

Refugee Medical Assistance

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Overview

The Office of Refugee Resettlement (ORR) funds both Refugee Medical Assistance and Refugee Cash Assistance. The ORR may provide needy refugees with financial and/or medical assistance during their first months in the United States as described at [Time Limit](#).

Eligibility for Refugee Medical Assistance (RMA) is not based solely on eligibility for Refugee Cash Assistance (RCA), discussed in Chapter 6-D. Federal ORR funds pay for RMA coverage. No state match is required, and federal Medicaid funds are not used. Services provided under RMA are identical to those covered under the regular Medicaid program.

This chapter explains:

- ◆ Who is considered a refugee.
- ◆ Application processing.
- ◆ Nonfinancial eligibility factors.
- ◆ Financial eligibility.
- ◆ The coverage groups under which a refugee may be eligible for medical assistance.
- ◆ The automatic redetermination process.

The legal basis for medical assistance for refugees is found in:

- ◆ The Refugee Act of 1980, Public Law 96-212, which establishes an Office of Refugee Resettlement (ORR) within the Department of Health and Human Services.
- ◆ The Refugee Assistance Amendments of 1982, Public Law 97-363, which amends the Immigration and Nationality Act to revise the procedures for admitting refugees, and amends the Migration and Refugee Assistance Act of 1962 to establish a uniform basis for resettling admitted refugees.
- ◆ The Refugee Assistance Extension Act of 1986, Public Law 99-605.
- ◆ Public Law 100-202, which provides for certain Amerasians in Vietnam and close family members to be admitted under immigrant status but be eligible for benefits as though they were refugees.
- ◆ 441 Iowa Administrative Code (IAC) 75 (Rules in Process), 441 IAC 60.1(217), and 441 IAC 61.1.

System entry guidance can be found in NJA0063, *Alien Chart*.

General guidance on understanding common forms of refugee documentation is available in [Refugee Documentation Guide](#).

Defining Who Is a Refugee

Legal reference: P.L. 96-212 and 100-202, 441 IAC 60.1(217), 441 IAC 61.1

A "refugee" is any person who:

- ◆ Is outside the country of the person's nationality or, if the person has no nationality, outside the country in which the person last lived, **and**
- ◆ Is unable or unwilling to return to that country and unable or unwilling to use the protection of that country because of persecution or a well-founded fear of persecution on account of:
 - Race,
 - Religion,
 - Nationality,
 - Membership in a particular social group, or
 - Political opinion.

Refer to 6-D, [Alienage Requirements](#), for all immigration statuses considered "refugees" for RMA eligibility purposes. Also considered to be refugees are certain Vietnamese Amerasians and their spouse, parents, siblings, and children who are admitted to the United States through the Orderly Departure Program in an immigrant status, beginning March 1, 1988.

United States citizens and any other nonrefugees are eligible for RMA only if they are a child of a refugee parent as defined above.

Application Processing

Legal reference: P.L. 96-212, 441 IAC 60.2(217), 441 IAC 60.1(217), 441 IAC 75
(Rules in Process)

Refugees can apply for assistance in all the ways described in 8-B, [Where the Application Must Be Filed](#). The application form is the *Application for Health Coverage and Help Paying Costs*, form 470-5170 or 470-5170(S). In addition, Non-MAGI individuals will need to complete, *Appendix A for Health Coverage*, form 470-5433 or 470-5433(S). Consider all applications submitted by or for a refugee for regular (MAGI-related, Non-MAGI-related, or MAGI-exempt) eligibility **before** considering eligibility for RMA. Follow policies and procedures detailed in 8-L, [Aliens](#), including Alien Status Attestation and Verification Requirements, Iraqi and Afghan Special Immigrants, and Victims of Trafficking.

When a refugee applies for RMA:

- ◆ Notify the local resettlement agency if the refugee applies during the period of time described at [Time Limit](#). If the name of the agency that resettled the refugee is not on documents provided, the refugee shall provide the name of the resettlement agency. Provide the refugee's name, address, and telephone number.
- ◆ Refer all applicants to the Bureau of Refugee Services using form 470-0481, *Notification to the Bureau of Refugee Services*.

Nonfinancial Eligibility

Apply the following nonfinancial eligibility requirements for RCA as described in 6-D, [Nonfinancial Eligibility](#): age, alienage, benefits from other sources, contract for support, duplicate assistance, eligible group, participation in a strike, residency, social security number, students, temporary absence, time since entry to the U.S., victims of trafficking, and work requirements. In addition, see the following sections for information on verifying immigration status, supplying a social security number, accepting Medicaid, and time limit.

Verifying Immigration Status

Legal reference: 441 IAC 60.1(217)

Refugees must meet ORR alienage requirements to receive RMA. See 6-D, **Alienage Requirements**. A non-refugee child of a refugee parent meets the alienage requirements when each parent who lives in the home is a refugee.

Refugees must provide documentation to substantiate their immigration status. (See the chart in 6-D.) In the case record, include the following documentation for each person:

- ◆ Nationality (the person's origin, such as Cambodia or Cuba).
- ◆ Local sponsoring resettlement agency.
- ◆ Name and address of sponsor.
- ◆ Alien registration number.
- ◆ Date of entry.
- ◆ Copy of document used to verify alienage.

