



Immigration Status and MADAP Eligibility

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Prevention and Health Promotion Administration

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Mission and Vision

MISSION

The mission of the Prevention and Health Promotion Administration is to protect, promote and improve the health and well-being of all Marylanders and their families through provision of public health leadership and through community-based public health efforts in partnership with local health departments, providers, community-based organizations, and public and private sector agencies, giving special attention to at-risk and vulnerable populations.

VISION

The Prevention and Health Promotion Administration envisions a future in which all Marylanders and their families enjoy optimal health and well-being.

IDPHSB COMMITMENT STATEMENT

Our Commitment as a Bureau is to partner with communities to achieve health equity for all Marylanders. Our priority is to advance social and racial justice and we are committed to undoing racism within our public health systems. It is our responsibility to serve Marylanders without any bias or discrimination and ensure open access to services and resources.

Immigration Status and MADAP Eligibility

Agenda

- **Introduction**
- **Immigration Status and MADAP Eligibility**
 - Is the client an immigrant?
 - Is the client a Lawful Permanent Resident (LPR/Green Card Holder)?
 - Are they an asylee/refugee?
 - Parol Immigrants
 - Are they undocumented?
 - Did the client provide a social security number or ITIN?
- **Immigration Status and Insurance Options**
 - Maryland Health Connection (On-Exchange)
 - Who can apply through a Broker (Off-Exchange)
- **Relevant Terms & Definitions**
- **Q/A**
- **Close**

Why does Immigration Status Matter?

Immigration Status and MADAP Eligibility

Immigration Status and MADAP Eligibility

Verification Rules

When a federal agency designates a program as a federal public benefit foreclosed to not-qualified immigrants, the law requires the state or local agency to verify the immigration and citizenship status of all program applicants. However, many federal agencies have not specified which of their programs provide federal public benefits. Until they do, state and local agencies that administer the programs are not obligated to verify the immigration status of people who apply for them.

We only use your information about immigration status to check if you qualify for MADAP coverage. We don't use it for immigration enforcement.

Immigration Status and MADAP Eligibility

[PCN 21-02](#)

PCN 21-02 states affirmatively that immigration status is irrelevant for the purpose of eligibility for Ryan White HIV/AIDS Program (RWHAP) Services. However, RWHAP must be the payer of last resort. MADAP will not ask for immigration documentation if a client is undocumented. MADAP will continue to require immigration documentation for individuals with an eligible immigration status, including Lawful Permanent Residents (LPR/Green Card Holders), Work Permits, Naturalized Citizens, Asylees, and Refugees. (Please include copies with applications).

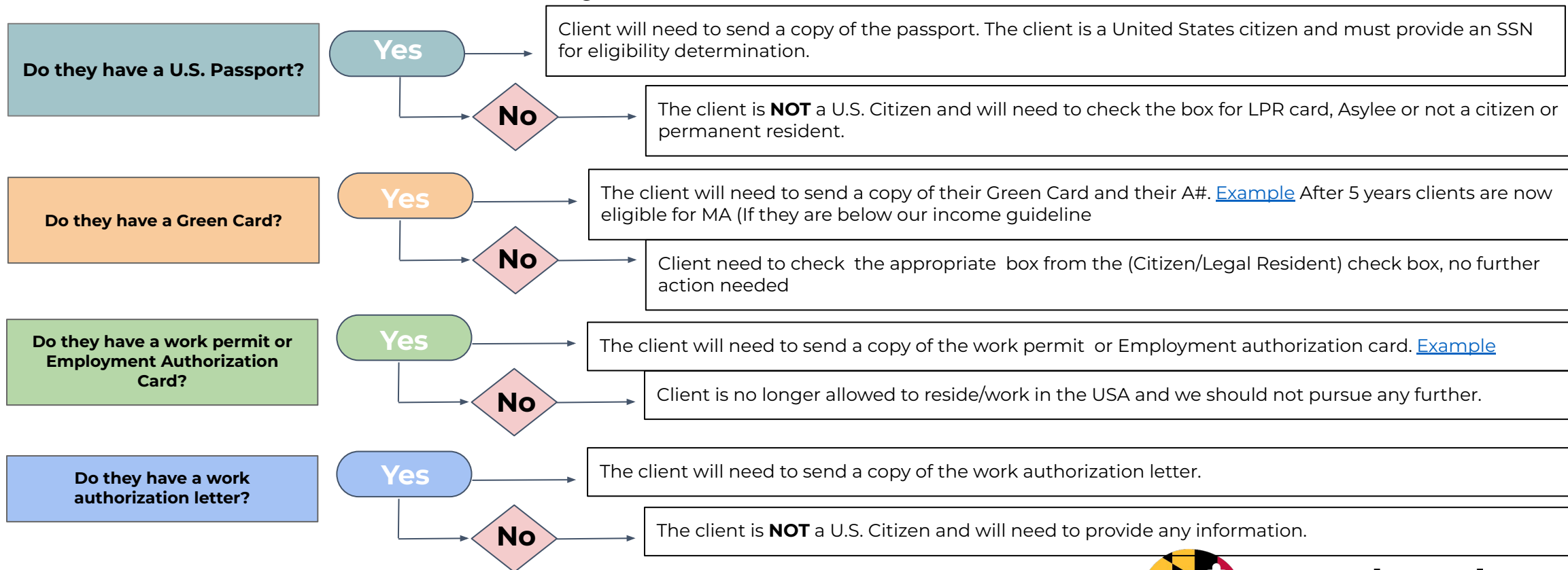
Is the Client an Immigrant?

