





# Learning Series

Massachusetts HealthCare Training Forum (MTF)

# Understanding Citizenship and Immigration Requirements for Health Coverage

## **MA Health Care Learning Series**

The MA Health Care Learning Series provides regular updates and presentations from Health Connector and MassHealth staff, to educate those who help Massachusetts residents in applying, getting and keeping their health coverage through MassHealth, the Health Connector and Health Safety Net via MAhealthconnector.org.





## **Webinar Objectives**

- Describe Citizens and Noncitizens, for the purpose of health care coverage offered by MassHealth and the Health Connector
- Describe available resources to help identify immigration documents
- Explain the steps included in determining someone's eligibility for coverage





## **Agenda**

- Coverage Options and Eligibility Criteria
- Key Immigration Terms
- Application Completion Best Practices
- Resources
- Questions and Answers









## **Coverage Options and Eligibility Criteria**

## **Coverage Options**

### **MassHealth**

- Standard
- CommonHealth
- CarePlus
- Family Assistance
- Limited \*
- Children's Medical Security Plan (CMSP) \*

### **Health Safety Net (HSN) \***

\* Coverage types not considered as insurance for tax purposes.





## **Coverage Options (continued)**

### **Health Connector**

- ConnectorCare
- Qualified Health Plans (QHPs) with APTC
- Unsubsidized QHPs
- Dental





## **Eligibility Criteria**

Eligibility criteria must be verified for anyone seeking coverage through MAhealthconnector.org (subsidized or unsubsidized).

- 1. Citizenship: Verifies that the applicant or member is a citizen, national, or non-citizen who is lawfully present
- **2. Incarceration status**: Verifies that the applicant or member is not incarcerated
- **3. Residency**: Verifies the applicant or member is a resident or intends to reside in Massachusetts





## **Additional Eligibility Criteria**

Additional criteria must be verified for anyone seeking subsidized coverage (MassHealth) or Advance Premium Tax Credits (APTC).

- 1) American Indian or Alaska Native Status: There are some cost sharing rules for American Indians and Alaska Natives (Al/Ans). Also, Al/ANs can enroll in coverage or change their health plan on a monthly basis throughout the year
- 2) Income and Family Size: Determine countable income and family size based on Modified Adjusted Gross Income (MAGI), that factors in IRS income tax rules
- 3) Eligible for or enrolled in Government Sponsored Insurance (GSI): MassHealth, Medicare, Veterans benefits, etc
- 4) Eligible for or enrolled in affordable Employer Sponsored Insurance (ESI): Must meet federal minimum value and affordability requirements



## The Application

#### **HOW TO APPLY**



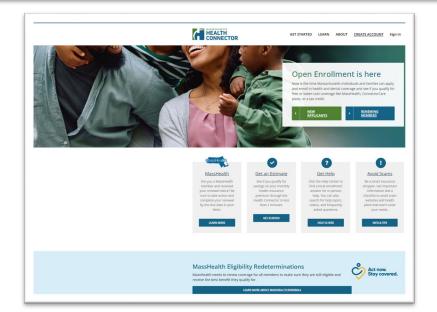


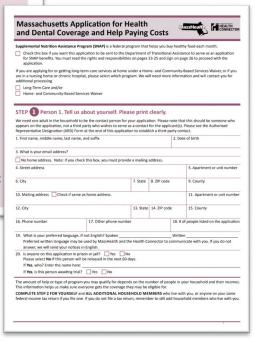




You can submit your application in any of the following ways.

- Sign on to your account at MAhealthconnector.org.
   You can create an online account if you do not already have one.
   Applying online may be a faster way for you to get coverage than mailing a paper application.
- Mail your filled-out, signed application to Health Insurance Processing Center P.O. Box 4405 Taunton, MA 02780.
- Fax your filled-out, signed application to (857) 323-8300.
- Call us at (800) 841-2900
   (TTY: (800) 497-4648 for people who are deaf, hard of hearing, or speech disabled)
   or (877) MA ENROLL ((877) 623-6765).
- Visit a MassHealth Enrollment Center (MEC) to apply in person. See the Member Booklet for Help with Health and Dental Coverage and Help Paying Costs for a list of MEC addresses.









## **Data Matching**

# What happens when the information is entered into the online application?

The online system will attempt to verify an applicant's self-attested information such as U.S. citizenship or immigration status electronically via data sources

If electronic data sources are unable to verify the self-attested information such as citizenship or immigration status, documentation will be required from the applicant or member, and they will be sent a request for information (RFI)





## Request for Information Notice (RFI)

A Request for Information (RFI) notice is sent when there is a discrepancy in the self-attested information and information received by the data match.

For example, if the citizenship or immigration status entered on the application does not match with the electronic data available, an RFI notice will be sent to the applicant or member listing all requested verifications required and the submission deadline of the requested verifications

 The individual may have up to 90 days of a reasonable opportunity period from the date of the RFI notice to provide all requested verifications. In some cases, this can be extended for an additional 90 days

Refer to <u>Verification Documents – Massachusetts Health Connector</u> for acceptable RFI documents





# Request for Information Notice (RFI): Valid Document Not Received Within 90 Days

If <u>valid documentation is not received within 90 days</u>, the system will attempt to determine if the individual is eligible for benefits based on data sources (if available).

If the information provided by data sources is different than the self-attested information or if no information is available, the individual may be re-determined for a different benefit or denied benefits

 Required documentation submitted beyond the RFI request may reinstate the application to a later time period, for up to a year

For example, the new determination:

- May end a member's QHP eligibility, and in turn end their enrollment
- Could change a MassHealth member's benefit type and result in possible lesser coverage type





# Request for Information Notice (RFI): Documentation Received But Does Not Match

If documentation <u>is received within 90 days</u>, but it <u>does not match</u> the self-attestation or electronic data sources, the information will be manually verified.

Once a document is received, it is uploaded and another attempt to match with electronic data sources is performed:

- If the individual cannot be verified electronically with the documentation that was submitted, the documentation will be used to manually verify the status
- If the information sent is different than the attestation on the current application, the information (such as immigration status) on the application will be updated to include the information provided on the verification document





# Reasonable Opportunity Extension: MassHealth

Applicants may receive an additional reasonable opportunity period if documents are not available within 90 days.

