



Date: February 17, 2026

DMS Operations Memo 26-06

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

Affected Programs:

- | | |
|---|--|
| <input checked="" type="checkbox"/> BadgerCare Plus | <input type="checkbox"/> Caretaker Supplement |
| <input type="checkbox"/> FoodShare | <input type="checkbox"/> FoodShare Employment and Training |
| <input checked="" type="checkbox"/> Medicaid | |
| <input type="checkbox"/> SeniorCare | |

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Health Care Policy for Members with Immigration Status Changes

CROSS-REFERENCE

- BadgerCare Plus Handbook, [Sections 1.2 Continuous Coverage for Qualifying Children, 4.3.2.3 Reverification of Immigration Status, 4.3.2.4 Reasonable Opportunity Period for Verification of Immigration Status, 4.3.3.1 Qualifying Immigrants, and 39.1 Emergency Services](#)
- Medicaid Eligibility Handbook, [Sections 1.2 Continuous Coverage for Qualifying Children, 7.3.2.3 Reverification of Immigration Status, 7.3.2.4 Reasonable Opportunity Period for Verification of Immigration Status, 7.3.3.1 Qualifying Immigrants, and 34.1 Emergency Services](#)
- [Section 71109 of H.R. 1 \(P.L. 119-21\)](#)

EFFECTIVE DATE

February 17, 2026

PURPOSE

This memo announces new requirements for situations when a health care member has an immigration status that is found to be questionable. It also announces a new policy for when a child in a 12-month continuous coverage period no longer qualifies for full-benefit health care coverage based on their immigration status.

BACKGROUND

Recently, the Centers for Medicare and Medicaid Services (CMS) directed states to review certain members' U.S. citizenship or immigration status to ensure that enrollees in Medicaid and the Children's Health Insurance Program (CHIP) are U.S. citizens, U.S. nationals, or have a satisfactory immigration status. They have sent reports to states with lists of members whose status must be reviewed. Along with this direction, CMS has provided guidance that changes current Department of Health Services (DHS) policy around when immigration status can be reverified for health care, and how to handle children in a 12-month continuous coverage period when they no longer have a qualifying immigration status.

Under current health care policy, all members are required to have their status reverified when their status is questionable or if they report a change in status. Otherwise, the immigration status for members who are Qualifying Immigrants should only be verified once. The status of lawfully present members must be reverified at renewal and any subsequent application. For pregnant people, reverification is not to occur until the renewal is done to determine the person's eligibility after the end of the 60-day postpartum period.

Under current health care policy, a child under age 19 will not lose health care coverage during their 12-month continuous coverage period if they are no longer in an eligible immigration status or designation. Under current health care policy, members who became lawful permanent residents after initially having a status of refugee, asylee, Cuban or Haitian entrant, victim of human trafficking to whom the 5-year wait does not apply, or who had their deportation withheld, maintain their initial status for benefit eligibility purposes. Later in 2026, the One Big Beautiful Bill Act of 2025 (2025 H.R. 1) will narrow the categories of non-citizens who are eligible for health care and FoodShare. To prepare for this policy implementation and minimize loss of benefits among members who continue to qualify, Wisconsin DHS is taking steps now to ensure that members who have become U.S. citizens or lawful permanent residents are recorded as such instead of maintaining their original status for benefit eligibility purposes.

POLICY

RE-VERIFICATION OF U.S. CITIZENSHIP OR IMMIGRATION STATUS FOR HEALTH CARE MEMBERS APPEARING ON CMS REPORTS

Recently, CMS started sending reports to states with lists of members whose U.S. citizenship or immigration status must be reviewed. The U.S. citizenship or immigration status of members appearing on these CMS reports is considered questionable when documentation of the member's status in their case file is incomplete, there is an error or inconsistency, or their immigration status is a temporary one. Under these circumstances, the member's status must be re-verified.

If the member's U.S. citizenship or immigration status or designation cannot be verified by either the Social Security Administration (SSA) or the Systematic Alien Verification for Entitlements (SAVE) data exchanges, the member will be sent a request for documentation, and a reasonable opportunity period (ROP) will be applied. They are to continue receiving health care benefits for which they are eligible, while the agency waits for the requested information to be provided according to existing ROP policy. The ROP also applies when SAVE cannot provide a response at initial verification, or an agency requests additional verification.

However, for pregnant members enrolled in BadgerCare Plus, the reverification should not occur until the renewal after the end of their 60-day postpartum period.

