



Upcoming Medicaid Eligibility Changes for Noncitizen Adults

August 13, 2026



H.R. 1 Medicaid Program Changes

Impact of H.R. 1

Signed into law on July 4, 2025, H.R. 1 (aka The One Big Beautiful Bill) made major changes to Medicaid eligibility and financing.

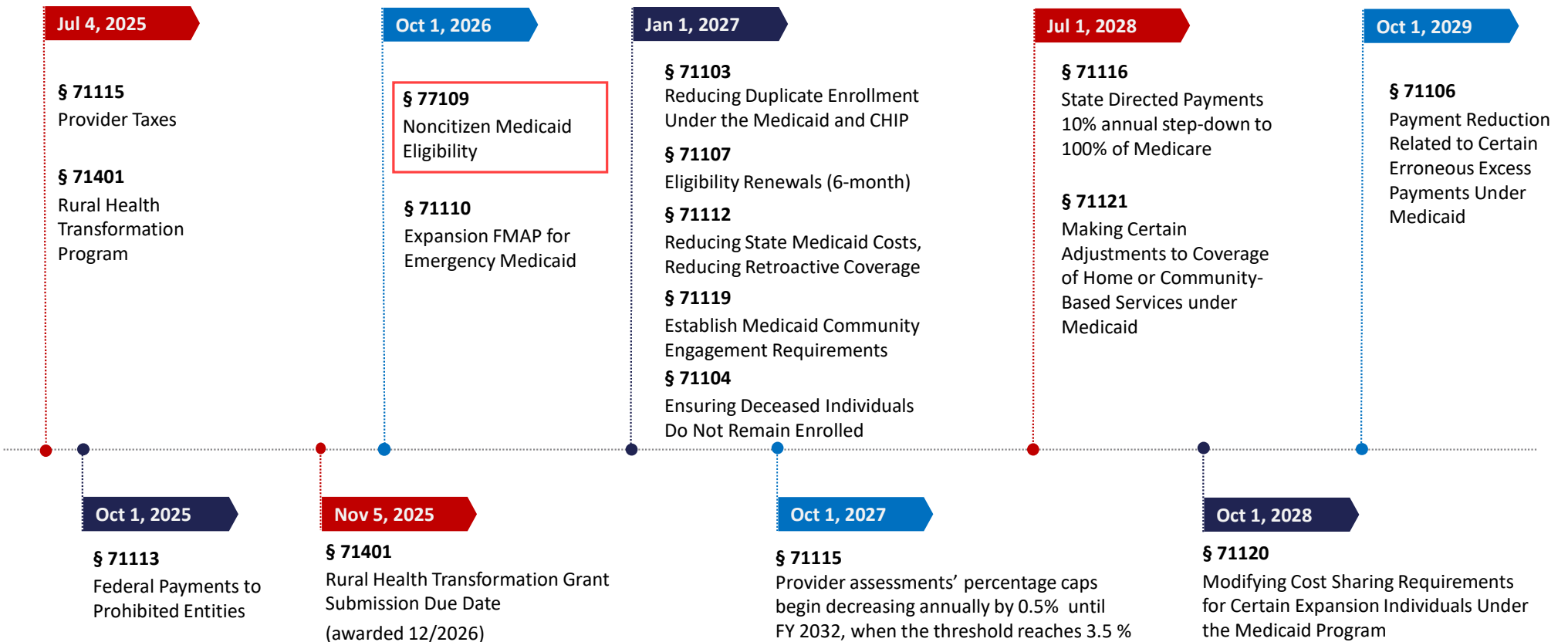
- Changes include:
 - **New eligibility requirements**, including federal work requirements and more frequent eligibility renewals for the Medicaid Expansion population and eligibility changes for lawfully present noncitizen adults.
 - **Changes to state financing of their share** of Medicaid costs including copayments and reimburse health providers.
- These new policies require states to modify their eligibility systems, policy guidance documents, training materials, notices and operations.

Medicaid Footprint



About **1.8 million Virginians** count on Medicaid for their health coverage (**22%** of the state's population).

