

WGIUPD

GENERAL INFORMATION SYSTEM
DIVISION: Office of Medicaid Management

02/24/03

PAGE 1

GIS 03 MA/005

TO: Local District Commissioners, Medicaid Directors

FROM: Kathryn Kuhmerker, Deputy Commissioner
Office of Medicaid Management

SUBJECT: Immigration and Naturalization Services (INS)
Visa Statuses: K, S, T, U, and V

EFFECTIVE DATE: Immediately

CONTACT PERSON: Local District Support Unit
Upstate (518) 474-8216 NYC (212) 268-6855

The purpose of this GIS message is to clarify any confusion or misunderstanding regarding Visa Statuses: K, S, T, U, and V.

There have been several new visa categories issued by the Immigration and Naturalization Services (INS) over the past several years.

Some categories of nonimmigrant status allow the status (visa) holder to work and eventually adjust to lawful permanent residence. These categories allow the individual to apply for adjustment to LPR status after he or she has had the nonimmigrant status for a period of time.

Such statuses include, for example:

K status: For the spouse, child, or fiancé (e) of a U.S. citizen.*
S status: For informants providing evidence for a criminal investigation.
Also known as the "Snitch Visa".*
T status: For victims of Trafficking.**
U status: For victims or witnesses of specified crimes (who have suffered substantial physical or mental abuse and agrees to cooperate with the government).*
V status: For spouses and children of LPR's whose visa petitions have been pending for at least three years.*

[Law found at 8 U.S.C. section 1101 (a) (15) (K), (S), (T), (U), and (V).]

*Statuses K, S, U, V are nonimmigrant statuses. As nonimmigrants, holders are eligible for emergency Medicaid only, but if they have filed to adjust status with the INS, they may be eligible for Medicaid/FHPlus/CHPlus.

**Victims of Trafficking receive benefits to the same extent as refugees (GIS 02 MA/022).