**MassHealth:** Applicants who have made a good faith effort to resolve inconsistencies to obtain verification of immigration status may request and receive a 90-day extension if more time is needed to locate and retrieve the documents

- This is the only circumstance where an additional 90-day extension is allowed
- Only immigration status may receive a 90-day extension, all other verification requests must be received within 90 days
- Requests for a reasonable opportunity extension must be made before the expiration of the initial 90-day verification time period
- If all other required verifications have been received, the applicant may receive benefits during the extended reasonable opportunity period



MassHealth

# Reasonable Opportunity Extension: Health Connector

**Health Connector:** There is no time period outlined in the Affordable Care Act for Health Connector coverage

 An individual can request an extension which may be granted on a case-by-case basis



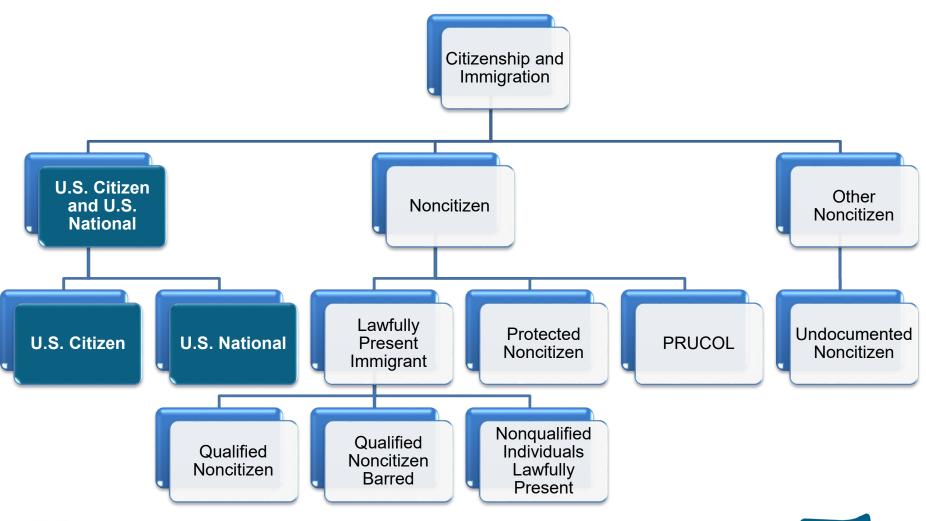






# **Key Immigration Terms**

# MassHealth and Health Connector Eligibility Categories (slide 1 of 3)





### **U.S. Citizen: Definition**

U.S. Citizen

### Generally, an individual who is:

- Born in the U.S. or its territories (District of Columbia, Puerto Rico, the U.S. Virgin Islands, the Northern Mariana Islands, and Guam)
- Naturalized Citizen U.S. citizenship is granted to a lawfully permanent resident (LPR) after meeting specific requirements established by Congress in the Immigration and Nationality Act (INA)
- Derived Citizen Child of someone who is a Naturalized U.S. Citizen. Acquired either at birth, or after birth but before the age of 18 years old. This includes adopted children
- Acquired Citizenship Child of a U.S. Citizen.
   Acquired either at birth, or after birth but before the age of 18 years old. This includes adopted children



### **U.S. National: Definition**

**U.S. National** 

Generally, an individual who owes permanent allegiance to the U.S.

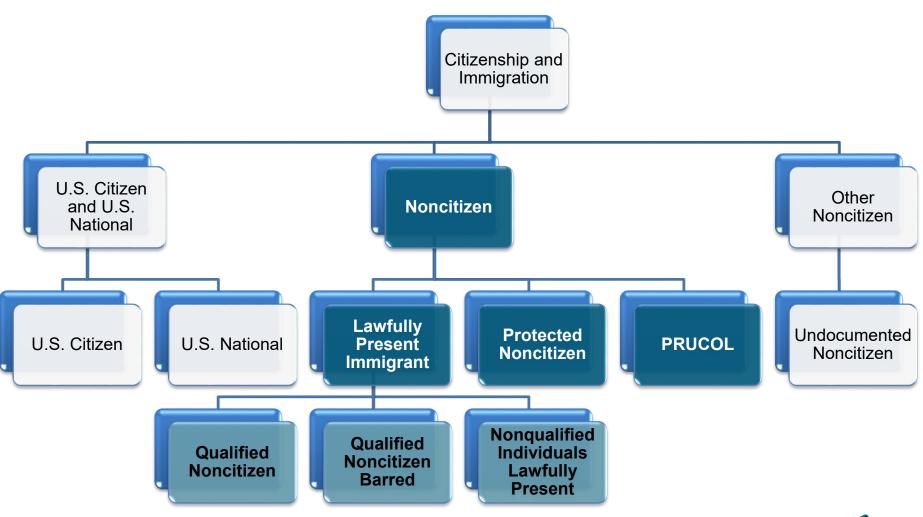
- In most circumstances, this is a person born:
  - In America Samoa or Swains Island
  - To a U.S. National
- All U.S. citizens are U.S. nationals. However, there are some U.S. nationals that are not U.S. citizens

Source: Glossary | USCIS





# MassHealth and Health Connector Eligibility Categories (slide 2 of 3)





## **Noncitizen: Lawfully Present Immigrant**

Lawfully Present Immigrant A **Lawfully Present Immigrant** is person who lives in the United States with a valid immigration status. There are three types of Lawfully Present Immigrants:

- 1A. Qualified Noncitizen is a person in a special immigration group. These groups include (but are not limited to) Asylum, Refugee, Cuban or Haitian Entrant, or a person who has had legal permanent residency (Form I-551 or green card) for more than five years
- **1B**. **Qualified Noncitizen Barred** is a person who has had legal permanent residency for less than five years
- 1C. Nonqualified Individual Lawfully Present is a person with a valid nonimmigrant VISA (such as B1 or B2 (tourism or work), J1 (exchange), or F1 (student)) or employment authorization documentation (Form I-766)



**Source**: MassHealth Information for Noncitizens



# Lawfully Present Immigrant: Qualified Noncitizen – Group 1

# Qualified Noncitizen

Qualified Noncitizens in Group 1 include individuals who have had one of the following immigration statuses for at least five years or individuals who have been continuously present in the United States since before August 22, 1996, until receiving one of the following statuses:

- Legal Permanent Residents (LPR)
- Parolees granted parole status for at least one year
- Battered spouse, battered child, child of battered parent, or parent of battered child

For additional information, download <u>Immigration Categories</u>.



# **Lawfully Present Immigrant: Qualified Noncitizen – Group 2**

# **Qualified Noncitizen**

A partial list of **Qualified Noncitizens in Group 2** includes individuals who have or had a status which is **not subject to the five-year bar**:

- Persons granted asylum under section 208 of the INA
- Refugees admitted under section 207 of the INA
- Persons whose deportation has been withheld under 243(h) or 241(b)(3) of the INA
- Cuban or Haitian entrants under 501€ of the REA Act of 1980
- Native Americans with at least 50% American Indian blood who were born in Canada, or other tribal members born in territories outside of the U.S. (for Medicaid purposes)
- Victims of severe forms of trafficking, and the spouse, child, sibling, or parent of the victim



# Verification of Qualified Noncitizen: Legal Permanent Resident

### **Legal Permanent Resident \***

- Permanent Resident Card I-551
- Reentry permit I-327
- Foreign passport with an entry Visa indicating that "endorsement serves as a temporary I-551 evidencing permanent residence"
- Arrival/Departure Card I-94 referencing I-551
- Temporary I-551 stamp
- Memorandum of Creation of Record of LPR Form I-181
- Other documentary proof (such as an I-797 Adjustment to LPR Status with an approved Visa petition)
- \* May have to meet five-year bar.





