



COVER MONTANA

CONNECTING YOU TO HEALTH INSURANCE COVERAGE

Immigration and Health Coverage Eligibility in Montana

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Montana Primary Care Association

Agenda



Intro and background



Definitions & Key Terms



Health coverage eligibility rules



Immigrants & health coverage in Montana



Barriers & insight from Assisters



Available supports, next steps & resources

Key Terms & Definitions

IMMIGRATION 101



US Immigration Status

- **Immigrant** – A person who comes to live permanently in a foreign country other than their country of origin
- **Alien** – US immigration term for a person who is not a US Citizen or National
- **Non-immigrant Visa Holder/Alien** – Category of entry and lawful status that allows someone to visit and/or work or study in the United States for a specific purpose and period of time
 - Ex. Tourist visas, J1 workers, Student Visas, etc.
- **US Citizen (USC)** - A person who was born in the United States or territory or who has gone through the Naturalization process
- **Unlawful Status** – A person who entered the United States without legal basis to do so or entered legally but whose current status is not active
 - Ex. Someone overstays a non-immigrant visa



Humanitarian Statuses

Asylum Seeker/Asylee – A person who comes to the US seeking protection from persecution in their home country. People can apply for asylum at a port of entry or when they are in removal proceedings.

- Note: A person whose asylum application has been processed and approved is an “asylee”, while someone who has applied and is awaiting a decision is an “asylum seeker”

Refugee – A person who is **living outside the US** who demonstrates a need for protection from persecution in their country of residence.

- Note: Refugee status is determined before a person enters the US and there a specific number of refugees accepted from outside the US each year.
- Office of Refugee Resettlement and DPHHS place refugees within the US for residency and provide some services and support

Humanitarian Parolee – A process that allows someone who might otherwise be inadmissible to enter the United States lawfully for a time typically for urgent humanitarian reasons.

Temporary Protected Status (TPS) – Available to citizens of countries that Homeland Security has determined no longer safe due to military conflict, disaster, etc.

- Note: TPS is a temporary status and does provide a path to permanent residency



Health Coverage Status Definitions

- **Qualified Immigrant** – Not a legal immigration status, includes statuses that have been designated as eligible for public benefit programs under welfare law
 - Used for Medicaid, SNAP, TANF, etc.
 - Ex. LRP (Green Card), Refugees and Asylees, Parolees, etc.
- **“Not Qualified”** – People whose immigration status does not qualify to receive public benefits in the US.
 - Note: this does not mean that someone does not have lawful status, but those without lawful status fall into this category
- **Lawfully Present/Residing** – can include qualified immigrants, humanitarian statuses, active non-immigrant visas, etc.
 - Includes statuses that are not eligible for Medicaid but does require a current and valid immigration status or non-immigrant visa



Health Coverage Eligibility Rules

WHO CAN GET COVERAGE AND WHAT KINDS?



Reminders

- Only people applying for coverage can be required to disclose immigration status
- Social Security Numbers are required for applicants on the FFM and generally required for Medicaid unless they are in process of receiving an SSN
- All tax household members must be included in applications regardless of status
 - Note: this includes tax dependents who live outside the US if they are claimed
- Information provided to apply for coverage is not shared with other government agencies (ICE, Homeland Security, USCIS)
 - The FFM uses USCIS and SSA interface to confirm information but does not communicate information or use it for enforcement purposes



Eligibility Rules for MT Medicaid

Exceptions to 5-Year Ban include:

Afghan and Iraqi Special Immigrants

Amerasian Immigrants

American Indians born in Canada

Asylee

Cuban/Haitian Entrant

Refugees

Deportation withheld under section 243(h) of INA

Certain Humanitarian Parolees (Ukrainian)

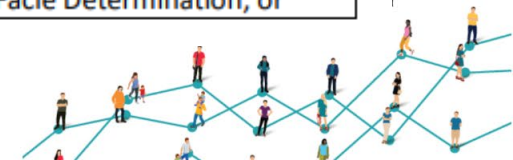
- Must meet qualified immigration status requirement
- 5-Year Ban applies to most qualifying statuses (1825 days from the date of obtaining qualifying status)
 - Applies to when someone entered the US **not** to how long they have been in Montana
- 7-Year Limited Eligibility
 - Applies to many of the qualifying statuses that are not subject to the 5-year ban
- 40 Work Quarters
 - Applicant must provide verification of 10 or more years of earnings or obtain verifications from SSA



Alien Status – Medicaid Policy Manual

[CMA 301-2 Alient Status
\(mt.gov\)](https://www.mt.gov)