Supplying a Social Security Number

Legal reference: Public Law 96-212, 441 IAC 60.5(3), 441 IAC 75 (Rules in Process)

Refugees must furnish a social security number, or proof that they have applied for a number. This does not apply to the newborn child of a Medicaid-eligible mother.

Applicants who do not have a social security number may be determined eligible for Refugee Medical Assistance if they can provide proof that they have applied for a social security number. As long as applicants cooperate in getting a number, eligibility determination can continue. See 8-C, [Social Security Number](#) for more information. Deny or cancel the case if the refugee fails to cooperate in applying for or providing a social security number.

Accepting MAGI-Related or Non-MAGI-Related Medicaid

Legal reference: P.L. 96-212; 45 CFR 400.203, 400.204; 441 IAC 75 (Rules in Process)

Do not approve eligibility for Refugee Medical Assistance when the refugee is eligible for Medicaid under a MAGI-related or Non-MAGI-related Medicaid coverage group.

A refugee who is eligible for MAGI-related or Non-MAGI-related Medicaid must accept medical assistance on that basis rather than through Refugee Medical Assistance.

Eligibility for MAGI-related or Non-MAGI-related Medicaid coverage groups (including Hawki and IHAWP) is determined in exactly the same way for both non-refugees and refugees. See 8-F, [Medicaid Coverage Groups](#), and 8-J, [Medically Needy](#), for eligibility factors governing these coverage groups.

A refugee who is conditionally eligible for the Medically Needy program with a spenddown may be approved for the Refugee Medical Assistance program, if otherwise eligible, rather than the Medically Needy program.

Time Limit

Legal reference: 45 CFR 400.100, 400.211; 441 IAC 60.7(217), 75 (Rules in Process)

NOTE: For refugees who entered the U.S. prior to October 1, 2021, the time limit for potential RMA coverage, as further defined in the rest of this section, is limited to eight months.

For refugees who entered the U.S. on or after October 1, 2021, the ORR funds RMA for up to twelve months. This time limit applies to each individual, not to each case. The twelve-month period begins with the month the refugee entered the United States, regardless of which day during the month the refugee enters. When the twelve-month limit for RMA ends, the refugee is not eligible for RMA but may be eligible for Medicaid under a different coverage group.

EXCEPTIONS:

The date of entry for asylees is the date asylum is **granted**. The date asylum is granted begins the twelve-month period of possible RMA eligibility.

The date of entry is calculated differently for Afghan Special Immigrant Parolees, Afghan Special Immigrant (SI) Conditional Permanent Resident (CPR), and Afghan Humanitarian Parolees. See 6-D, [Documentation Required](#) for more information on determining the date of entry for these refugee statuses. See also 8-L, [Iraqi and Afghan Special Immigrants](#) for legal references specific to this population.

Eligibility for a non-refugee child in the home with a refugee parent (or parents) lasts until each parent has been in the country for twelve months, or until the child reaches twelve months of age, whichever comes first.

<u>Month of Entry *on or after 10/1/2021</u>	<u>Last Month of Eligibility for RMA</u>
January	December
February	January
March	February
April	March
May	April
June	May
July	June
August	July
September	August
October	September
November	October
December	November

**The time limit for a refugee with date of entry prior to 10/1/2021 is eight months. EXAMPLE: For a September 2021 month of entry, the last month of eligibility for RMA is August 2022.*

NOTE: These examples reflect the extension of the RMA time limit from eight to twelve months for refugees whose date of entry is on or after 10/1/2021.

1. Mr. R, 27, enters the United States on October 31. He has no income or resources. The worker determines that he is eligible to receive RCA for up to twelve months beginning with October. Since Mr. R is eligible for IHAWP, he is not eligible for RMA for the twelve-month period.
2. Ms. J, 30, enters the United States in August, and is receiving RCA. Ms J is approved for IHAWP in August. The twelve-month period for RCA/RMA ends July 31. The worker does not approve RCA or RMA (including continuous RMA) after July.

Comment: The RMA eligibility time limit is set by the procedure found in 45 CFR 400.211. On March 28, 2022, the time limit increased from eight months to twelve months for refugees that entered the country on or after October 1, 2021. This change was communicated to states in Dear Colleague Letter 22-12. This twelve-month time limit increase was published in the Federal Register (FR) on March 28, 2022. The FR notice available at <https://www.govinfo.gov/content/pkg/FR-2022-03-28/pdf/2022-06356.pdf>, also explains the history of changes to the RMA time limit.

Financial Eligibility

Legal reference: 45 CFR 400.59, 400.102; 441 IAC 60.7(1) and (2), 75 (Rules in Process)

Apply MAGI-related Medicaid income policies when determining eligibility for RMA. (See 8-E, [Income](#).) Under MAGI-related Medicaid policies, resources are not an eligibility factor for RMA.

