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COLORADO
Department of Health Care
Policy & Financing



IMMIGRANT HEALTH COVERAGE AND RESOURCES

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 COLORADO
COVERING
KIDS & FAMILIES

 CCLP

Colorado Center on Law and Policy
Standing with Diverse Communities Against Poverty



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What We'll Cover

- Update on public charge policy
- Emergency Medicaid changes
- Assistance with hospital bills
- New coverage options
- Special Populations
- Q&A



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Poll # 1

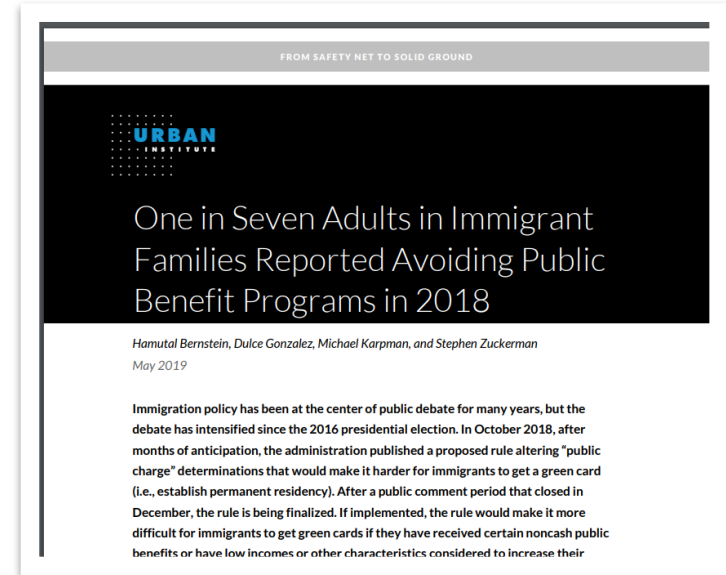
Do you help people enroll in health coverage or other public benefit programs?



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Background

- Public charge has been around for a long time
- A new public charge regulation was implemented under the Trump administration but got tied up in litigation
- The Trump regulation was effectively eliminated after Biden's administration stopped defending it in court
- The Trump rule caused a “chilling effect” that has prevented families from meeting critical needs



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Public Charge Test: General Rule

- Persons are “inadmissible” if they are determined likely to become a public charge in the future
- A public charge is someone who depends on government for a majority of their support
- CKF’s [public charge job aid for assisters](#)



Public Charge Test: Exemptions

- Refugees, asylees, people granted U- or T-visas, VAWA self-petitioners, people with TPS status and other statuses granted for humanitarian purposes do not have to pass the public charge test
- Green card holders have already passed the public charge test



Public benefits considered

- Cash assistance for income maintenance
- Institutionalization



Advance Notice of Proposed Rulemaking (ANPRM)

- Biden's administration issued an ANPRM to seek broad public feedback on public charge to inform future rulemaking
- Comment deadline is October 22
- Protecting Immigrant Families (PIF) Campaign has a [comment that groups can sign on to](#)



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Poll # 2

Are your clients declining services for their eligible children because they are worried about a parent's or other family member's immigration status?



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Health Coverage Eligibility

| | | |
|-----------------|------------------------------|---|
| Medicaid | Non-pregnant adults | Permanent residents (green card holder) after 5 years Refugees, asylees, other “humanitarian immigrants” Victims of domestic violence |
| | Children and pregnant adults | Lawfully present* (no five-year bar) |
| CHP+ | Children and pregnant adults | Lawfully present (no five-year bar) |
| ACA tax credits | All people | Lawfully present (no five-year bar) |

* Includes permanent residents, humanitarian immigrants, domestic violence victims, and **nonimmigrants**. Excludes people with DACA and people without documentation.

CKF’s [job aid Immigration Status and Eligibility for Health Coverage Programs](#)



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Emergency Medicaid

- Emergency health care services received in the past three months (not routine health care services)
- People who meet all Health First Colorado criteria (income, residency, etc.) except for immigration status

All

- People without documentation
- DACA recipients

Excludes
pregnant
adults
and kids

- Non-immigrant visa holders such as tourists and students
- Individuals granted Temporary Protected Status
- Adult legal permanent residents ('Green Card' holders) under the 5 year bar

CKF's [Immigration Status and Eligibility for Health Coverage Programs](#)



