

# Module 4: Apple Health Eligibility Factors

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Office of Medicaid Eligibility Policy  
Medicaid Programs Division

2022

# Topics

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- ▶ Washington State Residency
- ▶ Date of Birth
- ▶ Social Security Numbers
- ▶ Citizenship and Immigration Status
- ▶ Resources

# Washington State Residency



# Washington State Residency

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- ▶ Per WAC 182-503-0520, a resident is someone who currently lives in Washington State and:
  - ▶ Intends to continue living in Washington permanently or for an open-ended period of time;
  - ▶ Entered the state looking for a job; or
  - ▶ Entered the state with a job commitment.
- ▶ An individual does not need to live in the state for a specific period of time before being considered a resident.
- ▶ Apple Health programs are limited to Washington residents.

# Children age 18 or Younger

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- ▶ In addition to the previous slide, a child age 18 or younger is a resident when:
  - ▶ The child lives within the state, even without a fixed address, with a parent or caretaker who is also considered a resident;
  - ▶ The child's parent or caretaker is a resident; or
  - ▶ The child is age 13 or older and can attest to their own residency.

# Temporary Absences

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- ▶ An individual can be temporarily out of the state for more than one month and still be considered a resident if they:
  - ▶ Intend to return to the state once the purpose for the absence has been accomplished; and
  - ▶ Are not determined eligible for Medicaid in another state.

See WAC 182-503-0520

# Washington State Visitors

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- ▶ Individuals visiting Washington are not considered residents of Washington.
- ▶ Examples of those who are not residents include individuals:
  - ▶ From out of state who are attending college in Washington and intend to return to their home state after completing school.
  - ▶ Who entered Washington without a job commitment, are not looking for work and do not intend to stay.

# Washington State Visitors

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- ▶ Another example of those who are not residents is:
  - ▶ Temporary visa holder. Generally, temporary visa holders are not Washington State residents, unless they:
    - ▶ Intend to reside in Washington after their visa expires;
    - ▶ Entered the state with a job commitment; or
    - ▶ Entered the state looking for a job

# Washington State Residency

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- ▶ An individual who enters Washington State only for health care is not a resident and is not eligible for any medical program.
  - ▶ Exception: individuals who move directly into a Washington nursing facility are considered residents.
- ▶ Residency rules for institutionalized individuals are described in WAC 182-503-0525.

# State Residency Scenarios

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- ▶ Scenario one:
  - ▶ Lisa enters the U.S. from overseas with a tourist visa.
  - ▶ Lisa gives birth to Henry, and both return home after a two-week stay.
- ▶ Are Lisa and Henry Washington residents?
  - ▶ No. Neither Lisa or Henry are considered residents because they are only visiting.

# State Residency Scenarios

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- ▶ Scenario two:

- ▶ Mary is receiving Apple Health coverage and must take care of her ill grandmother who lives in another state.
- ▶ Mary expects to be gone for several months.

- ▶ Is Mary still a resident of Washington?

- ▶ Yes. Mary is still a resident of Washington because her absence is temporary, and she will return to Washington.

# State Residency Scenarios

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## ▶ Scenario three:

- ▶ The Smith family came to Washington State from Montana for cancer treatment at a local children's hospital and plans to return as soon as their child completes treatment.
- ▶ The family will be here for a minimum of six months and could possibly be longer depending on the progress of the treatment.

## ▶ Are the Smith's Washington residents?

- ▶ No. Since the family entered the state for medical care and they plan to return home, they are not considered residents.

# State Residency Scenarios

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- ▶ Scenario four:

- ▶ Justin and Brittney are in the US on student visas, attending college, and have Ally, their US-born child, age 2. The parents apply for Apple Health.
- ▶ When asked, Justin and Brittney declare they intend to return to their home country with Ally when they finish with school.

- ▶ Are they Washington residents?

- ▶ No. Since Justin and Brittney do not intend to live in Washington indefinitely, the family is not considered residents.

# Date of Birth



# Date of Birth

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- ▶ Correctly entering an individual's date of birth is critical to ensure the individual is approved on the appropriate program.
- ▶ See MAGI programs and age requirements:

MAGI Program	Age Requirement
Apple Health for Newborns	12 months and younger born to a parent on Apple Health
Apple Health for Kids With and Without Premiums	19 and under
Apple Health for Adults	19-65
Apple Health for Families & Parent Caretakers/Caretaker Extension	19 and older

# Date of Birth

Non-MAGI programs	Age requirement
Apple Health for Workers with Disabilities	At least 16
Apple Health Take Charge	No age limit
SSI-related	18 or older*
Medical Care Services	At least 19
Medicare Savings Program	18 or older**
Breast & Cervical Cancer Treatment Program	Under 65

\*65 or older or blind or disabled as defined by the Social Security Administration and determined by DSHS.

\*\*65 or older or has been receiving Social Security or Railroad Disability benefits for at least 24 months.