IMMIGRATION STATUS	POTENTIALLY ELIGIBLE	40 QUARTERS OF WORK (if in the US on or After 08/22/1996)	5-YEAR BAN (if in the US on or after 08/22/1996)	7-YEAR LIMIT ELIGIBILITY	REQUIRED DOCUMENTATION
Active Duty Member of the U.S. Military	Yes	Yes	No	Yes	Current orders posting the individual to the military
Amerasian Immigrant	Yes	No	No	Yes	Form I-94 annotated w/AM1, AM2, or AM3; or Unexpired temporary i-551 stamp in foreign passport
American Indians born in Canada (50%+)	Yes	No	No	No	Tribal Records; or Letter from the Canadian Department of Indian Affairs; or Form IA-236; or Form I-181; or Form I-551 annotated with KIC, KIP, or S13
Afghan Special Immigrants	Yes	No	No	Yes	Passport with immigrant visa stamp noting admission under IV Category SI1-SI3 AND DHS Stamp or notations on passport; or Form I-94 showing date of entry; or Form I-551 showing Afghan nationality with IV code of SI6-7 or SI9; or Afghan passport with IV coed of SI6-7 or SI9
Asylee	Yes	No	No	Yes	Form I-94 showing grant under Section 208; or Grant letter from Asylum Office of the USCIS; or Order from Immigration judge granting asylum; or Form I-688B annotated 274.a12(a)(5); or Form I-766 annotated A5
Battered Spouse/Child	Yes	Yes	Yes	No	Form I-551 annotated with IB5, IB7, or IB8; or Form I-797 if it is a notice of Approval or Notice of Prima Facie Determination; or



Emergency Alien Medicaid

Providers must submit documentation of how the service pertains to the emergency with claims

Timing considerations – emergency vs. pregnancy

Bordering states

Must meet other non-citizenship requirements

- Income & household size
- Residency
- Pregnancy requirements

Excludes temporary workers, including agriculture, visitors, students, etc.

Overview: Emergency medical coverage is provided to an otherwise eligible alien who does not meet qualified alien status. Emergency coverage is provided from the time the individual is first given treatment until the medical condition is no longer considered an emergency. Emergency medical services are those services required because the individual has a medical condition of sufficient severity (including severe pain) that the absence of immediate medical attention could result in:

1. placing the individual's health in serious jeopardy (this includes childbirth);
2. serious impairment to bodily functions; or
3. serious dysfunction of any bodily organ or part.

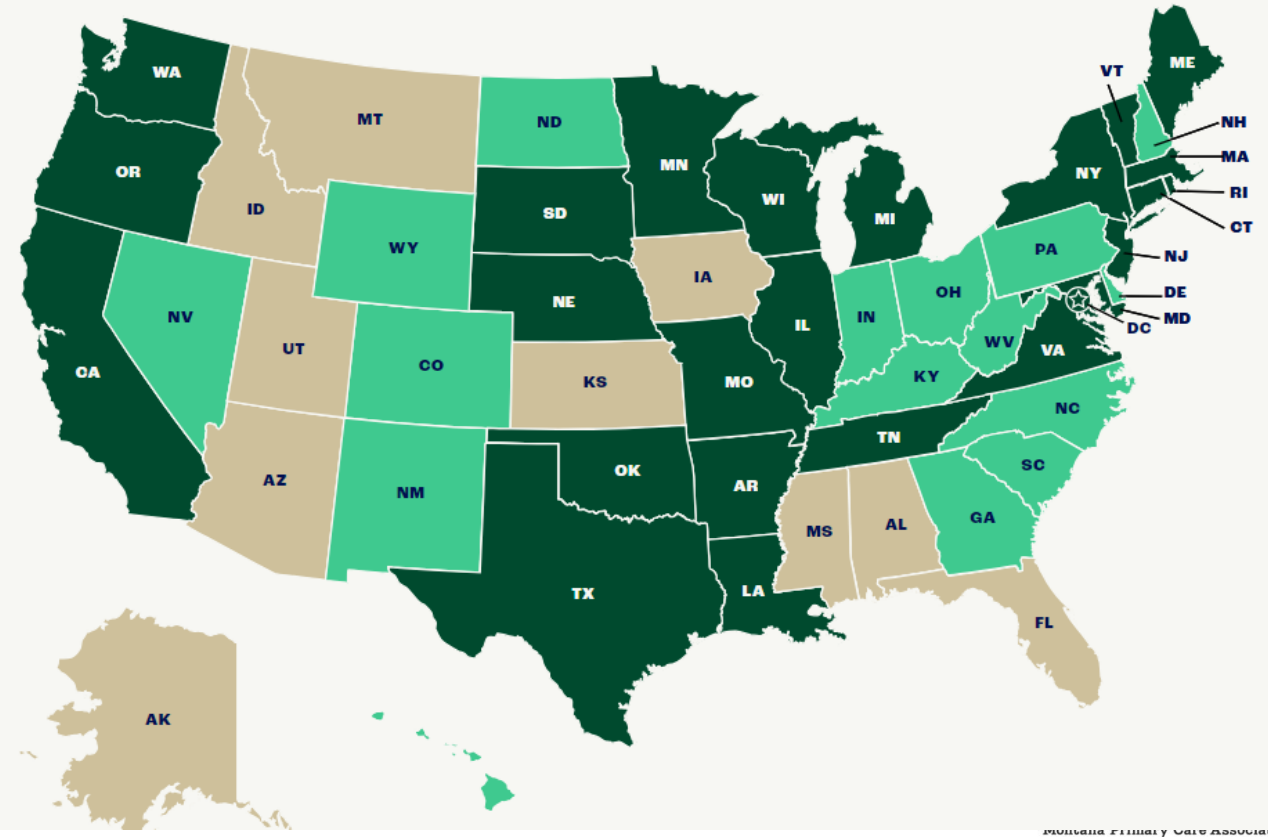
Only option for Medicaid or FFM that can cover people without lawful status



