allows them to be eligible for Medicaid without meeting the 5-year waiting period and the 40 work quarters requirement. To meet an exception, they must have one of the acceptable Class of Admission (COA) codes listed below:

A. Afghani Special Immigrant:
   1. CQ1, CQ2, CQ3, SQ1, SQ2, SQ3, SQ4, SQ5, SQ6, SQ7, SQ8, SQ9, SQ16, SQ17, SQ19, SSI1, SI2, SI3, OAR, PAR, DT
B. Amerasian Immigrants with one of these codes:
   1. AM1, AM2, AM3, AM6, AM7, AM8 B2-1, ~~B2-3, B2-6, B2-8~~, AM1, AM2, AM3, AM6, AM7, AM8
C. American Indians born in Canada (50%+) with one of these codes:
   1. 513, S13
D. Asylees with one of these codes:
   1.AS6, AS7, AS8, AS9, GA6, GA7, GA8
E. Deportation Withheld with one of these codes:
   1. 243(h), 241(b)(3), 274a.12(a)(10), A10
F. Iraqi Special Immigrant:
   1. CQ1, CQ2, CQ3, SQ1, SQ2, SQ3, SQ4, SQ5, SQ6, SQ7, SQ8, SQ9, SQ16, SQ17, SQ19, SSI1, SI2, SI3, OAR, PAR, DT
G. Refugees with one of these codes:
   1. RE6, RE7, RE8, RE9, A3, RE8
H. Victims of Trafficking:
   1. T1, T2, A16, C25
I. 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 the widow of an honorably discharged veteran who is not married.
   1. Verification of active-duty status or military discharge such as a DD214
   2. Verification of relationships of family members

Note: Cuban/Haitian Entrants can be eligible for Medicaid before they change to a Lawful Permanent Resident (see #1 above). Once they change to a Lawful Permanent Resident, they may qualify for an exception and would not have to

meet the 5 year waiting period and the 40 work quarters requirement to continue to be eligible for Medicaid if they have one of the following codes: CU6, CU7, OOE, CH, CP, HF, HR, HT, HQRAP, PARCIS, EQ1, AM2, AM3, CH6, CH7, CNP, CU0, CU6, CU7, CU8, CU9, CUP, HA6, HA7, HA8, HA9, HB6, HB7, HB8, HB9, HD6, HD7, HD8, HD9, HE6, HE-7, HE8, HE9, NC6, NC7, NC8, NC9, A04, A12, C08, C10, C11

(3) Non-citizens who entered the U.S. before August 22,1996 and are now a Lawful Permanent Resident do not have to meet the 5-year waiting period and 40 work quarters requirement regardless of their immigration status at the time they entered the U.S.

A. These individuals have Forms I-551 or I-151 (Permanent Resident Cards) or a foreign passport stamped LPR or I-551.
B. 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.

(4) Non-citizens with one of the immigration statuses below are not eligible for Medicaid. Once they change to a Lawful Permanent Resident, they must meet the 5-year waiting period and the 40 work quarters requirement.

A. ~~Afghani Special Immigrant~~
B. Battered spouse or child
C. Conditional Entry
D. ~~Iraqi Special Immigrant~~
E. Parolee
F. ~~Victims of Trafficking~~

Note: Individuals from the Federated States of Micronesia (FSM), Republic of Marshall Islands (RMI), or Republic of Palau (PAL) (referred to as COFA) can be eligible for Medicaid before they change to a Lawful Permanent Resident (see #1 above). Once their immigration status changes to LPR, they must meet the 5-year waiting period and 40 work quarters requirement.

(5) Pregnant Woman Coverage for non-citizens:

A. Non-citizen pregnant women who are lawfully present in the U.S. and are not eligible for Medicaid due to their immigration status can be eligible for Pregnant Woman coverage during their pregnancy and the 12 months following the birth of their child if they meet all other Medicaid requirements. They cannot continue to be eligible for Medicaid after the 12 months until they change to a Lawful Permanent Resident and either meet the 5-year waiting period and 40 work quarters requirement or qualify for one of the exceptions in #2 above.
B. Non-citizen pregnant women who are Lawful Permanent Residents and are not eligible for Medicaid because they are required to meet but haven't yet met the 5-

year waiting period and the 40 work quarters requirement can be eligible for Pregnant Woman coverage during their pregnancy and the 12 months following the birth of their child without meeting the 5-year waiting period and 40 work quarters requirement. They must meet all other Medicaid requirements. They cannot continue to be eligible for Medicaid after the 12 months until they meet the 5-year waiting period and 40 work quarters requirement or they meet one of the exceptions in #2 above.

C. Undocumented non-citizens are not considered lawfully present in the U.S. They are not eligible for Pregnant Woman coverage, but they could be eligible for Emergency Services for the birth of a child if they meet all other Medicaid requirements.

(6) Non-citizens with the following immigration statuses are not eligible for Medicaid but they can be eligible for Refugee Medical Assistance (RMA) during their first 8 months in the U.S. if they meet all the RMA requirements. (Link to 603)

A. Afghan Special Immigrants
B. Amerasian Immigrants
C. Asylees
D. Iraqi Special Immigrant
E. Refugee
F. Victims of Trafficking

Note: Cuban and Haitians Entrants who are not yet a Lawful Permanent Resident can be eligible for regular Medicaid but if they are not eligible for Medicaid during any of their first 8 months in the U.S. due to excess income, they could be eligible for RMA through their 8th month in the U.S. if they meet all the other RMA requirements. At the end of their first 8 months in the U.S., they could be eligible for regular Medicaid if they meet all the other Medicaid requirements after they are no longer eligible for RMA coverage.