# Verification of Qualified Noncitizen: Parolee Granted Status for at Least One Year

### Parolee granted status for at least one year \*

- Form I-94 with <u>Parolee</u>, <u>PIP</u> or <u>212(d)5</u> with the "date admitted to" at least one year from the entry date
- Employment Authorization Card I-688B or I-766 with code such as 274a.12 (a)(4), A4, 274a.12(c)(11), C11 and admitted for at least one year
- Other documentary proof
- \* May have to meet five-year bar.





# Verification of Qualified Noncitizen: Refugee

### Refugee

- Form I-94 or foreign passport stamped Refugee, or § 207
- Employment Authorization Card I-688B or I-766 with code such as 274a.12(a)(3) or A3
- Refugee Travel Document I-571
- Permanent Resident Card with code such as RE-6, RE-7, RE-8 or RE-9
- Other documentary proof





# Verification of Qualified Noncitizen: Asylee

### **Asylee**

- Form I-94 or foreign passport stamped Asylee, or § 208
- Order of USCIS, immigration judge, Board of Immigration, Appeals, or court granting asylum
- Employment Authorization Card I-688B or I-766 with code such as 274a.12(a)(5) or A5
- Refugee Travel Document I-571
- Permanent Resident Card with code such as AS-6, AS-7 or AS-8
- Other documentary proof





# Verification of Qualified Noncitizen: Person Granted Withholding of Deportation or Removal

### Person granted withholding of deportation or removal

- Form I-94 or foreign passport stamped § 243(h) or § 241 (b)(3)
- Order of USCIS, immigration judge, Board of Immigration, Appeals, or court granting withholding of deportation or removal under 243(h) or 241(b)(3)
- Employment Authorization Card I-688B or I-766 with code such as 274a.12(a)(10) or A10 or under INA 243(h) or 241(b)(3)
- Refugee Travel Document I-571
- Other documentary proof





## Verification of Qualified Noncitizen: Cuban or Haitian Entrant

#### **Cuban or Haitian Entrant**

- Form I-94 with notation Cuban or Haitian Immigrant and including notation for Parolee. Outstanding Orders of Exclusion or OOE without a final Order of Removal, Deportation or Exclusion entered
- Documents showing pending Asylum application Form I-589
- Employment Authorization Card I-688B or I-766 with code such as 274a.12 ((c)(8) (pending asylum) or 247a. 12(a)(4) or (c)(11) or A4 or C11 (parole)
- Permanent Resident Card with code such as NC6 through NC9, HA6 through HA9, HB6 through HB9, HC6 through HC9, HD6 through HD9, HE6 through HE9, CUP, CU0, CU6 through CU9, CNP or CH6
- SL-1 or SL-6 Special Immigrant Juveniles
- Status granted under § 501(e) of REAA or § 212(d)(5) of INA
- Other documentary proof





## Verification of Qualified Noncitizen: Amerasians (Vietnamese)

### **Amerasians (Vietnamese)**

- LPR status with code such as AM-1, AM-2, AM-3, AM-6, AM-7 or AM-8
- Other documentary proof





# Verification of Qualified Noncitizen: Battered Spouse, Battered Child, Child of Battered Parent, or Parent of Battered Child

# Battered spouse, battered child, child of battered parent, or parent of battered child \*

- Any documentary proof of such status (a battered noncitizen attains this status when a petition for legalization is based on a filed, prima facie or approved application of a Victim of Abuse. Some documents may say the petition "establishes a prima facie case" but some may not) by USCIS, Immigration judge or official
- \* May need to meet five-year bar.





# Verification of Qualified Noncitizen: Veteran of U.S. Military (Conditions Apply)

### Veteran of U.S. military under the following conditions:

- Veterans of the U.S. Armed Forces with an honorable discharge not related to their noncitizen status
- Filipino war veterans who fought under U.S. command during WWII
- Hmong and Highland Lao veterans who are admitted for legal permanent residence (LPR) and who fought under U.S. command during the Vietnam War
- Persons with noncitizen status on active duty in the U.S. Armed Forces, other than active duty for training
- The spouse, un-remarried surviving spouse, or unmarried dependent children of the noncitizen described in the four points above
  - Indication on MassHealth Application
  - Self-Declared



# Verification of Qualified Noncitizen: Victim of Severe Form of Trafficking in Persons

Victim of severe form of trafficking in persons (victim or witness to exploitation or abuse such as sex trafficking or slavery)

- T Visa
- Certification (adult) or Letter (Child) from the Federal Office on Trafficking in persons
- Other documentary proof





## Verification of Qualified Noncitizen: Native American – Noncitizen

#### Native American - Noncitizen

- Tribal document(s)
- Canadian birth certificate showing parent lineage
- Permanent Resident card coded S-13
- Canadian passport with I-551 stamp
- Other documentary proof





# Lawfully Present Immigrant: Qualified Noncitizen Barred

Qualified Noncitizen Barred **Qualified Noncitizen Barred** include individuals who have had one of the following immigration statuses for **fewer than five years**:

- Legal Permanent Residents (LPR)
- Parolees granted parole status for at least one year
- Battered spouse, battered child, or child of battered parent, or parent of battered child



## Verification of Qualified Noncitizen Barred: Legal Permanent Resident

### **Legal Permanent Resident**

- Permanent Resident Card I-551
- Reentry permit I-327
- Foreign passport stamped LPR or I-551
- Arrival/Departure Card I-94 referencing I-551
- Temporary I-551 stamp
- Memorandum of Creation of Record of LPR Form I-181
- Other documentary proof (Such as an I-797 Adjustment to LPR Status with an approved Visa petition)
- Has not met the five-year bar





# Verification of Qualified Noncitizen Barred: Parolee

### **Parolee**

- Form I-94 with Parolee, PIP or 212(d)5 with the "date admitted to" at least one year from the entry date
- Employment Authorization Card I-688B or I-766 with code such as 274a.12(a)(4), A4, 274a.12(c)(11), C11 Admitted for at least one year
- Other documentary proof
- Has not met the five-year bar





# Verification of Qualified Noncitizen Barred: Battered Spouse, Battered Child, Child of Battered Parent, or Parent of Battered Child

## Battered Spouse, Battered Child, Child of Battered Parent, or Parent of Battered Child

- Any documentary proof of such status ((a battered noncitizen attains this status when a petition for legalization is based on a filed, prima facie or approved application of a Victim of Abuse. Some documents may say the petition "establishes a prima facie case" but some may not) by USCIS, Immigration judge or official
- Has not met the five-year bar