Immigration Status and MADAP Eligibility

Immigration Status and MADAP Eligibility

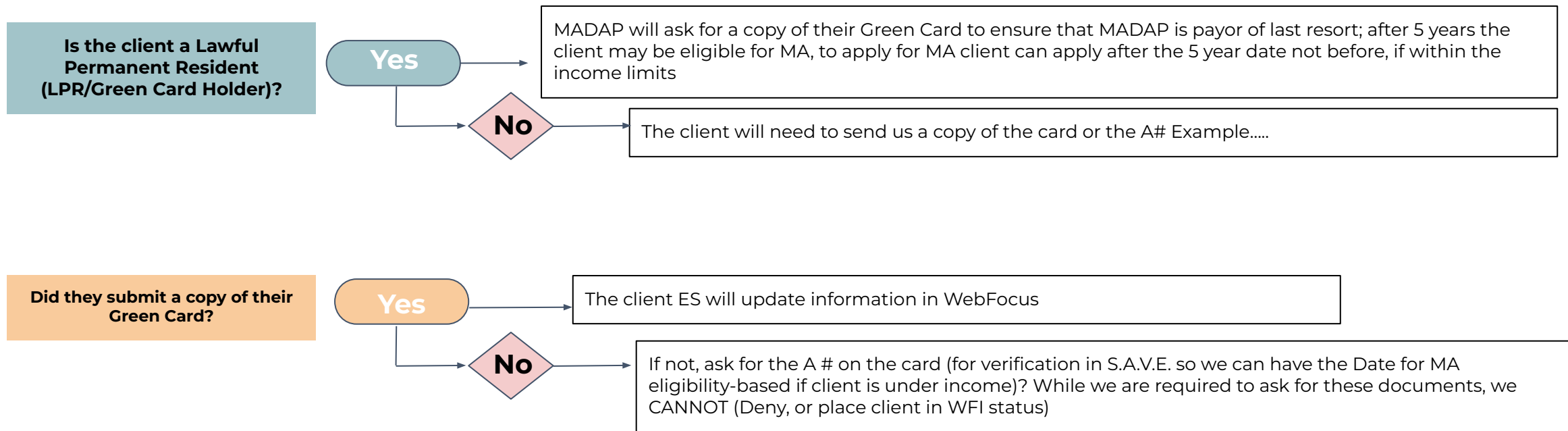
Is the client an immigrant?

How to verify if the client is a U.S. Citizen?



