# Changes to Medicaid Eligibility for Noncitizen Adults

Federally required changes to noncitizen eligibility for Medicaid will start October 1, 2026. Once the changes are made, non-pregnant adults with certain immigration statuses will no longer be eligible for full-benefit Medicaid.

The new law **does not change** Virginia Medicaid or FAMIS eligibility rules for noncitizen children or pregnant individuals.

## Medicaid Citizenship and Immigration Status Rules*

| Non-Pregnant Adults Eligible for Full-benefit Medicaid | |
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| **Before October 1, 2026:**<br>• U.S. Citizens, including Naturalized Citizens<br>• U.S. Nationals<br>• Lawful Permanent Residents<br>• Compact of Free Association (COFA) migrants<br>• Parolees<br>• Conditional Entrants<br>• Battered noncitizen<br>• Refugees<br>• Asylees<br>• Amerasians<br>• Cuban and Haitian entrants<br>• Deportees whose deportation is withheld<br>• Victims of trafficking and their spouse, child, sibling or parent<br>• Iraqi and Afghan Special Immigrant | **After October 1, 2026:**<br>• U.S. Citizens, including Naturalized Citizens<br>• U.S. Nationals<br>• Lawful Permanent Residents<br>• Compact of Free Association (COFA) migrants<br>• Cuban and Haitian entrants |

**Waiting periods and time-limits on eligibility may also apply. Eligibility rules are available in the Virginia Medical Assistance Eligibility Manual.*

## Frequently Asked Questions

### What is NOT changing?

**The eligibility rules for noncitizen children (those 18 and younger) and pregnant individuals are not changing.** Legally residing children, meaning those who have a current visa or status, will continue to be eligible for Medicaid and FAMIS so long as they meet

other eligibility rules (e.g., income). Pregnant noncitizens with qualifying incomes may be eligible for coverage regardless of their immigration status. Non-pregnant adults ineligible for full-benefit Medicaid due to their immigration status will continue to be eligible for coverage of emergency services only through Emergency Medicaid.

## How will Virginia implement these changes?

Noncitizens who apply for Medicaid on or after October 1, 2026, will have their eligibility determined using the new rules.

The state will identify and review the eligibility of current members with an immigration status that will no longer allow the individual to be enrolled in full-benefit coverage under the new rules. Impacted members will be sent a notice explaining the new rules and requesting that they report any changes to their immigration status or confirm whether the status "on file" is correct. If a member reports a change, the state will verify the new information and, if still eligible, continue their coverage.

If a member is no longer eligible for full-benefit Medicaid because of their immigration status, they will receive a *Notice of Action* telling them that they will be moved into Emergency Services Medicaid. This process will start in the summer of 2026, with changes to member eligibility being effective on October 1.

## What can someone do if they are denied or lose coverage because of the new definition of 'qualified immigration status'?

Applicants and members can appeal eligibility decisions with which they disagree. Appeal instructions are included in all *Notices of Action* that communicate a denial, reduction or loss of coverage. **Get additional information about appeals.**

## Can someone who is no longer eligible for full-benefit coverage receive any services through Medicaid?

Noncitizens who do not qualify for full-benefit Medicaid, including those without a valid immigration status, may receive limited coverage for emergency services only.

*Please note: all information in this document is based on current understanding. Additional forthcoming federal guidance may result in changes. We will update this document as new information is received.*

If you have questions, need additional assistance, or require language assistance services or large-print documents, please call Cover Virginia at 1-855-242-8282 (TTY: 1-888-221-1590) or send an email to covervirginia@dmas.virginia.gov. This entity does not discriminate in its programs and services on the basis of race, color, national origin, sex, age, or disability.