



Department of Human Resources
311 West Saratoga Street
Baltimore MD 21201

Family Investment Administration
ACTION TRANSMITTAL

Control Number: 07-11

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**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT
FAMILY INVESTMENT SUPERVISORS AND ELIGIBILITY STAFF
HEALTH OFFICERS, LOCAL HEALTH DEPARTMENTS
LOCAL HEALTH DEPARTMENT ELIGIBILITY STAFF**

FROM: KEVIN M. MCGUIRE, EXECUTIVE DIRECTOR, FIA

CHARLES E. LEHMAN, EXECUTIVE DIRECTOR, DHMH/OOEP

**RE: RESUMPTION OF X01 COVERAGE FOR CHILDREN AND PREGNANT
WOMEN - INELIGIBLE QUALIFIED ALIENS**

**PROGRAMS AFFECTED: MEDICAL ASSISTANCE (MA) AND
MARYLAND CHILDREN'S HEALTH PROGRAM (MCHP)**

ORIGINATING OFFICE: OFFICE OF PROGRAMS

SUMMARY:

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 prohibits eligibility of certain legal aliens for federal benefit programs until the individual lives in the United States for at least 5 years as a qualified legal alien, if the individual most recently entered the U.S. on or after August 22, 1996. The 5-year bar is not applied to refugees or asylees or to aliens who most recently entered the U.S. before August 22, 1996.

Effective November 1, 2006, the Department of Health and Mental Hygiene is resuming coverage of children and pregnant or postpartum women under the X01 coverage group. This State-only coverage is for qualified aliens who are ineligible for the Maryland Children's Health Program (MCHP) (P-track except for P13 and P14) for the sole reason that they do not yet meet the 5-year bar.

X01 recipients are covered for all Medical Assistance services except for 1915(c) home and community-based waiver, long-term care, and abortion services. Recipients receive services on a fee-for-service basis. They are not enrolled in HealthChoice or Rare and Expensive Case Management (REM).

On July 1, 2005, due to budget cuts, eligibility for the X01 coverage group ended for children. Applications were no longer accepted for children or pregnant women. Pregnant or postpartum women, who were enrolled in the X01 coverage group on June 30, 2005, remained eligible until the end of their postpartum period.

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ACTION REQUIRED:

For MCHP or Medical Assistance applications filed on or after November 1, 2006, qualified legal aliens who are either children younger than 19 years old or pregnant or postpartum women may be determined eligible in the X01 coverage group. If the applicant has unpaid bills for the retroactive period under consideration, retroactive eligibility may also be granted.

To be eligible for X01, an alien must be denied federal eligibility for the sole reason of not meeting the 5-year bar, and must otherwise qualify technically and financially for a Title XIX P-track MCHP coverage group--P02, P03, P06 – P08, P11, or P12. Eligibility for X01 is determined in accordance with COMAR 10.09.11 and 10.09.24 and the MCHP and Medical Assistance Eligibility Manuals. Eligibility policy for P13 and P14 may not be used for the X01 coverage group, since these are federal Title XXI coverage categories.

Pregnant X01 recipients are covered while they are pregnant and for a postpartum period that extends from their delivery through the last day of the second month after their delivery. X01 eligibility must be terminated if the pregnant woman has a miscarriage or abortion or if the pregnancy otherwise ends for a reason other than the birth of a child (alive or dead).

Eligibility for X01 is determined through the Trial Budget process in CARES, using the income standard and technical eligibility requirements for the P-track coverage group for which the alien would otherwise qualify. CARES notices must be suppressed. The worker must send a manual notice with the eligibility decision. The following manual notices are in the Appendix of Chapter 5 in the Medical Assistance Eligibility Manual: Notice of Eligibility, Notice of Ineligibility – Non-Financial Reasons, and Notice of Ineligibility – Financial Reasons. Contact the DHMH Division of Eligibility Policy and MCHP if you need the Spanish version of these notices.

For additional information, see pages 500-8a – 500-8c and 500-8g in the Medical Assistance Eligibility Manual and Manual Release 136.

INQUIRIES:

For policy questions, contact the DHMH Division of Eligibility Policy and MCHP at 410-767-1463 or 1-800-492-5231 (select option 2 and request extension 1463). For CARES questions, contact Cathy Sturgill at 410-238-1247.

cc: DHR Executive Staff Constituent Services
 DHMH Executive Staff RESI
 FIA Management Staff DHR Help Desk
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