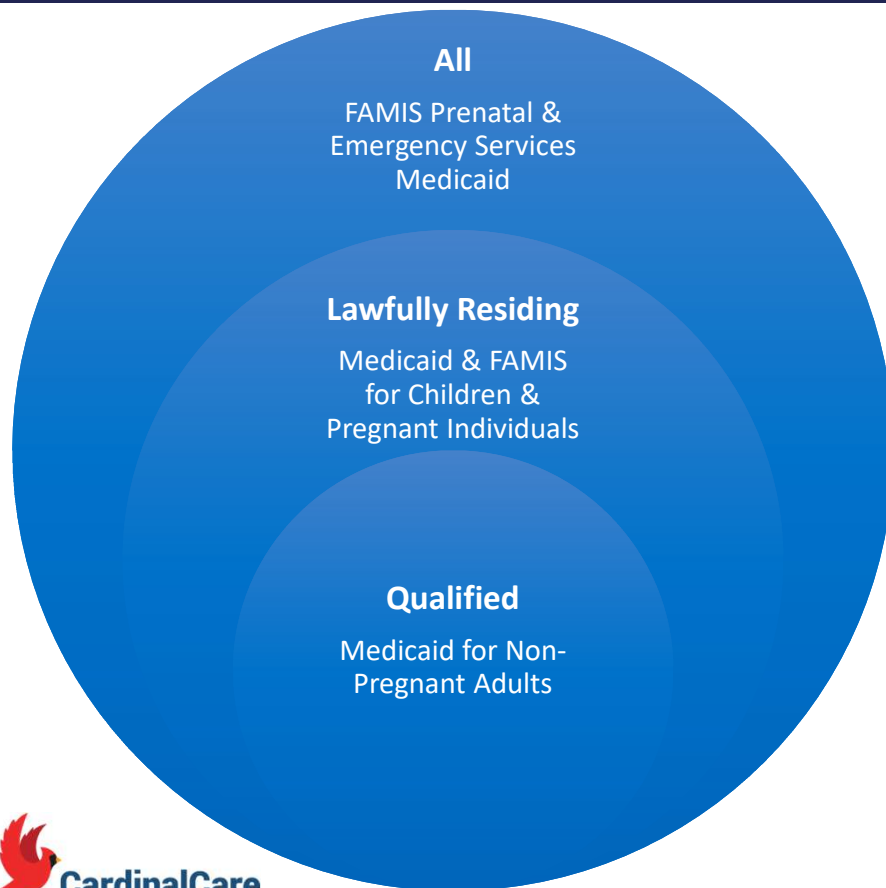
H.R. 1 Requirements & Implementation Dates



Noncitizen Eligibility Overview

- Being a U.S. citizen or national or having an eligible immigration status is only one factor of Medicaid eligibility; individuals must meet all other financial and nonfinancial requirements to be enrolled.
- Eligible immigration statuses are different for different populations (children, pregnant individuals, non-pregnant adults).
- A noncitizen who meets all Medicaid eligibility requirements but does not have an eligible immigration status may still be eligible for Medicaid coverage of emergency services or, if pregnant, FAMIS Prenatal.
- Naturalized citizens are treated the same as all other citizens.

Hierarchy of Noncitizen Eligibility: Before October 1, 2026



- FAMIS Prenatal covers pregnant noncitizens who meet all other eligibility rules regardless of their immigration status.
- Emergency Services Medicaid provides limited coverage to noncitizens who meet all Medicaid eligibility rules except for immigration status.
- Children and pregnant women must be lawfully present to be eligible for full-benefit Medicaid, FAMIS, or FAMIS MOMS.
- Non-pregnant adult must be a Qualified Noncitizen to be eligible for full-benefit coverage.

Hierarchy of Noncitizen Eligibility: Starting October 1, 2026



Starting 10/1/2026, non-pregnant adults must meet the new, more restrictive definition of 'Federal Financial Participation' (FFP) Eligible Noncitizen.

Noncitizen Eligibility: Starting October 1, 2026

- Eligibility for adult noncitizens will be limited to:
 - Lawful Permanent Residents
 - Cuban/Haitian Entrants
 - COFA Migrants
- Does NOT impact the eligibility rules for:
 - Children under 19
 - Pregnant individuals, including FAMIS Prenatal
 - CHIP Health Services Initiatives (HSI)
 - Emergency Medicaid
- H.R. 1 made similar eligibility changes to Marketplace financial assistance, SNAP, and Medicare. Noncitizen eligibility for other benefits, such as SSI, remain unchanged.

