



## THE NEW YORK IMMIGRATION COALITION

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### POLICY UPDATE

#### *NEW CITIZENSHIP DOCUMENTATION REQUIREMENT FOR MEDICAID HAS **NO** EFFECT ON IMMIGRANTS' ELIGIBILITY*

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#### ***New Documentation Requirement Does Not Affect Immigrant Applicants for Medicaid***

The federal government has created a new requirement that applicants for Medicaid **who claim to be U.S. citizens** must have their citizenship status documented by Medicaid eligibility workers. The new citizenship documentation requirement, contained in the Deficit Reduction Act, becomes effective on July 1, 2006. The law does not change immigrant eligibility for Medicaid. Many non-citizens are still eligible for Medicaid. The new citizenship documentation requirement does not apply to lawful permanent residents or other non-citizens who are eligible for the Medicaid program - the new documentation requirement applies **only** to citizens.

#### ***No Change in Medicaid Eligibility Rules***

There are **no** new restrictions on federal Medicaid eligibility for immigrants. Some people have mistakenly said that immigrants are no longer eligible for Medicaid – the fact is that you do not need to be a U.S. citizen in order to enroll in the Medicaid program. The immigrant eligibility categories for Medicaid remain unchanged. For example, lawful permanent residents (LPRs/green card holders) and many other immigrants are still eligible for federal Medicaid, just as before. Using Medicaid generally does **not** have negative immigration consequences, and immigrants are **not** required to pay back Medicaid costs when adjusting immigration status or naturalizing.

In New York State, many immigrants are eligible for the government's Medicaid health insurance program even if they do not yet have green cards. The only New Yorkers who cannot use the regular Medicaid program are people who are undocumented or who are here on non-immigrant visas, although these individuals are eligible for Medicaid if they are able to apply for permanent residence. Throughout the United States, low-income immigrants who are not eligible for the regular Medicaid program are permitted to enroll in Emergency Medicaid (Medicaid for an emergent medical condition) to reimburse hospitals and other health care providers for emergency medical expenses.

### ***New Documentation Requirements Apply Only to Citizens***

As of July 1, 2006, the federal government's new requirement is clear: people claiming to be U.S. citizens must provide documentation of their citizenship status to the Medicaid program. This new documentation requirement is only for people who claim to be U.S. citizens. Immigrants already were required to provide documentation of their status in order to get Medicaid. Remember: You do **not** have to be a citizen in order to be eligible for Medicaid.

Most naturalized U.S. citizens are in a good position to provide this documentation. For many years, New York and some other states already required documentation of citizenship from Medicaid applicants. New York State does not plan to make any changes to the way it enrolls people into the Medicaid program as a result of the new federal law that goes into effect July 1, 2006.

### ***Changes Will Likely Hurt Disadvantaged U.S. Citizens***

It is estimated that if as few as 2% of U.S. citizens who are currently enrolled in Medicaid across the country are unable to provide documentation of citizenship, it will result in roughly 1 million low-income elderly and disabled U.S. citizens being kicked off the Medicaid program and losing access to affordable health care.

This is another example of the U.S. Congress making it difficult for poor Americans and persons with disabilities to access government services. The people who will have the hardest time meeting the government's new Medicaid requirements will be elderly U.S. citizens, and citizens who are disabled or mentally challenged. The new rule is likely to create large and unnecessary challenges to low-income U.S. citizens that will impede or delay access to health care. It is no consolation that the new policy was actually intended to harm immigrants but was so poorly conceived that it will harm U.S.-born citizens instead.

Rep. Charles Norwood, Republican from Georgia, created the new Medicaid law with the specific intent to deny health care to immigrants. However, the new rule actually harms U.S.-born citizens much more than naturalized U.S. citizens or any other immigrants. Elderly African Americans in southern states may be harmed the most – many were denied the opportunity to be born in hospitals prior to the U.S. civil rights movement, and many lack birth certificates or other proof of citizenship. The government's new Medicaid rule will prevent people from using Medicaid even though they have lived in the United States their entire lives, are citizens, and have paid taxes.

### ***Resources***

For a detailed summary of the new Medicaid policy see the website of the Center on Budget and Policy Priorities: <http://www.cbpp.org/4-20-06health.htm>.

For information about immigrants’ rights to government programs and services throughout the U.S. see the National Immigration Law Center website: <http://www.nilc.org>.

To learn more about immigrants’ access to health care and insurance in New York State, visit the New York Immigration Coalition website: <http://www.thenyic.org>.