

Basic Benefit Training: Immigrants' eligibility for health benefits

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What we'll cover

- Applying for coverage & eligibility
 - Undocumented immigrants
 - Immigrants who are lawfully present or under color of law
- Red flags that someone is in the wrong coverage
- Maintaining coverage
 - MassHealth redeterminations April 1, 2023-Mar 31 2024
- Resources

Key takeaways

- There is one common application for all the health programs run by MassHealth or the Health Connector
- There are health benefits of some kind available for all low income individuals living in MA regardless of immigration status
- There are comprehensive health benefits for all low income individuals living in MA who are lawfully present or in the US under “color of law”

Health Benefits



- Benefits for US citizens & eligible immigrants
 - MassHealth Standard, CarePlus, CommonHealth & Family Assistance
 - ConnectorCare
- Safety net benefits with no citizenship/immigration requirements
 - Health Safety Net Program (HSN)
 - Children's Medical Security Program (CMSP)
 - MassHealth Limited
 - MassHealth Standard for Pregnant People + 12 months post-partum




Equality: MassHealth coverage for pregnant people

Eligible for MassHealth Standard regardless of immigration status during pregnancy & 12 months post-partum*

* April 2022 increase from 60 days to 12 months post-partum coverage



Simplicity: Eligibility for the Health Connector

- Lawfully Present?
 - There's a list 
 - If you're on it, you have an eligible immigration status
 - If not, you are not eligible
- The list is in your materials Appendix 3 of this document:
 - Understanding Non-citizens' eligibility for health coverage from MassHealth & the Health Connector (March, 2023)

Appendix 3

Lawfully Present Non-Citizens

130 CMR 504.003 (A)(1)(2) and (3); 504.006(A) and (B) (under 65).
130 CMR 518.003(A)(1)(2) and (3); 518.006 (A) and (B) (65 & older).
45 CFR §§155.20 and 152.2; proposed § 155.20 and 42 CFR § 435.4 at 78 Fed. Reg. 4594
(Jan. 22, 2013) (definition of lawful presence); 45 CFR §155.305 (Exchange)
956 CMR § 12.05 (ConnectorCare)

All Qualified and Qualified Barred Non-Citizens are also Lawfully Present. All Lawfully Present non-citizens are eligible for the Connector in the same way as US citizens are. All Lawfully Present children under 19 are eligible for MassHealth in the same way as US citizens and Qualified non-citizens are.

A. Lawfully Present and Qualified or Qualified Barred (as shown in Apx. 1 and 2)

- Lawful permanent resident (LPR/Green Card holder)
- Asylee
- Refugee
- Cuban/Haitian entrant
- Person paroled into the U.S. for at least one year

Complexity: MassHealth

- Eligibility for one of four types of comprehensive MassHealth determined by
 - Four eligible immigration categories: 3 subsets of Lawfully Present immigrants + PRUCOL
 - Five age groups: infant, 1-18, 19 and 20, 21-64, over 65
 - Health status: pregnant, disabled, in need of nursing home/personal care attendant at home services or not
 - Income or income and resources