Noncitizen Citizen Eligibility, Non-Pregnant Adults

Before October 1, 2026

- Lawful Permanent Residents
- Compact of Free Association (COFA) migrants
- Parolees
- Conditional Entrants
- Battered noncitizen
- Refugees
- Asylees
- Amerasians*
- Cuban and Haitian entrants
- Deportees whose deportation is withheld
- Victims of trafficking and their spouse, child, sibling or parent
- Iraqi and Afghan with Special Immigrant Visas (SIVs)*
- Supplemental Security Insurance (SSI) recipients
- Certain American Indians/Alaskan Natives born in Canada
- Legally residing active-duty military/veterans and their spouses and dependent children

As of October 1, 2026

- Lawful Permanent Residents
- Compact of Free Association (COFA) migrants
- Cuban and Haitian entrants

** Amerasian and SIV status automatically receive LPR status and can be treated as such.*

Lawful Permanent Residents

- Eligible for full-benefits after a 5-year waiting period
 - Eligible for Emergency Services Medicaid during the 5-year waiting period
- Five-year bar is waived if the LPR:
 - Entered the U.S. before August 22, 1996 with a qualifying status or maintained continuous presence and later gained qualifying status
 - Adjusted to LPR status from a qualifying status (Refugee, Asylee, Amerasian Immigrant, Cuban and Haitian Entrant, Deportee, Victim of Trafficking, Iraqi or Afghan Special Immigrant Visa holder, or certain Afghan and Ukrainian Parolee)
 - Is an active-duty military member or veteran, their dependent child, or their spouse or widow

Cuban and Haitian Entrants & COFA Migrants

Cuban and Haitian Entrants

- Eligible for 7 years beginning the month that they enter the U.S.
 - Eligible for Emergency Services Medicaid after the 7-year period
- There is no coverage time limit if the noncitizen entered the U.S. before August 22, 1996
- Individual remains eligible after 7 years if they become a Lawful Permanent Resident or U.S. citizen

Compact of Free Associate (COFA) Migrants

- Citizens of Micronesia, Marshall Islands and Palau
- Eligible with no waiting period or coverage limit

