



STATE OF DELAWARE

DELAWARE HEALTH AND SOCIAL SERVICES
DIVISION OF MEDICAID & MEDICAL ASSISTANCE

PLANNING AND POLICY DEVELOPMENT UNIT

MEMORANDUM

REPLY TO
ATTN. OF: Administrative Notice DMMA 04-2010

TO: All DMMA and DSS Staff

DATE: June 18, 2010

SUBJECT: Legal Immigrant Pregnant Women and Children

BACKGROUND

Section 214 of the Children's Health Insurance Program Reauthorization Act of 2009, known as CHIPRA, authorizes coverage under Medicaid or CHIP for certain alien pregnant women and children who are lawfully residing in the United States and are otherwise eligible. This section eliminates the five-year bar for these qualified aliens and allows coverage of certain nonqualified aliens.

Currently, these immigrants are receiving full Medicaid coverage using State funds while no coverage is provided under CHIP with State funds. As a result of this option, coverage under both Medicaid and CHIP will be provided with Federal matching funds. This option applies to pregnant women and children only. State-funded Medicaid coverage will continue for individuals other than pregnant women and children.

Eligibility under this section is effective July 1, 2010.

DISCUSSION

The following alien groups may be determined eligible under this section:

1. Qualified aliens who would be subject to the five-year bar
 - a) lawful permanent resident
 - b) parolee
 - c) battered immigrant

2. Nonqualified aliens
 - a) alien granted permission to remain and work in the U.S.
 - b) applicant for immigration status such as applicant for asylum, adjustment to lawful permanent resident status, suspension of deportation
 - c) alien in temporary resident status
 - d) alien in temporary protected status
 - e) family unity beneficiaries
 - f) alien under deferred enforced departure

- g) alien in deferred action status
- h) alien who is the spouse or child of a U.S. citizen with an approved visa petition and pending adjustment of status application
- i) citizen of a Compact of Free Association State including Micronesia, Marshall Islands, and Republic of Palau
- j) parent/child of an officer/employee of an approved international organization
- k) fiancé of a citizen
- l) religious worker
- m) alien assisting the Department of Justice with a criminal investigation
- n) alien with a petition pending 3 years or more

ACTION REQUIRED

Individuals who are eligible for state-funded coverage are identified by an aid category in the MMIS that ends with the letter "U". Pregnant women and children who are now eligible for federally-funded Medicaid or CHIP will be assigned a regular aid category (such as PD or CD) in the MMIS. On June 18, the system will convert pregnant women and children who are currently coded "U" to the appropriate aid category.

There is work in progress to add the new immigration classifications listed above to the alien screens in DCIS.

Staff needs to review the policy on Citizenship and Alienage at DSSM 14300 – 14420. The entire section has been updated and revised for clarity. The section now includes policy on the citizenship and identity documentation requirements and the changes for pregnant women and children.

DIRECT INQUIRIES TO

Jill Williams
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6/18/2010
DATE


STEPHEN GROFF, DEPUTY DIRECTOR on behalf of
ROSANNE MAHANEY, DIRECTOR
DIVISION OF MEDICAID & MEDICAL ASSISTANCE