# Social Security

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# Social Security Number

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- ▶ A valid Social Security number (SSN) or proof that an individual has submitted an application for an SSN is required for all Apple Health programs, except:
  - ▶ Apple Health for Refugees
  - ▶ Apple Health Alien Emergency Medical
  - ▶ Apple Health for Newborns if the birth parent was eligible for Apple Health on the date of delivery
  - ▶ Apple Health for Kids or Pregnant Individuals when an individual does not meet citizenship criteria described in WAC 182-503-0535

See WAC 182-503-0515

# Social Security Number

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- ▶ When an individual is unable to provide their SSN either because it is not known or it has not been issued, they must provide:
  - ▶ Proof from the Social Security Administration (SSA) that an application for the SSN has been submitted; and
  - ▶ The SSN when it is received.
- ▶ Apple Health is not denied or terminated while waiting for the SSA to send an SSN.

# Social Security Number

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- ▶ Individuals who are required to provide an SSN or proof of an SSN application but refuse to do so will not receive Apple Health coverage unless they:
  - ▶ Are not able to obtain or provide an SSN because they are a victim of domestic violence;
  - ▶ Are not eligible to receive an SSN or may only be issued an SSN for a valid non-work reason; or
  - ▶ Refuse to apply for or provide an SSN for well-established religious objections.

# Citizenship and Immigration



# Citizenship and Immigration

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- ▶ All Apple Health applicants must provide their citizenship/immigration status, which determines what program they are eligible for.
- ▶ Individuals fall into one of the following groups:
  - ▶ U.S. citizens, U.S. Nationals, qualifying American Indian born abroad
  - ▶ Lawfully present qualified non-citizens
  - ▶ Lawfully present nonqualified non-citizens
  - ▶ Immigrants who are not lawfully present

See WAC 182-503-0535

# Citizenship Categories

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- ▶ The different categories/groups include:
  - ▶ U.S. Citizen:
    - ▶ Individuals born in the U.S. or its territories- Guam, Puerto Rico, the U.S. Virgin Islands, and residents of the Northern Mariana Islands who chose to become U.S. citizens
    - ▶ Individuals who have become naturalized U.S. citizens
    - ▶ Certain individuals born abroad to at least one U.S. citizen

# Citizenship Categories

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- ▶ U.S. National:
  - ▶ Individuals born in American Samoa or Swains Island and residents of the Northern Mariana Islands who did not choose to become U.S. citizens.
- ▶ Qualifying American Indian born abroad:
  - ▶ Born in Canada and has at least fifty percent American Indian blood, regardless of tribal membership; or
  - ▶ Born outside of the U.S. and is a member of a federally recognized tribe or an Alaska Native enrolled by the Secretary of the Interior under the Alaska Native Claims Settlement Act.

# Non-Citizen Categories

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- ▶ Qualified non-citizen:
  - ▶ Individuals who are lawfully present in the U.S. and must meet or are exempt from the five-year bar
- ▶ Nonqualified non-citizen:
  - ▶ Individuals who are lawfully present in the U.S. whose status is not included in the qualified non-citizen category
- ▶ Immigrants who are not lawfully present:
  - ▶ Individuals who entered the U.S. without document inspection or who entered the U.S. lawfully but whose status has expired or been revoked by United States Citizenship & Immigration Services (USCIS)

# Citizenship/Immigration Chart

Citizenship/Immigration	Potentially Eligible	Not Eligible
<b>1. U.S. Citizens; U.S. Nationals; and Qualifying American Indians Born Abroad</b>	<ul style="list-style-type: none"> <li>• Apple Health for Kids</li> <li>• Apple Health for Pregnant Women</li> <li>• Apple Health for Adults</li> <li>• Apple Health for Families &amp; Caretaker Relatives</li> <li>• SSI-Related Medicaid</li> </ul>	<ul style="list-style-type: none"> <li>• Alien Medical Programs (AMP)</li> <li>• Medical Care Services (MCS)</li> </ul>
<b>2. Lawfully Present Qualified Immigrants</b> <ul style="list-style-type: none"> <li>➤ 5-Year Bar Met or Exempt</li> </ul>	<ul style="list-style-type: none"> <li>• Apple Health for Kids</li> <li>• Apple Health for Pregnant Women</li> <li>• Apple Health for Adults</li> <li>• Apple Health for Families &amp; Caretaker Relatives</li> <li>• SSI-Related Medicaid</li> </ul>	<ul style="list-style-type: none"> <li>• AMP</li> <li>• MCS</li> </ul>
<ul style="list-style-type: none"> <li>➤ 5-Year Bar Required and Not Met</li> </ul>	<ul style="list-style-type: none"> <li>• Apple Health for Kids</li> <li>• Apple Health for Pregnant Women</li> <li>• MCS</li> <li>• AMP</li> </ul>	<ul style="list-style-type: none"> <li>• Apple Health for Adults</li> <li>• Apple Health for Families &amp; Caretaker Relatives</li> <li>• SSI-Related Medicaid</li> </ul>
<b>3. Lawfully Present Non-Qualified Immigrants/Nonimmigrants</b>	<ul style="list-style-type: none"> <li>• Apple Health for Kids</li> <li>• Apple Health for Pregnant Women</li> <li>• MCS</li> <li>• AMP</li> </ul>	<ul style="list-style-type: none"> <li>• Apple Health for Adults</li> <li>• Apple Health for Families &amp; Caretaker Relatives</li> <li>• SSI-Related Medicaid</li> </ul>
<b>4. Undocumented Immigrants</b>	<ul style="list-style-type: none"> <li>• Apple Health for Kids</li> <li>• Apple Health for Pregnant Women</li> <li>• AMP</li> </ul>	<ul style="list-style-type: none"> <li>• Apple Health for Adults</li> <li>• Apple Health for Families &amp; Caretaker Relatives</li> <li>• SSI-Related Medicaid</li> <li>• MCS</li> </ul>