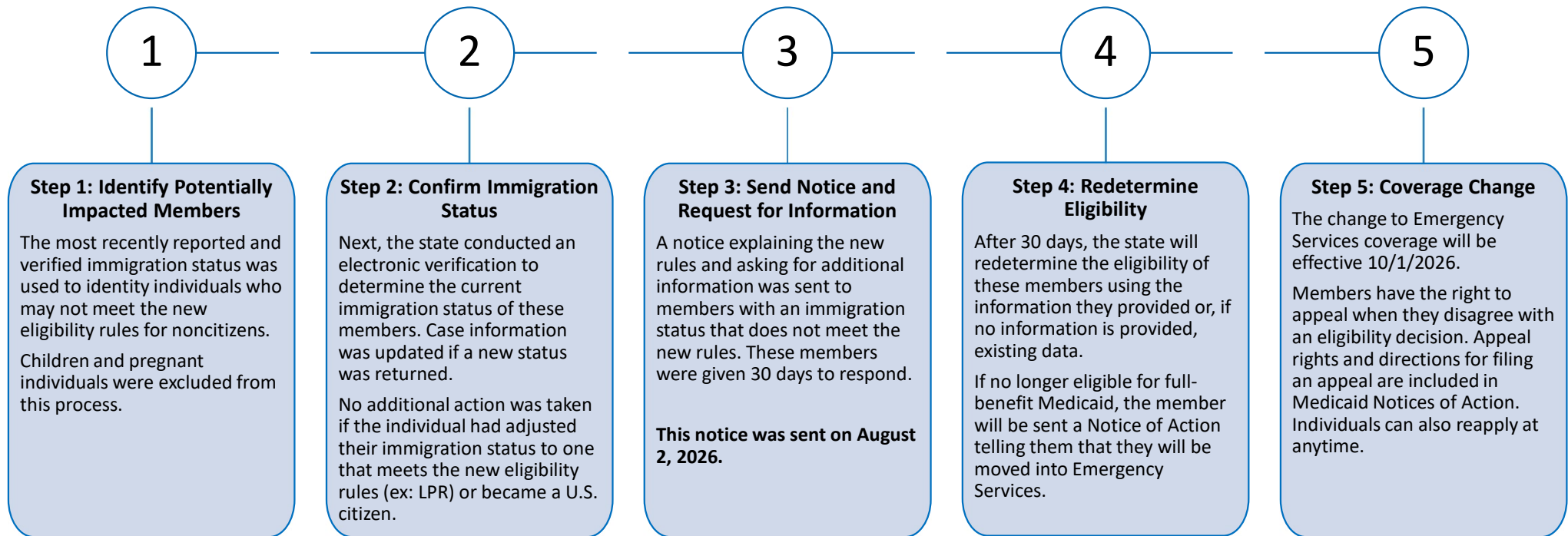
Emergency Services Medicaid

- Noncitizens who meet all Medicaid eligibility requirements except having an eligible immigration status can receive limited-benefit Medicaid coverage of emergency services only.
 - Includes children who are not lawfully residing and adults who are legally residing but do not meet Medicaid immigration status rules (ex. An adult LPR who has been present in the U.S. for 2 years).
- The approval notice will include an Emergency Services Medicaid factsheet and tell the person:
 - That they are approved for Emergency Services Medicaid
 - Emergency Services Medicaid benefit limits
 - The start date of the coverage
 - Their Medicaid ID number
- Emergency Services members do not receive a Medicaid card. They must give the Medicaid ID number from the notice to providers.

Implementation

- States may not deny, end or reduce coverage based on the new rules before October 2026.
- The new rules will be use to review applications submitted on October 1, 2026 and later.
- Current members with an immigration status that does not meet the new rules must be reevaluated. Changes in their coverage, if any, will be effective October 1, 2026.
 - The state must check if the immigration status on file has changed before taking any action.
 - The United States Citizenship and Immigration Services (USCIS) Systematic Alien Verification for Entitlements (SAVE) system is used to verify immigration status.
 - Additional information is requested from the member when their status cannot be verified through the SAVE system.

Implementation



Initial Notice and Request for Information

Cardinal Care Correspondence Center
PO Box 1198
Richmond, VA 23218

Commonwealth of Virginia
Department of Social Services
Questions? Call: <LDSS phone
number>

Letter Date: <DATE>
Case Number: <Case #>

<Member Name>
<Address 1>
<Address 2>

Important Information for <Member Name> - Action Required by <Letter Date + 30 Days>

A new federal law is changing the Medicaid citizenship and immigration status eligibility rules. Starting October 1, 2026, adults who are not pregnant must be a U.S. citizen, U.S. national, Lawful Permanent Resident, Cuban-Haitian Entrant or Compact of Free Association Migrant to remain eligible for full-benefit Medicaid. **These changes apply only to adults. The eligibility rules for children and pregnant/postpartum members are not changing.**

Please give us the information requested by <Letter Date + 30 Days>!

We need verification of your citizenship or immigration status to help us review your eligibility. You may lose your Medicaid coverage or be moved into a limited-benefit Medicaid plan that covers emergency services only if you do not provide the requested information by the due date.

A list of the documents that you can send as proof of your U.S. citizenship or immigration status and directions for sending them are included on the next page.

If you need help, call your Local Department of Social Services, <LDSS Phone Number>, or the **Cover Virginia Call Center**, Monday through Friday, 8 a.m. to 7 p.m. at 1-855-242-8282 (TTY: 1-888-221-1590).

Things to remember when submitting documents:

- ✓ Always keep your original documents and send us a copy.
- ✓ Include the first page of this letter with the documents you are submitting.
- ✓ Write your first and last name, date of birth, and Case Number <CASE #> on the copy of your documents you give to us.
- ✓ Make sure the picture or copy of your documents is clear and that we can read all important information, dates, and numbers.
- ✓ Call us if there has been a change in your situation since you applied, if you don't have the documents requested below, or if you need help obtaining the information.

Worker Name: <Worker Name>	Telephone Number: <LDSS Phone Number>	For Free Legal Advice Call: 1-866-534-5243
-------------------------------	--	---

Remember, if you do not send us the information we are asking for, we cannot finish reviewing your eligibility for Medicaid and your coverage may end.