# Lawfully Present Immigrant: Nonqualified Individual Lawfully Present

Nonqualified Individual Lawfully Present

A partial list of individuals who are in the **Nonqualified Individual Lawfully Present** category includes the following:

- Are paroled in the U.S. for less than one year. Does not include those paroled for prosecution, deferred inspection, or pending removal proceedings
- Granted employment authorization
- Granted Temporary Protection Status (TPS) and individuals with pending application for TPS who have been granted employment authorization
- Family Unity beneficiaries
- Granted Deferred Action status, except for applicants or individuals granted status under Department of Homeland Security (DHS) Deferred Action for Childhood Arrivals Process (DACA)





## **Noncitizen: Protected Citizen**

Protected Noncitizen

**Protected Noncitizens** are Noncitizens who were receiving Medicaid (MassHealth) on June 30, 1997





## Noncitizen: Nonqualified PRUCOL

Nonqualified PRUCOL

A Nonqualified Persons Residing Under Color of Law (PRUCOL) may include people who have applied for a valid immigration status, or people who live in the United States with the knowledge and consent of the Department of Homeland Security (DHS).

### This could include:

- Noncitizens living in the U.S. in accordance with an indefinite stay of deportation
- Noncitizens living in the U.S. in accordance with an indefinite voluntary departure





## **Nonqualified PRUCOL: Examples, Part 1**

### Examples of PRUCOLs include the following noncitizens:

- Living in the U.S. in accordance with an indefinite stay of deportation
- Living in the U.S. in accordance with an indefinite voluntary departure
- Noncitizens and their families who are covered by an approved immediate relative petition, who are entitled to voluntary departure, and whose departure the Department of Homeland Security (DHS) does not contemplate enforcing
- Granted voluntary departure by the DHS or an immigration judge, and whose deportation DHS does not contemplate enforcing
- Living under orders of supervision who do not have employment authorization under 8 CFR 274a.12(c)
- Noncitizens who have entered and continuously lived in the United States since before January 1, 1972



## **Nonqualified PRUCOL: Examples, Part 2**

### Examples of PRUCOLs include the following noncitizens:

- Granted suspension of deportation, and whose departure the DHS does not contemplate enforcing
- With pending applications 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 have not been granted employment authorization, or are under the age of 14 and have not had an application pending for at least 180 days
- Granted Deferred Action for Childhood Arrivals status or who have a pending application for this status



## Nonqualified PRUCOL: Examples, Part 3

### Examples of PRUCOLs include the following noncitizens:

- Noncitizens who have filed an application, petition, or request to obtain a lawfully present status that has been accepted as properly filed, but who have not yet obtained employment authorization and whose departure DHS does not contemplate enforcing
- Living in the U.S. with the knowledge and consent of the DHS, and whose departure the DHS does not contemplate enforcing. (These include persons granted Extended Voluntary Departure due to conditions in the noncitizen's home country based on a determination by the U.S. Secretary of State.)





## **Verification of Nonqualified PRUCOL**

### **Nonqualified PRUCOL**

- Other documentary proof of their pending statuses. Examples include:
- Application for Asylum or Deferred Action filed with USCIS
- Application for cancellation of removal or asylum application filed in Immigration Court (no I-797 is generated in these cases)
- Employment Authorization card with code C33, which is evidence that the person has DACA status
- I-797 Notice of Action about biometrics, which is proof of a filed application for benefits



# Verification of Nonqualified PRUCOL: I-797 Note, Part 1

### I -797s may indicate a PRUCOL status such as:

- Pending application for Withholding of Deportation or Withholding of Removal, under the INA or under the Convention Against Torture (CAT) who has either not been granted Employment Authorization OR is under 14 years old and has not had an application for Withholding of Deportation or Withholding of Removal pending for at least 180 days
- For PRUCOL status including those who have applied for a status that has not yet been approved. Thus, these documents may serve as proof that someone is PRUCOL





# Verification of Nonqualified PRUCOL: I-797 Note, Part 2

### I -797s may indicate a PRUCOL status such as:

- DACA applicants may be eligible for an Employment Authorization Card (EAC) but will still be considered a PRUCOL for MassHealth eligibility purposes. Always check the Category Code to determine what the immigration status of the individual is
- An individual who otherwise may be a PRUCOL but has obtained Employment Authorization under 274a.12(c) and has for example an I-688 or I-766 EAD coded 274a.12(c)xxx, or (c)xx would instead be considered an ILP with employment authorization for MassHealth eligibility purposes. Except that a DACA will be considered a PRUCOL for MassHealth eligibility purposes regardless of employment authorization



### THE UNITED STATES OF AMERICA

RECEIPT NUMBER IOE123000005000		CASETYPE 1129 PETITION FOR A NONIMMIGRANT WORKER				
September 4, 2015	PRIORITY DATE	Adams, John Quincy				
September 14, 2015	PAGE 1 of 2	BENEFICIARY John Smith				
THURSDAY AND A STORY						

Benjamin Franklin Adams, John Quincy LLC 100 Main Street Anytown, D.C. 12345

Notice Type: Approval Notice Class: 01 Valid from 09/12/2015 to 06/21/2017 Consulate:

The above petition and extension of stay have been approved. The status of the named foreign worker(s) in this classification is walld as indicated above. The foreign worker(a) can work for the petitioner, but only as detailed in the putition and for the period authorized. Charges in complayment or training may require you to file a new York 1-129 potition. Since this employment or training authorization stems from the filing of this potition. separate employment or training authorization documentation is not required. Flease contact the IRS with any questions about tax withholding.

The petitioner should keep the upper portion of this sofice. The lower portion should be given to the worker. He or she should keep the right part with his or her Form 1-bs. Asylval-Departure Record. The 1-94 portion should be given to the U.S. Customs and Border Patrol when he or she leaves the United States. The left part is for his or her records. A person granted an extension of stay who leaves the U.S. must normally obtain a new wish before returning. The left part can be used in applying for the see visa. If a visa is not required, be or she should present it, along with any other required documentation, when applying for reentry in this new classification at a port of entry or pre-flight inspection station. The petificner may also file Form 1-824, Application for Action on an Approved Application or Petition, to request that we notify a consulate, port of entry, or pre-flight inspection office of this approval.

The approval of this vise patition does not in itself grant any immigration status and does not quarantee that the alien beneficiary will subsequently be found to be slightle for a visa, for admission to the United States, or for an extension, change, or adjustment of status.

THIS FORM IS NOT A VISA AND HAY NOT BE USED IN PLACE OF A VISA.

