

2402.20.60 Ukraine Special Immigrants

Effective October 1, 2026, per Section 71109 of the 2025 Budget Reconciliation Act, certain Ukraine nationals with special immigrant status under section 401 of the Immigration and Nationality Act (INA) 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). Ukraine Special immigrants who adjust to LPR status are exempt from the 5-year bar.

Ukrainian parolees who adjust to a qualified non-citizen status and meet 5-year bar or meet a federal exemption are eligible for full coverage Medicaid.

A citizen or national of Ukraine, or a person who last habitually resided in Ukraine may qualify for Specific Immigrant status.²⁸ These individuals may enter the United States (U.S.) as Lawful Permanent Residents (LPRs) with a special immigrant visa or may adjust to special immigrant status after entering the U.S. under another immigration status (such as an asylee or parolee). Therefore, unless the immigrant is a qualified non-citizen (Refer to 2402.20.00) and is eligible under current program rules, the date of eligibility may or may not coincide with the special immigrant's date of entry (See Eligibility Period below).

This policy is based on the provisions in the Additional Ukraine Supplemental Appropriations Act, 2022 (Section 401, P. L. 117-128) enacted on May 21, 2022, and amended by Section 71109, Public Law 119-21 (2025).²⁹

On 5/21/22, the U.S Congress enacted the Additional Ukraine Supplemental Appropriations Act (AUSAA) granted states authorization to provide medical assistance available to refugees, for specific Ukrainian populations and other non-Ukrainian individuals in response to their displacement from Ukraine resulting from Russia's February 24, 2022, invasion.³⁰ Individuals from Ukraine may fall under one or more immigration status; Temporary protected status (TPS), humanitarian parolee status only, or TPS and humanitarian parolee status.

Temporary Protected Status (TPS): The Department of Homeland Security (DHS) designated Ukraine for TPS status for 18 months, effective April 19, 2022, or later through October 19, 2023. Ukrainian Nationals (citizens) and Individuals with no nationality who last habitually resided in Ukraine and who have continuously resided in the U.S. since April 11, 2022, and have been continuously physically present in the U.S. since April 19, 2022, can apply for TPS status.

- Ukrainian nationals granted TPS only or who have a pending application for TPS are considered "lawfully present," but are not considered "qualified non-citizens. These individuals must adjust to a qualified non-citizen status and are subject to the five-year waiting period.
- TPS application is available to eligible Ukrainian nationals who entered the U.S. between April 19, 2022, and October 19, 2023 and meet all other eligibility requirements.

Verifications include Employment Authorization Document (EAD) with a category of A12 or C19,

I-797, Application for Temporary Status, or any verification or documentation from DHS or other authoritative document.

Effective October 1, 2026, per Section 71109 of the 2025 Budget Reconciliation Act Special Immigrant Parolees: Ukrainian nationals who enter the U.S. as parolees on or between February 24, 2022, and September 30, 2023, are eligible for full coverage Medicaid only if they adjust to a qualified non-citizen status or meet a federal exemption. Special Immigrant Parolees who adjust to LPR status are exempt from the 5-year bar.

Verification is established by Form I-94 noting humanitarian parole (per INA section 212(d)(5) or 8 U.S.C. § Foreign passport with DHS/CBP admission stamp noting “DT” Foreign passport with DHS/CBP admission stamp noting Uniting for Ukraine or “U4U” Or Foreign passport with DHS/CBP admission stamp noting Ukrainian Humanitarian Parolee or “UHP” Or Form I-765 Employment Authorization Document (EAD) receipt notice with code C11 Or Form I-766 Employment Authorization Document (EAD) with the code C11.

Eligibility

Effective October 1, 2026, amended by H.R. 1 (2025), Ukraine nationals (citizens) or non-Ukrainian citizens who last habitually resided in Ukraine and entered the U.S. as a parolee between February 24, 2022 and September 30, 2023, and meet all other eligibility requirements are eligible for full coverage Medicaid or CHIP only after they adjust to a qualified non-citizen status or meet a federal exemption (Refer to 2402.20.00). Retro coverage is available if all other eligibility requirements are met (e.g., income, residency, etc.).

Reasonable Opportunity Period (ROP)

If worker is unable to verify Ukrainian national’s immigration status promptly, and the individual has attested to having an eligible immigration status and meets all other eligibility requirement, then the person must be determined eligible for Medicaid during the 90-day ROP. (Refer to 2035.40.05 for processing guideline).

Please submit a PAL for questionable eligibility or immigration status.