



Covering Kids & Families

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BadgerCare Plus for Certain Qualified Immigrants

Information provided by Jon Peacock from the Wisconsin Council on Children & Families and the Wisconsin Department of Health Services

OLD POLICY

Certain immigrants who arrived in the U.S. on or after August 22, 1996 are subject to a 5 year ban on receiving federal benefits, including Medicaid and BadgerCare Plus, other than emergency services.

NEW POLICY CHANGE

Beginning, October 1, 2009, children under the age of 19, and pregnant women who are either:

- Lawfully Admitted for Permanent Residence,
- Lawfully present under Section 203(a)(7),
- Lawfully present under Section 212(d)(5), or
- Who suffer from domestic abuse and are considered to be a battered immigrant,

no longer have to wait 5 years to be eligible for full benefit Medicaid and BadgerCare Plus. This policy applies both to persons in existing open cases and to new applicants. Women have the 5-year ban lifted when their pregnancy is verified and continues for an additional 60 days after the last day of pregnancy and through the end of the month in which the 60th day occurs.

The Department of Health Services issued an operations memo ending the 5 year residency requirement for certain qualified immigrant children and pregnant women. To view this memo, visit: <http://dhs.wisconsin.gov/em/ops-memos/2009/pdf/09-57.pdf>.

Since the Governor first proposed BadgerCare Plus, he has made it very clear that the goal was to make quality, affordable health insurance available for all Wisconsin children, to the extent allowed by federal law. Removing the 5-year waiting period brings Wisconsin very close to that extremely important goal.

There has been a little bit of confusion about specifically which immigrants would be affected by making lawfully residing children and pregnant women eligible for BadgerCare Plus (BC+) without the 5-year wait. The Centers for Medicare and Medicaid Services (CMS) have yet to issue any detailed guidance on that. The issue is complicated by the fact that an array of federal and state laws divide immigrants into numerous groups for purposes of determining their eligibility for public benefits, such as BC+.

The new DHS Operations Memo answers the question of which groups of immigrants in Wisconsin are affected (see the four categories above). On the next page the table from the BadgerCare Plus Handbook has been updated and shows the many classifications of immigrants and their current eligibility status for BC+. As it illustrates, there are a number of classes of non-citizens who were already eligible for coverage without being required to lawfully reside in the U.S. for 5 years. Examples include Cuban/Haitian entrants, victims of trafficking, and foreign-born Native Americans.

The revised table also shows that there are several categories of immigrants who are in the U.S. legally but will continue to be ineligible, regardless of when they arrived in the U.S. or how long they have lived in this country. Those groups include special agricultural workers and immigrants admitted on temporary visas. However, there are also several narrow categories

of “not qualified” immigrants that are currently ineligible, but who CMS might include in its definition of lawfully residing. Examples include asylum applicants, immigrants in temporary protected status, and the immigrant spouses and children of citizens. Once CMS issues guidance on how it is defining lawfully residing, Wisconsin should reexamine its options for implementing the new law.

Immigration Status Chart from the BadgerCare Plus Handbook

(The newly eligible groups are highlighted.)

CARES Code	Immigration Status	Arrived Before 08/22/96	Veteran*/ Amerasian Arrived before 8-22-96	Arrived on or after 8-22-96 (parents or childless adults)	Veteran*/ Amerasian Arrived on or after 8-22-96	Children under 19 & pregnant women – arrived on or after 8-22-96
01	Lawfully admitted for permanent residence	Eligible	Eligible	Ineligible for 5 years	Eligible	Eligible (as of 10-1-09)
02	Permanent resident under color of law (PRUCOL)	Ineligible	Ineligible	Ineligible	Ineligible	Ineligible
03	Refugees lawfully present under Section 203(a)(7)	Eligible	Eligible	Ineligible for 5 years	Eligible	Eligible (as of 10-1-09)
04	Lawfully present under Section 207(c)	Eligible	Eligible	Eligible	Eligible	Eligible
05	Lawfully present under Section 208	Eligible	Eligible	Eligible	Eligible	Eligible
06	Parolees lawfully present under Section 212(d)(5)	Eligible	Eligible	Ineligible for 5 years	Eligible	Eligible (as of 10-1-09)
07	IRCA (No longer valid)	N/A	N/A	N/A	N/A	N/A
08	Lawfully admitted - temporary	Ineligible	Ineligible	Ineligible	Ineligible	Ineligible
09	Undocumented Alien	Ineligible	Ineligible	Ineligible	Ineligible	Ineligible
10	Illegal Immigrant	Ineligible	Ineligible	Ineligible	Ineligible	Ineligible
11	Cuban/Haitian Entrant	Eligible	Eligible	Eligible	Eligible	Eligible
12	Considered a Permanent Resident by USCIS	Ineligible	Ineligible	Ineligible	Ineligible	Ineligible
13	Special agricultural worker under Section 210(A)	Ineligible	Ineligible	Ineligible	Ineligible	Ineligible
14	Additional special agricultural worker under Section 210(A)	Ineligible	Ineligible	Ineligible	Ineligible	Ineligible
15	Withheld deportation - S. 243(h)	Eligible	Eligible	Eligible	Eligible	Eligible
16	Battered Immigrant	Eligible	Eligible	Ineligible for 5 years	Eligible	Eligible (as of 10-1-09)
17	Amerasian	Eligible	Eligible	Eligible	Eligible	Eligible
18	Foreign Born Native American	Eligible	Eligible	Eligible	Eligible	Eligible
19	Victims of Trafficking	Eligible	Eligible	Eligible	Eligible	Eligible