The Small Business Regulatory Enforcement and Fairness Act established the Office of the National Ombudeman (COO)

Please :	see the additional is	nformation on th	ne back.	You will	be notified	separately	about any	other o	cases you file
	CITIZENSHIP					17/1///			100 000000

CALIFORNIA SERVICE CENTER

P. O. BOX 30111

LAGUNA NIGUEL 92607-0111

Tear Away I-9

#### Receipt Number

rvice Telephone:

PLEASE TEAR OFF FORM 1-H PRINTED BELOW, AND STAPLE TO ORIGINAL SHI IF AVAILABLE

Detach This Half he Personal Records

Receipt# IOE123000005000 I-94 Number I-94# 123456789 10

NAME Smith, John CLASS 01

VALID FROM 09/12/2015 UNTIL 06/21/2017

PETITIONER:

Adams, John Quincy 100 Main Street Anytown, D.C. 12345 **Expiration Date** 

Receipt Number IOE 123000005000 United States Citizenship and Immigration Services

Departure Record Petitioner

Smith John

16. Date of Birth 01/10/1980

UNITED KINGDOM

Form I-797A (Rev. 10/31/05) N

## Form I-797A, **Notice of Action** with Tear-Off Form I-94



## Form I-797C, Notice of Action

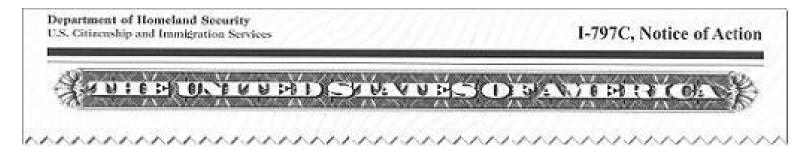
### Form I-797C after 4/2/2012

Department of Homeland Security U.S. Citizenship and Immigration Services

Form I-797C, Notice of Action

THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.

### Form I-797C before 4/2/2012





#### DEPARTMENT OF HOMELAND SECURITY U.S. Immigration and Customs Enforcement

#### ORDER OF RELEASE ON RECOGNIZANCE

Name:	Date:					
You have been arrested and placed in removal proceedings. I Nationality Act and the applicable provisions of Title 8 of the C own recognizance provided you comply with the following con	Code of Federal Regulations, you are being released on your					
<ul> <li>You must report for any hearing or interview as directed b Office for immigration Review.</li> </ul>	y Immigration and Customs Enforcement or the Executive					
You must surrender for removal from the United States if	so ordered.					
You must report in (writing) (secson) to <u>Duty officer</u> at as directed.	on					
If you are allowed to report in unting, the report must contain to demployment, and contain perstaint information as required by	your name, alien registration number, current address, place the officer listed above.					
You must not change your place of residence without first						
You must not violate any rock. State or rederal laws or o						
	n obtaining any necessary travel documents.					
Other: Your release is confingent upon the prolimer is (ATD) program as designated by the U.S. Department of subject to electronic monitoring and may be subject to program will result in a redetermination of your sease to	omeiand Security. As part of the ATD program, you will be urfew. Failure to comply with the requirements of the ATD					
the device. Under federal law, it is a crime to willful days Damaging or attempting to damage the GPS tracking	se bysoelet or any of its associated equipment (including, but may make a wur arrest, detention, and prosecution					
See attached sheet containing other specified conditions	(Cogni se on reparate speet if required)					
NOTICE: Failure to comply with the conditions of this ord arrest and detention by Immigration and Customs Enforce						
(Name and Title	of ICE Official)					
Alien's Acknowledgement of Conditions of	Release under an Order of Recognizance					
I hereby acknowledge that I have (read) (had interpreted and contents of this order, a copy of which has been given to me. order may subject me to a fine, detention, or prosecution.	explained to me in the					
(Signature of ICE Official Serving Order)	(Signature of Alien)					
Date						
I hereby cancel this order of refease because:						
☐ The alien failed to comply with the conditions of release.	The alien was taken into custody for removal.					
(Signature of ICE Official Cancelling Order)	Date					
ICE Form I-220A (10/20)	Page 1 of 4					

## **Order of Release** on Recognizance



# Reminders: Valid Nonimmigrant Visas

Per MassHealth regulations, applicants and members with valid, **unexpired nonimmigrant Visas** (such as B1 (work Visa) and B2 (visitor Visa)) are considered Immigrants Lawfully Present (ILP).

 Note that in some cases, the date on the printed VISA booklet and the stamp entry and expiration date are different. Compare the stamped expiration date on the VISA to the printed expiration date. If the stamped expiration date has a past expiration date, then the printed expiration date and the VISA itself are no longer considered valid

Other valid nonimmigrant Visas such as J1 (work and study-based exchange Visa) and F1 (student Visa) would also place a member into ILP status

If an applicant or member with a nonimmigrant Visa satisfies residency and other requirements, they may be eligible for MassHealth benefits or Health Connector coverage





# Reminders: Valid Nonimmigrant Visas (continued)

In some situations, a person may enter the U.S. on a valid nonimmigrant Visa and apply for a different immigrant status during that time. If an applicant's nonimmigrant Visa expires, but the applicant can provide proof of their filed application for an upgraded status with the Department of Homeland Security (DHS) or for an extension of their Visa (and they do not yet have employment authorization), they may qualify for PRUCOL (Person Residing Under Color of Law) status

In some situations, if a nonimmigrant Visa expires and the applicant or member has not yet applied for an extension or an upgraded status, they may qualify for PRUCOL status if the circumstances of their case indicate that DHS is not contemplating enforcing departure





# Additional Reminders: Valid Nonimmigrant Visas

An example of this situation currently would include a Ukrainian individual who entered after March 1, 2022, who has an expired visitor Visa, and has not yet applied for a Visa extension or for an upgraded status.

**Additional Resources**: Recently published MassHealth Eligibility Operations Memos about eligibility for certain noncitizen groups:

- EOM 22-03: Eligibility Rules for Cuban and Haitian Entrants
- EOM 22-04: Verification of PRUCOL Status
- EOM 21-15: MassHealth Benefits for Afghan Immigrant Evacuees





## **Eligibility Rules for Cuban and Haitian Entrants**

Cuban or Haitian Entrants are defined as certain nationals of Cuba and Haiti who have permission to reside in the U.S. based on humanitarian considerations or under special laws that apply to them. For MassHealth eligibility, these individuals are considered Qualified Non-Citizens.

