



Date: December 16, 2015

DHCAA Operations Memo 15-50

To: Income Maintenance Supervisors
Income Maintenance Lead Workers
Income Maintenance Staff

Affected Programs:	
<input checked="" type="checkbox"/> BadgerCare Plus	<input checked="" type="checkbox"/> Caretaker Supplement
<input checked="" type="checkbox"/> FoodShare	<input type="checkbox"/> FoodShare Employment and Training
<input checked="" type="checkbox"/> Medicaid	
<input type="checkbox"/> SeniorCare	

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Division of Health Care Access and Accountability

Deferred Action for Childhood Arrivals and Haitian Family Reunification Parole Program

CROSS REFERENCE

- Medicaid Eligibility Handbook, [Section 7.3 Immigrants](#)
- BadgerCare Plus Eligibility Handbook, [Section 4.3 Immigrants](#)
- FoodShare Wisconsin Handbook, [Section 3.12.1 Citizenship and Immigration Status](#)
- SSI Caretaker Supplement (CTS) Handbook, [Section 3.1.5 Citizens and Aliens](#)

EFFECTIVE DATE

Immediately

PURPOSE

This Operations Memo communicates policy related to the eligibility of certain new classes of immigrants.

BACKGROUND

On June 15, 2012, the U.S. Department of Homeland Security announced that it will consider providing temporary relief from deportation by exercising deferred action on a case-by-case basis for certain individuals younger than 31 years old as of June 15, 2012, who meet certain guidelines, including that they came to the U.S. as children and do not present a risk to national security or public safety. This process is referred to by the Department of Homeland Security as Deferred Action for Childhood Arrivals (DACA). The Centers for Medicare and Medicaid Services has since issued guidance concerning the eligibility of DACA individuals for Medicaid and the Children's Health Insurance Program.

In addition, on December 18, 2014, the Department of Homeland Security announced the Haitian Family Reunification Parole (HFRP) Program, which allows certain eligible U.S. citizens and lawful

permanent residents to apply for parole for their family members in Haiti. If granted parole, these family members can come to the U.S. for up to two years before their immigrant visa priority dates become current. Once in the U.S., these individuals may apply for work authorization while they are waiting to apply for lawful permanent resident status. The HFRP Program is intended to allow families to reunify while waiting for their permanent status. The parole status is expected to be granted to about 5,000 people a year, with the first people expected to enter the U.S. in August 2015.

POLICY

DEFERRED ACTION FOR CHILDHOOD ARRIVALS

Individuals with a DACA status, if otherwise eligible, may only receive coverage under Emergency Services Medicaid or the BadgerCare Plus Prenatal Program. They are not eligible for regular, full-benefit Medicaid or BadgerCare Plus. They are also not eligible for FoodShare or Caretaker Supplement benefits.

HAITIAN FAMILY REUNIFICATION PAROLE PROGRAM

Haitians paroled into the U.S. through the HFRP Program, are considered to be a Cuban/Haitian entrant. Therefore, if they are otherwise eligible, they may qualify for the BadgerCare Plus, Medicaid, FoodShare, and Caretaker Supplement programs without a five-year waiting period.

CARES

Use the following Registration Status Codes on the Immigrant/Refugee page in CARES Worker Web (CWW) for individuals with the following immigration status:

- DACA: 08—Lawfully admitted; temporary
- HFRP Program: 11—Cuban/Haitian entrant (section 245A)

Reminder: If a Haitian's immigration paroled status later changes to Lawfully Admitted for permanent residence, he or she is to remain coded in CWW as a Cuban/Haitian entrant to ensure that the five-year waiting period is never applied to them.

CONTACTS

BEPS CARES Information and Problem Resolution Center

DHS/DHCAA/BEPS/JL