

## Newly arriving immigrants from Afghanistan: Eligibility for health benefits in Massachusetts (Sept. 15, 2021 )



Massachusetts will soon be home to many people fleeing the crisis in Afghanistan. They may be entering the U.S. with different kinds of authorization giving rise to eligibility for different types of government assistance and public benefit programs. Some newly arriving Afghans may be lawful permanent residents with Special Immigrant Visas (SIV) or SIV Parole. Others may have refugee status. Many other Afghans may be entering the US with Humanitarian Parole. (However, this is an evolving situation and you may also see people with other types of authorization and other types of documents not described in this factsheet).

SIV, SIV Parolees and refugees have an eligible immigration status for all types of coverage available from MassHealth or the Health Connector. Individuals with Humanitarian Parole are considered “Lawfully Present” for purposes of MassHealth and the Health Connector and will be eligible for comprehensive affordable coverage, but the type of coverage will depend on other factors such as age and health status.

### **Humanitarian Parole**

Humanitarian Parole is used to bring someone to the US for a temporary period in an emergency. Many Afghans are receiving Humanitarian Parole for a 2-year period during which they may apply for asylum, SIV or any other status for which they may qualify.

Humanitarian Parole is considered a type of “Lawful Presence” for purposes of MassHealth and the Health Connector. Lawfully present children and young adults are eligible for all types of MassHealth. Lawfully present adults are eligible for all types of coverage offered by the Health Connector, but most adults are barred from qualifying for MassHealth for a 5-year period.

These are the health benefits for which humanitarian parolees may be eligible in Massachusetts:

- Children under 19: MassHealth Standard, CommonHealth or Family Assistance.
- Pregnant people: MassHealth Standard
- Young adults 19 and 20 with family income of 150% FPL or less: MassHealth Standard
- Disabled adults under 65 with family income of 100% FPL or less: MassHealth Family Assistance
- Adults 65 or older with family income of 100% FPL or less and countable assets of \$2000/\$3000 or less (individual/couple) MassHealth Family Assistance
- Other adults with family income of 133% FPL or less: ConnectorCare + MassHealth Limited + Health Safety Net (for dental)
- Other adults with family income of 300% FPL or less: ConnectorCare +Health Safety Net (for dental)
- Other individuals with higher income: Health Connector coverage with advance premium tax credits to lower premium cost to no more than 8.5% of family income. Note: in 2021 and 2022 the usual 400% FPL upper income limit for premium tax credits does not apply.

**Documents.** For examples of documents showing that a person has been granted parole, see this 2016 Table from the National Immigration Law Center.

<https://www.nilc.org/wp-content/uploads/2015/11/docs-typically-used-by-immigrants.pdf>

### **Refugees and Lawful Permanent Residents with Special Immigrant Visas (SIV) and SIV Parolees**

Refugees and Special Immigrant Lawful Permanent Residents (SIVs) from Afghanistan (and Iraq) are fully “Qualified” with no 5-year bar and eligible for MassHealth Standard and all other health benefits in the same way as refugees. Some applicants for SIV may have documents showing they have SIV parole or SI/SQ parole; they are also eligible for benefits in the same way as refugees. In addition, refugees who are not financially eligible for MassHealth may be eligible for Refugee Medical Assistance for their first 8 months in the U.S. 130 CMR 522.002.

**Documents.** For examples of documents verifying SIV and SIV (SI/SQ) parole, see this August 2021 factsheet from the federal Office of Refugee Resettlement.

[https://acf.hhs.gov/sites/default/files/documents/orr/special\\_immigrant\\_visa\\_siv\\_holders\\_from\\_iraq\\_and\\_afghanistan.pdf](https://acf.hhs.gov/sites/default/files/documents/orr/special_immigrant_visa_siv_holders_from_iraq_and_afghanistan.pdf)

Also see the attached announcement from the DHS Systematic Alien Verification for Entitlements (SAVE) which gives examples of Class of Admission codes for SIVs and SIV Parolees.