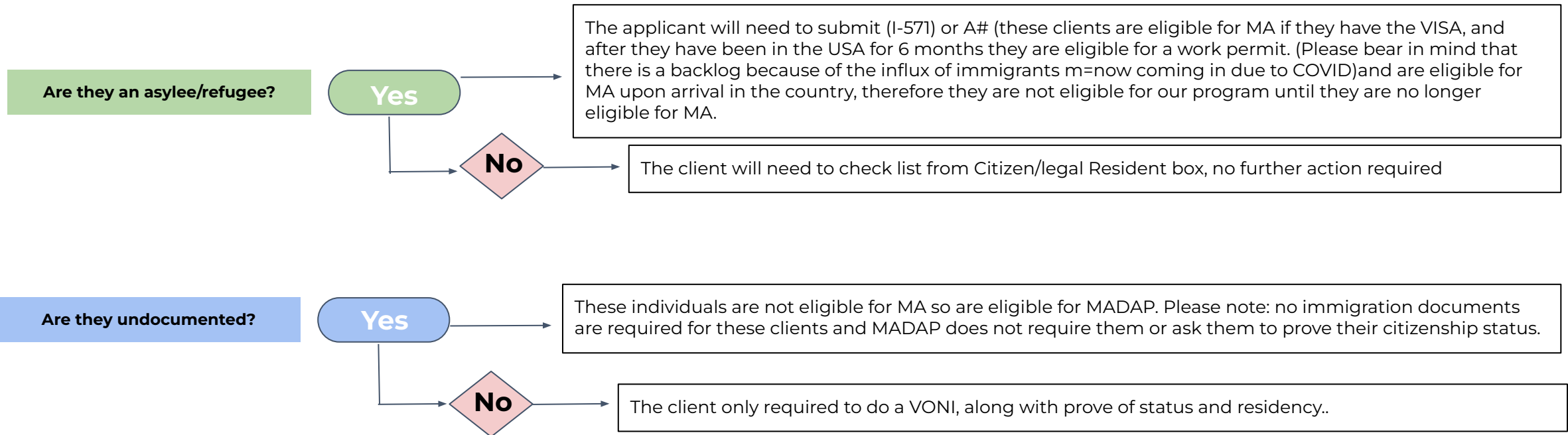
Immigration Status and MADAP Eligibility

If the client reports that they are not United States citizen:



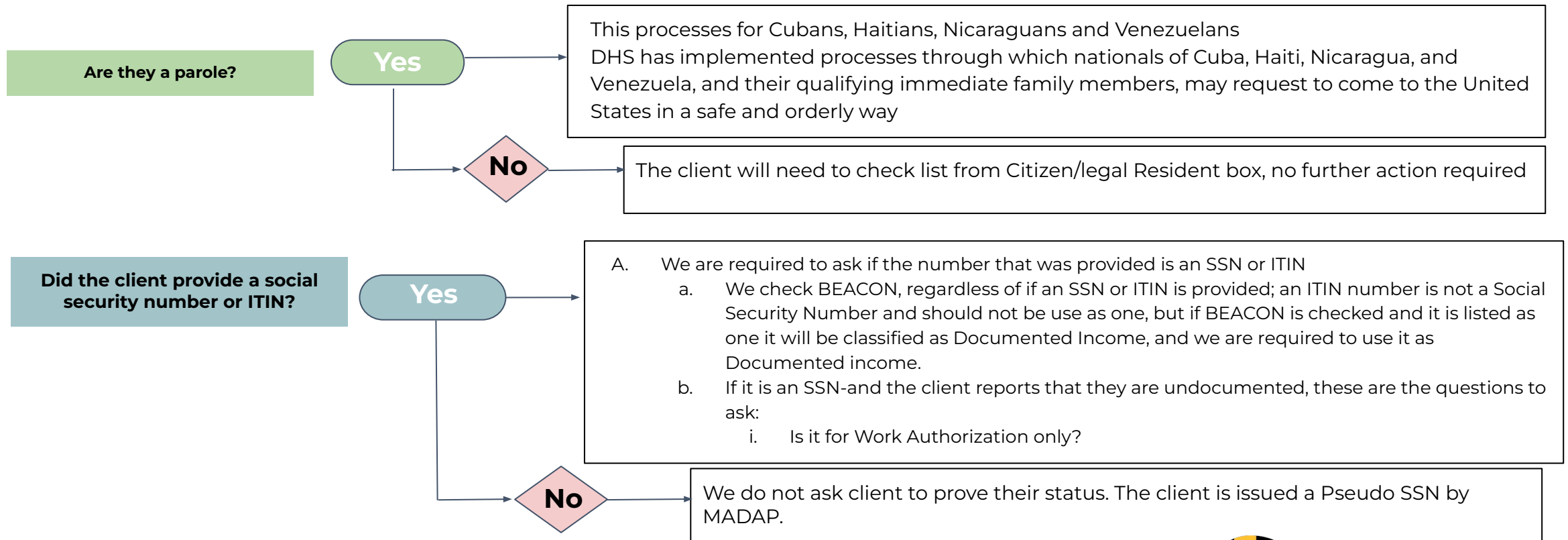
Immigration Status and MADAP Eligibility

If the client reports that they are not United States citizen:



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Insurance Options for Immigrant Clients

Immigration Status and MADAP Eligibility

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Immigration Status and Insurance Options

Immigration status impacts health insurance options: being informed about client immigration status can help MADAP staff answer client questions about insurance options, especially during open enrollment.

