

# DHB ADMINISTRATIVE LETTER NO: 08-21, AFGHAN SPECIAL IMMIGRANTS AND PAROLEES

**DATE:** October 1, 2021

**SUBJECT:** Afghan Special Immigrants and Parolees

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

## I. BACKGROUND

On August 23, 2021, the President announced the Department of Homeland Security (DHS) would use parole to evacuate up to 50,000 Afghans who may be otherwise eligible for either refugee or Special Immigrant Visa (SIV) status but have not yet completed their visa processing. There are four groups of Afghan Immigrants.

- A. Special Immigrant Visa (SIV)** is a direct pathway for Lawful Permanent Resident (LPR) status.

SIV holders are **not** subject to the five-year bar for Medicaid and the Children's Health Insurance Program (CHIP).

- B. Special Immigrant, Conditional Permanent Residents (CPR)**, are SI conditional permanent residents. They are a non-SI parolee. CPRs will become LPR after DHS removes temporary conditions. When the condition is removed, they become an SI LPR.

Special Immigrants with CPR status are **not** subject to the five-year bar for Medicaid and CHIP. Evaluate individuals with this status for all Medicaid/NCHC programs.

- C. Special Immigrant Parolee (SIP)**, these are Afghans that are eligible for SIV, but were evacuated before completing the SIV process.

These Afghan (and Iraqi) Special Immigrants are treated in the same manner as refugees and thus considered to be qualified non-citizens, **not** subject to the five-year bar for Medicaid and the Children's Health Insurance Program (CHIP).

- D. Non-Special Immigrant Parolees** are Afghans who were evacuated for urgent humanitarian purposes and are not eligible for SIV status.

Non-Special Immigrant parolees are qualified non-citizens and **are** subject to the 5 year-bar. Pregnant women and children under age 19 who have this status may be eligible for full Medicaid. All others may be eligible for emergency services Medicaid if otherwise eligible.

The purpose of this letter is to provide instructions for determining eligibility and verifying immigration status for the four groups of Afghan immigrants and parolees listed below.

## **II. PROCEDURES**

### **A. Afghan Special Immigrants**

This group of immigrants and their families are eligible for Special Immigrant Visas (SIV) which gives them special immigrant Lawful Permanent Resident (LPR) status.

1. Refer to policy sections MA-[2504/3330](#), Alien Requirements. Afghan Special Immigrants are part of the alien classification: Iraqi or Afghan Special Immigrants.
2. Afghan Special Immigrants are qualified non-citizens and are **not** subject to the five-year bar.
3. Evaluate for all Medicaid/NC Health Choice (NCHC) programs.
4. If the immigrant is not eligible for Medicaid/NCHC, they may be eligible for marketplace subsidies.
5. Verification documents include:
  - a. Afghan passport with an immigrant visa stamp noting that the individual has been admitted under an Immigrant Visa (IV) and a DHS stamp or notation on the passport.
    - (1) Class of Admission (COA): SQ1, SQ2, or SQ3
    - (2) **Important note:** The U.S. Citizenship and Immigration Services (USCIS)/SAVE has stated that some of the new arrivals of Afghan Special Immigrants may **NOT** have a physical immigrant visa in their passport and may not have a temporary Form I-551 stamp.
    - (3) SAVE will provide an initial verification response of LPR for these special immigrants regardless of the documentation presented.
  - b. I-94 showing the date of entry with code SI-1,2,3 or SQ-1,2,3
  - c. Form I-551, Permanent Resident Card

6. Verify any documentation provided via SAVE using established processes. See NC FAST job aid, SAVE Automation Verification, for more information.
7. Follow NC FAST job aid, P2/6 & MAGI Immigration Status, for entering alien information and verification in NC FAST.

**B. Afghan Special Immigrant, Conditional Permanent Resident**

This group of immigrants will become an LPR after DHS removes conditions on their LPR admission.

