



Medical Assistance Programs for Immigrants and Immigrant Crime Victims: State by Stateⁱ

Federally funded Medicaid and the Child Health Insurance Program (CHIP) are available to qualified immigrants who entered the United States before August 22, 1996. These programs are also available to immigrants who have had “qualified immigrant” status for five years or longer. Some immigrants are exempt from the five-year bar to Medicaid and CHIP.ⁱⁱ Although access to Medicaid and CHIP can be limited by deeming under state law, there are broad exceptions to deeming for battered immigrants.ⁱⁱⁱ

States	Qualified Immigrants ^{iv}	PRUCOL ^v	Lawfully Present ^{vi}	VAWA ^{vii}	Available to Undocumented Immigrants
Alabama	None	None	None	None	None
Alaska	Yes* Can receive chronic and acute medical assistance if they have a terminal illness, cancer, diabetes, seizure disorders, mental illness, hypertension, or certain other medical conditions.	Yes* Can receive chronic and acute medical assistance if they have a terminal illness, cancer, diabetes, seizure disorders, mental illness, hypertension, or certain other medical conditions.	Yes* Can receive chronic and acute medical assistance if they have a terminal illness, cancer, diabetes, seizure disorders, mental illness, hypertension, or certain other medical conditions.	Yes* Can receive chronic and acute medical assistance if they have a terminal illness, cancer, diabetes, seizure disorders, mental illness, hypertension, or certain other medical conditions.	None
Arizona	None	None	None	None	None
Arkansas	Yes Prenatal care	Yes Prenatal care	Yes Prenatal care	Yes Prenatal care	Yes Prenatal care
California	Yes	Yes	Yes Only for U-visa applications, U-visa holders, and survivors of human trafficking.	Yes	Yes Prenatal care, long-term care, breast and cervical cancer treatment, and certain other long-term medical services are available.
Colorado	Yes* Prenatal care up to 133% FPL***. Benefits for seniors.*	Yes* Prenatal care up to 133% FPL***. Benefits for seniors.*	Yes* Prenatal care up to 133% FPL***. Benefits for seniors.*	Yes* Prenatal care up to 133% FPL***. Benefits for seniors.*	None

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States	Qualified Immigrants ^{iv}	PRUCOL ^v	Lawfully Present ^{vi}	VAWA ^{vii}	Available to Undocumented Immigrants
Connecticut	Yes Children & pregnant women and residents of nursing homes*	Only once lawfully present	Yes Children & pregnant women and residents of nursing homes*	Yes Children & pregnant women and residents of nursing homes*	None
Delaware	Yes Children & pregnant women.	Only once lawfully present	Yes Children & pregnant women.	Yes Children & pregnant women.	None
District of Columbia	Yes Adults: eligible for health care through DC Health Care Alliance. Children: eligible for health care through the Immigrant Children's Program.	Yes Adults: eligible for health care through DC Health Care Alliance. Children: eligible for health care through the Immigrant Children's Program.	Yes Adults: eligible for health care through DC Health Care Alliance. Children: eligible for health care through the Immigrant Children's Program.	Yes Adults: eligible for health care through DC Health Care Alliance. Children: eligible for health care through the Immigrant Children's Program.	Yes Adults: eligible for health care through DC Health Care Alliance. Children: eligible for health care through the Immigrant Children's Program.
Florida	Yes* Some counties provide health care for undocumented children. In the remaining counties, undocumented children can purchase health care at full-cost through Health Kids and MediKids	Yes* Some counties provide health care for undocumented children. In the remaining counties, undocumented children can purchase health care at full-cost through Health Kids and MediKids.	Yes* Some counties provide health care for undocumented children. In the remaining counties, undocumented children can purchase health care at full-cost through Health Kids and MediKids	Yes* Some counties provide health care for undocumented children. In the remaining counties, undocumented children can purchase health care at full-cost through Health Kids and MediKids.	Yes Some counties provide health care for undocumented children. In the remaining counties, undocumented children can purchase health care at full-cost through Health Kids and MediKids.
Georgia	None	None	None	None	None
Hawaii**	Yes* Children and pregnant women	Yes* Children and pregnant women	None	Yes* Children and pregnant women	None
Idaho	None	None	None	None	None
Illinois	Yes* Prenatal care; abused adults; "All Kids" open to all children under 300% FPL***.	Yes Prenatal care; "All Kids" open to all children under 300% FPL***.	Yes Prenatal care; "All Kids" open to all children under 300% FPL***. Asylum applicants and torture victims get 24 months of continuous care.	Yes* Prenatal care; abused adults; "All Kids" open to all children under 300% FPL***.	Yes Prenatal care; "All Kids" open to all children under 300% FPL***. Asylum applicants and torture victims get 24 months of continuous care.
Indiana	None	None	None	None	None
Iowa	Yes Children only.	None	Yes Children only.	Yes Children only.	None

