



Medicaid Eligibility Procedure Letter (MEPL) No. 182

Effective Date: **April 24, 2024**

Issue Date: **July 24, 2024**

OAC Rule: **5160:1-2-12**

To: **Directors, County Departments of Job and Family Services
Other Interested Parties**

From: **Maureen M. Corcoran, Director**

Subject: **Ukraine Security Supplemental Appropriations Act of 2024 (USSAA) &
Re-Parole of Certain Humanitarian Parolees**

Reason for Change: On April 24, 2024, President Biden signed into law the Ukraine Security Supplemental Appropriations Act of 2024 (USSAA), which includes supplemental funding to the Office of Refugee Resettlement (ORR) for “refugee and entrant assistance activities” within the United States (U.S.) such as housing and medical assistance. As with the Additional Ukraine Supplemental Appropriations Act of 2022 (AUSAA), USSAA authorizes ORR’s parent agency, the Administration for Children and Families (ACF), to provide resettlement assistance and other federal mainstream benefits (such as Supplemental Security Income [SSI] and Medicaid) to citizens or nationals of Ukraine and certain non-Ukrainian individuals who last habitually resided in Ukraine, to the same extent that assistance and benefits are available to refugees. Individuals granted Humanitarian Parole under USSAA are eligible for Medicaid without a five-year bar waiting period when they satisfy the immigration status and lawful U.S. residency requirements (along with meeting all other conditions of eligibility).

In addition to the passage of USSAA, the U.S. Citizenship and Immigration Services (USCIS) is accepting and considering applications for a new period of parole, also known as re-parole. The re-parole process allows certain humanitarian parolees to continue receiving ORR and federal mainstream benefits for a designated period. Individuals with pending re-parole applications, as well as individuals granted re-parole, are eligible for Medicaid without a five-year bar waiting period when acceptable proof of requesting re-parole or approved re-parole is provided (along with meeting all other conditions of eligibility). USCIS can

approve re-parole for a period of up to an additional two years.

At this time, only certain humanitarian parolees are eligible to apply for re-parole. The following humanitarily paroled individuals, who are considered to have a qualifying status for Medicaid without meeting the five-year bar waiting period, are eligible to apply for re-parole:

- Afghan individuals who were humanitarily paroled into the U.S. between July 31, 2021, and September 30, 2023.
- Citizens or nationals of Ukraine and certain non-Ukrainian individuals who were humanitarily paroled into the U.S. between February 24, 2022, and September 30, 2024.

Policy:

USSAA

ORR Policy Letter (PL) 22-13 “Ukrainian Humanitarian Parolees Eligible for ORR Benefits and Services” identifies multiple categories of ORR-eligible Ukrainian individuals and other non-Ukrainian individuals displaced from Ukraine who may be eligible to receive federal mainstream benefits and ORR benefits under the USSAA.

The following new categories of displaced Ukrainian individuals, including certain displaced non-Ukrainian individuals who last habitually resided in Ukraine, are eligible for Medicaid without a five-year bar waiting period under the USSAA:

- Citizens or nationals of Ukraine who the Department of Homeland Security (DHS) has paroled into the U.S. between February 24, 2022, and September 30, 2024, due to urgent humanitarian reasons or for significant public benefit, known as Ukrainian Humanitarian Parolees (UHPs).
- Non-Ukrainian individuals who last habitually resided in Ukraine (including Crimea) who DHS has paroled into the U.S. between February 24, 2022, and September 30, 2024, due to urgent humanitarian reasons or for significant public benefit. Per the U.S. Department of State, Crimea is considered part of Ukraine.
- A spouse or child of an individual described in the bullets above who is paroled into the U.S. after September 30, 2023.
- A parent, legal guardian, or primary caregiver of an unaccompanied refugee minor or an unaccompanied child described in the bullets above who is paroled into the U.S. after September 30, 2023.

Re-Parole

ORR PL 24-01 “Continued Services for Humanitarian Parolees from Ukraine with a Pending Re-Parole Application” explains that ORR benefits and services are available to Ukrainian Humanitarian Parolees who have pending re-parole applications with USCIS. ORR PL 23-06

“Continuation of ORR Services for Certain Afghans Who Have Filed for Re-Parole, Asylum, or Adjustment of Status” explains that ORR benefits and services are available to Afghan Humanitarian Parolees who have pending re-parole applications with USCIS. Once re-paroled, Ukrainian and Afghan Humanitarian Parolees continue to be eligible for Medicaid without a five-year bar waiting period for the remainder of their re-parole period.

