



Mike DeWine, Governor
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Medicaid Eligibility Procedure Letter (MEPL) No. 157

Effective Date: December 27, 2020

Issue Date: April 6, 2021

OAC Rules: 5160:1-2-12

To: All Medicaid Eligibility Manual Holders

From: Maureen M. Corcoran, Director

Subject: Medicaid Coverage for Compact of Free Association (COFA) Citizens of Palau, the Marshall Islands, and the Federated States of Micronesia Living in the United States (U.S.)

Reason for Change: On December 27, 2020, the Consolidated Appropriations Act, 2021 (CAA) (Pub. L. No. 116-260) was signed into law. Section 208 of the CAA amends the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) (8 U.S.C. §1612(b)(2)) by adding a new Medicaid exception for citizens of the freely associated states.

Prior Policy: Compact of Free Association (COFA) citizens from the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau are entitled under the Compact to travel and apply for admission to the U.S. as nonimmigrants without visas. If determined admissible under the Compact, COFA citizens may live, study, and work in the U.S. Previously, pregnant women and children from the freely associated states were considered lawfully residing for purposes of Medicaid eligibility; however, other COFA citizens were ineligible for Medicaid due to their immigration status and could only receive coverage for the treatment of an emergency medical condition.

New Policy: Section 208 of the CAA adds a new category to the definition of qualified non-citizen, which entitles COFA citizens who are living in the U.S. to Medicaid coverage without a five-year bar. Effective December 27, 2020, COFA citizens have a satisfactory immigration status to be eligible for Medicaid.

Action Required: Effective December 27, 2020, Compact of Free Association (COFA) citizens living in the U.S. are eligible for Medicaid. In order to qualify for Medicaid, COFA citizens must provide proof of immigration status and lawful residence and must meet all other conditions of eligibility. The county Job and Family Services (JFS) office may accept self-attestation of COFA status while the agency attempts to

verify the individual's qualified non-citizen status through the Systematic Alien Verification for Entitlements (SAVE) system or while the individual gathers his/her non-citizenship documentation. COFA citizens are eligible for Medicaid coverage through a ninety-day reasonable opportunity period (ROP) while the county JFS office verifies their status. Additionally, the county JFS office may extend the reasonable opportunity period for good cause, including circumstances connected to the COVID-19 public health emergency per Ohio Administrative Code (OAC) 5160:1-2-12(H)(2).

COFA citizens are eligible for a three-month retroactive coverage period consistent with OAC 5160:1-2-01; however, their eligibility cannot begin prior to December 27, 2020.

Example

Application Date	02/01/2021
Three-Month Retro Coverage Requested?	Yes
Full Medicaid Coverage	12/27/2020 – 12/31/2020 01/01/2021 -01/31/2021
Alien Emergency Medical Assistance (AEMA) Coverage Only	11/01/2020 – 11/30/2020 12/01/2020 - 12/26/2020

This information is also available on the Ohio Department of Medicaid website and may be accessed at: **Resources > Publications > ODM Guidance > Medicaid Policy > Medicaid Eligibility Procedure Letter (MEPL)**

<http://medicaid.ohio.gov/RESOURCES/Publications/ODMGuidance.aspx#161542-medicaid-policy>