### **More information**

For more information on health benefits for immigrants in Massachusetts:

Understanding Non-Citizens Eligibility for MassHealth and the Health Connector (MLRI 2020), see <https://www.masslegalservices.org/system/files/library/Understanding%20eligibility%20of%20non-citizens%202020.pdf>

MassHealth Regulations: 130 CMR 504.003(A) (1) (a)(ii) Refugees, (xi) Afghan Special Immigrants; 504.003(A)(1)(b) (i) b. and 504.003(A)(2) Paroled for at least one year; 504.003(A)(3) Paroled for less than one year.

For more information from the federal Office of Refugee Resettlement

Benefits for Afghan and Iraqi Special Immigrant Visa (SIV) Holders or SQ/SI Parolees  
<https://www.acf.hhs.gov/sites/default/files/documents/orr/Benefits-for-SIVs-Fact-Sheet.pdf>

For more information from DHS, Operation Allies Welcome

[https://www.dhs.gov/sites/default/files/publications/21\\_0903\\_oaw-fact-sheet\\_508.pdf](https://www.dhs.gov/sites/default/files/publications/21_0903_oaw-fact-sheet_508.pdf)



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## Afghan Special Immigrant Parolee and Lawful Permanent Resident Status

On July 30, 2021, the [President announced that the first flight of Operation Allies Refuge had arrived](#) in the United States, carrying Afghans who are eligible for Special Immigrant Visas (SIV), including family members. These individuals and future arrivals that are part of this operation will have a special immigrant Lawful Permanent Resident (LPR) status or special immigrant parole that meets the special immigrant requirement for certain government benefits.

As with other Iraqis and Afghans and their dependents admitted as LPRs under the Afghan Allies Protection Act of 2009 or other applicable law regarding special immigrants, these special immigrant LPRs will generally have foreign passports with a Department of Homeland Security, Customs and Border Protection stamp admitting them with an SQ1, SQ2, or SQ3 Class of Admission (COA). However, some of the new Afghan special immigrant LPR arrivals may not have a physical immigrant visa in their passport and may not have a temporary Form I-551 stamp.

USCIS is also issuing a Form I-551, Permanent Resident Card, to these special immigrant LPRs. In addition, regardless of the documentation presented, SAVE can provide an initial verification response of LPR for these special immigrant LPRs except those whose case involves something unusual that may require additional verification.

Special immigrant parolees will have a separate, printed page on Customs and Border Protection letterhead with their Form I-94, Arrival Departure Record, information and the following notation, signed and dated by a U.S. Citizenship and Immigration Services (USCIS) officer:

Special Immigrant Status (SQ/SI) Parolee

Sec 602(b)(1) AAPA / Sec 1059(a) NDAA 2006

Date \_\_\_\_\_ USCIS officer: \_\_\_\_\_



As do Afghan special immigrant LPRs, these special immigrant parolees meet the immigration status requirement for public benefits pursuant to section 602(b)(8) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note), which states that Afghans granted special immigrant status “shall be eligible for resettlement assistance, entitlement programs, and other benefits available to refugees admitted under [section 207 of the Immigration and Nationality Act (8 U.S.C. 1157)] to the same extent, and for the same period of time, as such refugees.” The Department of Health and Human Services, Office of Refugee Resettlement (ORR) has also published a [Dear Colleague Letter](#) informing the refugee resettlement network that ORR has amended its guidance to reflect that these Afghan special immigrant parolees meet the immigration status requirement for Refugee Resettlement Program benefits.

USCIS is issuing these special immigrant parolees a Form I-766, Employment Authorization Document, with a C11 parolee category. For these individuals, SAVE can provide an initial verification response of Parolee with an SQ4 or SQ5 COA unless there is something unusual about the case that may require additional verification. Please submit the case for additional verification if you need to verify whether a special immigrant parolee also has a pending application to adjust their status to LPR.

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Please send any questions or concerns to your SAVE Agency Relationship Manager or [SAVE.Help@uscis.dhs.gov](mailto:SAVE.Help@uscis.dhs.gov).