Covered Groups Under RMA

Legal reference: P.L. 96-212, 45 CFR 400.100, 441 IAC 60, 441 IAC 75 (Rules in Process)

Refugee applicants are eligible for Refugee Medical Assistance if they meet the following three conditions:

- ◆ They are ineligible for Medicaid (including Hawki and IHAWP) under any other coverage group.
- ◆ They meet the definition of an eligible refugee.
- ◆ The eligible group's income is within the FMAP limits for a household of the same size (including the needs of any unborn children). Note: The MAGI-related FMAP income limit applies even if the refugee applicant's eligibility is being determined under a Non-MAGI coverage group.

They may be:

- ◆ Persons eligible for RMA or Recipients of RCA.
- ◆ Persons eligible for continued RMA who would otherwise be canceled due to increased earnings.

Persons Eligible for RMA or Recipients of Refugee Cash Assistance (RCA)

Legal reference: 45 CFR 400.100; 441 IAC 60.7(217), 75 (Rules in Process)

Refugees who are not categorically eligible under any other Medicaid coverage group may be eligible for Refugee Medical Assistance, if they meet all financial and nonfinancial eligibility criteria. The refugee is not required to apply for Refugee Cash Assistance as condition of eligibility for Refugee Medical Assistance. However, if the RCA recipient or the person who is eligible for RCA of less than \$10 (including a need rounded to zero) is not categorically eligible under any other Medicaid coverage group, grant RMA.

Refugees Eligible for Continued RMA

Legal reference: 45 CFR 400.104, 441 IAC 75 (Rules in Process)

Refugee Medical Assistance (RMA) is available to the following recipients regardless of earnings, as long as the time limit for participation in the refugee program is not exceeded:

- ◆ Recipients of RMA only.
- ◆ Recipients of MAGI-related and Non-MAGI-related Medicaid who were canceled due to receiving income from employment. This includes any member of the eligible group.

When a new arrival/secondary refugee joins their working spouse and the new arrival is **initially** eligible for Medicaid or RMA but the spouse's earnings make the new arrival/secondary refugee ineligible for **continued** Medicaid, the refugee should be allowed RMA eligibility rather than being sent to the FFM.

Persons who **return** to the household after the family becomes ineligible for RMA or Medicaid may be included in the continued RMA household only if they were included in the RMA or Medicaid household the month the family became ineligible for RMA or Medicaid.

NOTE: These examples reflect the extension of the RMA time limit from eight to twelve months for refugees whose date of entry is on or after 10/1/2021.

1. Ms. P, age 25, enters the United States January 6, with one child. On March 11, she files an application for RCA and an application for Medicaid. The worker determines that Ms. P is not eligible for RCA, since she is categorically eligible for FIP-RRP. Ms. P is approved for Medicaid under the FMAP coverage group. On April 16, Ms. P reports that her only child has left the home.

Since eligibility no longer exists for FIP or FMAP, and Ms. P has been in the United States less than twelve months, the worker places Ms. P on a one-person RCA grant effective May 1 and redetermines Medicaid to IHAWP coverage group.

On May 12, Ms. P reports that she began working and verifies her anticipated earnings. The worker determines that Ms. P is prospectively over income for RCA and cancels her grant effective June 1. Ms. P remains under the income limits for IHAWP.

2. Mr. M, age 29, enters the United States on August 13. On September 3, Mr. M applies for medical assistance. He is approved for IHAWP benefits on September 21. On October 4, Mr. M reports he began working. Prospectively, the income from beginning employment creates ineligibility for IHAWP. Mr. M continues to receive Medicaid through continued RMA until July 31.

3. Mrs. A newly arrives in the U.S as a refugee on March 2 and applies for Medicaid for herself and her husband on March 5. She has joined the household of her spouse who arrived in the U.S. as a refugee several years earlier and has been working for some time. Mrs. A has no income herself. Mr. A has earnings from work. The combined income of both Mr. and Mrs. A place the couple **under** the income limits for IHAWP and they are approved in the month of March.

On April 2, Mrs. A reports beginning employment. With the addition of Mrs. A's new income from work, the couple is over IHAWP income limits effective May 1. Because she was **initially** eligible for Medicaid, Mrs. A is eligible to receive continued RMA for the remainder of her twelve months from date of entry now that she has gone over the income limits due to increased earnings. Mr. A is automatically referred to the Federally Facilitated Marketplace (FFM).

4. Same as Example 3, except that the combined income of the couple (which consists only of Mr. A's earnings since Mrs. A has no income of her own) place them **over** the income limits for IHAWP in the month of March. Mrs. A also does not meet RMA income limits (since RMA income limits are even lower than IHAWP income limits). Mrs. A is denied IHAWP for March. Because Mrs. A is **not** initially eligible for either Medicaid or RMA, she also cannot qualify for continued RMA due to increased earnings in the future. The application for both Mrs. A and Mr. A is automatically transferred to the FFM.

Automatic Redetermination

Legal reference: 42 CFR 435.916(f)(1), 435.930(b); 441 IAC 76.17(249A)

If a refugee no longer meets the eligibility requirements of the refugee's current coverage group, follow the policies at 8-G, [Automatic Redetermination](#).