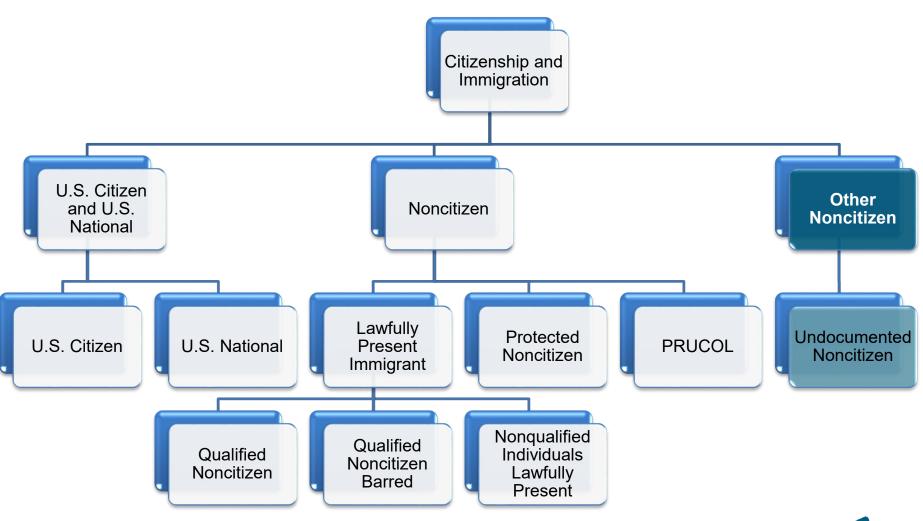
- Not every national of Cuba or Haiti is a Cuban or Haitian Entrant
- The Cuban or Haitian Entrant categories are defined in 501 (e) of Refugee Education Assistance Act (REAA)

In some circumstances, the children of Haitian nationals are born in another country, prior to entering the United States. MassHealth has clarified that the children of these nationals would be considered Haitian nationals as well, and thus eligible for Haitian Entrant status if they satisfy the criteria for Haitian status described in this EOM. This clarification does not apply to the children of Cuban nationals born abroad at this time

Resource: EOM 22-03: Eligibility Rules for Cuban and Haitian Entrants



# MassHealth and Health Connector Eligibility Categories (slide 3 of 3)





### Other Noncitizen

Other Noncitizen

An **Other Noncitizen** is a person who does not fall into the Lawfully Present Immigrant or Nonqualified PRUCOL groups

**Note**: Many undocumented people will fall into PRUCOL, provided they have applied for an immigration status. Only people with no documentation that have not applied for status or are residing in the United States under the knowledge and consent of DHS or expired documentation that have not applied for an extension of their status, will fall into Other Noncitizen. The Other Noncitizen group is a relatively small group





# Who may qualify for MassHealth or the Health Connector?

### Who may qualify for MassHealth?

- U.S. Citizen or U.S. National
- Lawfully Present Immigrant (three categories)
  - Qualified Noncitizen (QLP)
  - Certain Qualified Noncitizen Barred (QAB)
  - Certain Nonqualified Individual Lawfully Present (ILP)
- Protected Noncitizen
- Nonqualified Person Residing Under Color of Law (PRUCOL)
- Other Noncitizen

### Who may qualify for the Health Connector?

- A U.S. Citizen or U.S. National
- Lawfully Present Immigrant

Note: Other factors will apply in determining an individual's eligibility.









## **Application Completion Best Practices**

## Citizenship and Immigration Information Necessary for Program Determination

- A person who applies for MassHealth or Health Connector coverage is asked to provide their citizenship or immigration status
- MassHealth and the Health Connector determine the benefits an individual may qualify for based on the citizenship or immigration information provided
  - Other factors also apply in determining an individual's eligibility
- If additional information is needed, MassHealth or the Health Connector will notify the individual



# Noncitizen: Application Requirements

- If a Noncitizen individual does not indicate their immigration status, they may still be eligible for MassHealth Limited, the Children's Medical Security Plan (CMSP), or the Health Safety Net (or Standard if pregnant)
- The applicant must answer either Yes or No to the Citizenship question
- If the individual reports no immigration status, MassHealth and the Health Connector will not attempt to find or verify any immigration status
- If an individual has an eligible immigration status but does not indicate it on their application, the system <u>will not look</u> for any immigration information
  - This means that an applicant who is not a citizen may be found eligible for a program with fewer covered services than if an eligible immigration was entered and verified
- When responding to the immigration question, it is important to be sure to enter any immigration information that the applicant may have so the system can perform a data match to verify the information and make the correct program determination



MassHealth

## **Key Takeaways**

- **Do not assume** to know the answer to a question on the application. Ask all questions on the application
- MassHealth and the Health Connector determine the benefits an applicant may qualify for based on the citizenship or immigration information provided about the applicant and other factors
- Entering a response into the online or paper application about an applicant's Citizenship status is a requirement for every applicant. If a noncitizen applicant does not provide immigration status information, then the applicant may only be considered for Limited, Health Safety Net, or CMSP (Standard, if pregnant)
- If additional information on citizenship or immigration is needed, MassHealth or the Health Connector will notify the individual
- The Health Connector and MassHealth will attempt to verify an applicant's citizenship or immigration electronically when the applicant indicates this status and follow certain processes to validate the reported status







## Resources

### ACA-3:

## **Immigration Statues and Document Types**

### **Massachusetts Application for Health** and Dental Coverage and Help Paying Costs



#### IMMIGRATION STATUSES AND DOCUMENT TYPES

**HOW TO APPLY** 









**USE THIS** 

APPLICATION

TO SEE WHAT

You can submit your application in any of the following ways.

- . Sign on to your account at MAhealthconnector.org. You can create an online account if you do not already have one. Applying online may be a faster way for you to get coverage than mailing
- · Mail your filled-out, signed application to **Health Insurance Processing Center** P.O. Box 4405 Taunton, MA 02780.
- Fax your filled-out, signed application to (857) 323-8300.
- Call us at (800) 841-2900 (TTY: (800) 497-4648 for people who are deaf, hard of hearing, or speech disabled) or (877) MA ENROLL ((877) 623-6765).
- Visit a MassHealth Enrollment Center (MEC) to apply in person. See the Member Booklet for Help with Health and Dental Coverage and Help Paying Costs for a list of MEC addresses.

· Affordable coverage from MassHealth, the Health Safety Net (HSN), the Children's Medical Security Plan (CMSP), or the Health Connector. You may qualify for one of these programs, even if you earn as much as \$100,404 a year (for a household of

Question 9a on the application asks noncitizens about their immigration status and about the type or types of immigration documents they have to support their immigration status. Please refer to the following lists to fill out Question 9a. If you need further help, details can be found online at www.mahealthconnector.org/immigration-document-types.

(TPS) or applicant for TPS with

· Granted employment authorization

employment authorization

under 8 CFR 274a(12)(c)

· Family unity beneficiaries

Process (DACA)

Deferred enforced departure

Deferred Action Status except for

Granted an administrative stay of

Approved visa petition with a pending

application for adjustment of status

Applicant (for at least 180 days) under

age 14 for asylum or for withholding of

. Applicant for asylum or for withholding of

removal with employment authorization

removal under 8 CFR 241

Deferred Action for Childhood Arrivals

#### Eligible Immigration Statuses

In the "Immigration Status" section of Question 9a, write in any status that applies to you or members of your household. You may write in more than one status.

