

DHB ADMINISTRATIVE LETTER NO: 07-25, VICTIMS OF HUMAN TRAFFICKING T-VISA CLARIFICATIONS

DATE: June 26, 2025

SUBJECT: Victims of Human Trafficking T-visa Clarifications

DISTRIBUTION: County Departments of Social Services
Medicaid Supervisors
Medicaid Eligibility Staff

I. BACKGROUND

Congress created the Non-Immigrant Status (commonly referred to as a T-visa) in October 2000 as part of the Victims of Trafficking and Violence Protection Act. Human trafficking, also known as trafficking in persons, is a crime in which traffickers use force, fraud, or coercion to compel individuals to provide labor, or services, including commercial sex. Traffickers often take advantage of vulnerable individuals, including those lacking lawful immigration status. T-visas offer protection to victims and strengthen the ability of law enforcement agencies to detect, investigate, and prosecute human trafficking.

T Non-Immigrant Status is a temporary immigration status. It is also available to certain eligible family members of trafficking victims. T -Visa holders are eligible for Medicaid without regard to the five-year bar.

The purpose of this letter is to provide clarification and updated guidance to local agencies regarding the eligibility rules for individuals who are victims of human trafficking that hold T-visas.

II. MEDICAID ELIGIBILITY RULES FOR VICTIMS OF HUMAN TRAFFICKING

A. Clarifications/Updates Regarding Human Trafficking Victims Who Hold T-visas

1. If an individual has a T-visa, local agencies should evaluate for all MAGI and Non-MAGI Medicaid programs without regard to the five-year bar.
2. The five-year bar does apply to other nonimmigrant visa holders.
3. T-visa holders, their beneficiaries, and those who have supporting evidence for T-visa eligibility are considered “Qualified Aliens” who are eligible for full Medicaid.

B. T-Visa Policy References

1. Refer to MA-2504/3330, Alien Requirements, Section V. Overview of Alien Eligibility for Medicaid.
2. References regarding Non-Immigrant Visa Holders are not applicable to trafficking victims who hold T-Visas.
3. References regarding Derivative Beneficiaries of Trafficking Survivors and a Trafficking Victim/ "T" Visa Holders provides the correct guidance that must be followed.

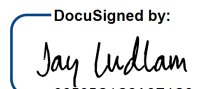
C. Local Agency Reminders

1. If the individual has a "T" visa, they are classified as a Trafficking Victim.
2. All local agencies must follow the applicable policy references regarding T-visa holders.
3. T-visa statuses are not verified using Systematic Alien Verification for Entitlements (SAVE).
4. Local agencies must use verification documents in MA-2504/3330, regarding Derivative Beneficiaries of Trafficking Survivors and a Trafficking Victim/ "T" Visa Holders for verifying T-visas.

III. IMPLEMENTATION AND EFFECTIVE DATE

The policy and procedures in this administrative letter are effective as of the date of this letter for all applications, recertifications, and changes in circumstance that are currently in progress.

If you have any questions regarding this information, please contact your Medicaid Operational Support Team representative.

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Jay Ludlam
Deputy Secretary, NC Medicaid