

**MEDICAL ASSISTANCE ELIGIBILITY FOR NON-CITIZENS
May 2010**

This chart shows the categories of non-citizens who are eligible for Medical Assistance Coverage in Rhode Island. This includes children eligible for Rite Care/Rite Share, Katie Beckett coverage, children in foster care, post-foster care (Chafee coverage), children receiving adoption subsidy. Adults include parents eligible for Rite Care/Rite Share and elders and people with disabilities.

Non-citizens who would otherwise be eligible for one of these Medical Assistance programs, but for their lack of qualifying status, are eligible for Emergency Medical Assistance which covers the cost of emergency in-patient hospital services and hospital emergency room services.

Status	Children	Adults	Pregnant	Documentation
				These are examples of documents that would establish the status
Lawful permanent resident	Eligible	Not eligible until in status five years (5 year bar) unless entered US before 8/22/96 ⁱ or veteran/active duty military ⁱⁱ	Eligible	I-551 (green card)
Refugee	Eligible	Eligible ⁱⁱⁱ	Eligible	I-94 ^{iv} ; coded 207; I-766 ^v coded A3 or A4; I-551 coded RE#
Granted Asylum	Eligible	Eligible ^{vi}	Eligible	I-94 coded 208; I-766 coded A5; I-551 coded AS#
Paroled into US for at least 1 year	Eligible	Not eligible until in status five years unless entered US before 8/22/96	Eligible	I-94 coded 212(d)(5)

Granted withholding of deportation/removal	Eligible	Eligible	Eligible	Immigration court order. I-766 coded A10
Cuban/Haitian entrant	Eligible	Eligible	Eligible	I-94 "Cuban/Haitian ent."
Amerasian	Eligible	Eligible	Eligible	I-94, AM 1, 2, 3
Battered spouse or child (VAWA self-petition)	Eligible	Not eligible until in status 5 years	Eligible	Eligibility letter from CIS/deferred action (I-797)
Conditional Entrant	Eligible	Not eligible until in status 5 years unless entered U.S. before 8/22/96	Eligible	I-94 coded 203(a)(7)
Victim of Trafficking	Eligible	Eligible	Eligible	Certification or letter from the office of Refugee Resettlement
Native American born outside the U.S.	Eligible	Eligible	Eligible	Birth or baptismal certificate issued on reservation; tribal records; ltr. from Canadian Dept. of Indian Affairs
New eligibility categories for children under CHIPRA				
Deferred Enforced Departure	Eligible	Not eligible	Eligible	CIS Letter, I-766 coded A11
Temporary Protected Status	Eligible	Not eligible	Eligible	I-94 "TPS"; I-766 coded A12
Spouse or child of US citizen who is pending adjustment of status	Eligible	Not eligible	Eligible	Receipt (I-797) for I-485 and receipt (I-797) for I-130; passport stamped adjustment app
Fiancee of a citizen and his/her minor child as permitted under section 101(a)(15)(K) of the INA	Eligible	Not Eligible	Eligible	I-94 showing admission as K1, K2, K3, K4; I-551 with CF, CR, IR code
Temporary Resident Status as amnesty beneficiaries pursuant to section 210 or 245A of the INA	Eligible	Not eligible	Eligible	I-766 showing Temporary Resident

Family Unity Beneficiary	Eligible	Not eligible	Eligible	I-797, I-766 coded A13
Parent or child of individuals with special immigrant status under section 101(a)(27) of the INA as permitted under section 101(a)(15)(N) of the INA	Eligible	Not eligible	Eligible	I-94 showing admission as N-1 or N-2
Religious workers under section 101(a)(15)(R)	Eligible	Not eligible	Eligible	I-94 showing admission as R-1 or R-2
Individuals assisting the DOJ in a criminal investigation as permitted under section 101(a)(15)(U) of the INA	Eligible	Not eligible	Eligible	I-766 coded either A19 or A20
Individuals with a petition pending for 3 years or more as permitted under section 101(a)(15)(V) of the INA	Eligible	Not eligible	Eligible	I-94 showing admission as V-1 or V-2
Citizens of a Compact of Free Association State	Eligible	Not eligible	Eligible	I-94 coded D/S
Deferred Action Status pursuant to Service Operations Instructions at OI 242.1(a)(22)	Eligible	Not eligible unless pursuant to VAWA petition and in status 5 years	Eligible	I-797C. I-94 coded C14
Person in possession of critical reliable information concerning criminal or terrorist organization or enterprise as permitted under 101(a)(15)(S)of the INA	Eligible	Not eligible	Eligible	I-94 coded (c)(21); I-766 coded (c)(21)

ⁱ A person who was in the US before 8/22/96, has continuously lived in the country and adjusts to LPR status does not have to wait 5 years from gaining LPR status to qualify for RIte Care. It doesn't matter what the person's status was before gaining LPR status (including undocumented). Continuously living in the country means that from the date of entry to the US until the date the green card was issued, the person never left the US for a single absence of 30 days or a total of 90 days cumulatively. To establish eligibility under this category, the person needs to provide documents showing when they entered the US (e.g. a visa) and continuous residence (e.g., social security printouts, school records, medical records, rent receipts.)

ⁱⁱ Immigrants who have served in the US military and their family members are not affected by the 5 year bar. Family members of an LPR who is currently serving in the military are also eligible.

ⁱⁱⁱ Refugees and persons granted asylum can adjust to LPR status after one year. A person who had status as a refugee or asylee and adjusted to LPR status is not affected by the 5 year bar and is eligible for RIte Care/RIte Share. Look under the word "category" on the front of the permanent resident card. If the category is AS followed by a number or RE followed by a number, then the person previously had status as an asylee or refugee and the 5 year bar does not apply.

^{iv} The I-94 is the "Arrival/Departure Record card. The category (code) is on the front of the card.

^v The I-766 is the Employment Authorization Card. Look for the category (code) on the front side of the card in the circle.

^{vi} See iii above