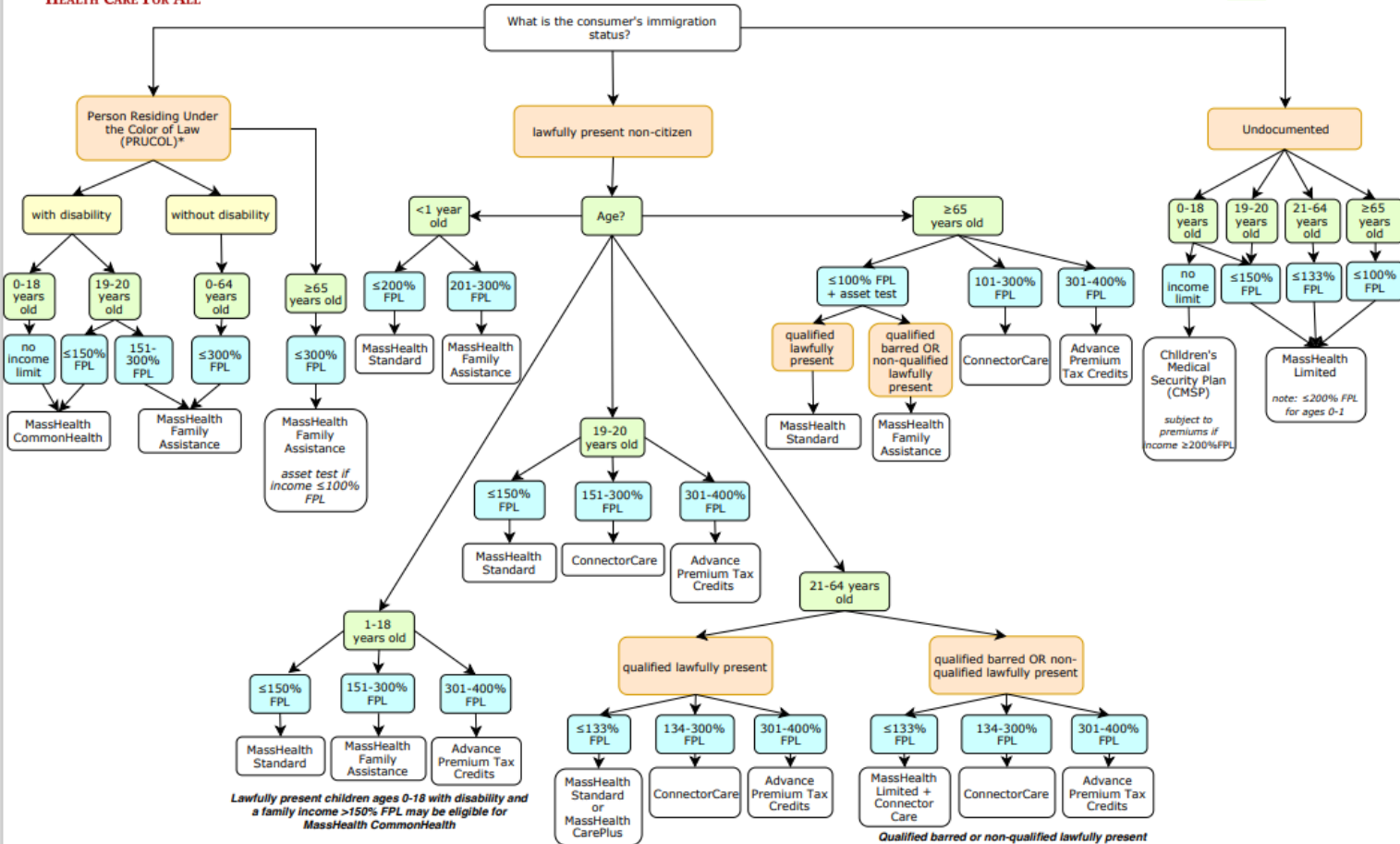


HEALTH CARE FOR ALL

Understanding eligibility of MassHealth and other health benefits

This is intended to be a preliminary guide. For full details, refer to the MassHealth Member Booklet.

immigration status
 disability status
 income
 age



Understanding Non-citizens' eligibility for health coverage, Table 2

+

Immigration Status	Other Eligibility Factors Used in MassHealth ³	MassHealth Eligibility	Connector Eligible ⁴
Qualified –see Appendix 1 for list of Qualified statuses	Eligible for all MassHealth benefits in the same way as US citizens	All Types of MassHealth Coverage	Yes
Qualified Barred and Non-Qualified Lawfully Present , see Appendix 2 for list of Qualified Barred & Appendix 3B for list of Non-Qualified Lawfully Present	Pregnant people & children under age 19 eligible for all MassHealth benefits in the same way as Qualified immigrants	All Types of MassHealth Coverage	Yes
	Young adults 19 & 20 ⁵	MassHealth Standard	
	Disabled or elderly individuals clinically eligible for long term services.	MassHealth Standard or CommonHealth (state-funded) ⁶	
	Disabled adults 21-64 ≤100% FPL, and uninsured elderly 65 or older ≤100% FPL & asset test	Family Assistance	
	Other adults ≤133%	MassHealth Limited	
	Other adults >133%	No	