Health Care Coverage For Pregnant People

LAST UPDATED JANUARY 2024

- Medicaid for lawfully residing pregnant people, regardless of date of entry
- CHIP or state-funded prenatal care, regardless of the pregnant person's immigration status



Pregnancy Coverage in Montana



Montana Primary Care Association

Montana Medicaid & Children's Coverage

Must be lawfully residing

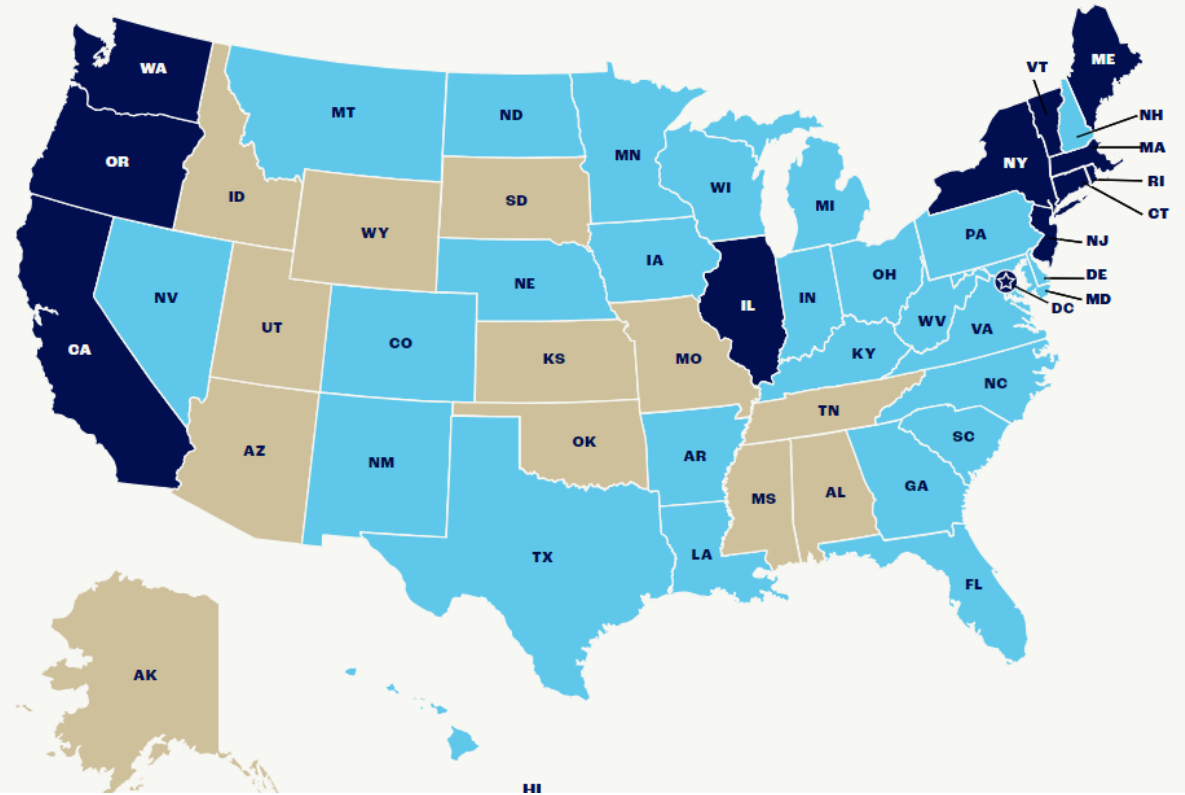
Not subject to 5-year ban or 40 work quarters

