

2. Ineligible Aliens

Ineligible aliens include all other aliens and also include the following:

- Visitors, tourists, students, and diplomats;
- Undocumented immigrants;
- Those admitted under color of law;
- Aliens who have applied for eligible status but who have not been approved (except for battered spouses and children with a military connection);
- Aliens whose status is questionable or unverified; and
- The children of any of these individuals even those under the age of 18.

C. MEDICAID

NOTE: REASONABLE OPPORTUNITY: At the time of application or upon redetermination of benefits all applicants and recipients must be given a reasonable opportunity period to provide documents to establish United States citizenship or nationality once per lifetime. The reasonable opportunity period for applicants to provide documentation of citizenship is 90 days. Current Medicaid recipients continue to receive benefits until determined ineligible. [Medicaid is closed only after the recipients is given a reasonable opportunity period of 45 days to present evidence. See Section 4.3.E.]

1. Medicaid Eligibility

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PL 104-193) significantly changed Medicaid eligibility for individuals who are not citizens of the United States. Medicaid must be provided to eligible citizens and nationals of the United States.

Individuals who meet the eligibility requirements of Medicaid, but are not citizen or nationals, are Medicaid eligible only as provided below.

- For the purposes of qualifying as a United States citizen, the United States as defined by the Immigration and Naturalization Act include the fifty states, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, and the Northern Mariana Islands. Nationals from American Samoa, or Swain's Island are also regarded as United States citizens for purposes of Medicaid.

- Applicants for Medicaid whose documents presented raise a question about their alien status must provide documentation of their citizen/alien status before eligibility can be determined.