Immigration Status	Other Eligibility Factors Used in MassHealth ³	MassHealth Eligibility	Connector Eligible ⁴
Nonqualified PRUCOL - see Appendix 4 for list of statuses	Pregnant people ≤200%	MassHealth Standard	No
	Children 0-18 ≤300%	Family Assistance	
	Disabled or elderly individuals medically eligible for long term services ⁷	MassHealth Standard or CommonHealth (state-funded)	
	Other disabled children under 19	CommonHealth	
	Other disabled young adults 19 & 20 ≤150%	CommonHealth	
	Other disabled adults 21-64 ≤100%	Family Assistance	
	Other uninsured elderly ≤100% & asset test; uninsured elderly >100% ≤300% (no asset test)	Family Assistance	
Other – including undocumented non US citizens	Other uninsured adults under 65 ≤300% (including disabled adults >100% & non-disabled young adults 19-20>150%)	Family Assistance	No
	Pregnant people ≤200%	MassHealth Standard	
	Infants ≤200%; Children & Young Adults 1-20 ≤150%; Adults 21-64 ≤133%; Adults 65 or older ≤100% & asset test	MassHealth Limited	
	Children under 19	Children's Medical Security Plan (CMSP)	
	All ages ≤300%	Health Safety Net	
	Enrolled in MassHealth or CommonHealth since 1997 (grandfathered)	MassHealth Standard or CommonHealth	

Safety Net Benefits

- MassHealth Limited:
 - Emergency services only
 - i.e. ambulance, ER, labor & delivery, dialysis, COVID-19
 - Plus Health Safety Net (HSN)
- Children's Medical Security Plan (CMSP):
 - Primary and preventative care only
 - Plus Health Safety Net (HSN)
- Health Safety Net (HSN):
 - Services billed by acute hospitals and community health centers
 - No defined benefits; debt relief
 - 0-150% FPL full HSN; 150-300% FPL partial HSN with a deductible
- **Comprehensive: MassHealth Standard for Pregnant people – during pregnancy and 12 months post-partum



Is it safe for undocumented to apply?

- Same application for MassHealth, Health Connector, Health Safety Net & CMSP
- From page 8 of Member Booklet(Mar 2023):
What non U.S. citizens need to know about applying for MassHealth Limited, MassHealth coverage for pregnant women, CMSP, and the Health Safety Net
Applications and the information on them will be kept confidential. This means that:
 - Names and addresses will not be sent to immigration enforcement officials

EQUALITY FOR KIDS

Pending legislation to provide comprehensive coverage to all children regardless of immigration status.

More information from Health Care For All

www.hcfama.org



Cover All Kids

An Act to Ensure Equitable Health Coverage for Children (HB.1237/SB.740)

Lead Sponsors: Rep. Dave Rogers and Sen. Sal DiDomenico

Why is this legislation needed?

- Approximately 30,000 children and young adults in Massachusetts cannot access the health care they need because of their immigration status. [Dylan](#) is one of these children.
- [Safety net programs](#) currently available to this population have limits on many services, such as mental health and dental care, prescription drugs and durable medical equipment (for example, wheelchairs). Other services are not covered at all, including home health care, eyeglasses, hearing aids and most therapies (for example, ABA, speech-language).
- Medicaid coverage in childhood [has been shown](#) to improve lifelong health, success in school and future earning potential.
- Inadequate coverage can lead to delayed care, worsening or new health conditions and use of more expensive care through emergency departments or longer hospital stays, [including in adulthood](#).
- [Twelve states](#) have passed similar policies: California, Washington, Oregon, Illinois, New York, Washington D.C., New Jersey, Connecticut, Vermont, Rhode Island, Maine and Colorado. Massachusetts and New Hampshire are the only remaining New England states with Medicaid immigration status restrictions for all children.

Why is this a health equity issue?

- MassHealth covers many of the [state's most underserved](#) residents, but the program leaves out certain immigrants, even if they meet all other eligibility criteria.
- Coverage barriers put additional stress on immigrant families, who already face challenges accessing linguistically and culturally responsive care, experience [health disparities](#) and have been [disproportionately impacted](#) by the COVID-19 pandemic.
- Access to comprehensive coverage and care is especially important for children with disabilities, complex health needs or chronic conditions.