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States	Qualified Immigrants ^{iv}	PRUCOL ^v	Lawfully Present ^{vi}	VAWA ^{vii}	Available to Undocumented Immigrants
Kansas	None	None	None	None	None
Kentucky	Yes Children only.	None	Yes Children only.	Yes Children only.	None
Louisiana	Yes Prenatal care	Yes Prenatal care	Yes Prenatal care	Yes Prenatal care	Yes Prenatal care
Maine	Yes Children and pregnant women	None	Yes Children and pregnant women	Yes Children and pregnant women	None
Maryland	Yes Children and pregnant women, Limited coverage is available to low- and moderate-income Montgomery County residents, regardless of immigration status.	Yes Children and pregnant women, Limited coverage is available to low- and moderate-income Montgomery County residents, regardless of immigration status.	Yes Children and pregnant women, Limited coverage is available to low- and moderate-income Montgomery County residents, regardless of immigration status.	Yes Children and pregnant women, Limited coverage is available to low- and moderate-income Montgomery County residents, regardless of immigration status.	Yes Limited coverage is available to low- and moderate-income Montgomery County residents, regardless of immigration status.

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<p>Massachusetts</p>	<p>Yes* Pregnant women receive the full scope of services; seniors and persons with disabilities up to 100% FPL*** (excluding long term care); children eligible up to 300% FPL***. All children regardless of immigration status are eligible for primary and preventive care through the Children’s Medical Security Plan. Lawfully present nonpregnant adults are eligible for ConnectorCare; those under 300% FPL who purchase coverage through the Marketplace and receive federal subsidies may qualify for additional state subsidies and cost-sharing equivalent to the levels that were available under Commonwealth Care.</p>	<p>Yes* Pregnant women receive the full scope of services; seniors and persons with disabilities up to 100% FPL*** (excluding long term care); children eligible up to 300% FPL***. All children regardless of immigration status are eligible for primary and preventive care through the Children’s Medical Security Plan. Other adults who are PRUCOL but not on HHS’s lawfully present list are eligible for MassHealth benefits (excluding long-term care) with the same premium contributions required for ConnectorCare.</p>	<p>Yes* Pregnant women receive the full scope of services; seniors and persons with disabilities up to 100% FPL*** (excluding long term care); children eligible up to 300% FPL***. All children regardless of immigration status are eligible for primary and preventive care through the Children’s Medical Security Plan. Lawfully present nonpregnant adults are eligible for ConnectorCare; those under 300% FPL who purchase coverage through the Marketplace and receive federal subsidies may qualify for additional state subsidies and cost-sharing equivalent to the levels that were available under Commonwealth Care.</p>	<p>Yes* Pregnant women receive the full scope of services; seniors and persons with disabilities up to 100% FPL*** (excluding long term care); children eligible up to 300% FPL***. All children regardless of immigration status are eligible for primary and preventive care through the Children’s Medical Security Plan. Lawfully present nonpregnant adults are eligible for ConnectorCare; those under 300% FPL who purchase coverage through the Marketplace and receive federal subsidies may qualify for additional state subsidies and cost-sharing equivalent to the levels that were available under Commonwealth Care.</p>	<p>Yes* Prenatal care; all children eligible for primary and preventative care through Children’s Medical Security Plan. Full-scope medical services for pregnant women up to 200% FPL, regardless of their immigration status.</p>
<p>Michigan</p>	<p>Yes Prenatal care</p>	<p>Yes Prenatal care</p>	<p>Yes Prenatal care</p>	<p>Yes Prenatal care</p>	<p>Yes Prenatal care</p>



