

TRANSMITTAL LETTER FOR MANUAL RELEASES

STATE OF MARYLAND
DEPARTMENT OF HEALTH AND MENTAL HYGIENE
BENEFICIARY SERVICES ADMINISTRATION
DIVISION OF ELIGIBILITY POLICY
201 WEST PRESTON STREET
BALTIMORE, MARYLAND 21201

410-767-1463 or 1-800-492-5231 option 2 and request extension 1463

MANUAL: Medical Assistance

EFFECTIVE DATE: November 1, 2006

RELEASE NO: MR-136

ISSUED: October 2006

APPLICABILITY: Resumption of X01 coverage for certain ineligible aliens

<u>Item</u>	<u>Remove Pages</u>	<u>Insert Pages</u>
<u>Chapter 5 – Non-Financial Eligibility Requirements</u> X01 eligibility	500-8a – 500-8b	500-8a – 500-8b

COMMENTS

Effective July 1, 2005, eligibility for the X01 coverage group ended for children and no applications were accepted for children or pregnant women. Pregnant or post-partum women, who were enrolled in the X01 coverage group on June 30, 2005, remained eligible until the end of their post-partum period.

For 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, which covers, with all-State funds, most MA services (except for 1915(c) waiver, long-term care, abortion, HealthChoice, and Rare and Expensive Case Management (REM) services). 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 be technically and financially eligible for a MA Title XIX P-track coverage group under the Maryland Children's Health Program (MCHP)--P02, P03, P06 – P08, P11, or P12. Eligibility for X01 is determined in accordance with COMAR 10.09.11 and the MCHP Eligibility Manual. Eligibility policy for P13 and P14 may not be used for the X01 coverage group, since these are federal Title XXI coverage categories.

If you have any questions about these policies or procedures, 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). Questions regarding CARES processing should be directed to Cathy Sturgill at 410-238-1247 or via email at csturgil@dhr.state.md.us.

- Temporary workers including agricultural contract workers; and
- Members of foreign press, radio, film or other information media and their families.

Illegal Aliens

An illegal alien is an alien not lawfully residing in the U.S. for either a permanent or temporary purpose. This group includes persons who entered the U.S. illegally, regardless of the means by which the alien arrived (e.g., border crossing by boat, train, car, bus, airplane or by foot). Illegal aliens also include aliens who were legally admitted for a limited period of time and did not leave the U.S. when the approved period expired.

2. X-Track - Coverage of Certain Aliens for State-Only Medical Assistance or for Only Emergency Medical Services

- Certain “non-qualified” aliens who are not eligible for MA or MCHP benefits in a federal category may be covered for most services in the State-only coverage category of X01 or for only emergency medical services in the federal category of X02.
- Applicants who meet the citizenship/alien requirements for full federal coverage should not be determined eligible in the X-track, such as:
 - Naturalized citizens;
 - Qualified aliens who entered the United States on or after August 22, 1996 and have lived continuously in the U.S. for at least 5 years as a qualified alien;
 - Qualified aliens with an immigration status that is not subject to the 5-year bar, such as asylees, refugees, and victims of trafficking; and
 - Qualified aliens who most recently entered the U.S. for a continuous stay before August 22, 1996, even if they entered as an illegal or ineligible alien.

Children and Pregnant Women – Ineligible Qualified Aliens State-Only (X01)

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 U.S. for at least 5 years as a qualified legal alien, if the individual entered the U.S. on or after August 22, 1996.

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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;
- Are covered for the same services as a pregnant woman eligible in a community MA or MCHP coverage category;
- Are no longer eligible for X01 if the 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);
- Are not covered for abortion services; and