Immigration Status and MADAP Eligibility

Immigration Status and Insurance Options

Maryland Health Connection (On-Exchange):

- US Citizens
- Lawful Permanent Residents/Green Card Holders
- Clients who are 65 or older but does not have enough work credit

Who can apply through a Broker (Off-Exchange):

- Undocumented clients
- Undocumented clients who are 65 and older are not eligible for Medicare.
- If a client does not have a Broker, MADAP staff will be able to assist the client in locating a Broker in their area

Immigration Status and MADAP Eligibility

Immigrants and Medicaid/MADAP

Who qualifies?

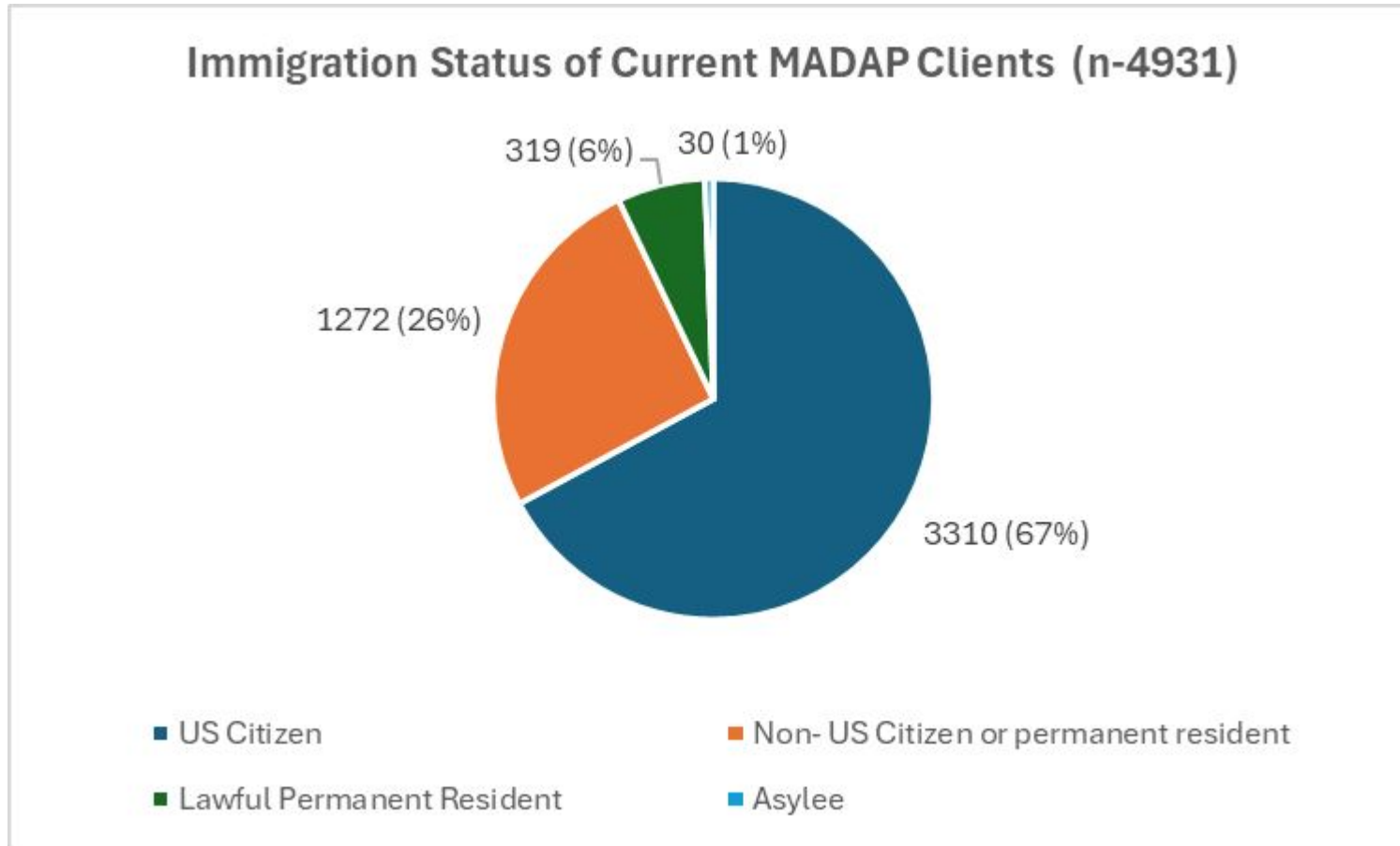
- If you're a “qualified non-citizen,” you're generally eligible for coverage through Medicaid and the Children’s Health Insurance Program (CHIP), if you meet state income and residency rules.
- To get Medicaid and CHIP coverage, many qualified non-citizens (such as many Lawful Permanent Residents, also known as LPRs or green card holders) have a 5-year waiting period.
- This means they must wait 5 years after getting "qualified" immigration status before they can get Medicaid and CHIP coverage.
- **There are exceptions.** For example, refugees, asylees, or LPRs who used to be refugees or asylees don’t have to wait 5 years. Qualified non-citizens who haven’t yet had their status for 5 years generally qualify for Marketplace coverage, if otherwise eligible.

