

Policy Clarifications - Medicaid - All PMA15192322

Submitted:03/17/10

Agency:CAOs

Citations:

Subject: Qualified Alien who Entered the United States as an Asylee

We have a qualified alien who presented form I-551 with a code AS-6. This code is not addressed in the Medical Assistance Eligibility Handbook (MAEH) Chapter 322 Appendix A.

Is this individual subject to the five year bar for Federally-funded MA?

Response By:Division of Health Services

Date:03/17/10

This individual is exempt from the five year bar. AS-6, as well as AS-7 and AS-8, are a class of admission given to asylees who have become legal permanent residents or qualified aliens. These codes are not specifically referenced in MAEH, but are included in the Supplemental Handbook at [730.2](#).

Per [OPS 090603](#), asylees are exempt from the five year bar. And, legal permanent residents who first entered the country as another exempt category (such as an asylee) are exempt from the five year bar for Federally-funded MA. The same is true for other categories of immigrants including:

Immigration Category	I-551 Code
Refugees	RE-6, RE-7, or RE-8
Cuban-Haitian Entrants	CH-6
Amerasian Immigrants	AM-6, AM-7, or AM-8

NOTE: This is not a complete list of immigration categories that are exempt from the five year bar on Federally-funded MA. For a complete list of exempt categories, please reference [OPS 090603](#).