What does this legislation do?

Application Tips 1

Key questions to qualify for any benefits - A “No” answer means “No” benefits

- Are you applying for coverage?
- Are you living in Massachusetts?

Key questions for anything but Safety Net benefits – A “No” answer (or silence) means only Safety Net benefits

- If a noncitizen, do you have an eligible immigration status?

Eligible immigrants should supply document info and submit copies of documents

2. The statement is true for all people listed in the household.

8. Are you applying for health or dental coverage for **YOURSELF**? Yes No

If **Yes**, answer all the questions below. If **No**, answer Questions 14 and 15, then go to **Income Information** on page 4.

9. Are you a U.S. citizen or U.S. national? Yes No
If **Yes**, are you a naturalized, derived, or acquired citizen (not born in the U.S.)? Yes No

Alien number _____ Naturalization or citizenship certificate number _____

10. If you are a noncitizen, do you have an eligible immigration status? Yes No. If **No**, go to Question 11.

See page 27, "Immigration Statuses and Document Types," for help. If no or no response, applicants may get only one or more of the following: MassHealth Standard (if pregnant), MassHealth Limited, the Children's Medical Security Plan (CMSP), or the Health Safety Net (HSN).

- a. If **Yes**, do you have an immigration document? Yes No

It may help us to process this application faster if you include a copy of immigration documents for all the individuals who are applying. We will try to verify immigration status through an electronic data match. Please list all the immigration

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STEP 2 Person 1 (continued)

statuses or conditions that have applied to all the individuals on this application since they entered the U.S. If you need more space, attach another sheet of paper.

Status award date (mm/dd/yyyy) _____ (For battered persons, enter the date the petition was approved as properly filed.)

Immigration status _____ Immigration document type _____
Choose one or more document statuses and types from the list on page 27.

Document ID number _____ Alien number _____

Passport or document expiration date (mm/dd/yyyy) _____ Country _____

- b. Did you use the same name on this application that you did to get your immigration status? Yes No

If **No**, what name did you use? First, middle, last, and suffix _____

- c. Did you arrive in the U.S. after August 22, 1996? Yes No

- d. Are you an honorably discharged veteran or active-duty member of the U.S. military, or the spouse or child of an honorably discharged veteran or an active-duty member of the U.S. military? Yes No

- e. **Optional** Are you a victim of severe trafficking, a spouse, child, sibling, or parent of a trafficking victim, a battered spouse, or a child or the parent of battered spouse?

11. Do you live with at least one child younger than age 19, and are you the main person taking care of this child(ren)?

Yes No

Name(s) and date(s) of birth of child(ren) _____

12. Are you living in Massachusetts, and do you either intend to reside here, even if you do not have a fixed address, or have you entered Massachusetts with a job commitment or seeking employment? Yes No

If you are visiting in Massachusetts for personal pleasure or for the purposes of receiving medical care in a setting other than a nursing facility, you must answer **No** to this question.

Application Tips 2

- List preferred language
- Check the noncitizen exception box if no SSN
- If no stable housing
 - Check homeless box and supply a mailing address
 - Use Authorized Designation Form if there is a trusted person to act for you
- Use self-attestation form to report income if no other proof available

Massachusetts Application for Health and Dental Coverage and Help Paying Costs



Supplemental Nutrition Assistance Program (SNAP)

The Supplemental Nutrition Assistance Program (SNAP) is a federal program that helps you buy healthy food each month.

- Check this box if you want this application to be sent to the Department of Transitional Assistance to serve as an application for SNAP benefits. You must read the rights and responsibilities on pages 20-25 and sign on page 26 to proceed with the application.

STEP 1 Person 1. Tell us about yourself. Please print clearly.

We need one adult in the household to be the contact person for your application. Please note that this should be someone who appears on the application, not a third party who wishes to serve as a contact for the applicant(s). Please see the Authorized Representative Designation (ARD) Form at the end of this application to establish a third-party contact.