Return one of the documents below to help us confirm your U.S. citizenship or immigration status.

Action: Return verification of your citizenship or immigration status within 30 days of this letter.

Due Date: <Due Date>

Citizenship Verification Documents:
<Populate list of acceptable citizenship verification documents>

Immigration Status Verification Documents:
<Populate list of acceptable immigration status verification documents>

Ways to Send Your Documents

1. **By email:** verify_docs@coverva.org
2. **By fax:** (888) 221-9402
3. **By mail:** Cardinal Care Correspondence Center, PO Box 1820, Richmond, VA 23218
4. **In person:** <LDSS ADDRESS>

**Always keep your original documents
and give us a copy.**

Your CommonHelp Account

CommonHelp.Virginia.gov keeps all important information about your family's applications. You can choose to get letters like this online. Your CommonHelp account is secure.

To create an account, go to **CommonHelp.Virginia.gov** and click "Check My Benefits." To link your case to your CommonHelp account using the information below, log in and select "Manage My Account."

Case Number: <Case Number>
Client ID: <Client ID>

Outcomes & Additional Outreach

Outcomes

- 30 members were identified as having gained a status that meets the new eligibility criteria.
- 5,826 members were sent a notice
 - 282 individuals are receiving LTSS (265 through the CCC+ waiver)
 - 83 individuals are SIV holders from Iraq or Afghanistan and very have LPR status
 - 181 are Humanitarian Parolees from Afghanistan who may have gained SIV/LPR status

Additional Outreach

- DMAS LTSS and Waiver teams are reaching out to members receiving LTSS and their provider.
- MCOs are conducting additional outreach to their impacted members.
- The VDSS Office of New Americans has identified members who are also being served by local Refugee Assistance (RA) programs. RA programs will conduct additional outreach these individuals.

Noncitizen Eligibility: Children & Pregnant Individuals

Eligible Children & Pregnant Noncitizens

Lawfully Residing: A noncitizen is lawfully residing if they have current permission to stay or live in the U.S.

Lawfully Residing Children under 19 & Pregnant Individuals

- Meet noncitizen eligibility rules for full-benefit Medicaid or FAMIS
- Have no waiting period or coverage time limit
- Receive protected continuous coverage
 - Children under 19 receive 12 months of protected continuous coverage from their date enrollment and each subsequent successful renewal.
 - Pregnant individuals receive protected continuous coverage from their date of enrollment through the end of the 12th month following the end of the pregnancy.
 - Loss of lawfully residing status is an exception to continuous eligibility. A person who loses their status may be moved to emergency services only coverage or FAMIS Prenatal.
- Must have their eligibility redetermined when they turn 19 or reach the end of their 12-month postpartum coverage period.

Income Limits

Medicaid for Children & Pregnant Women:

Income $\leq$ 148% FPL

FAMIS and FAMIS MOMS:

Income $>148\%$ FPL and $\leq 205\%$ FPL

**These rules are
not changing!**

Examples of Lawfully Residing Statuses

Refugee	Asylee	Lawful Permanent Resident
Amerasian Immigrant	Parolee	Deferred Action (except DACA)
Deportee, deportation withheld	Cuban or Haitian Entrant	Victims of Trafficking
Special Immigrant Juvenile Visa	Family Unity Beneficiaries	Deferred Enforced Departure
Iraqi and Afghan Special Immigrant Visa Holder	Nonimmigrant Visa holder (ex: student visa, work visa)	Employment Authorization with an underlying visa
Temporary Protected Status (TPS) recipient or TPS applicant w/ work authorization	Battered alien, including parents and children	Applicant for Asylum or Withholding of Removal under Convention of Torture (with certain conditions).

Non-exhaustive list. Lawfully residing is a broad category that includes most individuals with valid visas.

FAMIS Prenatal

- Full-benefit coverage for pregnant noncitizens who meet all FAMIS or Medicaid eligibility rules except having a lawfully residing status
- Must be uninsured
- Provides 60 days of postpartum coverage
- Social Security Number is not required to be eligible
- No retroactive enrollment beyond month of application
- Not eligible if application is submitted after the month of birth.
 - Noncitizen may still be eligible for Emergency Services Medicaid for coverage of labor and delivery.