States	Qualified Immigrants ^{iv}	PRUCOL ^v	Lawfully Present ^{vi}	VAWA ^{vii}	Available to Undocumented Immigrants
Minnesota	Yes* Children and prenatal care available, regardless of immigration status; eligible for MinnesotaCare except for home-based services,	Yes* Children and prenatal care available, regardless of immigration status; eligible for MinnesotaCare except for home-based services,	Yes* Children and prenatal care available, regardless of immigration status; eligible for MinnesotaCare except for home-based services,	Yes* Children and prenatal care available, regardless of immigration status; eligible for MinnesotaCare except for home-based services,	Yes* Prenatal care; services from the Center for Victims of Torture
Mississippi	None	None	None	None	None
Missouri	None	None	None	None	None
Montana	Yes* Children only.	Yes* Children only.	Yes* Children only.	Yes* Children only.	None
Nebraska	Yes Children; pregnant women; prenatal care	Yes Children; pregnant women; prenatal care	Yes Children; pregnant women; prenatal care	Yes Children; pregnant women; prenatal care	Yes Prenatal care
Nevada	None	None	None	None	None
New Hampshire	None	None	None	None	None
New Jersey	Yes* Children and pregnant women; those in Medicaid-certified nursing homes prior to Jan. 29, 1997 remain eligible for nursing home care.	Yes* Children and pregnant women; those in Medicaid-certified nursing homes prior to Jan. 29, 1997 remain eligible for nursing home care.	Yes* Children and pregnant women	Yes* Children and pregnant women	Yes* NJ Family Care Advantage available to children with family income over 350% FPL*** with premium contribution "buy-in"; limited funds for prenatal care up to 200% FPL***
New Mexico	Yes Children; pregnant women; qualified battered immigrants	Yes Entered before 08/22/96	Yes Children; pregnant women; qualified battered immigrants	Yes Children; pregnant women; qualified battered immigrants	None
New York	Yes	Yes	Yes Prenatal care; all children have access to "Child Health Plus"	Yes	Yes Prenatal care; all children have access to "Child Health Plus"
North Carolina	Yes* Children and pregnant women	Yes* Children and pregnant women	Yes* Children and pregnant women	Yes* Children and pregnant women	None



States	Qualified Immigrants ^{iv}	PRUCOL ^v	Lawfully Present ^{vi}	VAWA ^{vii}	Available to Undocumented Immigrants
North Dakota	None	None	None	None	None
Ohio	Yes* Persons who were lawfully present in the US on Aug. 22, 1996, and some individuals under an order of supervision.	Yes* Persons who were lawfully present in the US on Aug. 22, 1996, and some individuals under an order of supervision.	Yes* Persons who were lawfully present in the US on Aug. 22, 1996, and some individuals under an order of supervision.	Yes* Persons who were lawfully present in the US on Aug. 22, 1996, and some individuals under an order of supervision.	None
Oklahoma	Yes Prenatal care	Yes Prenatal care	Yes Prenatal care	Yes Prenatal care	Yes Prenatal care
Oregon	Yes Children and prenatal care for all in 14 counties.	Yes Children and prenatal care for all in 14 counties.	Yes* Children only.	Yes Children and prenatal care for all in 14 counties.	Yes Prenatal care (14 counties only)
Pennsylvania	Yes TANF and GA-related medical assistance; children; pregnant women	Yes Children and pregnant women	Yes Children and pregnant women	Yes TANF and GA-related medical assistance; children; pregnant women	None
Rhode Island	Yes* Prenatal care; children; those who entered before 08/22/96 and were residents of RI before 07/01/97	Yes* Prenatal care; children; those who entered before 08/22/96 and were residents of RI before 07/01/97.	Yes* Prenatal care; children; those who entered before 08/22/96 and were residents of RI before 07/01/97.	Yes* Prenatal care; children; those who entered before 08/22/96 and were residents of RI before 07/01/97.	Yes Prenatal care
South Carolina	None	None	None	None	None
South Dakota	None	None	None	None	None
Tennessee	Yes Prenatal care	Yes Prenatal care	Yes Prenatal care	Yes Prenatal care	Yes Prenatal care
Texas	Yes Prenatal care; children can access CHIP without any five-year bar; adults who entered the country after 08/22/96 are barred even after they have completed the five-year	Yes Prenatal care; children can access CHIP	Yes* Prenatal care; children can access CHIP	Yes Prenatal care; children can access CHIP without any five-year bar; adults who entered the country after 08/22/96 are barred even after they have completed the five-year bar	Yes Prenatal care