1. First name, middle name, last name, and suffix			2. Date of birth	
3. What is your email address?				
<input type="checkbox"/> No home address. Note: if you check this box, you must provide a mailing address.				
4. Street address			5. Apartment or unit number	
6. City		7. State	8. ZIP code	9. County
10. Mailing address <input type="checkbox"/> Check if same as home address.			11. Apartment or unit number	
12. City		13. State	14. ZIP code	15. County
16. Phone number		17. Other phone number		18. # of people listed on the application
19. What is your preferred language, if not English? Spoken _____ Written _____				



What proof is required?

- Health Safety Net –proof of identity is required
- Eligible immigration status
 - 1st agency attempts to verify via data match using document ##s
 - If no match, applicant gets 90 days to submit documentary proof
 - Will be eligible based on declared status during this ”reasonable opportunity period”
 - May request an additional 90 day period to submit proof (for cause)

Comparing Connector to MassHealth Immigrant Eligibility Terminology

Connector ACA (Federal law)	MassHealth Federal Medicaid & State Law	Eligible Immigration Status?
Lawfully Present	Qualified (not barred)	Yes
	Qualified Barred	
	Not-Qualified but Lawfully Present	
Not Lawfully Present	Not Lawfully Present but PRUCOL	No
	Undocumented	

Children under age 19

- Children from birth through age 18
- Eligible for MassHealth Standard if **lawfully present**
- Eligible for Family Assistance or CommonHealth if **lawfully present** or **PRUCOL**



Young adults 19 & 20 with income $\leq 150\%$ FPL

- Eligible for MassHealth Standard if **lawfully present**
- Eligible for Family Assistance or CommonHealth if **PRUCOL**



Elderly or disabled adults

Eligible for -

- MassHealth Standard or CommonHealth if **Qualified**
- Family Assistance if **Lawfully Present*** & income is $\leq 100\%$ or **PRUCOL** & uninsured $\leq 300\%$
- ConnectorCare if **Lawfully Present**



*Nov 1, 2021 changes

- Elderly & disabled not Qualified but **Lawfully Present** or **PRUCOL** adults who need long term care or PCA are eligible for state-funded MassHealth Standard if-
 - Meet Nursing Home level of care, or
 - Need help with at least 2 ADLs from Personal Care Attendant in home (PCA)
- State-funded MassHealth Standard covers not just Nursing Homes & PCA but other LTSS too e.g. Adult Day Health
- This is new & not yet well known to providers!

Other adults

- Eligible for MassHealth Standard or CarePlus if **Qualified**
- Eligible for ConnectorCare if **Lawfully Present***
- Eligible for Family Assistance if uninsured & **PRUCOL**



When Limited is a red flag

- If one of these people has MassHealth Limited, you know there is a mistake
 - Qualified immigrant e.g. LPR for 5 yrs; Refugee/Asylee; Cuban-Haitian Entrant
 - Lawfully present child under 19
 - Lawfully present young adult (19-20) income 150% FPL or less
 - Person who is pregnant or who was eligible for MassHealth while pregnant less than 12 mo ago

Qualified (never barred)

- Refugee, granted asylum, deportation withheld
- Cuban-Haitian entrant
- Trafficking victim
- Veteran/Active duty, spouse & dependents
- Iraqi/Afghan Special Immigrant
- American Indian (born in Canada or Mexico)
- Amerasian (born in Vietnam during war)
- Afghan Humanitarian Parole
- Ukrainian Humanitarian Parole

Qualified OR Qualified Barred

- Lawful Permanent Resident (LPR)
- Paroled into US for 1 year or more
- Battered immigrant with pending petition (including child of battered parent or parent of battered child if not living with abuser)

