

TO: Local District Commissioners, Medicaid Directors

FROM: Lisa Sbrana, Director
Division of Eligibility and Marketplace Integration

SUBJECT: Medicaid Eligibility for Ukrainian Parolees

EFFECTIVE DATE: Immediately

CONTACT PERSON: Local District Support Unit
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The purpose of this GIS message is to provide local departments of social services (LDSS) with guidance regarding Medicaid eligibility for individuals entering the United States from Ukraine. This GIS message also notifies LDSS that the United States Department of Homeland Security (DHS) Secretary recently designated Ukraine for Temporary Protected Status (TPS).

Due to recent events in Ukraine, many individuals from Ukraine have resettled, or are in the process of resettling, in the United States. Many of these individuals are expected to fall into two groups: individuals granted TPS and humanitarian parolees.

Temporary Protected Status

On April 19, 2022, the TPS designation for Ukraine went into effect, due to ongoing armed conflict and extraordinary and temporary conditions in Ukraine, preventing Ukrainians from safely returning to Ukraine. It should be noted TPS is not automatically granted to non-citizens. To receive TPS, non-citizens must apply with the United States Citizenship and Immigration Services (USCIS), which makes the TPS eligibility determination.

Non-citizens with TPS are Permanently Residing Under Color of Law (PRUCOL) for the purposes of public benefits eligibility. If otherwise eligible, non-citizens with TPS can receive public benefits. When determining eligibility, these non-citizens will be coded using Alien Citizenship Indicator (ACI) code "O" in the Welfare Management System (WMS). Further guidance can be found in GIS 21 MA/14 "Revised Documentation Guide for Citizen and Non-Citizen Eligibility for Health Insurance Coverage in New York State and Related Reference Documents."

The following is a list of common USCIS documents which may be presented to districts by Ukrainians, to verify TPS status was granted:

- Form I-766, EAD, with a category code of A12, or
- Form I-797, Notice of Action, that shows the approval of an EAD with a category code of A12, or
- Form I-797, Notice of Action, indicating the approval of Form I-821, Application for Temporary Protected Status, or

- Any other authoritative USCIS document indicating TPS granted.

For information from USCIS regarding TPS, districts may visit: <https://www.uscis.gov/humanitarian/temporary-protected-status>, or call the USCIS TPS Hotline at: (202) 272-1533.

Ukrainians Granted Humanitarian Parole

As of April 21, 2022, the primary pathway for Ukrainians fleeing Russia's invasion and seeking parole into the United States is the Uniting for Ukraine program. The Uniting for Ukraine program allows Ukrainians and their immediate family members, who have a supporter/sponsor in the United States, to be considered for humanitarian parole on a case-by-case basis, for a period of up to two years. Once granted this parole, Ukrainians are eligible to apply for employment authorization in the United States. However, Ukrainians may also be paroled into the United States separately from the Uniting for Ukraine program. Ukrainian individuals paroled into the United States between February 24, 2022 and September 30, 2023 are also eligible for federal benefits, if otherwise eligible. For any individual paroled into the United States prior to February 24, 2022, LDSS staff should continue to refer to OHIP-0046 "Documentation Guide for Citizen and Non-Citizen Eligibility for Health Insurance Coverage in New York State."

Effective May 21, 2022, Ukrainians granted humanitarian parole between February 24, 2022, and September 30, 2023, are eligible for federal benefits and services through the Additional Ukraine Supplemental Appropriations Act, 2022, if otherwise eligible. The spouses or unmarried children (under the age of 21) of these individuals who are paroled into the United States after September 30, 2023, may also be eligible for these benefits. If the Ukrainian individual is an unaccompanied child, their parents, legal guardians, or primary caregivers paroled after September 30, 2023, may also be eligible for these benefits.

If otherwise eligible, these non-citizens will be coded using ACI code "R" in WMS. Ukrainian humanitarian parolees who entered the United States between February 24, 2022 and May 21, 2022, have a date of status (DOS) of May 21, 2022. If they entered the United States after May 21, 2022, their DOS is their date of parole.

The following is a list of USCIS documents that may be presented to districts by Ukrainians, to verify they were granted humanitarian parole:

- Evidence of being a Ukrainian citizen or national, or documentation to indicate last habitual residence was in Ukraine, and one of the following:
 - Form I-94, Arrival/Departure Record, noting humanitarian parole (per INA section 212(d)(5) or 8 U.S.C. § 1182(d)(5)), or
 - Form I-94, Arrival/Departure Record, stamped/coded with a Ukrainian Humanitarian Parole (UHP) class of admission (COA), or
 - Foreign passport with DHS/ CBP admission stamp noting "DT", or "PAR", or "Uniting for Ukraine", or "U4U", or "UHP" COA, or
 - Form I-765, Employment Authorization Document (EAD) receipt notice, with a C11 category, or
 - Form I-766, EAD, with a C11 category, or
 - Any other authoritative USCIS document indicating UHP granted.

Ukrainian humanitarian parolees can obtain a copy of their electronic Form I-94, Arrival/Departure Record, from the U.S. Customs and Border Protection (CBP) website at: i94.cbp.dhs.gov.

It is important to note that the above guidance pertains specifically to Ukrainian non-citizens who have been granted TPS or humanitarian parole under the Uniting for Ukraine program or

the Additional Ukraine Supplemental Appropriations Act, 2022. For guidance on immigration documentation and determining eligibility for other humanitarian parolees, LDSS staff should continue to refer to OHIP-0046 “Documentation Guide for Citizen and Non-Citizen Eligibility for Health Insurance Coverage in New York State.”

Please direct any questions to your local district liaison.