

Staff Testimony

For Public Hearing about Amendments to Certain MassHealth Eligibility Regulations

Introduction

Good Morning. My name is Lynn Finstein and I am a Senior Policy Analyst at the Executive Office of Health and Human Services (EOHHS). I am here to present testimony on proposed amendments to the following regulations: 130 CMR 504.000 and 130 CMR 518.000.

Background

The regulations at 130 CMR 504.000 and 130 CMR 518.000 describe the categorical immigration and citizenship rules to determine eligibility and provide benefits for the MassHealth program and certain other health care programs administered by the Executive Office of Health and Human Services, also known as EOHHS.

As of December 27, 2020, COFA migrants are now eligible to receive full MassHealth Standard coverage as Qualified Noncitizens under section 208 of the Consolidated Appropriations Act of 2021. Under the proposed amendments to 130 CMR 504.000 and 130 CMR 518.000, COFA migrants are added to the description of Qualified Noncitizens. They will not be subject to the five-year bar if they maintain COFA migrant status. If a COFA migrant adjusts to legal permanent resident status, they may be subject to the five-year bar. Prior to this change in law COFA migrants were determined as Nonqualified Individuals Lawfully Present and only certain members or applicants could receive full Standard benefits.

Additional updates were also made to differentiate Native Americans with at least 50 percent American Indian blood who were born in Canada, pursuant to section 289 of the INA, or other tribal members born in territories outside of the U.S. pursuant to 25 U.S.C. 450b(e) as a Medicaid specific benefit.

Minor updates were also made to add capitalizations and make changes from alphabetical to numeric cites.

Proposed Amendments

I will provide a summary of the proposed amendments.

130 CMR 504.000

Revisions are being proposed to add a new provision to the citizenship and immigration regulations at 130 CMR 504.003(A)(1)(a)12. This change adds COFA migrants to the description of Qualified Noncitizens as described above.

Revisions are being proposed to differentiate Native Americans born in Canada at 130 CMR 504.003(A)(1)(a)7 as a Medicaid specific benefit as described above.

Minor citation and capitalization updates were also made.

130 CMR 518.000

Revisions are being proposed to add a new provision to the citizenship and immigration regulations at 130 CMR 518.003(A)(1)(a)12. This change adds COFA migrants to the description of Qualified Noncitizens as described above.

Revisions are being proposed to differentiate Native Americans born in Canada at 130 CMR 518.003(A)(1)(a)7 as a Medicaid specific benefit as described above.

Minor citation and capitalization updates were also made.

This concludes my testimony. Thank you for your attention.