Immigration Status and MADAP Eligibility

Immigrants and Medicaid/MADAP

- Lawful Permanent Residents (LPR/Green Card Holder)
- Asylees
- Refugees
- Cuban/Haitian entrants
- Paroled into the U.S. for at least one year
- Conditional entrant granted before 1980
- Battered non-citizens, spouses, children, or parents
- Victims of trafficking and his or her spouse, child, sibling, or parent or individuals with a pending application for a victim of trafficking visa
- Granted withholding of deportation
- Member of a federally recognized Indian tribe or American Indian born in Canada
- Citizens of the Marshall Islands, Micronesia, and Palau who are living in one of the U.S. states or territories (referred to as Compact of Free Association or COFA migrants)

Immigration Status of Current MADAP Clients



What type of Immigrant is the Client?

Immigration Status and MADAP Eligibility

Immigration Status and MADAP Eligibility

Relevant Terms & Definitions

United States Citizen

A United States citizen is someone who's born in the United States (including United States territories, except for American Samoa) or who was born outside the United States and who either:

- Was naturalized as a United States citizen
- Derived citizenship through the naturalization of his or her parent(s)
- Derived citizenship through adoption by United States citizen parents, provided certain conditions are met
- Acquired citizenship at birth because he or she was born to United States citizen parent(s)
- Became a United States citizen by operation of law

Immigration Status and MADAP Eligibility

Relevant Terms & Definitions

United States National

A United States national is someone who's a United States citizen or owes permanent allegiance to the United States. With extremely limited exception, all non-citizen United States nationals are people born in American Samoa or people born abroad with one or more American Samoan parents under certain conditions.

Immigration Status and MADAP Eligibility

Relevant Terms & Definitions

Naturalized Citizen

To become a naturalized United States citizen, an immigrant must:

- Be 18 years of age.
- Be lawfully admitted for permanent residence (see below).
- Have resided continuously in the United States for five years (or three years if married to a United States citizen) after being admitted for LPR status and been physically present in the United States at least half time during the five years prior to filing the application for citizenship.
- Be of good moral character; and
- Support the Constitution and be disposed to the good order and happiness of the United States.

Immigration Status and MADAP Eligibility

Relevant Terms & Definitions

Lawful Permanent Resident (LPR) or Green Card Holder

A grant of lawful permanent resident (LPR) status allows an immigrant to reside and work permanently in the United States. LPRs are also known as green card holders, although the card has not always been green. To be eligible for LPR status, the applicant must indicate an intention to reside permanently in the United States. The following are the major underlying visa petition categories through which an immigrant can acquire lawful permanent status.

- Family-based visas: unmarried sons or daughters of citizens; spouses and children of LPRs; unmarried sons or daughters (not a child) of LPRs; married sons or daughters of citizens; brothers or sisters of citizens.
- Employment-based visas: (1) priority workers (immigrants who possess extraordinary ability, professors or researchers, multinational executives); (2) immigrants who hold advanced degrees or possess exceptional ability; (3) certain classes of skilled workers, professionals, or other workers who perform jobs for which qualified workers are not available in the United States
- Diversity-based visas: as determined by the Attorney General.

