



Commonwealth of Massachusetts
Executive Office of Health and Human Services
Office of Medicaid
www.mass.gov/masshealth

Eligibility Operations Memo 22-11
September 2022

TO: MassHealth Eligibility Operations Staff
FROM: Heather Rossi, Director of Eligibility Policy
RE: **Eligibility for Displaced Ukrainian Citizens**

A handwritten signature in black ink that reads "Heather Rossi".

Background

The United States is committed to supporting Ukrainians who were displaced due to the Russian invasion of Ukraine. Ukrainians have begun entering the United States under various immigration statuses and some are settling in Massachusetts. This Eligibility Operations Memo aims to provide guidance to staff about the types of immigration statuses that Ukrainian applicants may be submitting when applying for MassHealth and other health benefits.

Noncitizen Statuses for Ukrainian Nationals

The following is a list of the types of frequent statuses that displaced Ukrainians are either entering the United States with or have been receiving after arriving.

Certain Ukrainian Humanitarian Parolees

Ukrainian nationals (or persons who last habitually resided in Ukraine) who enter the United States as parolees between February 24, 2022, and September 30, 2023, (or after September 30, 2023, for dependent children and spouses of a parolee or for parents, legal guardians, or primary caretakers of unaccompanied minor parolees) are considered Qualified Noncitizens, or Qualified Legally Present (QLP), and are being treated the same as refugees for the purpose of receiving MassHealth. They are not subject to the five-year bar. Most of these Ukrainians are entering the country and receiving an I-94 stamp marked "UHP" (Ukrainian Humanitarian Parolee) on their foreign passport. Some Ukrainians may also have a "DT" or "PAR" stamp which also indicates paroled.

Refugee Status

Some Ukrainian nationals are being granted refugee status when they enter the United States. Like the Ukrainian Humanitarian Parolees, these applicants are considered Qualified Noncitizens, or Qualified Legally Present (QLP), for the purpose of receiving MassHealth and other health benefits and are not subject to the five-year bar. Refugees who enter the United States will be eligible to receive an I-551, Legal Permanent Resident Card.

Temporary Protected Status (TPS)

The United States Department of Homeland Security (DHS) designated Temporary Protected Status (TPS) to Ukrainians who were staying in the United States and were unable to return safely home due to the Russian invasion of Ukraine. Ukrainian nationals (and individuals with no nationality who last regularly lived in Ukraine) who have been living in the United States continuously since April 11, 2022, and who have been physically present continuously since April 19, 2022, may be eligible for TPS status. This TPS will remain in effect for 18 months, until October 19, 2023.

Individuals with TPS designation are considered Nonqualified Individuals Lawfully Present (ILP) for the purpose of receiving health benefits. They may be eligible for Employment Authorization Documentation (EAD), and the I-766 EAD card can be used to verify their TPS status.

Individuals with pending applications for TPS who have been granted employment authorization are also considered ILP.

Nonimmigrant Visa

Certain Ukrainians may be entering the United States with Nonimmigrant Visas such as B1 (business visa), B2 (tourist visa), J1 (work-and-study-based exchange visitor visa), or F1 (student visa). Applicants with valid unexpired nonimmigrant visas are considered Nonqualified Individuals Lawfully Present (ILP) for the purpose of receiving MassHealth. Applicants may verify their nonimmigrant visa status by providing a copy of their machine-readable visa or their unexpired foreign passport with an I-94 stamp indicating their entry code.

Person Residing Under Color of Law (PRUCOL)

Individuals who have applied for a valid status (such as Asylum, TPS, or Legal Permanent Residence) and who do not currently have Employment Authorization, may be considered Nonqualified Persons Residing Under Color of Law (PRUCOL). PRUCOL is an immigration status in Massachusetts that allows those who qualify to receive certain public benefits. Proof of application for a valid status, such as an I-797 notice of action, is sufficient to verify PRUCOL.

For more detailed information about PRUCOL and how to verify PRUCOL status, see [EOM-22-04](#).

Verification

Every effort will be made to verify an individual's self-attested immigration status by performing data matches with federal and state agencies.

If an applicant or MassHealth member's immigration status cannot be verified by a data match or a document is not provided, a Request for Information (RFI) may be generated. The applicant or MassHealth member will be provided a reasonable opportunity to verify their immigration status. The reasonable opportunity period begins on, and extends 90 days from, the date on which an applicant or MassHealth member receives a reasonable opportunity notice.

Reasonable Opportunity Extension

Applicants or MassHealth members who have made a good-faith effort to resolve inconsistencies or obtain verification of immigration status may receive a 90-day extension.

Requests for a reasonable opportunity extension must be made before the expiration of the initial 90-day verification period.

Questions

If you have questions about this memo, please have your MEC designee contact the Policy Hotline.