

Section 4. Eligibility Standards and Methodology

4.1.10 _____ Check if the State is electing the option under section 214 of the Children’s Health Insurance Program Reauthorization Act of 2009 (CHIPRA) to provide coverage to the following otherwise eligible individuals lawfully residing in the United States:

- (1) “Qualified aliens” otherwise subject to the 5-year waiting period per section 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996;
- (2) Citizens of a Compact of Free Association State (i.e., Federated States of Micronesia, Republic of the Marshall Islands, and the Republic of Palau) who have been admitted to the United States (U.S.) as non-immigrants and are permitted by the Department of Homeland Security to reside permanently or indefinitely in the U.S.;
- (3) Individuals described in 8 CFR 103.12(a)(4) who do not have a permanent residence in the country of their nationality and are in statuses that permit them to remain in the U.S. for an indefinite period of time pending adjustment of status. These individuals include:
 - (a) Individuals currently in temporary resident status as Amnesty beneficiaries pursuant to section 210 or 245A of the Immigration and Nationality Act (INA);
 - (b) Individuals currently under Temporary Protected Status pursuant to section 244 of the INA;
 - (c) Family Unity beneficiaries pursuant to section 301 of Public Law 101-649 as amended;
 - (d) Individuals currently under Deferred Enforced Departure pursuant to a decision made by the President;
 - (e) Individuals currently in deferred action status pursuant to Service Operations Instructions at OI 242.1(a) (22); and
 - (f) Individuals who are the spouse or child of a U.S. citizen whose visa petition has been approved and who has a pending application for adjustment of status; and
- (4) Individuals in non-immigrant classifications under the INA who are permitted to remain in the U.S. for an indefinite period, including the following who are specified in section 101(a)(15) of the INA: Parents or children of individuals with special immigrant status under section 101(a)(27) of the INA; religious workers; individuals assisting the Department of Justice in a criminal investigation; victims of trafficking; battered aliens; and individuals with a petition pending for 3 years or more.

_____ **The State elects the CHIPRA section 214 option for children up to age 19**

_____ **The State elects the CHIPRA section 214 option for pregnant women through the 60-day postpartum period**

4.1.10.1 _____ The State provides assurance that for individuals whom it enrolls in CHIP under the CHIPRA section 214 option that it has

verified, both determination and at that the individual United States. The State must information provided at the	at the time of the individual’s initial eligibility the time of the eligibility redetermination, continues to be lawfully residing in the first attempt to verify this status using time of initial application. If the
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**State cannot do so from the
must require the individual to
further evidence to verify satisfactory
same manner as it would for anyone else
immigration status under section 1137(d) of the**

**information readily available, it
provide documentation or
immigration status in the
claiming satisfactory
Act.**

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is **0938-XXXX**. The time required to complete this information collection is estimated to average 1 hour per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.