An immigrant can also acquire lawful permanent resident status through other means, such as by adjusting status from that of a refugee, asylee, VAWA self-petitioner, T visa, U visa, or special immigrant. To be eligible for LPR status, the applicant must meet the criteria for admissibility, whether entering on a permanent visa or adjusting status.

Lawful permanent residents can be subject to removal for engaging in a wide variety of illegal activity, as specified in Federal Immigration Law.

Please note that LPR or Green Card Holders are assigned a SSN upon arrival to the United States, if they do not already have one.

Immigration Status and MADAP Eligibility

Relevant Terms & Definitions

Conditional Permanent Resident

Conditional permanent residents include immigrant spouses and their children who applied for lawful permanent resident status based on a qualifying marriage to a LPR or a citizen. The conditional status expires on the second anniversary of obtaining conditional status unless the immigrant and his or her spouse have jointly applied for lawful permanent resident status prior to that time.

Immigration Status and MADAP Eligibility

Relevant Terms & Definitions

Undocumented Immigrant

Undocumented immigrants are foreign-born people who do not possess a valid visa or other immigration documentation, because they entered the United States without inspection, stayed longer than their temporary visa permitted, otherwise violated the terms under which they were admitted.

Medicaid, CHIP, & "public charge" status

Applying for or getting Medicaid or CHIP benefits, or getting savings for Marketplace health coverage doesn't make you a "[public charge](#)". This means it won't affect your chances of becoming a Lawful Permanent Resident or U.S. citizen.

There's one exception for people getting long-term care in an institution at government expense, like in a nursing facility. These people may face barriers getting a green card.

Getting emergency care

Medicaid provides payment for treatment of an emergency medical condition for people who meet all Medicaid eligibility criteria in the state (such as income and state residency), but don't have an eligible immigration status.

Immigration Status and MADAP Eligibility

Relevant Terms & Definitions

What Is DACA: (Deferred Action for Childhood Arrivals)

On June 15, 2012, the Secretary of Homeland Security announced that certain people who came to the United States as children and meet several guidelines may request consideration of deferred action for a period of 2 years, subject to renewal. They are also eligible to request work authorization. Deferred action is an exercise of prosecutorial discretion to defer removal action against an individual for a certain period of time. Deferred action does not provide lawful status.

They were excluded from applying for the Health Exchange, effective November 1, 2024 they exclusion has ended.

Immigration Status and MADAP Eligibility

Relevant Terms & Definitions

Coverage for lawfully present immigrants

Lawfully present immigrants can get Marketplace coverage and may qualify for premium tax credits and other savings on Marketplace plans.

The term **“lawfully present”** includes immigrants who have:

- “Qualified non-citizen” immigration status (see details below).
- Humanitarian statuses or circumstances (including Temporary Protected Status, Special Juvenile Status, asylum applicants, Convention Against Torture, victims of trafficking).
- Valid non-immigrant visas.
- Legal status conferred by other laws (temporary resident status, LIFE Act, Family Unity individuals).

Immigration Status and MADAP Eligibility

Relevant Terms & Definitions

Refugees and Asylum

Refugee status or asylum may be granted to people who have been persecuted or fear they will be persecuted on account of race, religion, nationality, and/or membership in a particular social group or political opinion.

Refugees

Refugee status is a form of protection that may be granted to people who meet the definition of refugee and who are of special humanitarian concern to the United States. Refugees are generally people outside of their country who are unable or unwilling to return home because they fear serious harm. You may seek a referral for refugee status only from outside of the United States.

Asylum

Asylum status is a form of protection available to people who:

Meet the definition of refugee, Are already in the United States, Are seeking admission at a port of entry

You may apply for asylum in the United States regardless of your country of origin or your current immigration status.

Immigration Status and MADAP Eligibility

Relevant Terms & Definitions

Paroled Status

DHS has announced processes through which nationals of Cuba, Haiti, Nicaragua, and Venezuela, and their immediate family members, may request to come to the United States in a safe and orderly way. Qualified beneficiaries who are outside the United States and lack U.S. entry documents may be considered, on a case-by-case basis, for advanced authorization to travel and a temporary period of parole for up to two years for urgent humanitarian reasons or significant public benefit. To participate, eligible beneficiaries must:

Have a supporter in the United States.

Undergo and clear robust security vetting.

Meet other eligibility criteria; and

Warrant a favorable exercise of discretion.

