

# CHANGE NOTICE FOR MANUAL NO. 23-03, State Residence

DATE: MAY 12, 2003

Manual: Aged, Blind, and Disabled Medicaid

Change No: 23-03

To: County Directors of Social Services

Effective: June 1, 2003

## I. Background

The Personal Responsibility Work Opportunity and Reconciliation Act of 1996 (PRWORA), as amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, P.L. 104-208, and the Balanced Budget Act of 1997, P.L. 105-33, significantly changed Medicaid eligibility for individuals who are not citizens of the United States. In addition, it created new rules for deeming income and resources from an alien sponsor to certain sponsored immigrants.

## II. Content of change

- A. Clarification has been made that non-immigrants may be admitted to the U.S. legally, but only for a temporary or specified period of time. Non-immigrants do not meet the North Carolina residency requirement for Medicaid unless they enter the U.S. for employment purposes.
- B. Policy is clarified to specify that INS form I-94 (Arrival /Departure Record) is used to determine the length of time a non-immigrant may remain in the U.S. rather than the visa.
- C. Procedures are added for determining when to begin Medicaid in North Carolina when an individual previously received Medicaid in another state.

## III. Implementation

This policy is effective June 1, 2003. Apply this policy to applications taken on or after June 1 and to redeterminations scheduled on or after June 1.

## IV. Maintenance of Manual

Remove MA-2220, pages 1-12.

Insert [MA-2220](#), pages 1-15, dated 6-1-03.

If you have any questions regarding this information, please contact your Medicaid Program Representative.

Nina M. Yeager

Director

[This material was researched and written by Mary Spivey, EIS Consultant, and Debbie Pittard, Policy Consultant, Medicaid Eligibility Unit.]