▶ The Citizen and Non-Citizen Guide\* shows which programs someone may potentially be eligible for.

\*[hca.wa.gov/assets/free-or-low-cost/citizenship\\_alien\\_status\\_guide.pdf](https://hca.wa.gov/assets/free-or-low-cost/citizenship_alien_status_guide.pdf)

# Five-year Bar Rule

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- ▶ The five-year bar rule applies to the following individuals:
  - ▶ Lawful Permanent Residents (LPR).
  - ▶ Parolees granted parole for at least one year.
  - ▶ Abused spouses with children with an I-130 notice of “prima facie” approval or a pending approved self-petition under the Violence Against Women Act (VAWA).
  - ▶ Admitted to the U.S. as a conditional entrant prior to April 1, 1980.

# Five-year Bar Exemptions

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- ▶ A lawfully present qualified non-citizen is exempt from the five-year bar if they were:
  - ▶ Admitted to the U.S. as a refugee
  - ▶ Granted asylum
  - ▶ Granted withholding of deportation or removal
  - ▶ A Cuban or Haitian national who was paroled into the U.S. or given other special status
  - ▶ An Amerasian child of a U.S. citizen under 8 C.F.R Section 204.4(a)
  - ▶ Iraq or Afghanistan nationals who have been granted special immigrant status. See [hca.wa.gov/assets/free-or-low-cost/afghan-special-immigrant-visas-and-parolees.pdf](https://hca.wa.gov/assets/free-or-low-cost/afghan-special-immigrant-visas-and-parolees.pdf)
  - ▶ Armed service members, veterans or family members who are LPR, parolee or abused person

# Five-year Bar Exemptions

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- ▶ Certified or approved as a victim of trafficking by the federal Office of Refugee Resettlement, or if they are family.
- ▶ Hmong (or Highland Laotian) tribe members born before May 8, 1975, whose tribe assisted the U.S. military during the Vietnam era and their spouse and unmarried dependent children age 18 or younger.
- ▶ Citizens of the Republic of the Marshall Islands, the Republic of Palau and the Federated States of Micronesia have special right under Compacts of Free Association and are lawfully allowed to enter, reside and work in the U.S. but are not U.S. nationals.

# Lawfully Present Non-Citizens

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- ▶ Lawfully present nonqualified non-citizens include but are not limited to:
  - ▶ Business visitors, students and tourists entering the U.S. for limited time, for a specific purpose
  - ▶ A fiancé of a citizen
  - ▶ Applicants for adjustment of status, asylum, cancellation of removal, suspension of deportation, or withholding of deportation or removal
  - ▶ K", "S", "U" or "V" status visa holders who are allowed to work and eventually adjust their status to LPR
  - ▶ Cancellation of removal, suspension of deportation granted or deferred action (except for Deferred Action for Childhood Arrivals (DACA))
  - ▶ Immigrants paroled into the U.S. for less than one year

# Not Lawfully Present Immigrants

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- ▶ Individuals who enter the U.S. and are not lawfully present or entered legally but their lawful presence status has expired could qualify for some Apple Health Medicaid programs.
- ▶ For more information on citizen and immigration status definitions visit: [hca.wa.gov/health-care-services-supports/program-administration/citizen-and-immigration-status-definitions](https://hca.wa.gov/health-care-services-supports/program-administration/citizen-and-immigration-status-definitions).

# Resources



# Resources

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- ▶ **HCA Stakeholder training and education**

- ▶ [hca.wa.gov/stakeholder-training](https://hca.wa.gov/stakeholder-training)

- ▶ **Residency requirements**

- ▶ [hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/residency](https://hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/residency)

- ▶ **HCA area representatives**

- ▶ [hca.wa.gov/assets/free-or-low-cost/area\\_representatives.pdf](https://hca.wa.gov/assets/free-or-low-cost/area_representatives.pdf)

- ▶ **Contact us**

- ▶ [hcavolunteerassister@hca.wa.gov](mailto:hcavolunteerassister@hca.wa.gov)



# Congratulations!

- ▶ You have completed Module 4 of HCA Community Based Training!
- ▶ Please continue on to Module 5 of the 7 module HCA Community Based Training.