

# TRANSMITTAL LETTER FOR MANUAL RELEASES

STATE OF MARYLAND  
DEPARTMENT OF HEALTH AND MENTAL HYGIENE  
BENEFICIARY SERVICES ADMINISTRATION  
DIVISION OF ELIGIBILITY SERVICES  
201 WEST PRESTON STREET  
BALTIMORE, MARYLAND 21201

410-767-1463

1-800-492-5231 extension 1463

**MANUAL:** Medical Assistance

**EFFECTIVE DATE:** July 1, 2005

**RELEASE NO:** MR-125

**ISSUED:** July 2005

**APPLICABILITY:** State-only X01 coverage for ineligible qualified aliens

---

<u>Item</u>	<u>Remove Pages</u>	<u>Insert Pages</u>
<u>Chapter 5 – Non-Financial Eligibility Requirements</u> (State-only coverage in X01 for ineligible qualified aliens)	500-8a – 500-8b	500-8a – 500-8b

## COMMENTS

Funding was removed from the State's budget effective July 1, 2005 for the State-only Medical Assistance (MA) coverage group of X01. This coverage group is only for aliens who qualify technically and financially for MA or the Maryland Children's Health Program (MCHP), except that they are qualified aliens subject to the 5-year bar who have not lived in the United States for at least 5 years as a qualified alien.

- Children's certification for X01 ended as of June 30 through a mass modification in CARES and MMIS. In June, the Department of Health and Mental Hygiene mailed the adverse action notice to these children. They were advised to complete the enclosed MCHP application and mail it to their local health department if they think that they are federally eligible and want to re-apply. Some of these children may now be federally eligible because they are naturalized citizens, asylees, or refugees, or are qualified aliens who either entered the United States before August 22, 1996 or have lived in the United States for at least 5 years as a qualified alien.
- If the child X01 recipient is pregnant, they were advised in the adverse action notice to tell their eligibility case worker immediately. The eligibility case worker should reactivate their X01 eligibility (as a pregnant woman) without a break until the end of the postpartum period after their delivery.
- X01 applications that were received before July 1, 2005 may be approved. However, X01 eligibility for all non-pregnant children must be end-dated as of June 30, 2005. Applications for pregnant women are processed as usual, with eligibility approved through the end of the postpartum period.
- X01 applications for children or pregnant women that are received on or after July 1, 2005 must be denied, including retroactive coverage that would have begun before July 1, 2005.

- Temporary workers including agricultural contract workers; and
- Members of foreign press, radio, film or other information media and their families.

### **Illegal Aliens**

An illegal alien is an alien not lawfully residing in the U.S. for either a permanent or temporary purpose. This group includes persons who entered the U.S. illegally, regardless of the means by which the alien arrived (e.g., border crossing by boat, train, car, bus, airplane or by foot). Illegal aliens also include aliens who were legally admitted for a limited period of time and did not leave the U.S. when the approved period expired.

## **2. X-Track - Coverage of Certain Aliens for State-Only Medical Assistance or for Only Emergency Medical Services**

- Certain “non-qualified” aliens who are not eligible for MA or MCHP benefits in a federal category may be covered for most services in the State-only coverage category of X01 or for only emergency medical services in the federal category of X02.
- Applicants who meet the citizenship/alien requirements for full federal coverage should not be determined eligible in the X-track, such as:
  - Naturalized citizens;
  - Qualified aliens who entered the United States on or after August 22, 1996 and have lived continuously in the U.S. for at least 5 years as a qualified alien;
  - Qualified aliens with an immigration status that is not subject to the 5-year bar, such as asylees, refugees, and victims of trafficking; and
  - Qualified aliens who most recently entered the U.S. for a continuous stay before August 22, 1996, even if they entered as an illegal or ineligible alien.

### **Children and Pregnant Women – Ineligible Qualified Aliens State-Only (X01)**

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996

contained provisions restricting the eligibility of certain legal aliens for federal benefit programs. Due to cuts in the State's budget for FY 2006:

- For X01 applications received before July 1, 2005:
  - Children may be determined eligible through June 30, 2005;
  - Pregnant women (including pregnant children) may be determined eligible through the end of their postpartum period after the baby's delivery.
- All applications received on or after July 1, 2005 for X01 coverage as a child or pregnant woman will be denied, including retroactive coverage that would have begun before July 1, 2005.

For X01, a child was defined as:

- (1) Younger than 18 years old; or
- (2) A full-time student and reasonably expected to complete a program of secondary education or the equivalent level of vocational or technical training before the end of the calendar year in which the child turned 19 years old.

Previously, a qualified alien who entered the U.S. on or after August 22, 1996 and had not met the required 5-year bar was eligible in X01 for most MA benefits, if the child or pregnant woman otherwise qualified technically and financially for full federal coverage in a MA or Maryland Children's Health Program (MCHP) community coverage group.

Pregnant X01 recipients who applied before July 1, 2005:

- Are covered while they are pregnant and for a postpartum period that extends from their delivery until the last day of the second month after their delivery;
- Are covered for the same services as a pregnant woman eligible in a community MA or an MCHP coverage category;
- Are no longer eligible for X01 if the woman has a miscarriage or abortion;
- Are not covered for abortion services; and