Health Coverage for Immigrants

LAST UPDATED APRIL 2024

■ Medicaid/CHIP for lawfully residing children, regardless of date of entry

■ Medical coverage for children, regardless of immigration status



Eligibility Rules for Marketplace

Immigration status

- Lawful Permanent Resident (LPR/Green Card holder)
- Asylee
- Refugee
- Cuban/Haitian Entrant
- Paroled into the U.S.
- Conditional Entrant Granted before 1980
- Battered Spouse, Child and Parent
- Victim of Trafficking and his/her Spouse, Child, Sibling or Parent
- Granted Withholding of Deportation or Withholding of Removal, under the immigration laws or under the Convention against Torture (CAT)
- Individual with Non-immigrant Status, includes worker visas (such as H1, H-2A, H-2B), student visas, U-visa, T-visa, and other visas, and citizens of Micronesia, the Marshall Islands, and Palau
- Temporary Protected Status (TPS)
- Deferred Enforced Departure (DED)
- Deferred Action Status (Exception: Deferred Action for Childhood Arrivals (DACA) is not an eligible immigration status for applying for health insurance)
- Lawful Temporary Resident
- Administrative order staying removal issued by the Department of Homeland Security
- Member of a federally-recognized Indian tribe or American Indian born in Canada

- Lawful presence
- Can qualify for ATPC and CSRs based on income and household size, must reconcile ATPC
- Can apply for and enroll in Marketplace coverage if income eligible for Medicaid but ineligible due to immigration status
 - Ex. LPR status at 125% of FPL but does not meet 5-year ban or 40 work quarters

Examples:

- Non-immigrant visa holders (H1, H-2A, H-2B), students, U and T Visas
- Applicants for some statuses, including TPS*, adjustment of status, Asylum*
- DACA recipients (80ish people)

*Requires work authorization



Employer Sponsored Coverage (ESC)

- Employers can offer coverage to employees who are not USCs
- Much less likely to be offered ESC than USCs
 - Concentrated in lower wage and service industry jobs
 - Other industries that traditionally don't offer ESC, including agriculture and construction
- Would have to provide information about offer of ESC if applying for Marketplace

Figure 3

Offer and Participation Rates by Citizenship Status, 2005



SOURCE: Bowen Garrett, Trends in Employer-Sponsored Insurance Sponsorship, Eligibility, and Participation, 2001-2005, forthcoming Kaiser Commission on Medicaid and the Uninsured report, preliminary findings, May 8, 2006.

Tips for helping people apply

- Help identify required documentation and verification that will be needed and provide it as quickly as possible (SSP or FFM)
- Sign up for email and mail notification in SSP to reduce missed verification requests
- If applying for Medicaid through the SSP, give an overview of the case in the text box at the end of the application
- Act as an authorized representative for non-USC consumers*
- If non-USC consumers encounter data matching issues (DMIs) they can complete applications directly with the FFM call center over the phone
- Help request language access tools for consumers



Immigration in Montana

WHO ARE THE FOLKS WHO ARE IMPACTED?



WHAT IMMIGRATION MEANS TO MONTANA



21,356 immigrants make up 2% of the state's population.

IMMIGRANT ENTREPRENEURS INVIGORATE THE ECONOMY



Over 3 percent of self-employed business owners in Montana are immigrants.



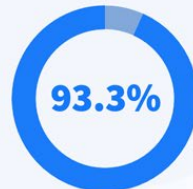
\$18,000,00

the total annual revenue generated by these immigrant-owned businesses.

IMMIGRANTS ARE AN INTEGRAL PART OF COMMUNITIES



Over half of all immigrants in Montana are naturalized U.S. citizens.



More than 9 in 10 immigrants in Montana speak English "well" or "very well."

IMMIGRANT HOUSEHOLDS STRENGTHEN THE ECONOMY



\$474,200,000
in spending power.



\$118,500,000
in federal taxes.



\$154,600,000
in state and local taxes.

