

# **DHB ADMINISTRATIVE LETTER NO: 07-22, UKRAINIAN IMMIGRANTS AND PAROLEES – AMENDED 2**

**DATE:** August 5, 2022

**SUBJECT:** Ukrainian Immigrants and Parolees **AMENDED 2**

**DISTRIBUTION:** County Departments of Social Services  
Medicaid Supervisors  
Medicaid Eligibility Staff

## **I. BACKGROUND**

On May 21, 2022, H.R.7691 – Additional Ukraine Supplemental Appropriations Act (AUSAA), 2022, was enacted by Congress. The AUSAA authorizes the Office of Refugee Resettlement (ORR) to provide resettlement assistance and other benefits, including medical assistance available for refugees to specific Ukrainian populations and other non-Ukrainian individuals in response to their displacement from Ukraine and entry into the United States.

The purpose of this letter is to provide instructions for determining eligibility and verifying immigration status for Ukrainian and non-Ukrainian immigrants and parolees included in AUSAA.

Immigrants from Ukraine may fall under more than one status. The immigrant may be designated with temporary protected status (TPS) only, humanitarian parolee status only, or TPS and humanitarian parolee status. It is important to note that immigrants who have been designated as TPS only do not qualify for ORR services but may qualify for full Medicaid for Pregnant Women and Children under 19 or for all others, emergency Medicaid services only. Refer to III.A. below.

This letter has been amended to update the immigration status information for humanitarian parolees for non-MAGI programs. See V.B.2. below.

**This letter has been amended a second time to provide additional guidance regarding immigration status evidence in NC FAST. See V.B. below.**

## **II. POTENTIAL IMMIGRATION STATUS**

### **A. Temporary Protected Status (TPS)**

1. The Department of Homeland Security (DHS) has designated Ukraine for TPS, effective April 19, 2022, through October 19, 2023.

2. TPS status includes:
  - a. Ukrainian Nationals
  - b. Individuals with no nationality who last habitually resided in Ukraine

**B. Ukrainian National Humanitarian Parolee**

Ukrainian Humanitarian Parolees (UHPs) are Ukrainian nationals (citizens) who are paroled between February 24, 2022, and September 30, 2023, into the United States under Uniting for Ukraine. UHPs have been granted humanitarian parole by the U.S. Department of Homeland Security in response to Russia's war on Ukraine.

**C. Non-Ukrainian National Parolee**

Non-Ukrainian national humanitarian parolees are individuals who are not Ukrainian nationals (citizens) but who last habitually resided in Ukraine, who DHS has paroled into the United States between February 24, 2022, and September 30, 2023. Non-Ukrainian humanitarian parolees have been granted humanitarian parole by the U.S. Department of Homeland Security in response to Russia's war on Ukraine.

**D. Paroled into the U.S. after September 30, 2023**

AUSAA will also extend to the following immigrants who are paroled into the U.S. after September 30, 2023:

1. A spouse or child of an individual described in II.B or II.C. above.
2. A parent, legal guardian, or primary caregiver of an **unaccompanied** refugee minor or an **unaccompanied** child described in II.B or II.C above.

The following are definitions provided by ORR:

- a. **Unaccompanied Refugee Minor (URM) Program:** Any citizen or national of Ukraine or other non-Ukrainian Individual who last habitually resided in Ukraine and is defined as an unaccompanied child under section 462(g)(2) of the Homeland Security Act of 2002, (hereinafter referred to as Unaccompanied Ukrainian Minors (UUM)) are eligible to apply for Office of Refugee Resettlement (ORR) URM program. UUMs who enter the URM program are eligible to received URM services to the same extent as refugees in the URM program.
- b. **Unaccompanied Children (UC):** Prior to or instead of entering the URM program UUMs may enter ORR custody through the UC program. Those UUMs released to family or sponsors rather than entering the

URM program are eligible for mainstream services to the same extent as refugees in the URM program.

### **III. POLICY PROCEDURES**

Caseworkers must verify any documentation provided via SAVE using established processes. See NC FAST Job Aid: SAVE Automation Verification, for more information. Refer to III.E. below for verification documents.

#### **A. Temporary Protected Status**

1. Immigrants from Ukraine who have been designated for Temporary Protected Status (TPS) or who have a pending application for TPS are considered “lawfully present” and **are subject** to the five-year bar.
2. TPS applies to Ukrainian immigrants who entered the U.S. between April 19, 2022, and October 19, 2023.
3. Evaluate immigrants with TPS status only for the following:
  - a. Full Medicaid for pregnant women and children under age 19
  - b. Emergency services only for all others
4. If the TPS immigrant does not meet eligibility criteria for Medicaid or NC Health Choice (NCHC) in III.A.3. above, they may be eligible for Marketplace subsidies.
5. Verification documents include:
  - a. Employment Authorization Document (EAD) with a category code of A12 or C19
  - b. A copy of their Form I-797, Notice of Approval, for a current Form I-821, Application for Temporary Status
  - c. Any verification or documentation from DHS or other authoritative document

Refer to MA-[2504/3330](#), Alien Requirements, for policy regarding TPS immigrants.

