

Who Qualifies?
Non-Financial Rules

Section 2

Virginia Residency

- ☛ Applicants **must live in Virginia**
- ☛ **Self-declaration** on the application.
No proof of residency is required
- ☛ Even homeless people can apply



Section 2

Age Requirements

- ☛ For **MedEx: 19 – 64** (age out at 65)
- ☛ For **FAMIS/FAMIS Plus: 0 – 18** (age out at 19)
- ☛ For **Medicaid for Former Foster Youth: 19 – 25** (age out at 26)
- ☛ For **LIFC: applicant must live with a child under age 18** (or an 18-year-old who will graduate from secondary school or a GED program by age 19)

Social Security Numbers

- ☞ Social Security Numbers (SSN) **are required** for most applicants **seeking coverage**.
 - If an applicant does not yet have a SSN, s/he should be ready to provide proof that one was requested
 - Certain immigrants are not required to get a SSN (*including undocumented pregnant people applying for FAMIS Prenatal*)
- ☞ The application does **ask for SSNs of non-applicants** in the household, but giving this information is **voluntary**.
 - Helps with verifying income.
 - Providing a non-applicant's SSN is not required and not listing them will not affect the eligibility of anyone else on the application

Sections 2 and 5

Assignment of Rights from Third-Party Payments

- ☞ Virginia's Medicaid/FAMIS programs require that the applicant assign any rights to **third party payments** to the state.
 - *For example: a personal injury settlement received by an enrollee would be assigned to Virginia to reimburse the state for any medical bills paid for the injury.*
- ☞ A family or individual agrees to this by signing the application

Section 2

Having Other Insurance

- ☞ Those covered by the MedEx, FAMIS Plus, Medicaid for Pregnant Women, LIFC, and FFC may have **other health insurance**.
 - Medicaid can pay for care the other insurance does not cover (secondary payer).
- ☞ If it is more **cost-effective**, Medicaid **will pay premiums** for an eligible individual's **employer coverage**.
 - This payment is called **Health Insurance Premium Payment (HIPP)**. The HIPP program is sometimes called "Premium Assistance."
- ☞ Health Insurance Marketplace enrollees **cannot have both Medicaid and financial** help through the Marketplace.

Sections 2 and Section 3 - HIPP

Having Other Insurance: FAMIS, FAMIS MOMS, and FAMIS Prenatal

- ☛ The applicant **cannot** have current “**creditable**” health insurance
 - “Creditable” health insurance includes most group and individual insurance plans. It *does not* include very limited policies such as accident-only, cancer-only, or dental-only plans.

Section 2

Residents of Institutions

- ☛ **Inmates in a public institution** (e.g., juvenile detention center or jail), who meet eligibility requirements, are eligible for Medicaid coverage for **inpatient hospitalizations**.
 - The Virginia Departments of Corrections and Juvenile Justice are working to make sure eligible individuals become enrolled.
 - Cover Virginia maintains a special unit, the Cover Virginia Incarcerated Unit (CVIU), to receive and process applications from incarcerated Virginians
- ☛ Children **under age 21 who are inpatients** in an **institution for the treatment of mental disease (IMD)** are **not eligible for FAMIS**.
- ☛ Adults **between the ages of 21 and 65** who are **patients in an IMD**, are **not eligible for Medicaid**.

Section 2

Citizenship or Immigration Status

- ☛ **Non-pregnant adult** applicants for Medicaid must be either **U.S. Citizens** or in certain “**qualified**” **immigrant categories**.
 - The most common status is **Legal Permanent Resident (LPR)**, sometimes called a “green-card holder.”
- ☛ **Refugees & Asylees** who meet income requirements may be eligible for the first 5-7 years that they are in the U.S.
- ☛ **U.S. Citizen** or **lawfully-residing children** who meet Medicaid/FAMIS income guidelines can qualify for coverage.
- ☛ **Pregnant Individuals – Undocumented** pregnant people who meet the income guidelines may qualify for **FAMIS Prenatal**. **Lawfully-residing** pregnant people may qualify for FAMIS MOMS or MPW.

Section 2

LPRs Who Arrived After 8/22/96

To qualify for Medicaid, most **Lawful Permanent Resident adults (LPRs, “green-card holders”)** must have lived **legally in the U.S. for 5 years or more.**



- ☛ Lawfully-residing immigrants who do not meet this “5-year bar” requirement may be eligible for:
 - Subsidized coverage through the **Health Insurance Marketplace** (even if they have income below 138% FPL!)
 - Emergency Medicaid
- ☛ Exception: **Veterans** or **active-duty military immigrants**, and their families are **exempt** from the requirement to have been in the U.S. for 5 years.

Section 2

Special Note: Eligibility for Afghan or Ukrainian Humanitarian Parolees Entering the U.S.

- ☛ Individuals coming to the U.S. from these countries will likely have one of 3 immigration status types:
 - Special Immigrant Visa (SIV)
 - Special Immigrant Parolee (SI/SQ)
 - Humanitarian Parolee
- ☛ Due to recent federal policy changes, these individuals are **not subject to the 5-year residency requirement (“5-year bar”)**, even if they have Humanitarian Parolee status.

Immigrants Without Legal Status *(except Pregnant People)*

- ☛ **Not eligible** for Medicaid/FAMIS.
- ☛ **Not eligible** for coverage on the Marketplace.
- ☛ May be eligible for **Emergency Medicaid** to cover a medical emergency (e.g. Dialysis).
 - Emergency Medicaid only covers the medical emergency, not ongoing care.
- ☛ DACA recipients are considered undocumented immigrants for the purposes of eligibility for Medicaid/FAMIS.

Section 2

Important Notes for Families with Immigrant Members

- When a parent applies for coverage for a child, the parent's immigration status must be provided only if that parent is also applying for coverage.
- Families that contain immigrants may be hesitant to apply for Medicaid/FAMIS due to concerns over being labeled a "public charge."
- A new Public Charge rule went into effect on December 23, 2022. It stresses that:
 - Enrollment in these programs will **not** impact future immigration status, unless the person is receiving institutional long-term care (excluding home-and community-based care);
 - A child/family member's receipt of benefits **cannot** be used against his/her family member who is attempting to gain admission into the US.

Citizenship, Identity, and Immigration Status

- Applicants' identity, and citizenship and/or immigration status will be verified electronically.
- If the information provided on the application cannot be verified electronically and the applicant is otherwise eligible for coverage, s/he will be **enrolled in coverage and will have 90 days to provide documentation** verifying citizenship, identity and/or immigration status.
 - If applicant fails to provide documents within 90 days, coverage will be cancelled.

Section 2

Double-Check Application Information!

- A person's **name, date of birth**, and other information provided on the application must be accurate and must match any documentation that person provides to verify identity, citizenship, or immigration status.
 - Example: The birthdate for an applicant born on January 7, 2004, should be written 01/07/04, rather than 07/01/04.*
- If a person has a hyphenated last name, it is important to make certain **both last names** are included on an application and written the same as on the person's documents verifying identity or immigration status.
