

## Who Qualifies? *Non-Financial Rules*

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### Virginia Residency

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



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### Social Security Numbers

- Social Security Numbers (SSN) **are required for most applicants seeking coverage.**
  - If an applicant has not yet applied for a SSN, s/he should be ready to provide proof that one was requested.
  - **Local DSS** caseworkers will help people get a SSN if one is necessary.
  - **Many non-citizens don't have – and can't get – a SSN, but they can still get Medicaid.**
- The application **asks 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

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### 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

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### 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
- Adults **between the ages of 21 and 65** who are **patients in an IMD**, are **not eligible to apply for Medicaid while in the facility**. *Note: If they have Medicaid, upon entry they will be switched to Fee-For-Service.*

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### 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 **Lawful Permanent Resident (LPR)**, sometimes called a "green-card holder."
- **Refugees, Asylees, and those with humanitarian status** from certain countries who meet income requirements may be eligible for the first 7 years that they are in the U.S.
- **Unauthorized immigrants** who are otherwise qualified (income, resources, residency) may be eligible for Medicaid to cover **emergency services only**.

*\*Later in 2026 changes will be coming to immigration statuses that qualify (Implementation date: October 1)*

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## 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**
- Emergency Medicaid

**NOTE: Subsidized Marketplace coverage is not available for LPRs with incomes below 100% FPL.**

☛ 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.**

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## 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, they will be **enrolled in coverage and will have 90 days to provide documentation** verifying citizenship, identity and/or immigration status. This is known as a **Reasonable Opportunity Period**.

- The applicant can receive a second concurrent **90-day Reasonable Opportunity Period with good cause**, e.g. if the applicant is still waiting for a third party to provide immigration documents. This means they can **remain enrolled in coverage** if it is taking a longer period of time to receive their documentation.
- Additionally, if the applicant’s coverage is closed for not providing documents and they reapply for coverage, they can be given another Reasonable Opportunity Period.

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## “Aged,” “Blind,” or “Disabled”

☛ **Aged: 65 years old or older**

☛ **Blind: Visual acuity of not greater than 20/200**

- Receive Supplemental Security Income (SSI) or Social Security Disability Income (SSDI) based on Blindness, OR
- Are determined Blind by Disability Determination Services (DDS)

☛ **Disabled:** Unable to do any substantial gainful activity or work because of a severe, medically determinable physical or mental impairment that has lasted or is expected to last for 12 or more continuous months, or is expected to result in death:

- Receive SSI, SSDI, or Railroad Retirement based on disability
- Are determined disabled by DDS
- Received SSI, SSDI, or Railroad Retirement for at least 1 month in the year prior to applying for Medicaid. If benefits ended, must be for a reason **other than no longer being disabled or blind.**

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**Category Requirements:  
300% of Supplemental Security  
Income (SSI) Groups**

- ☉ Individuals who are **institutionalized** (medical institution, such as a nursing home),
- ☉ Individuals in **hospice**, or
- ☉ Individuals who require a level of care normally provided in either a hospital or nursing facility, but are electing to receive this care **in the community instead** (“Community-Based Care”). They are at risk of becoming institutionalized within 30 days absent receiving their care in the community.

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**Category Requirements:  
Other Eligibility Groups**

- ☉ **Receiving SSI**
- ☉ **Receiving an Auxiliary Grant:** cash assistance for recipients of Supplemental Security Income (SSI) and certain other aged, blind, or disabled individuals residing in:
  - An Assisted Living Facility, or
  - An Adult Foster Care home, or
  - A Supportive Housing arrangement approved by the state

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**Category Requirements:  
“Protected Cases”**

- ☉ **Certain former SSI Recipients**
  - **Pickle Amendment**
    - Would be eligible for SSI if certain cost-of-living increases were disregarded (since 1977)
    - Calculator tool – see Tool Kit
  - **Disabled widow/er**
  - **Former disabled child or adult**
  - **Qualified Severely Impaired Individuals** who are ineligible for SSI due to earnings
- ☉ **Former Auxiliary Grant Recipients**
- ☉ **Blind or disabled individuals who were eligible in December 1973, or their spouses (“conversion cases”)**

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