- Amerasian
- Granted asylum
- Cuban Haitian entrant
- Deportation withheld

n born in Canada or non-

Immigration Document Types Granted Temporary Protected Status In the "Immigration Document Type"

section of Question 9a, write in any document type you or members of your household have. You may list more than one immigration document type.

- Reentry Permit (I-327)
- Permanent Resident Card ("green card," I-551)
- Refugee Travel Document (I-571)
- Employment Authorization Card (I-766)
- · Machine Readable Immigrant Visa (with temporary 1-551 language)
- Temporary I-551 stamp (on passport or I-94, I-94A)
- . Arrival Departure Record (I-94, I-94A) issued by U.S. Citizenship and Immigration Services
- · Arrival Departure Record in unexpired foreign passport (I-94)
- · Unexpired foreign passport
- Certificate of Eligibility for Nonimmigrant (F1) Student Status (I-20)
- Certificate

Always use the most recent version of the **ACA-3** application: MassHealth Member Guides and Handbooks | Mass.gov.

The application does not contain the full list of PRUCOLS. For a full list of PRUCOL statuses see the MassHealth Member Booklet.

e trafficking or his or her ibling, or parent migrant immigrant trant granted before 1980

ve-duty member is or her spouse or

ent resident for at least one year e or child (or his or her

status (visa) for less than one year

 Granted withholding of removal under the Convention Against Torture Applicant for Special Immigrant Juvenile

removal

(SIJ) status

· Applicant or granted status under Deferred Action for Childhood Arriv (DACA)

 I have a document. rary resident status status II-

# Member Booklet: U.S. Citizenship and Immigration Rules

This is your member booklet for MassHealth, ConnectorCare Plans and Advance Premium Tax Credits, the Children's Medical Security Plan, and the Health Safety Net.

## **SECTION 11**

U.S. Citizenship and Immigration Rules

Includes list of immigration statuses, including full list of PRUCOLS.

Always use the most recent version of the Member Booklet:

MassHealth Member Guides and Handbooks

Mass.gov.

H 2023

### **MEMBER BOOKLET**

for HEALTH and DENTAL COVERAGE and HELP PAYING COSTS



Commonwealth of Massachusetts
Executive Office of Health and Human Services
MassHealth | Massachusetts Health Connector

## SACA-2:

## **Immigration Statues and Document Types**

#### **Application for Health Coverage for Seniors** and People Needing Long-Term-Care Services



#### **HOW TO APPLY**

Please identify which program each household member is applying for on page 1 of the application. You can submit your application in any of the following ways.



Mail or fax your filled-out, signed application to

MassHealth Enrollment Center Central Processing Unit P.O. Box 290794 Charlestown, MA 02129-0214

Fax: (617) 887-8799



Hand deliver your filled-out, signed application to

MassHealth Enrollment Center Central Processing Unit The Schrafft Center 529 Main Street, Suite 1M Charlestown, MA 02129-0214

In order to get any benefits you are entitled to as quickly as possible, you may send us any documentation you have that verifies all household income and assets.

#### MASSHEALTH and the HEALTH SAFETY NET Who Can Use This Application

This is your application for health coverage if you live in Massachusetts and are

- an individual 65 years of age or older and living at home
- · not the parent of a child under 19 years of age who lives
- · not an adult relative living with and taking care of a child younger than 19 years of age when neither parent is living in the home; or
- an individual of any age and need long-term-care services
- You are the parent of a child under 19 years of age who lives with you, or
- You are an adult relative living with and taking care of a child younger than 19 years of age when neither parent is living in the home, or
- You are disabled and are either working 40 or more hours a month or are currently working and have worked at least 240 hours in the six months immediately before the month

#### IMMIGRATION STATUSES AND DOCUMENT TYPES

their immigration status and about the type or types of immigration. documents they have to support their immigration status. Please refer to the following lists to fill out Question 8a/18a. If you need further help, details can be found online at www.mahealthconnector.org/immigration-document-types.

Granted Temporary Protected Status

· Granted employment authorization

(TPS) or applicant for TPS with

employment authorization

under 8 CFR 274a(12)(c)

· Family unity beneficiaries

Process (DACA)

Deferred enforced departure

Deferred Action Status except for

· Granted an administrative stay of

removal under 8 CFR 241

Deferred Action for Childhood Arrivals

· Approved visa petition with a pending

application for adjustment of status

Applicant (for at least 180 days) under

Granted withholding of removal under

Applicant for Special Immigrant Juvenile

Deferred Action for Childhood Arrivals

. I have a document but do not have any

status listed above (Person Residing

Under Color of Law, PRUCOL)

the Convention Against Torture

Applicant or granted status under

age 14 for asylum or for withholding of

#### **Eligible Immigration Statuses**

In the "Immigration Status" section of Question 8a/18a, write in any status that applies to you or members of your household. You may write in more than one status.

- Amerasian
- Granted asylum
- Cuban Haitian entrant
- · Deportation withheld
- · Native American born in Canada or non-US territories
- Refugee
- . Victim of severe trafficking or his or her spouse, child, sibling, or parent
- · Iraqi special immigrant
- · Afghan special immigrant
- · Conditional entrant granted before 1980

#### Immigration Document Types

In the "Immigration Document Type" section of Question 8a/18a, write in any document type you or members of your household have. You may list more than one immigration document type.

- Reentry Permit (I-327)
- · Permanent Resident Card ("green card,"
- Refugee Travel Document (I-571)
- Employment Authorization Card (I-766)
- · Machine Readable Immigrant Visa (with temporary 1-551 language)
- . Temporary I-551 stamp (on passport or
- Applicant for asylum or for withholding of Arrival Departure Record (I-94). removal with employment authorization I-94A) issued by U.S. Citizenship and Immigration Services
  - · Arrival Departure Record in unexpired foreign passport (I-94)
  - Unexpired foreign passport
  - · Certificate of Eligibility for Nonimmigrant (F1) Student Status (I-20)
  - · Certificate of Eligibility for Exchange Visitor (J1) Status (DS2019)
  - Notice of Action (I-797)/Other-with Alien
  - Notice of Action (I-797)/Other-with I-94 Number

Always use the most recent version of the **SACA-2** application:

MassHealth Member Guides and Handbooks Mass.gov.

The application does not contain the full list of PRUCOLS, For a full list of PRUCOL statuses. see the MassHealth Member Booklet.