Qualified Barred: 5-year bar

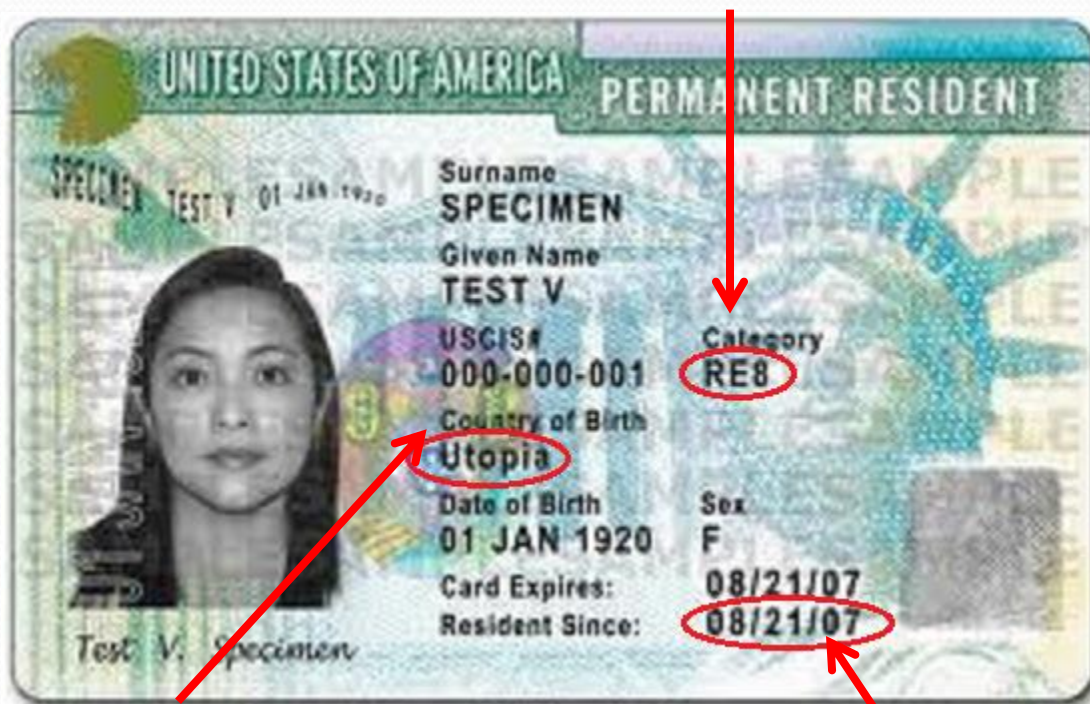
- 5 year bar applies to LPR, Paroled, Battered **unless--**
 - In status above for 5 or more years
 - In never-barred status before becoming LPR (e.g. refugee, asylee, etc)
 - LPR with never-barred status (e.g. Veterans, some Cuban-Haitian entrants, Iraqi/Afghan SI; Amerasians; some American Indians)
 - Arrived in US prior to 8/22/96 & continuously present until getting status above

Humanitarian parole

- Humanitarian parole
 - Paroled for any length of time, Lawfully Present
 - Paroled for at least one year, Qualified but subject to 5 year bar
- Cuban-Haitian Entrants paroled into US after 1980- Qualified
- Eligible for same benefits as refugees (Qualified)
 - Afghan humanitarian parole July 31, 2021-Sept 30, 2022 & family members paroled after Sept 30, 2022
 - Ukrainian humanitarian parole Feb 24, 2022-Sept 30, 2022 & family members paroled after Sept 30, 2022

Lawful Permanent Resident Card

Does code show status not subject to 5 yr bar?



If country is Cuba, Haiti, Iraq, Afghanistan, Vietnam, Ukraine, Canada –does exception apply?

Is date 5 or more years ago?

Exercise #1

- Mrs. Gutierrez is age 32 & came from El Salvador 6 years ago with a green card.
 - Is she Qualified?
- What if she has lived in US for 6 years but only got her green card 3 years ago?
 - Is she Qualified?
- What if you learn she does not have green card but has had a work permit with TPS for 6 years?
 - Is she Qualified?



