

Individuals who are not citizens of the United States may qualify for assistance based on their status granted by the U.S. Citizenship and Immigration Service (USCIS). Effective October 1, 2026 amended by H.R. 1 (2025) the listed below are "qualified" immigrants as defined in federal law. However, the eligibility of these immigrants varies among the programs and is based on certain factors as explained in the following sections. Do not authorize or deny assistance based solely on this list. Read the following sections to understand the distinctions in program eligibility and benefits.

Exemptions from the 5-Year Bar:

- Lawful Permanent Resident under the Immigration and Naturalization Act (INA) (5-year Bar applies)
- Cuban and Haitian Entrants
- COFA Migrants (COFA citizens who adjust to Lawful Permanent Resident (LPR) status must meet all other eligibility requirements including the 5-year waiting period (if applicable) (Refer to 2402.20.41)

Certain statuses who adjust to LPR are exempt from the 5-year bar. Individuals who held one of the following statuses when granted LPR status may receive full coverage without the waiting period.

- Victims of trafficking/certain family members
- Veterans/active-duty and certain family members
- Asylees under Section 208 of the INA
- Refugees under Section 207 of the INA
- Parolees under Section 212(d)(2) of the INA if paroled for at least one year
- Persons whose deportation is withheld under Section 243(h) of the INA
- Conditional entrants under Section 203(a)(7) of the INA in effect prior to April 1, 1980
- Amerasians admitted pursuant to Section 584 of P.L. 100-202 and amended by P.L. 100-461.

Non-citizens in any other USCIS classification are not eligible for full coverage Medicaid but can be eligible for emergency Medicaid coverage.

The eligibility provisions are mandated by federal law: Title IV of the Personal Responsibility and Work Opportunities Reconciliation Act (P.L. 103-193) as amended by the Balanced Budget Act of 1997 (P.L. 105-33), as amended by the **One Big Beautiful Bill Act 2025** (P.L. 119-21) the Agricultural Research, Extension and Education Reform Act of 1998 (P.L. 105-185), and the Farm Security and Rural Investment Act of 2002 (P.L. 107-171).