#### **B. Ukrainian National Humanitarian Parolees**

1. Ukrainian nationals (citizens) admitted to the U.S. as humanitarian parolees (UHP) are to be evaluated as qualified non-citizens and are treated the same as Refugees.

2. UHP immigrants **are not** subject to the five-year bar. They may be eligible for full Medicaid/NCHC when all other eligibility requirements are met.
3. Evaluate for all Medicaid/NCHC programs.
4. If not eligible for Medicaid or NCHC, they may be eligible for marketplace subsidies.
5. Enter the immigrant's information and verification in NC FAST. See NC FAST Job Aid: P2/6 & MAGI Immigration Status, for more information.

**C. Non-Ukrainian National Parolees**

1. Humanitarian parolees who last habitually resided in Ukraine but are not Ukrainian nationals (citizens) are also to be evaluated as qualified non-citizens and are treated the same as Refugees.
2. Non-Ukrainian national humanitarian parolees **are not** subject to the five-year bar.
3. They may be eligible for full Medicaid/NCHC when all other eligibility requirements are met.
4. Evaluate for all Medicaid/NCHC programs.
5. If not eligible for Medicaid or NCHC, they may be eligible for marketplace subsidies.
6. Enter the immigrant's information and verification in NC FAST. See NC FAST Job Aid: P2/6 & MAGI Immigration Status, for more information.

**D. Paroled after September 30, 2023**

Immigrants who enter the U.S. from Ukraine and meet the criteria of humanitarian parole **and** who meet one of the groups listed below, are to be evaluated and processed following the guidance provided above in section III. A., B., and C.

1. A spouse or child of an individual described in II.B or II.C. above.
2. A parent, legal guardian, or primary caregiver of an unaccompanied refugee minor or an unaccompanied child described in II.B or II.C above.

**E. Verification documentation**

<b>Immigration Status or Category of Applicant</b>	<b>Acceptable Documentation</b>
Ukrainian citizen or national who received humanitarian parole (known as a Ukrainian Humanitarian Parolee, or UHP)	Form I-94 noting humanitarian parole (per INA section 212(d)(5) or 8 U.S.C. § 1182(d)(5)) <b>Or</b> Foreign passport with DHS/CBP admission stamp noting “DT” <b>Or</b> Foreign passport with DHS/CBP admission stamp noting Uniting for Ukraine or “U4U” <b>Or</b> Foreign passport with DHS/CBP admission stamp noting Ukrainian Humanitarian Parolee or “UHP” <b>Or</b> Form I-765 Employment Authorization Document (EAD) receipt notice with code C11 <b>Or</b> Form I-766 Employment Authorization Document (EAD) with the code C11
A non-Ukrainian individual who last habitually resided in Ukraine and received humanitarian parole	Any one of the forms or stamps listed above for UHPs <b>And</b> Documentation of last habitual residence in Ukraine

**F. Reasonable Opportunity Period (ROP)**

For all immigration statuses, if the local agency is unable to verify immigration status for an otherwise eligible applicant, the 90-day ROP must be given. Refer to MA-2504/3330, Alien Requirements for policy and instructions for providing the ROP.

**IV. PERIOD OF ELIGIBILITY**

Please note that immigrants who have TPS status **only** with no humanitarian parole **do not** meet the requirements for ORR resettlement benefits but are potentially eligible for medical assistance. Refer to III.A., above for further guidance.

**A. Eligibility start date**

1. Immigrants meeting the criteria in section III.A. above who are eligible for Medicaid/NCHC due to pregnancy, child under 19, or emergency Medicaid,

are eligible on the date that they meet Medicaid/NCHC program requirements and the requirements in III.A.

2. Immigrants meeting the criteria in section III.B. and C., above are eligible for ORR resettlement benefits, including Medicaid/NCHC, beginning May 21, 2022, or the immigrant’s date of humanitarian parole, whichever is later.
3. Immigrants who entered the U.S. between February 24, 2022, and May 20, 2022, are eligible beginning May 21, 2022.

**B. Length of eligibility**

Immigrants entering the U.S. from Ukraine that meet the criteria in section III. above will continue to be eligible for ORR resettlement benefits, including Medicaid/NCHC, until the end of their parole term.

**V. NC FAST PROCEDURES**

Caseworkers must ensure that the correct immigration status is selected in NC FAST.

Follow NC FAST job aid: [P2/6 & MAGI Immigration Status](#), for entering alien information and verification in NC FAST.

**A. Immigrants with TPS only**

1. **MAGI: leave the immigration status blank and enter document information.**
2. **Non-MAGI: enter the individual as “Special Alien” in the Alien evidence and enter document information.**

**B. Immigrants with Humanitarian Parole status (with or without TPS)**

1. MAGI: select “refugee” from the drop-down menu for status.
2. Non-MAGI: select “refugee” from the drop-down menu for status.

**VI. IMPLEMENTATION**

These policies and procedures are effective immediately for applications and recertifications. This also includes applications or recertifications currently in process.

If you have any questions regarding this information, please contact your Medicaid Operational Support Team representative.

DocuSigned by:  


Dave Richard

Deputy Secretary, NC Medicaid