

2402.20.45

VETERAN OR ACTIVE-DUTY MEMBER OF THE ARMED FORCES

Effective October 1, 2026, per Section 71109 of the 2025 Budget Reconciliation Act, lawfully residing veterans/active-duty servicemembers and certain family members are eligible for full coverage Medicaid only after they adjust to a qualified non-citizen status or meet a federal exemption (Refer to 2402.20.00). The covered population includes veterans, military personnel on active duty in the military, have served minimum active-duty service requirements, or are spouses or dependent children of veterans or military personnel who die during active military duty and individuals who served in the Philippine Commonwealth Army during World War II or as Philippine Scouts following the war. Non-citizen U.S veterans and active members of the armed forces (along with their spouses and dependents) who adjust to LPR status are exempt from the 5-year bar.

An eligible veteran is a person who served in the active U.S. military, naval, or air service, and was released with a discharge characterized as honorable and not on account of alienage. Veterans should have received a full copy of DD Form 214 (Certificate of Release of Discharge from Active Duty) that contains the necessary information. An honorable discharge is denoted by the entry of "Honorable" in the "Character of Service" block of DD Form 214.

If the evidence characterizes the discharge as anything other than "Honorable", such as "Under Honorable Conditions", the individual and family members cannot be determined eligible based on the veteran exception. Eligibility based on veteran status cannot be established if the reason for discharge was based on alien status, lack of U.S. citizenship or other "alienage" reasons, or if the "Separation Code" block contains an entry JCP, KCP, SCP, or YCP. Those codes establish discharge based on alienage. If the individual states that he or she meets the veteran's requirements but is unable to present the appropriate discharge papers as documentation, the worker should contact the Veterans Affairs Regional Office.

The eligibility exception for veterans also applies to the Hmong and other Highland Lao tribal people who fought on behalf of the U.S. Armed Forces during the Vietnam conflict.

Persons who fulfill the minimum active-duty service requirements or their un-remarried surviving spouse and dependent children and adjust to a qualified non-citizen status or meet a federal exemption may be exempt from other alien requirements (Refer to 2402.20.00). Minimum active duty served by a person who initially enters service after 9/7/80 is 24 months of continuous active duty or the full period for which the person was called or ordered to active duty.

A person who is on active duty in the U.S. Armed Forces (other than active duty for training) is also not subject to the assistance limitations placed on immigrants in his classification. Documentation of active-duty status is the individual's Armed Forces of the United State Geneva Conventions Identification Common Access Card (CAC). The CAC, a "smart" card about the size of a credit card, is the standard identification for active-duty uniformed service personnel. Other types of verification of active-duty status include but are not limited to a copy of the soldier's

orders indicating active-duty status, an enlistment contract, or a letter from the soldier's commanding officer. A blue (retiree) or beige (dependent) card is not evidence of active duty.

Note: Individuals who fail to attain or adjust to a federally qualified status should be transitioned to Emergency Services Only Medicaid coverage (ESO) (Refer to 2402.20.50).