Action Required:

USSAA Humanitarianly Paroled Individuals

Under USSAA, Ukrainian individuals and certain non-Ukrainian individuals who arrive in the U.S. with the status of humanitarian parole between October 1, 2023, and September 30, 2024, are eligible to receive ORR benefits as well as federal mainstream benefits (the same benefits originally authorized under AUSAA) without a five-year bar waiting period. These individuals are eligible for Medicaid when they satisfy the immigration status and lawful U.S. residency requirements (along with meeting all other conditions of eligibility). For eligible Ukrainian parolees who enter the U.S. with parole between October 1, 2023, through September 30, 2024, the end date of their benefit eligibility is April 24, 2024, or their parole expiration date, **whichever is later**. For eligible Ukrainian parolees who entered the U.S. with parole between February 24, 2022, through September 30, 2023, the end date of their benefit eligibility is May 21, 2022, or their parole expiration date, **whichever is later**.

These individuals are eligible for Medicaid coverage through a ninety-day reasonable opportunity period (ROP) while the county Job and Family Services (JFS) office verifies their status. Additionally, the county JFS office may extend the ROP for good cause per OAC 5160:1-2-12(H)(2). Pregnant individuals and children who have been granted humanitarian parole are considered lawfully residing per OAC 5160:1-2-12(C)(3)(b) and 5160:1-2-12(C)(3)(c) respectively and are thus eligible for Medicaid without a five-year bar waiting period. A resettled Ukrainian citizen or national who was granted humanitarian parole *before* February 24, 2022, is subject to a five-year bar waiting period.

If found ineligible for Medicaid, these individuals should be explored for twelve months of refugee medical assistance (RMA) per Ohio Administrative Code (OAC) rule 5160:1-5-05. If denied both Medicaid and RMA, these individuals are potentially eligible for treatment of an emergency medical condition via non-citizen emergency medical assistance (NCEMA) coverage as defined in OAC 5160:1-5-06.

The following chart provides an updated list of acceptable documents for Ukrainian citizens or nationals, as well as certain non-Ukrainian individuals, who have been granted humanitarian parole:

Immigration Status or Category of Applicant	Acceptable Documentation
Ukrainian citizen or national who was granted 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)) Or Foreign passport with DHS/Customs and Border Protection (CBP) admission stamp noting “DT” Or Foreign passport with DHS/CBP admission stamp noting Uniting for Ukraine or “U4U” Or Foreign passport with DHS/CBP admission stamp noting Ukrainian Humanitarian Parolee or “UHP” Or Form I-765 Employment Authorization Document (EAD) receipt notice with code C11 Or Form I-766 Employment Authorization Document (EAD) with code C11 Or Any other notation of parole under INA § 212(d)(5)
Non-Ukrainian individual who was granted Humanitarian Parole and the U4U or UHP class of admission in response to his/her displacement from Ukraine	Foreign passport with DHS/CBP admission stamp noting Uniting for Ukraine or “U4U” Or Foreign passport with DHS/CBP admission stamp noting Ukrainian Humanitarian Parolee or “UHP”
Non-Ukrainian individual who last habitually resided in Ukraine (including Crimea) and was granted Humanitarian Parole, but without the U4U or UHP class of admission	Any one of the forms or stamps listed above And Documentation of last habitual residence in Ukraine, including Crimea* <i>--Acceptable documentation indicating last habitual residency in Ukraine includes an original Ukrainian government-issued document, such as a current driver license or identification card.</i> <i>*Per the U.S. Department of State, Crimea is considered part of Ukraine</i>

Re-Paroled Humanitarian Parolees

ORR benefits and federal mainstream benefits are available to citizens or nationals of Ukraine and certain non-Ukrainian individuals who last habitually resided in Ukraine who are humanitarily paroled into the U.S. between February 24, 2022, and September 30, 2024, and apply for re-parole or are granted re-parole. ORR benefits and federal mainstream benefits are also available to Afghan individuals who were humanitarily paroled into the U.S. between July 31, 2021, and September 30, 2023, and apply for re-parole or are granted re-parole. These individuals are eligible for continued Medicaid coverage (without a five-year bar waiting period) through the remainder of their parole period when they satisfy the immigration status and lawful U.S. residency requirements. Re-paroled individuals retain their initial date of eligibility for benefits and services. These individuals must provide proof of pending re-parole or approved re-parole (along with meeting all other conditions of eligibility). When the USCIS denies an individual's re-parole application, and the individual does not qualify for any other ORR-eligible immigration status or category, the individual is no longer eligible for ORR benefits and federal mainstream benefits as of the date of the expiration of their initial parole period.

Until all system updates are completed, workers must review system-generated notices of action (NOAs) for eligible individuals to verify the appropriate notice has been generated. In instances where an incorrect notice is generated, workers will need to issue a manual NOA and document the correction with a journal entry.

This information is also available on the Ohio Department of Medicaid website and may be accessed at:

Resources for Providers > Policies & Guidelines > Medicaid Eligibility Procedure Letters (MEPLs)

<https://medicaid.ohio.gov/wps/portal/gov/medicaid/resources-for-providers/policies-guidelines/medicaid-eligibility-procedure-letters/medicaid-eligibility-procedure-letters>