For FoodShare, workers may obtain information through these health care updates that indicates a member is no longer in an eligible immigration status or designation. There is no change to existing FoodShare policy for members who have immigration status changes.

CERTIFICATION OF EMERGENCY SERVICES FOR CHILDREN IN CONTINUOUS COVERAGE PERIODS EXPERIENCING A CHANGE IN STATUS

Children in Medicaid or a Medicaid-funded category of BadgerCare Plus enrolled in 12-month continuous coverage periods who are no longer in an eligible immigration status or designation, must be transitioned to Emergency Services for the remainder of their certification period. These members are not required to have experienced or be experiencing a life-threatening condition to be certified for Emergency Services for the remainder of their 12-month continuous coverage period. Once the child is enrolled in Emergency Services, Medicaid will only cover claims related to medical emergencies.

Children enrolled in a CHIP funded category of BadgerCare Plus cannot be transitioned to Emergency Services unless they simultaneously experience a change that makes them eligible in a Medicaid-funded category of BadgerCare Plus, such as a reduction in household income. When a child experiences these changes simultaneously, they begin a new 12-month certification period with continuous coverage in BadgerCare Plus Emergency Services. If a child is no longer in an eligible immigration status or designation and they do not have a change that makes them eligible for Medicaid, their BadgerCare Plus eligibility will end.

CHIP-funded categories of BadgerCare Plus include:

- Children aged 1 through 5 with household incomes over 191% of the federal poverty level (FPL)
- Children aged 6 through 18 with household incomes over 156% of the FPL

Example 1: Tania is 12 years old and enrolls in BadgerCare Plus on February 1. She is verified as a non-citizen who is lawfully present in the United States with Temporary Protected Status (TPS). Her household income is 125% of the FPL. Tania's continuous coverage period is set from February 1 through January 31 of the following year.

On June 10, information from CMS requires the agency to reverify Tania's status. The information available on the case is submitted to SAVE. SAVE does not verify Tania's immigration status or designation. A notice requesting verification of Tania's immigration status is sent and she remains enrolled in BadgerCare Plus in a ROP. The requested information is not returned. Tania's BadgerCare Plus full-benefit coverage ends in accordance with ROP and advance notice requirements, and Tania is certified for BadgerCare Plus Emergency Services through January 31.

Example 2: Selene is 4 years old and enrolls in a CHIP-funded category of BadgerCare Plus on March 1. At the time of application, Selene was verified as a non-citizen who is lawfully present in the United States as a humanitarian parolee. Her household income is 200% of the FPL. Selene's continuous coverage period is set from March 1 through February 28 of the following year.

On August 3, information from CMS requires the agency to verify Selene's status. The information available on the case is submitted to SAVE. SAVE does not verify Selene's immigration status or

designation. A notice requesting verification of Selene's immigration status is sent and she remains enrolled in BadgerCare Plus in a ROP. The requested information is returned during the ROP. The newly received information is used to attempt to verify her status in SAVE. SAVE verifies that Selene is not in an eligible immigration status or designation. Selene's BadgerCare Plus full-benefit coverage ends according to ROP and advance notice requirements. Selene cannot be certified for BadgerCare Plus Emergency Services because she is in a CHIP-funded category of BadgerCare Plus.

Example 3: Henrik is 10 years old and enrolls in BadgerCare Plus on September 1. Henrik is verified as a non-citizen who is lawfully present in the United States with a pending asylum application. His household income is 175% of the FPL. Henrik's continuous coverage period is set from September 1 through August 31 of the following year.

On January 12, information from CMS requires the agency to verify Henrik's status. The information available on the case is submitted to SAVE. SAVE verifies Henrik is not currently in an eligible immigration status or designation. Henrik's BadgerCare Plus full-benefit coverage ends according to advance notice requirements. Henrik cannot be certified for BadgerCare Plus Emergency Services because he is in a CHIP-funded category of BadgerCare Plus.

HEALTH CARE NON-CITIZEN MEMBERS WHO ARE LAWFULLY ADMITTED FOR PERMANENT RESIDENCE

Going forward, individuals whose status is verified using SAVE manual verification will be recorded as lawfully admitted for permanent residence in CWW. This change applies to members who:

- are currently lawful permanent residents (LPR),
- have been LPRs for five or more years, and
- were previously refugees, asylees, Cuban or Haitian entrants, victims of human trafficking, or had their deportation withheld.

CONTACTS

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