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States	Qualified Immigrants ^{iv}	PRUCOL ^v	Lawfully Present ^{vi}	VAWA ^{vii}	Available to Undocumented Immigrants
Utah	None	None	None	None	None
Vermont	Yes Children and pregnant women	None	Yes Children and pregnant women	Yes children and pregnant women	None
Virginia	Yes* Children and pregnant women only; those who were receiving long term care on 06/30/97.	Yes* Children and pregnant women only; those who were receiving long term care on 06/30/97.	Yes* Pregnant women only.	Yes* Children and pregnant women only; those who were receiving long term care on 06/30/97.	None
Washington	Yes* Prenatal care; seniors and persons who are disabled may be eligible for a limited medical care services program; health care for children in households with income below 200% FPL***; if children live in households with income between 200 – 300% FPL***, they must pay premiums.	Yes* Prenatal care; seniors and persons who are disabled may be eligible for a limited medical care services program; health care for children in households with income below 200% FPL***; if children live in households with income between 200 – 300% FPL***, they must pay premiums.	Yes* Prenatal care; health care for children in households with income below 200% FPL***; if children live in households with income between 200 – 300% FPL***, they must pay premiums.	Yes* Prenatal care; seniors and persons who are disabled may be eligible for a limited medical care services program; health care for children in households with income below 200% FPL***; if children live in households with income between 200 – 300% FPL***, they must pay premiums.	Yes Prenatal care; health care for children in households with income below 200% FPL***; if children live in households with income between 200 – 300% FPL***, they must pay premiums.
West Virginia	None	None	None	None	None
Wisconsin	Yes Children and pregnant women; prenatal care	Yes Prenatal care	Yes* Children and pregnant women; prenatal care	Yes* Children and pregnant women; prenatal care	Yes Prenatal care
Wyoming	Yes* Children and pregnant women	None	Yes* Children and pregnant women	Yes* Children and pregnant women	None
Puerto Rico	None	None	None	None	None
Guam	None	None	None	None	None

* See exceptions and bars to eligibility - National Immigration Law Center, Medical Assistance Programs for Immigrants in Various States, July 2012, available at: <http://www.nilc.org/guideupdate.html>

** Children and pregnant women receive health care if they are residents of the Freely Associated States (Marshall Islands, Micronesia, and Palau).

*** **FPL** – “federal poverty level,” as determined by the U.S. Department of Health and Human Services’ poverty guidelines (the guidelines for 2012 are available at <http://aspe.hhs.gov/poverty/12poverty.shtml>).

ⁱThis chart was developed by Leslye Orloff and Benish Anver on March 12, 2013.

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ⁱⁱ **Immigrants exempt from the five-year bar:** qualified immigrants who first entered the United States before August 22, 1996; refugees; asylees; victims of trafficking; Amerasians; Cuban / Haitians entrance; veterans and immigrants on active military duty and their spouses, their surviving spouses (provided they do not remarry) and unmarried children under the age of 21 years old; and immigrants granted withholding of deportation.

ⁱⁱⁱ **Deeming**– in some cases, a sponsor’s income and/or resources may be added to the immigrant’s in determining eligibility. Exceptions from deeming may apply.

When an immigrant’s family member sponsors her to receive lawful permanent residency in the United States, the sponsoring family member must sign and file an affidavit of support with DHS. This affidavit states that the sponsor is willing to be financially responsible for that immigrant as the immigrant’s sponsor. When an immigrant with a sponsor affidavit filed on her behalf applies for public benefits, deeming rules require that the benefits granting agency assume, for the purposes of determining income eligibility for benefits, that the immigrant has full access to the income and assets of her sponsor. It is often the case that these rules render the vast majority of immigrants with sponsor affidavits ineligible to receive public benefits. Previously, battered immigrants who were sponsored by their abusive spouses were often denied public benefits because it was assumed that they had full access to their spouse’s income. Some battered immigrants can now be excused from “deeming” requirements for 12 months if there is a connection between the abuse and the need for the benefit. Extensions of the 12-month time period are available.