Who is lawfully present? Page 1

- All Qualified & Qualified Barred are also Lawfully Present
 - Lawful Permanent residents, granted parole & battered immigrants (NO 5 yr bar for lawfully present)
 - Asylees & refugees, etc.
- AND people with many more statuses including:
 - Temporary Protected Status (TPS)
 - U-visa status
 - Other non-immigrants like specialty workers (H-visa), Religious workers (R-visa) & foreign students/scholars (F, J, or M-visas)

Who is lawfully present? Page 2

- Certain applicants for a status
 - Sometimes only with a work permit e.g. asylum applicants (or no work permit but under 14 & application pending more than 180 days)
 - Sometimes no work permit required e.g. applicant for Special Immigrant Juvenile status
- Most people with employment authorization with an EAD code beginning with C but not all
 - DACA (EAD Code C33) excluded from definition of LP

Exercise #2

- Joao is 15 years-old and he entered the United States without inspection 8 years ago.
 - Is he Lawfully Present?
- Joao applies for Special Immigrant Juvenile Status and his case is pending.
 - Is he Lawfully Present?



Lawfully present & Connector

- Only Lawfully Present non-citizens are eligible to obtain insurance through Connector
- Connector does not use terms Qualified or PRUCOL
- Connector does not have 5-year bar
- LP with income under 133% FPL will be eligible for both ConnectorCare AND MassHealth Limited
 - Separate notices from each program

ConnectorCare Tips

- You must file taxes for any year in which you get ConnectorCare even if your income is very low & you never filed before
- You must say on the application that you agree to file a tax return if you get ConnectorCare
- You must take action to enroll in a ConnectorCare plan by a deadline or you won't have coverage
 - New April 2022: Option to be auto-enrolled if eligible for a plan with no premium contribution

Exercise #3

- Ms. O'Neil is 29 & was battered by her LPR Spouse. She and her 7 year-old son left the abuser last year. Ms. O'Neil has a pending VAWA petition. They are Lawfully Present but not Qualified.
 - Can 7 year old get MH Standard?
 - Can Ms. O get MH Standard?
 - Can Ms O get ConnectorCare?



PRUCOL

- State-funded, open-ended category for people in U.S. “under color of law” (not Lawfully Present) including-
- Deferred Action Childhood Arrivals (DACA) aka Dreamers
- Applicants for asylum who don’t have work permits yet
- Others not on Lawfully Present list but known to USCIS & not contemplated for removal
 - Feb 2022 Eligibility Ops Memo with improved info to identify & verify PRUCOL

PRUCOL:Release from Detention

- Eligibility Operations Memo 22-04 Verification of PRUCOL, (Feb 2022):

Some applicant or members may have an I-385 “Alien Booking Record.” This form is generally not enough to verify immigration status on its own. When a person is released from DHS border patrol, they will be sent additional documents that should be submitted, along with the Form I-385 to verify immigration status. If an applicant or member has not been sent additional documents, the applicant must submit a written affidavit explaining 1) the applicant or member’s circumstances, 2) why no further documents have been received, and 3) whether the individual has applied for an immigration status.

Exercise #4

- Susan is 26, lives with her family, goes to school & has no income.
- She applied for asylum 8 months ago.
 - What is her eligibility status?
- Susan gets her work permit
 - Does this change her eligibility status?
- Susan is granted asylum
 - Does this change her eligibility status?



Trouble shooting tips

- Get copy of client's immigration documents
- Use tools in materials to figure out eligible benefits status: using MassHealth terms
- Ask MassHealth/Connector what computer shows is client's immigration eligibility status
- Find out what information was submitted to MassHealth/Connector & how it was verified
- Get info corrected informally or appeal

MassHealth redeterminations April 1, 2023-March 31, 2024

- From Mar 18, 2020-Mar 31, 2023 almost no one enrolled in MassHealth lost coverage
 - 800,000 “protected” from loss of coverage
 - One year to complete renewal and redetermine eligibility
 - Report address changes to MassHealth!
 - Open mail from MassHealth
 - A blue envelope dated April 1, 2023 or later requires action

Resources

- Help applying, renewing, signing up for a plan from the HCFA Helpline, the Mayor's Health Line and certified application counselors & Navigators.
mahealthconnector.org/enrollment-assisters
- Legal services from GBLS, HLA and other legal aid
masslrf.org/en/home
- MassHealth Enrollment Centers: appointment scheduler
<https://www.mass.gov/info-details/schedule-an-appointment-with-a-masshealth-representative>
- MassHealth Customer Service 800-841-2900