
Nevada Division of Public and Behavioral Health

Medicaid Eligibility for non-citizen Children Lawfully Residing in the United States Less than Five Years

Senate Bill (SB) 325 of the 79th Session of the Nevada Legislature
(https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB325_EN.pdf)

Nevada Medicaid and Nevada Check Up now provide health coverage to children under 19 years of age (lawfully residing in the United States (U.S.), without a 5-year waiting period

([SB 325](#)).

Senate Bill (SB) 325 became effective on July 1, 2017 authorizing children, less than 19 years of age, lawfully residing in the United States to enroll in Nevada Medicaid and Nevada Check Up Children's Health Insurance Program Reauthorization Act (CHIPRA) programs. Previously, a five-year waiting period was necessary for lawfully residing qualified non-citizen children; this is no longer the case in Nevada.

Inclusion of newly eligible, lawfully residing qualified non-citizen children will result in Medicaid and Nevada Check Up opportunities for 7,484 children or 89,908 member months in each of fiscal year 2017-2018 and 2018-2019. The member month number total calculated by the Nevada Division of Health Care Financing and Policy in the [SB 325 fiscal note](#) of the 79th Session of the Nevada Legislature anticipates each individual to be covered the entire twelve months.

Qualified non-citizen children, lawfully residing in the United States less than five-years under the following categories are eligible. Qualified non-citizen children include the following:

- a. Lawful Permanent Residents (LPRs)
- b. Refugees
- c. Asylees
- d. Persons granted withholding of deportation or removal
- e. Conditional Entrants
- f. Persons granted parole for a period of at least one year
- g. Cuban/Haitian entrants
- h. Certain Abused non-citizens

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Medicaid or Nevada Check Up coverage cannot be used for:

- Non-U.S. national children with no legal right to be in the United States
- Non-U.S. national youth who qualify for the deferred action initiative referred to as DREAMers, meeting the requirements of the Development, Relief, and Education for Alien Minors (DREAM) Act
- Children granted Deferred Action for Childhood Arrivals

At least 31 other states have elected to provide coverage to lawfully residing immigrant children using federal funds under the 2009 Children's Health Insurance Program Reauthorization Act ([CHIPRA](#)). CHIPRA allows states to draw down federal funds to provide coverage to lawfully residing children living in families below 200% of federal poverty level.

SB 325 authorizes the Director of Nevada Department of Health and Human Services to reduce or eliminate benefits for these children if changes occur in the federal law.