



COLORADO

Department of Health Care
Policy & Financing

Department of Health Care Policy and Financing
1570 Grant Street
Denver, CO 80203

AGENCY LETTER

AGENCY LETTER NUMBER: HCPF 16-008

SUPRECEDES NUMBER:

DATE: SEPTEMBER 13, 2016

DIVISION OR OFFICE: HEALTH INFORMATION OFFICE

SUBJECT AREA: MEDICAL ASSISTANCE

SUBJECT: REFUGEES AND MEDICAL ASSISTANCE ELIGIBILITY

TYPE: INFORMATION

APPROVED BY: CHRIS UNDERWOOD

*HCPF Agency Letters can be accessed online: www.colorado.gov/hcpf
>> For our Stakeholders>>Eligibility Partners >> Agency and Director Letters*

Purpose:

The purpose of this agency letter is to advise eligibility sites on a change in policy determining eligibility for Health First Colorado (Colorado's Medicaid Program), and Child Health Plan *Plus* (CHP+) for individuals who are refugees (or have a similarly treated status) and have not changed their status after seven years.

Background:

The Department's original policy for refugees was if a refugee had not changed their immigration status after seven years they would be discontinued from Health First Colorado, and/or CHP+. In September 2015 it was brought to the Department's attention that the Department's original policy for refugees was not supported by federal statute. The Department worked with CMS in regards to guidance and clarification of the policy. CMS provided the final guidance and clarification of the policy in February 2016.

Information/Procedure:

Under the new policy individuals who are refugees will no longer be found ineligible for Health First Colorado and CHP+ based upon individuals not changing their status after seven years.

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This policy applies to the following non-citizen status:

- Refugees under section 207 of the Immigration and Nationality Act (INA);
- Individuals granted Asylum under section 208 of the INA, Deportation withheld under section 243(h) or 241(b)(3) of the INA;
- Cuban or Haitian entrant as defined in section 501(e) of the Refugee Education Assistance Act of 1980;
- Ameraisan immigrant under section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1988;
- Victims of a severe form of trafficking in persons;
- Iraqi special immigrants under section 101(a)(27) of the INA; and
- Afghan Special immigrants under section 101(a)(27) of the INA.

The Department has implemented an interim solution and is in the process of implementing a long term solution to reflect this new policy.

Long Term Solution:

- The Colorado Benefits Management System (CBMS) is being updated so that clients who reach the seven-year time limit will not be terminated, but will instead be treated as optional non-citizens. This change is scheduled to be implemented December 18th, 2016.
- State rules will be updated to reflect the policy change December 30, 2016.



Interim Solution:

The following interim solution will be followed until the long term solution has been implemented:

- Going back to September 2015 the Department has identified those individuals whose benefits were terminated, solely based upon the seven-year time limit.
- The Department will continue an ongoing process to identify individuals whose benefits will be terminated based upon this reason.
- The Department has been and will continue to override these terminations with CBMS to continue their benefits, as long as they are otherwise Medicaid eligible.
- The Department will also review and take the appropriate action on any individuals that are brought to our attention, who the Department may not have identified.

During the interim period, if an eligibility site identifies a case where an individual's coverage for Health First Colorado or CHP+ is being terminated due to the above reason please contact:

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Effective Date:

9/2015

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