Dealing with Non-U.S. Applicants for Medicaid Benefits

August 7-8, 2014

16th Annual Estate Planning, Guardianship and Elder Law Conference

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Presentation Overview

- Overview of the nationality/citizenship requirements for Medicaid eligibility

- Overview of immigration law

Eligibility for Medicaid Benefits

- Nationality and Residence Requirements

- Age, Blindness or Disability

- Medical Necessity

- Income Limitations

- Resource Limitations

Nationality Requirements

- The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, effective August 22, 1996
  - Placed limitations on an immigrant's eligibility for Medicaid benefits
  - Limited either eligibility or placed time limits on the receipt of benefits
- Medicaid rules and federal rules refer to immigrants as "aliens"

Nationality Requirement: General Rule

- Must either be a citizen or national of the United States
- Alien who entered prior to August 22, 1996, lived continuously since entry, and is a qualified alien
- Alien who entered on or after August 22, 1996, lived continuously since entry, is a qualified alien and meets certain eligibility limitations

General Rule, cont...

- An "alien" is a non-U.S. citizen or national

- Aliens are categorized as either qualified or non-qualified aliens

- Categorization is based on immigration classification and date of entry into the U.S.

Title search: Dealing with Non-U.S. Applicants for Medicaid Benefits

Also available as part of the eCourse
[Elder Law and Medicaid: The View from HHSC; plus Dealing with Non-U.S. Applicants for Benefits](#)

First appeared as part of the conference materials for the
16th Annual Estate Planning, Guardianship and Elder Law Conference session
"Dealing with Non-U.S. Applicants for Medicaid Benefits"