1. Afghan Special Immigrant CPRs are qualified non-citizens and are **not** subject to the five-year bar.
2. Evaluate for all Medicaid/NC Health Choice (NCHC) programs.
3. If the immigrant is not eligible for Medicaid/NCHC, they may be eligible for marketplace subsidies.
4. Verification documents include:
  - a. Afghan passport with an immigrant visa stamp noting that the individual has been admitted under an Immigrant Visa (IV) and a DHS stamp or notation on the passport.
    - (1) Class of Admission (COA): CQ1, CQ2, or CQ3
    - (2) **Important note:** USCIS/SAVE has stated that some of the new arrivals of Afghan Special Immigrants may **NOT** have a physical immigrant visa in their passport and may not have a temporary Form I-551 stamp.
    - (3) SAVE will provide an initial verification response of LPR for these special immigrants regardless of the documentation presented.
  - b. Form I-551, Permanent Resident Card
5. Verify any documentation provided via SAVE using established processes. See NC FAST job aid, SAVE Automation Verification, for more information.
6. NC FAST functionality is being updated to recognize this alien status. Until functionality has been updated, caseworkers should **key a medical forced** eligibility application for traditional Medicaid programs or a **MAGI medical forced** eligibility application for MAGI programs.

See NC FAST job aids:

- Forced Eligibility for Income Support Medical Assistance, Special Assistance, and Cash Assistance
- MAGI – Medical Forced Eligibility & Ex-Parte/Admin Recertification

**C. Afghan Special Immigrant Parolee**

Some Afghan immigrants will be Special Immigrant Parolees. This group will be similar to the Afghan Special Immigrant Visa (SIV) holders even though they do not have a visa.

1. Afghan Special Immigrant Parolees are to be evaluated as qualified non-citizens.
2. The length of parole may be for less than or more than one year. The length of parole does not impact eligibility
3. This group is **not** subject to the five-year bar.
4. Evaluate for all Medicaid/NCHC programs.
5. If the immigrant parolee is not eligible for Medicaid/NCHC, they may be eligible for marketplace subsidies.
6. Verification documents include:
  - a. I-94 with code of SQ or SI Parole AND a separate, printed page on Customs and Border Protection letterhead signed and dated by a USCIS officer. The document will include the following information:

**Special Immigrant Status (SQ/SI) Parolee**

**Sec 602(b)(1) AAPA / Sec 1059(a) NDAA 2006**

**Date \_\_\_\_\_ USCIS officer: \_\_\_\_\_**
  - b. Form I-766, Employment Authorization Document (EAD), with a C11 parolee category.
  - c. SAVE can provide an initial verification response for a parolee with an SQ4 or SQ5 COA. Other COAs may need additional verification.
7. Verify any documentation provided via SAVE using established processes. See NC FAST job aid, SAVE Automation Verification, for more information.
8. NC FAST functionality is being updated to recognize this alien status. Until functionality has been updated, caseworkers should **key a medical forced** eligibility application for traditional Medicaid programs or a **MAGI medical forced** eligibility application for MAGI programs.

See NC FAST job aids:

- Forced Eligibility for Income Support Medical Assistance, Special Assistance, and Cash Assistance
- MAGI – Medical Forced Eligibility & Ex-Parte/Admin Recertification

**D. Afghan Non-Special Immigrant Parolee**

In addition to the three categories of Afghan Immigrants noted in A, B, and C, above, some Afghan Immigrants will have a status of non-special immigrant parolee. While these immigrants will have documentation of lawful presence, they have additional requirements for eligibility.

1. Caseworkers should follow guidance in MA-2504/3330 Alien Requirements for Parolees for Afghan non-special immigrant parolees.
2. The length of parole may vary, and current policy should be applied for parolees with more than one year of parole. The length of parole may impact eligibility for some programs.
3. Afghan non-special immigrant parolees **are** subject to the five-year bar. They are eligible for full Medicaid/NCHC after the five-year bar ends.
4. Evaluate for:
  - a. Full Medicaid for pregnant women and children under age 19
  - b. Emergency services for all others
5. If not eligible for Medicaid or NCHC, they may be eligible for marketplace subsidies.
6. Verification documents include:
  - a. I-94 or I-94A indicating “parole” or “PIP” or “212(d)(5),” or other language indicating parole status
  - b. Form I-688B or I-766 EAD coded 274a.12(a)(4), or A4 274a.12(c)(11) or C11
  - c. Any verification from the INS, DHS, or other authoritative document
  - d. If subsequently adjusted to LPR status, they may have an I-551 card
  - e. Afghan non-special immigrant parolees may have an “OAR” notation in the parole stamp in their passport. DHS is using this code to distinguish


Afghan parolees from other parolees; however, this notation alone does not give special immigrant status.

7. Verify any documentation provided via SAVE using established processes. See NC FAST job aid, SAVE Automation Verification, for more information.
8. Follow NC FAST job aid, P2/6 & MAGI Immigration Status, for entering alien information and verification in NC FAST.

### III. 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:  
  
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Dave Richard  
Deputy Secretary, NC Medicaid