Immigrants excused from deeming include:

- VAWA self-petitioners
- VAWA cancellation of removal or suspension of deportation applicants
- Battered immigrants whose spouses or parents filed family based visas for them
- Immigrants who obtained their green card through a family based visa petition and who were battered before and/or obtaining lawful permanent resident status
- Immigrants who filed new affidavits of support (I-864) after 12/5/1999

In addition to victims of domestic violence, the following individuals are also exempt from deeming requirements:

- Persons who have become U.S. citizens

- Persons with 40 quarters work history (This is equivalent to about 10 years of work.)
- Spouses or children of U.S. citizens or lawful permanent residents with 40 quarters of work history
- To meet the 40 quarter requirement, immigrant children can count the quarters of their parents and immigrants can count the quarters of their spouses, unless they divorce.
- Immigrants facing hunger or homelessness
- Immigrants whose sponsor is dead
- Refugees
- Persons granted asylum (i.e. – asylees)

iv **Qualified Immigrants**– are: (1) lawful permanent residents (LPRs); (2) refugees, asylees, persons granted withholding of deportation/removal, conditional entry (in effect prior to Apr. 1, 1980), or paroled into the U.S. for at least one year; (3) Cuban/Haitian entrants; (4) battered spouses and children with a pending or approved (a) self-petition for an immigrant visa, or (b) immigrant visa filed for a spouse or child by a U.S. citizen or LPR, or (c) application for cancellation of removal/suspension of deportation, whose need for benefits has a substantial connection to the battery or cruelty (parent/child of such battered child/spouse is also “qualified”); and (5) victims of trafficking and their derivative beneficiaries who have obtained a T visa or whose application for a T visa sets forth a *prima facie* case. (A broader group of trafficking victims who are certified by or receive an eligibility letter from the Office of Refugee Resettlement are eligible for benefits funded or administered by federal agencies, without regard to their immigration status.) See National Immigration Law Center (NILC), Medical Assistance Programs for Immigrants in Various States, July 2012, available at: <http://www.nilc.org/guideupdate.html> (full details of programs available in states provided by NILC).

v **PRUCOL or Permanently Residing in the U.S. Under the Color of Law**– is not an immigration status, but a benefit eligibility category. The term, which generally means that U.S. Citizenship and Immigration Services is aware of a person’s presence, but has no plans to deport/remove him or her, has been interpreted differently depending on the benefit program and jurisdiction.

vi **Lawfully present** – means the person is lawfully present in the U.S. and meets the Medicaid state residency requirement. Lawfully present immigrants include “qualified” immigrants and individuals: paroled into the U.S. for less than a year; with a valid nonimmigrant status (e.g., citizens of Micronesia, Marshall Islands, and Palau, and survivors of serious crimes cooperating with law enforcement in prosecuting the perpetrators); granted withholding of removal under the Convention Against Torture, temporary protected status (TPS), deferred enforced departure (DED), deferred action; family unity, or temporary resident status; with approved visa petition who have filed an application to adjust to lawful permanent residence; granted employment authorization based on application for asylum or withholding of removal (or, if under 14, application pending for over 180 days), TPS, registry, legalization under IRCA (1986 law), adjustment under LIFE Act, suspension of deportation/cancellation of removal, or based on an order of supervision; and children who have applied for Special Immigrant Juvenile Status.

vii **Violence Against Women Act (VAWA)** – includes: 1. VAWA self-petitioners, as defined by INA § 101(a)(51); 2. VAWA cancellation of removal, INA § 240A; 3. VAWA suspension of deportation, INA § 244(a)(3)(as in effect prior to March 31, 1997); 4. An immigrant who has been subjected to

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battering or extreme cruelty, whose spouse or parent filed a family based visa petition for them, which is pending and sets out a prima facie case for approval or has been approved. The battery and extreme cruelty could have been perpetrated by the spouse or parent or a member of the spouse or parent's family residing in the same household as the victim. All immigrants applying for benefits under VAWA must demonstrate a substantial connection between the battering or extreme cruelty and the need for benefits.

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