Established in 1990, MEDiC is a health professions student organization at University of Wisconsin-Madison, comprised of the MEDiC Council and six free clinics in Dane County. The MEDiC program is a system of student run, free medical clinics working to provide medical care for underserved families and individuals, and educational experiences for UW-Madison health professional students. Students from allied health professional schools (nursing, physical therapy, physician assistant, pharmacy, and medicine) work with volunteer physicians to provide free acute care medical visits at local homeless shelters, transitional housing facilities, and at one weekly walk-in clinic.

With the help of volunteers and gifts, in 2008 MEDiC:

- Treated 1,728 patients during 193 clinic sessions across six locations, at an average cost of \$7.00 per patient (yes, that's SEVEN DOLLARS, including medications)

Provided meaningful educational opportunities for over 300 medical, pharmacy, physical therapy, physician assistant, and nursing students

- Engaged over 200 UW-Madison faculty physicians in community service
- Provided over 100 hours of volunteer service every week

The ability to treat patients and provide necessary medications at no cost is entirely dependent on the support received from donations and the group's fundraising.

If you would like more information about MEDiC, please visit: <http://medic.uwmedstudents.com>.

For specific information about making a gift to MEDiC, visit: <http://medic.uwmedstudents.com/help>.

Core Plan Waitlist Frequently Asked Questions

Information provided by the Wisconsin Department of Health Services

As many of you already know, on Friday, October 9, the State suspended the BadgerCare Plus Core Plan enrollment process for adults with no dependent children. A waitlist has been created for people who applied after the deadline. Many questions have been asked surrounding the waitlist, below some of the questions and answers. For a full list of frequently asked questions, visit: <http://dhs.wi.gov/BadgerCarePlus/core/faq/waitlist.htm>.

Q Why is the BadgerCare Plus Core Plan being suspended?

A Because the total number of applications the State has received is greater than the number of slots available. [The Core Plan has to be budget neutral.]

Q How do I get on the waitlist?

A To add your name to the waitlist, go to access.wi.gov [or call 1-800-291-2002]. You will need to answer most of the questions on the application to make sure you meet the program rules for Core Plan. If you do, you will be added to the waitlist for the Core Plan. You will not be asked to pay the \$60 application fee until you are able to enroll.

Q I tried to apply for the Core Plan, but was told I needed to wait 12 months since I had coverage in the last year. Can I get on the waitlist while I am waiting for the 12 months to pass.

A If you are in a 12-month waiting period because you had health insurance coverage, you need to wait until the end of that waiting period before applying to get your name on the waitlist.

Q When it is time for me to renew in a year, will I be able to automatically renew or will I have to go on the waiting list?

A The State will send you a reminder letter when it is time for you to renew your benefits. If you complete your renewal before the deadline printed on the letter, you will not have to go on the waitlist.



Co-Chair Corner | Core Plan Hits the Limit

By Andy Heidt & Jennifer Winter, Steering Committee Co-Chairs



THE BAD

On October 5 Governor Doyle announced that the state has reached its budgetary limits for the BadgerCare Plus Core Plan. You may wonder in the coming months, “Was it better to have loved and lost, then never to have loved at all?” CKF answers with an emphatic, “YES!” We applaud the Administration for this brave undertaking in offering health coverage to adults without dependent children in the home. We all knew that this was going to be a tricky mess to sustain and grow, but let’s try to remember what was accomplished.

THE GOOD

This program has identified thousands of people who are in need of coverage and do not have the funds to access it in any other way. The Core Plan has allowed low income adults another concrete way to manage their lives. But perhaps the most important development in this program is how it has set Wisconsin as a forward thinking leader regarding health care reform. Can anything illustrate the need for universal coverage better than having this program fill to capacity in a mere three months? We encourage you to use this example in your communications with legislators when supporting health care reform.

THE UGLY

OK, now what? Fasten your seatbelts dear advocates; it is going to be a bumpy ride. In the next few months we will have many administrative difficulties. New applicants to the program will be placed on a waiting list while, at the same time, the first flood of recipients from Milwaukee will have to re-apply for continuing coverage. Existing Core members may lose coverage due to failing to have had a check-up. Many will not be able to afford the \$60 application fee, which must be paid each year. This may allow new applicants on the waiting list to move into a covered status, but they will have to submit their fee. Changes in phone numbers and addresses and difficulties with literacy will make for challenging and confusing times.

WHAT CAN WE DO?

CKF members must band together to help people through the maze. We will need each other now more than ever. We urge you to join our Outreach Committee to share information and help with trouble shooting & technical support. Join our Policy Committee to encourage legislative actions for improvements in coverage delivery. For more information about our committees visit: <http://www.ckfwi.org>.

Looking to promote BadgerCare Plus?

If you’re looking for opportunities to promote BadgerCare Plus to children, parents and pregnant women, CKF’s Outreach Committee suggests several places where you may find families this season.

- Flu clinics
- Parent-teacher conferences
- Turkey basket giveaways
- Toy drives