Immigration Status and MADAP Eligibility

Relevant Terms & Definitions

Family-Sponsored Visa

- Overall, about 80% of all legal immigration into the United States, is through some type of family visa. The following is a summary of family visa categories.
- Immediate relatives of a United States Citizen, including an immigrant spouse, unmarried minor child, or parent if citizen is 21 or older, are not subject to numerical limitation. The immigrant spouse or minor child will be a conditional immigrant if marriage is entered into less than 24 months prior to the date that the visa is obtained.
- A lawful permanent resident immigrant spouse or unmarried minor child not otherwise entitled to a visa is entitled to the same status as the petitioning lawful permanent resident if accompanying or following to join the spouse or parent.

Immigration Status and MADAP Eligibility

Relevant Terms & Definitions

Non-Immigrant Temporary Visa

- The law provides for a variety of categories of immigrants that are eligible for visas to legally enter the United States on a temporary basis for a limited period.
- These visa holders are classified as non-immigrants under Federal immigration law.
- Eligible immigrants include vacationers, students, certain classes of temporary workers, and a variety of specialized categories.
- The authorized length of stay is specified in the visa.
- The immigrant may have to take certain actions to maintain the status.

Additional Immigration Definitions

Immigration Status and MADAP Eligibility

Immigration Status and MADAP Eligibility

Relevant Terms & Definitions

Work visa vs Work Permit

Business visas are also often different from work permits as they are only granted for a temporary short-term period while, generally, work permits can be granted for longer periods. Many business visas are valid for 30 to 90 days within a 180-day period.

Immigration Status and MADAP Eligibility

Relevant Terms & Definitions

Social Security Number

Social Security issues three types of Social Security cards. All cards show the name and Social Security number. If someone is not a United States Citizen or lawful permanent resident, there may be a work restriction listed on the card.

1. Shows your name and Social Security number and lets you work without restriction.
 - a. We issue it to:
 - i. U.S. citizens; and
 - ii. People lawfully admitted to the United States on a permanent basis.
2. Shows your name and Social Security number with the restriction, "VALID FOR WORK ONLY WITH DHS AUTHORIZATION".
 - a. We issue it to people lawfully admitted to the United States on a temporary basis who have DHS authorization to work.
3. Shows your name and Social Security number with the restriction, "NOT VALID FOR EMPLOYMENT".
 - a. We issue it to people from other countries who:
 - i. are lawfully admitted to the United States without work authorization from DHS, but have a valid non-work reason for needing a Social Security number; or
 - ii. need a number because of a federal law requiring a Social Security number to get a benefit or service.

Immigration Status and MADAP Eligibility

Relevant Terms & Definitions

ITIN Number

- An Individual Taxpayer Identification Number (ITIN) is a tax processing number issued by the Internal Revenue Service.
- The IRS issues ITINs to individuals who are required to have a United States taxpayer identification number but who do not have, and are not eligible to obtain, a Social Security number (SSN) from the Social Security Administration (SSA).
- IRS issues ITINs to help individuals comply with the United States tax laws, and to provide a means to efficiently process and account for tax returns and payments for those not eligible for Social Security numbers.
- They are issued regardless of immigration status, because both resident and nonresident immigrants may have a United States filing or reporting requirement under the Internal Revenue Code.
- ITINs do not serve any purpose other than federal tax reporting. Please note that an ITIN does not authorize work in the United States.

Immigration Status and MADAP Eligibility

Summary

- *Why does Immigration Status Matter?*
- *Is the Client an Immigrant?*
- *Insurance Options for Immigrant Clients*
- *What type of Immigrant is the Client?*
- *8 Relevant Terms for immigrants*
- *Additional Immigration Definitions*

MADAP Contact Information

MADAP Office
1223 W. Pratt Street
Baltimore, MD 21223

Office hours:
8:30 AM to 4:30PM, Mon-Fri

Local: 410-767-6535;
Toll Free: 1-800-205-6308
Fax Lines: 410-333-2608, 410-244-8617

Pharmacy Helpline:
1-800-932-3918

Email and Website Addresses:

MADAP applications and forms: client.services@maryland.gov
Insurance invoices and bills: mdh.csopen_enrollment@maryland.gov

Website for MADAP Forms:

<https://health.maryland.gov/phpa/OIDPCS/Pages/MADAP.aspx>

Questions and Answers



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DEPARTMENT OF HEALTH

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<https://health.maryland.gov/phpa/OIDPCS/Pages/MADAP.aspx>