(7) Five year waiting period:

A. The 5-year waiting period starts on the date an individual enters the U.S. with a qualifying immigration status.

(8) Forty quarters of work:

A. The Social Security Administration (SSA) determines an individual's qualifying work quarters based on the quarters in which an individual paid for Social Security coverage.
   1. This information can be obtained using the Verification Interfaces / 40 Quarters in the eligibility system.
   2. When the system shows 40 or more work quarters, no other verification is needed.

3. If the system shows fewer than 40 work quarters but the individual claims to have 40 work quarters, their earnings must be verified.

B. When determining the number of qualifying work quarters:

1. Count the work quarters of the individual.
2. Count the work quarters of a spouse:
   a. If still married, count all work quarters from the start of the marriage to the current date.
   b. If they are divorced, count all work quarters from the start of the marriage through the end of the marriage.
   c. If they are separated but still married, continue to count the work quarters through the end of the marriage.
   d. If the spouse died but they are still married at the time of death, count the work quarters the deceased spouse earned prior to the date of death.
3. Count the work quarters of the natural, adoptive, or stepparents of a child:
   a. The work quarters of the parent can be counted for children who are under age 18. Once the child turns 18, they can still use their parents' work quarters from before they turned 18 but they cannot use any of the parents' work quarters earned after they turned 18.
   b. For adoptive parents, count their work quarters starting in the quarter they were adopted and through the month the child turns 18.
   c. For stepparents, count the work quarters starting in the quarter the parents were married and through the month the child turns 18.
4. Some earnings are not counted by SSA. These could include earnings for federal workers who were hired before 1984, state and local government workers, and farm and domestic workers. The quarters not counted by SSA can be used as qualifying work quarters for Medicaid.
5. Do not count the work quarters for any parents whose parental rights were terminated.
6. Do not count any work quarters in which an individual received TANF, SNAP, Medicaid, or SSI in at least one month in that quarter.

401.5.5 Emergency Services for Non-Citizens

(1) Ineligible non-citizens, undocumented non-citizens, permanent non-immigrants (see 401.5.2), and qualified non-citizens who are not eligible for Medicaid because of the time limits and 40 qualifying quarters requirements, can be eligible to receive emergency services. These services cannot be related to an organ transplant procedure, and all of the following conditions must be met:

A. The non-citizen has a medical condition (including labor and delivery) with sudden symptoms that are serious enough (including severe pain) that not getting immediate medical attention could reasonably be expected to result in:
   1. Placing health in serious jeopardy;
   2. Serious impairment to bodily functions; or
   3. Serious dysfunction of any bodily organ or part.

B. The non-citizen meets all other Medicaid eligibility requirements, except undocumented non-citizens do not need to provide SSNs and proof of citizenship; and

C. The non-citizen must still need the emergency service. Medicaid coverage ends once the emergency service has been provided and does not cover follow-up care that is not an emergency service.

D. A pregnant woman who is not legally present in the U.S. can be covered from the date she entered the hospital for labor and delivery until she is discharged. A pregnant woman who delivers a child and is covered under this provision is not eligible for the 12-month period of eligibility after pregnancy. Her child, however, is a citizen and can be eligible for 12 months of continuous coverage.

E. When an ineligible non-citizen asks for 'Emergency Services' for reasons other than childbirth, a completed SFN 451, “Eligibility Report on Disability/Incapacity”, and medical records must be submitted to the State Review Team. The State Review Team decides whether the medical condition meets ALL the criteria listed.

   Note: Remember to check the box in the upper right hand corner for 'Emergency Services'.

401.5.4 Emergency Services

(1.) The following non-citizens can be eligible for Emergency Service if they meet all other Medicaid requirements.

A. Non-citizens who are lawfully present in the U.S. but are not eligible for Medicaid due to their immigration status. (Link to 401.5.3)
B. Lawful Permanent Residents who are not eligible for Medicaid because they are required to meet but haven't met the 5-year waiting period and/or the 40 work quarters requirement. (Link to 401.5.3).
C. Ineligible non-citizens who are in the U.S. temporarily. (Link to 401.5.2)
D. Undocumented non-citizens.

(2.) The following conditions must be met to qualify for Emergency Services:

A. The individual has a medical condition (including labor and delivery) with symptoms including severe pain that are serious enough that not getting immediate medical attention could reasonably be expected to result in:
    1. Placing the individual's health in serious jeopardy.
    2. Serious impairment to bodily functions.
    3. Serious dysfunction of any bodily organ or part.
B. The medical condition cannot be related to an organ transplant procedure.
C. The individual must meet all other Medicaid eligibility requirements with the exception of undocumented non-citizens who are not required to provide verification of SSN and citizenship.
D. Medicaid coverage under Emergency Services must end once the emergency services have been provided. Emergency Services do not cover follow-up care that is not an emergency.
E. Pregnant women who are not lawfully present in the U.S. can be eligible for Emergency Services starting on the date they entered the hospital for labor and delivery through the date of discharge. They are not eligible for coverage for the 12 months after the birth of the baby. The baby, however, is a U.S. citizen and can be eligible for 12 months of continuous coverage.
F. When an ineligible non-citizen is requesting Emergency Services for a reason other than childbirth, an SFN 451, "Eligibility Report on Disability/Incapacity" must be completed and sent to the State Review Team (SRT). The SRT will review the individual's medical records and decide if the medical condition meets all the criteria for Emergency Services.