

## Immigrants: Qualified Aliens/ PRUCOL Aliens

[ ] indicates the appropriate ACI Code (Citizenship/Alien Indicator Code)

All categories listed on this chart will mark themselves as **Immigrant-Non-Citizen** in NY State of Health

Children are eligible for CHPlus regardless of immigration status.

<p style="text-align: center;"><b>Qualified FFP</b> (Federal Financial Participation)</p>	<p style="text-align: center;"><b>Qualified</b> (Federal Non Participating for 5 Years) <b>Subject to 5 year bar</b></p> <p style="text-align: center;"><b>Once an individual in this category is no longer subject to the 5 year bar, their eligibility will match Qualified FFP.</b></p>	<p style="text-align: center;"><b>PRUCOL</b></p> <p>PRUCOL means Permanently Residing Under Color of Law, and is a category that was created by courts and is used for public benefits eligibility, including Medicaid. It is not recognized as an immigration status by the US Citizenship and Immigration Services (USCIS). For a person to be residing “under color of law,” the government must know about the person’s presence in the US, and has indicated that it is not contemplating the individual’s departure or planning deportation. A person residing under PRUCOL status cannot directly apply for U.S. citizenship or sponsor family members to obtain U.S. Citizenship. Though some of these individuals do not have SSNs, if financially eligible, PRUCOL individuals can get Medicaid, Child Health Plus, or Essential Plan in New York State. Depending on their particular immigration status, they may also be eligible for QHPs with or without the Premium Tax Credits or Cost Sharing Reductions. Be sure to check out the Resources section of this module for more information on this.</p>
<p>Individuals in this category are eligible for programs on NY State of Health based on income criteria (as long as they meet all other eligibility requirements).</p> <p>≤138% FPL (adult) – Medicaid                      &gt;138% - 150%FPL – EP 2                      &gt;150% - 200%FPL – EP 1                      &gt;200% - 250%FPL – QHP, APTC, CSR                      &gt;250% - 400%FPL – QHP, APTC                      Full Pay QHP</p> <p>*FPLs based on adult percentages</p>	<p>Individuals in this category are eligible for programs on NY State of Health based on income criteria (as long as they meet all other eligibility requirements).</p> <p>≤138% FPL (adult) – Medicaid                      &gt;138% - 150%FPL – EP 2                      &gt;150% - 200%FPL – EP 1                      &gt;200% - 250%FPL – QHP, APTC, CSR                      &gt;250% - 400%FPL – QHP, APTC                      Full Pay QHP</p> <p>*FPLs based on adult percentages</p>	<p>Individuals in this category are eligible for programs on NY State of Health based on income criteria (as long as they meet all other eligibility requirements).</p> <p>&lt;100%FPL – EP 4                      ≥100% - 138%FPL – EP 3                      &gt;138% - 150%FPL – EP 2                      &gt;150% - 200%FPL – EP 1                      &gt;200% - 250%FPL – QHP, APTC, CSR                      &gt;250% - 400%FPL – QHP, APTC                      Full Pay QHP</p> <p>*FPLs based on adult percentages</p>

<p>The term Qualified alien (FFP) refers to:</p> <ul style="list-style-type: none"> <li>immigrants who entered the U.S. prior to August 22, 1996, including individuals who attained “qualified alien” status subsequent to August 22, 1996, and who can demonstrate they continuously resided in the U.S. until attaining “qualified alien” status [Use applicable Citizenship/Alien Indicator Code (ACI)]</li> <li>refugees under Section 207 of the INA (including Amerasian immigrants admitted under the provisions of Public Law 100-202) [R] NOTE: Includes Victims of Trafficking [R-NYC D-Upstate]</li> <li>immigrants who have been granted asylum under Section 208 of the INA [A]</li> <li>immigrants for whom deportation has been withheld under Section 243 (h) or 241 (b)(3) of the INA [J]</li> <li>immigrants who are Cuban and Haitian entrants (as defined in Section 501 (e) of the Refugee Education Assistance Act of 1980) [H]</li> <li>immigrants lawfully residing in the State who are on active duty in the armed forces and their spouses and unmarried dependent children, who are also qualified immigrants [M]</li> <li>Exception from the five-year ban for immigrants entering the U.S. on or after 8/22/96, applies to qualified</li> </ul>	<p>The term Qualified alien (FNP) means an immigrant:</p> <ul style="list-style-type: none"> <li>who has been lawfully admitted for permanent residence under the Immigration and Nationality Act (INA) [S if individual has 40 qualifying quarters] [K if without 40 quarters or 40 quarters not determined]</li> <li>who has been paroled into the U.S. under Section 212(d)(5) of the INA for a period of at least one year [G]</li> <li>who has been determined by the social services district to be in need of Medicaid as a result of being battered or subject to extreme cruelty in the U.S. by a spouse, parent, or by a member of the spouse or parent’s family residing in the same household [B]</li> </ul>	<p>PRUCOL alien refers to:</p> <ol style="list-style-type: none"> <li>persons paroled into the U.S. showing status of less than one year.</li> <li>persons residing the U.S. pursuant to an Order of Supervision [O]</li> <li>persons granted an indefinite stay of deportation [O]</li> <li>persons granted an indefinite voluntary departure [O]</li> <li>persons on whose behalf an immediate relative petition has been approved, and family members covered by the petition [O]</li> <li>persons who have filed applications for adjustment of status (section 245 INA) that USCIS considers “properly filed” [O]</li> <li>persons granted stays of deportation [O]</li> <li>persons granted voluntary departure pursuant to Section 242(b) of the INA [O] NOTE: Section 242(b) of the INA has been repealed.</li> <li>persons granted deferred action status</li> <li>deferred action for childhood arrivals [O] – State only money</li> <li>persons who entered and have continuously resided in the U.S. before 1/01/72 [O]</li> <li>persons granted suspension of deportation pursuant to Section 244 of the INA; USCIS does not contemplate enforcing departure [O]</li> <li>other persons living in the U.S. with the knowledge and permission or acquiescence of the USCIS and</li> </ol>
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<p>immigrants who are veterans of the U.S. armed forces (discharge must have been characterized as honorable and not on account of his/her alien status). Exception is also provided to the veteran's qualified immigrant spouse, including his/her unremarried surviving spouse if veteran is deceased and any unmarried dependent qualified immigrant children [V]</p> <ul style="list-style-type: none"><li>• Native Americans born in Canada</li><li>• Native Americans belonging to a federally recognized tribe born outside the U.S.</li></ul>		<p>whose departure that agency does not contemplate enforcing [O]</p>
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