FAMIS Prenatal Income Limit:
Income $\leq$ 205% FPL

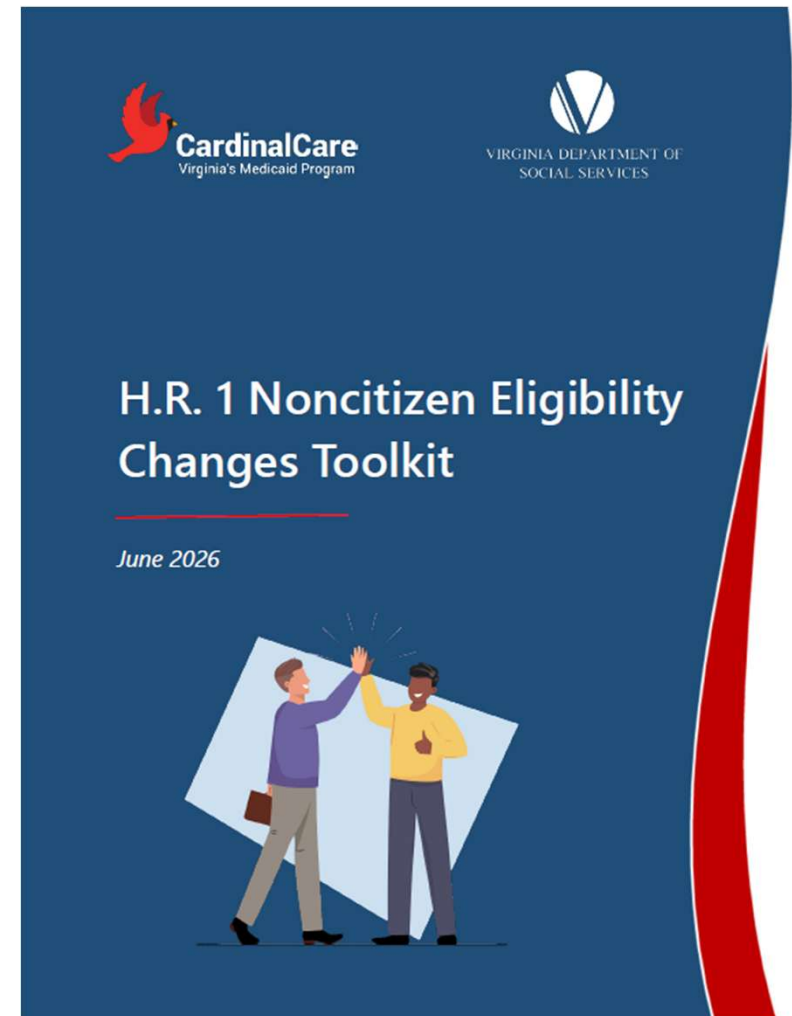
Additional Resources

Noncitizen Toolkit

Includes

- Welcome Letter
- Policy Change Summary
- FAQ
- Copy of Member Notice
- Member Flyer
- Member Rack Card
- Sample DMAS/VDSS Presentation
- Sample Member Messages
- Sample Provider Messages
- Sample Advocate Messages

dmas.virginia.gov/for-applicants/information-for-noncitizens/



Resources

- VDSS Resource Hub: [2026 - Virginia Department of Social Services](#)
- Enrollment Assistance: [Find Help in Your Area | CoverVA](#)
- Community Health Centers (aka Federally Qualified Health Centers): [Find a Health Center](#)
- VA Free and Charitable Clinics: [Free Health Clinics in Virginia | Serving the Uninsured | VAFCC](#)

References

- DMAS Noncitizen Eligibility & Coverage: [Information for Noncitizens](#)
- DMAS All H.R. 1 Eligibility Changes: [NEW Federal Requirements](#)
- H.R. 1 Full Text: [congress.gov/bill/119th-congress/house-bill/1/text](https://www.congress.gov/bill/119th-congress/house-bill/1/text)
 - Medicaid: Sections 71101-71121
- Working Families Tax Cut Legislation Webpage, CMS landing page for H.R. 1 guidance [medicaid.gov/resources-for-states/working-families-tax-cut-legislation](https://www.medicaid.gov/resources-for-states/working-families-tax-cut-legislation)

Thank You!

