



Policy Memo	
KDHE-DHCF POLICY NO: 2022-02-02	From: Erin Kelley, Senior Manager
Date: February 24, 2022	Medical KEESM/KFMAM References: Medical KEESM 2142.1, 2146.6 KFMAM 2047.01, 2043
RE: Policy Implementation Instructions and Information for the February 2022 KEES Release	Program(s): All Medical Programs

This memo sets forth instructions for implementation of policy changes related to the following items, effective with the February 26th, 2022 KEES Release. Additional information related to these changes is available through KEES Release Notes and the KEES User Manual. KFMAM and Medical KEESM manuals will be updated with the next scheduled revision.

Applicable to all Medical Programs:

- Afghan Evacuees
- COFA Migrant Updates

I. CHANGES IMPACTING ALL MEDICAL PROGRAMS

A. AFGHAN EVACUEES

Beginning August 2021, a massive evacuation led by the U.S. Department of Homeland Security (DHS) took place to relocate and resettle U.S. citizens and Afghan nationals from Afghanistan in the United States for humanitarian purposes. Per federal guidance, the Afghan evacuees who arrive in the United States are considered qualifying non-citizens for the purpose of Medicaid and CHIP eligibility, exempt from the 5-year bar, i.e., waiting period.

The Afghan evacuees entering the U.S. fall into two main immigration categories:

- Afghans with a Special Immigrant Visa (SIV)
- Afghan Parolees

1. AFGHAN SPECIAL IMMIGRANTS

Afghan migrants granted an SIV have qualified due to working for the U.S. mission in Afghanistan for at least one year or are the spouse or child of such an individual. Per existing policy in KFMAM 2043 and Medical KEESM 2142.1, these Special Immigrants are eligible for medical benefits to the same extent and for the same periods as refugees, meaning they are exempt from the 5-year bar. Afghan special immigrant LPRs will continue to receive a Permanent Resident Card (Form I-551) and have an SQ1, SQ2, or SQ3 COA. KEES already contains the established codes for this group.

Note: A Reasonable Opportunity period is also applicable to these groups when an eligible immigration status has been declared by the applicant, see KFMAM 2047.01 and Medical KEESM 2146.6.

2. AFGHAN PAROLEES

“Parole” means that an individual has received temporary permission to enter the United States without a Visa or other formal immigration status. Afghan Parolees are those who have been evacuated for urgent humanitarian reasons and paroled on a case-by-case basis into the United States. They did not arrive with an SIV or other type of visa, but as parolees, they are able to apply for work authorization, asylum, and any other immigration benefits. There are two types of parolees currently:

- **Special Immigrant Parolees** – Individuals eligible for an SIV but evacuated to the U.S. prior to completing the SIV application process.
- **Humanitarian Parolees** – Individuals not eligible for an SIV but evacuated for humanitarian purposes and paroled into the U.S. They may qualify for asylum, work benefits, and other immigration benefits.

Special immigrant parolees, as well as their spouses and children, are considered Qualified Non-Citizens (QNCs) for purposes of Medicaid and CHIP eligibility to the same extent as refugees. Humanitarian parolees and their spouses and children (including legal guardians of qualifying unaccompanied minors) are also eligible on the same terms when their arrival date to the U.S. is between July 31, 2021 and September 30, 2022, or they are paroled after September 30, 2022 but DHS has not terminated their parolee status. Outside of those arrival dates, they will remain subject to the 5-year bar and be determined for emergency medical (SOBRA) eligibility when QNC status is not met.

3. KEES PROCESSING

With this release, two new section codes created by DHS for the parolee group have been added to the dropdowns for documents I-94 and I-94A on the Non-Citizen Detail screen in KEES – SQ4 and SQ5. While the new codes will be selectable, future system updates will still be needed to obtain the correct eligibility for these individuals. For this reason, a KEES workaround should be utilized any time a qualifying Afghan parolee is being denied by EDBC due to having an ineligible immigration status. This can be found in the KEES User Manual under WA593 COFA Migrant/Afghan Evacuees Eligibility.

Note: The new SQ4 and SQ5 Classes of Admission (COAs) are only for Afghan Special Immigrant parolees (I-94s). For Humanitarian Parolees, the new section codes will be added with an upcoming release.

B. COFA MIGRANT UPDATES

With the passing of the Consolidation of Appropriations Act of 2021, new legislation was enacted to classify citizens of the Freely Associated States (i.e. Federated States of Micronesia, Republic of the Marshall Islands, and Republic of Palau) migrating to the U.S. as QNCs, exempt from the 5-year bar for purposes of Medicaid eligibility. This change was covered in [PM2021-04-01](#), and the above-mentioned workaround was established for processing purposes.

With this release, the following three new section codes have been added to the dropdowns on the Non-Citizen Detail screen in KEES:

- MIS: Non-Immigrant Citizen of the republic of Marshall Islands
- PAL: Non-Immigrant Citizen of the Republic of Palau
- FSM: Non-Immigrant Citizen of the Federated States of Micronesia.

They will appear when one of the following USCIS document types is selected:

- T Visa/I-914
- Immigration Court Order
- Arrival/Departure Record (I-94, I-94A)
- Permanent Resident Card (“Green Card,” I-551)
- Grant Letter / Certificate

As noted above regarding Afghan parolees, future updates are still needed for the correct eligibility to be returned for these individuals. WA593 will continue to be used when a member of this group is being denied by EDBC due to an ineligible immigration status until the final updates are made to the eligibility system.

Note: While Afghan special immigrants and parolees may be eligible for Medicaid and CHIP coverage, COFA migrants may be considered for Medicaid programs only. If a member of this group would be otherwise CHIP eligible, the workaround should not be applied and a denial due to an ineligible status is appropriate.

II. QUESTIONS

For questions or concerns related to this document, please contact the KDHE Medical Policy Staff at KDHE.MedicaidEligibilityPolicy@ks.gov.

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Questions regarding any KEES issues are directed to the KEES Help Desk at KEES.HelpDesk@ks.gov.