Asian Indian

(SIJ) status

Chinese

Japanese

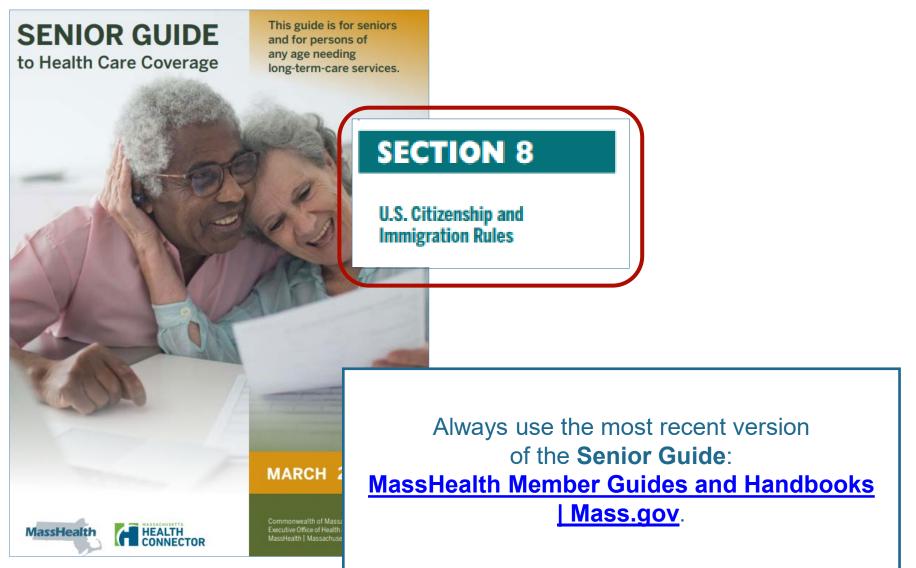
Korean

Vietname

Choose the option(s) that best describe you. Write in all that apply. 3 and Question 19 on page 8.

# Senior Guide:

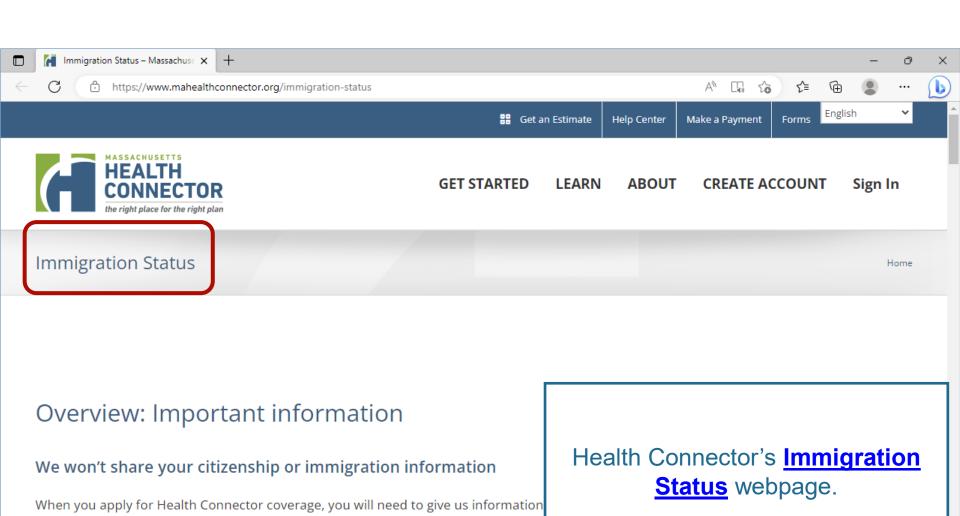
## **U.S. Citizenship and Immigration Rules**



## **Online Application**



# Immigration Status – Massachusetts Health Connector



or immigration status. This information will **only** be used to see if you qualify health for any other purpose. We will not share this information with immigration enforcem

## **Resource: Immigration Toolkit**





## Immigration Status

Application User Guide

#### Table of Contents

Immigration document types

Certificate of U.S. Citizenship (Form N-560 or N-561)

Certificate of Naturalization (Form N-550 or N-570)

Reentry Permit (I-327)

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

Refugee Travel Document (I-571)

Temporary I-551 Stamp (on passport or I-94/I-94A).....

Unexpired.....

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)/O Notice of Action (I-797)/O

How do I enter document

What if I have trouble find

Permanent Resident Card ("Green Card," I-551), you'll need your alien number (also called alien registration or USCIS number) and card number (also called receipt number) from your document. I-551 Permanent Resident Cards (or "Green Cards") are issued to lawful permanent residents. A lawful permanent resident (LPR) or "green card" recipient is a person who isn't a citizen of the U.S., but who's residing in the U.S. under legally recognized and lawfully recorded permanent residence as an immigrant. If you're a lawful permanent resident, you should use this document, if possible.

#### Information Needed:

- Alien Number (USCIS Number) listed under the heading "A#" or "USCIS#."
  - Enter your 8 or 9 digit number into this field in the online application. It will likely begin with an "A" on your document.

NOTE: If your Alien Number is less than 8 digits long, add zeroes to the front of the number so the number of digits is 8 and enter that in the system

> i.e. My Alien Number is 123456, I would enter the following into my online application=

00123456

Use the **Immigration Toolkit** to understand how to enter the immigration information into the application.

## **Additional Helpful Resources**

- Getting Started Guide: <a href="https://www.mahealthconnector.org/start">https://www.mahealthconnector.org/start</a>
- Verification Documents: <a href="https://www.mahealthconnector.org/verification-documents">https://www.mahealthconnector.org/verification-documents</a>
- Immigration Document Types: <u>https://www.mahealthconnector.org/immigration-document-types</u>
- MassHealth website: <a href="https://www.mass.gov/masshealth">https://www.mass.gov/masshealth</a>
- Immigration Categories: <a href="https://www.mass.gov/doc/overview-of-noncitizen-groups-0/download">https://www.mass.gov/doc/overview-of-noncitizen-groups-0/download</a>





## Question

### Select all examples of PRUCOL members

### Noncitizens:

- A. granted suspension of deportation, and whose departure the DHS does not contemplate enforcing
- B. entering the country and receiving an I-94 stamp marked "UHP" on their foreign passport
- C. who have filed an application, petition, or request to obtain a lawfully present status that has been accepted as properly filed, but who have not yet obtained employment authorization and whose departure DHS does not contemplate enforcing
- D. living in the United States in accordance with an indefinite stay of deportation entering the United States with unexpired Nonimmigrant Visas such as B1, B2, J1, or F1 visa



### **Answer**

### Select all examples of PRUCOL members

### Noncitizens:

- A. granted suspension of deportation, and whose departure the DHS does not contemplate enforcing
- B. entering the country and receiving an I-94 stamp marked "UHP" on their foreign passport
- C. who have filed an application, petition, or request to obtain a lawfully present status that has been accepted as properly filed, but who have not yet obtained employment authorization and whose departure DHS does not contemplate enforcing
- D. living in the United States in accordance with an indefinite stay of deportation entering the United States with unexpired Nonimmigrant Visas such as B1, B2, J1, or F1 visa





## Thank you!

