



Notes:

* “Qualified” immigrants include: legal permanent residents; refugees[†]; asylees[†]; persons granted withholding of deportation or removal; conditional entrants; persons granted parole by the Department of Homeland Security (DHS) for at least one year; Cuban/Haitian entrants[†]; Violence Against Women Act (VAWA) petitioners whose petitions have been filed or accepted but not denied; and victims of trafficking.[†] Those marked with a dagger (†) are exempt from the five-year bar for Medicaid. “Not qualified” immigrants include all other categories and include both undocumented and legal immigrants. Examples of legal immigrants who are “not qualified” but will still be subject to the individual responsibility requirement include immigrants who are the spouse or child of a U.S. citizen who has a pending application for adjustment of status, as well as U-Visa and K-Visa holders. Additionally, under the proposed health care reform, some states may continue to cover certain legal immigrants subject to the five-year bar with state-only dollars.

‡ The federal poverty level (FPL) in 2009 is \$18,310 for a family of three. The “Patient Protection and Affordable Care Act” determines eligibility for subsidies in the Health Insurance Exchange according to modified adjusted gross income. Individuals and families with a modified adjusted gross income less than 100% of FPL are not qualified to purchase health insurance through the Exchange unless subject to the five-year bar to Medicaid.

§ The “Patient Protection and Affordable Care Act” maintains the existing Systematic Alien Verification for Entitlements (SAVE) verification information system.

¶ Under the “Patient Protection and Affordable Care Act,” legal residence will be determined by an unspecified verification system by the U.S. Department of Homeland Security.