

## **Title 23: Medicaid**

### **Part 102: Non-Financial Requirements**

#### **Chapter 3: Aliens**

##### *Rule 3.9: Requirement for Forty (40) Qualifying Quarters.*

- A. At the end of the five (5) year disqualification period, an alien classified as lawfully admitted for permanent residence (LPR) is potentially eligible for full Medicaid benefits only if he has forty (40) qualifying quarters (QQs) of earnings covered by Social Security or can be credited with forty (40) QQs which satisfy the requirement.
- B. If forty (40) QQs cannot be credited, the LPR remains potentially eligible for Emergency Medicaid only. Aliens who are subject to the mandatory five (5) year disqualification period are not eligible for full Medicaid for the first five (5) years, even if they can be credited with forty (40) qualifying quarters prior to or during the five (5) year disqualification period.
- C. The disqualification period must be imposed before an assessment of eligibility based on the forty (40) quarter requirement.
- D. Aliens classified as granted parole for at least one year, battered aliens and aliens granted conditional entry are not required to have forty (40) QQ.

Source:1902(a)(46)(B); 8 USC § 1611, 1612,1613, and 1641; 1903(v)(2),(3) and (4); 42 CFR §§ 435.4, 435.406, 435.956; SPA 2013-0023.

History: Revised to correspond with SPA 2013-0023 (eff. 01/01/2014), eff. 09/01/2014.