IMMIGRANTS ARE ESSENTIAL TO THE LABOR FORCE

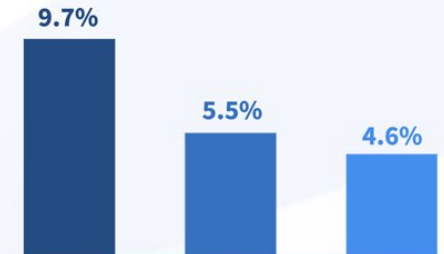


Over 2.2 percent of workers in the Montana labor force are immigrants.



Nearly 14 percent of workers in Montana's mining, quarry, oil, and gas extract industry are immigrants.

The largest shares of immigrants in Montana's labor force work in the following occupations:



- Architecture and Engineering
- Building and Grounds Cleaning and Maintenance
- Transportation and Material Moving

SOURCE: AMERICAN IMMIGRATION COUNCIL, "IMMIGRANTS IN MONTANA," 2017.
FIND YOUR STATE: STATES.IMMIGRATIONCOUNCIL.ORG



Immigration in Montana

Long-term permanent residents (LPRs)

Refugees

Asylees and Asylum Seekers

Ukrainian Humanitarian Parolees

Temporary Protected Status (TPS)

Work, tourism, and student visas

Undocumented/unlawful status

Mixed status households



We all know people who are impacted by immigration policy!



BOZEMAN

Bozeman's boom depends on immigrants but struggles to support them

One of the nation's fastest-growing cities relies on a vulnerable workforce to fuel its economic explosion.

Industry	Number of Immigrant Workers
Health Care and Social Assistance	3,380
Accommodation and Food Services	2,917
Educational Services	1,900
Retail Trade	1,295
Agriculture, Forestry, Fishing, and Hunting	1,172

Source: Analysis of the U.S. Census Bureau's 2018 American Community Survey 1-year PUMS data by the American Immigration Council.

Immigrant family's arrival in the Flathead sparks political debate

Barriers & Insight from Assisters

WHAT HAVE YOUR CLIENTS AND PATIENTS EXPERIENCED?



Public Charge

* Not able to give legal advice*

Some families worry that using public benefits could hurt their chance to get a green card. This paper can help you learn more about your situation and the public programs that will not impact your immigration status.

The following government programs **will not affect your immigration status** and immigration application:



- Medicaid and other health care (except long-term institutional care)
- CHIP, the Children's Health Insurance Program



- SNAP food assistance
- WIC
- Free or reduced school lunches
- Food banks or free meals



- COVID testing, treatment and vaccines
- Pandemic economic impact payments (stimulus checks)



- Earned income and child tax credits



- Section 8 and Public Housing
- Shelters

MOST GOVERNMENT PROGRAMS DO NOT COUNT

2

Only 2 kinds are considered:

1. Monthly cash support. This includes Supplemental Security Income (SSI), Temporary Assistance for Needy Families (TANF), and state and locally-based cash assistance programs
2. Long-term "institutional" health care, like in a nursing home, paid for by the government

Montana Medicaid

Inaccessible
systems

Language Access

SSN required to
link case in SSP

Unclear Denial
Notices

USC Children of
Non-USC Parents
found ineligible

Public Charge



Marketplace

Lack of awareness and understanding

Tax filing requirements

International and Intergenerational households

Income



Supports, Next Steps & Resources

WHERE DO WE GO FROM HERE?



Supports

- Hospital financial assistance programs
- FQHC's/UIOs
- Ag Workers & Migrant Clinics
- Public health programs
- Community-based organizations
 - Soft Landing
 - MIJA
 - Bienvenidos
 - Neighbors of the Flathead
- State Programs
 - State refugee office
 - International Rescue Committee (IRC)



Needs & Next Steps

- Information and resources
- Language access, including interpreters and dual language staff
- Collaboration
- More community support including legal providers
- More transparency with DPHHS about Emergency Alien Medicaid

Toolkit

Cohort
Office Hours

Expert T/TA



Questions & Troubleshooting

HOW CAN COVER MONTANA HELP?



RESOURCES

- Medicaid:
 - [Citizenship & Identity](#)
 - [Alien Status](#)
 - [Emergency Alien Coverage](#)
- Marketplace:
 - [Eligibility Rules](#)
- Public Charge:
 - [Infographics](#)
 - [For staff and advocates](#)
- Beyond the Basics:
 - [Helping families apply for coverage](#)
 - [Guide to documentation](#)
 - [Affordability programs and immigration status](#)
- [Immigration Law and Policy](#)
- [DPHHS Language Access](#)
- [Resource Navigation](#)





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