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Emergency Medicaid Services

- Severe symptoms from COVID-19
- Labor and delivery (not including prenatal or postnatal care)
- Dialysis for End-Stage Renal Disease at an inpatient or freestanding dialysis center
- Life-threatening symptoms (ex. chest pains), illnesses (ex. heart attacks), and accidents



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Application and Supporting Clients

- Apply at hospital while receiving treatment or after treatment
 - Via paper, phone, or online at PEAK
- Removed requirement to submit a physician letter or ‘life or limb threatening emergency letter’ (August 2021)
- New application for each ‘instance of care’



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Application Tips

The screenshot shows the PEAK application interface for Mary April. The page title is "Citizenship". The left sidebar shows a progress bar with steps: Start (checked), 2 People (highlighted), 3 Assets, 4 Income, 5 Bills, and 6 Submit. The main content area contains the following questions and options:

- *Does Mary have a Social Security Number? Yes No
- Has this person applied for a Social Security Number? Yes No
- Reason this person does not have a SSN:
- Does Mary have a Taxpayer Identification Number (TIN)? Yes No
- *Is this person a U.S. citizen? Yes No
- *Is Mary or his/her spouse or parent, a veteran or an active-duty member of the U.S. military? Yes No
- *Non-Citizenship Status:
- *Date of Entry
- Did Mary experience a life or limb-threatening emergency in the past four months? If so, please tell us which month(s):
 February March April May
- *Does Mary have a Non-Citizen Document? [More Info](#)
 Yes No

At the bottom of the form are four buttons: Back, Save, Save & Exit, and Next.

- People without documentation can easily apply on PEAK.
- People in other statuses should apply using the paper application and write “Emergency Medicaid” on the application



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Important Reminders

- Medicaid is not subject to the public charge test.
- The information applicants share on an application is confidential.
- Hospitals are required to provide emergency services regardless of a person's immigration status, nationality, or ability to pay.

Additional Information

- HCPF's [Emergency Medicaid Webpage \(Spanish\)](#)
- CKF's [Emergency Medicaid Overview: Emergency Services for Certain Non-Citizens](#)
- Contact HCPF's Medicaid Eligibility Inbox at hcpf_medicaid.eligibility@state.co.us with questions



Other options

- Available regardless of immigration status
 - Safety net clinics, including [Community Health Centers](#), [Rural Health Centers](#), [Community Mental Health Centers](#) and more
 - Hospital Financial Assistance
- Available to citizens and lawfully present immigrants, including DACA recipients
 - [Colorado Indigent Care Program](#)



New hospital financial assistance requirements (HB21-1198)*

- Rate caps and monthly payments **tied to income**
- **Screening** for eligibility for public coverage and discounts
- Access to information about **patient rights** in the billing process
- **Uniform application** process with reduced administrative burden for patients
- Required steps **before** a hospital provider can initiate a collection action
- **Legal remedy** and access to legal assistance for patients who are sent to collections in violation of their rights
- Strong **administrative enforcement** provisions

* Provisions go into effect on July 1, 2022



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New coverage option (SB21-215)

- For the 2023 plan year, subsidized private health insurance plans will be available for low-income Coloradans that can't qualify for public coverage and ACA subsidies
- Groups eligible for this coverage will include people in the "family glitch" and people with DACA status or who can't verify lawful presence
- Plans will be available for purchase through a public benefit corporation established by Connect for Health Colorado



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Upcoming Coverage Expansions

- [SB21-009, Reproductive Health Care Program](#)
 - Contraceptives and counseling services for people who would be eligible for Health First Colorado except for their citizenship/immigration status
- [SB21-194, Maternal Health Providers](#)
 - Extends postpartum benefits for Health First Colorado and CHP+ members to 12 months



Special Populations: COFA Migrants

- Compact of Free Association (COFA): Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau
- Restored Medicaid eligibility as of December 27, 2020
- [HCPF memo](#)



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Special Populations: Afghan Evacuees

- Immigration categories:
 - Special Immigrant Visa (SIV)
 - Special Immigrant (SI/SQ) Parolees
 - Humanitarian non-SI/SQ Parolees
- Eligibility:
 - Medicaid/CHIP without 5-year bar
 - Congress expanded coverage for adult Humanitarian parolees who enter the US between July 31, 2021 and September 30, 2022. Available until March 31, 2023, or the end of their parole term, whichever is later.
 - Financial assistance on marketplace
 - Refugee Medical Assistance (RMA)



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Discussion

What is needed to better connect Colorado's immigrants to existing health care options and what will be necessary to connect immigrant populations to new coverage options?



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Questions

Thank you!

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