

Applied for U Nonimmigrant Status OR Granted U Visa

June 30, 2023

If you have applied for a U Nonimmigrant status and your application is pending OR if you have been granted a U visa, this fact sheet will help you understand your eligibility for health coverage in Illinois. The Affordable Care Act (ACA) Marketplace and Medicaid both cover services such as doctor visits, hospital care and medications. To be eligible for the Marketplace or Medicaid, you must be a resident of Illinois. If you are on an active non-immigrant visa you may not qualify.

[HealthCare.gov](https://www.healthcare.gov) is the Marketplace in Illinois where you can get coverage with lower monthly premiums or savings on out-of-pocket costs (e.g., co-pay, deductible) based on your income.

Medicaid and Medicaid-like programs are state health coverage for low income populations depending on age, immigration status, household size, and income:

- **ACA Adult Medicaid:** 19-64 years old with income up to 138% FPL.
- **Aid to the Aged, Blind, and Disabled (AABD) Medicaid:** 65 or older or disabled with income up to 100% FPL.
- **Moms & Babies:** Pregnant and up to 12 months postpartum with income up to 213% FPL.
- **Health Benefit for Immigrant Seniors (HBIS)** Medicaid-like program: 65 or older with income up to 100% FPL.
- **Health Benefit for Immigrant Adult (HBIA)** Medicaid-like program: Must be ages 42-64 years old with income up to 138% FPL.
- **VTTC Medical** Medicaid-like program: 19 years of age and older with income up to [100% of FPL](#).
- **All Kids Medicaid program:** up to age 19, with household income up to 318% FPL.

What About Public Charge?

When certain individuals (most likely applying through the family immigration pathway) apply for LPR (commonly known as green card) status, immigration officials assess several factors to determine whether the applicant is *likely to become primarily dependent on the government for their subsistence* -- and if so, the applicant could be denied the green card on *public charge* grounds. **Enrollment in health coverage (such as Medicaid and Marketplace coverage) is NOT counted in the public charge test; the only counted health benefit in the public charge test is use of long term care in an institution paid for by Medicaid.** For a longer list of “safe” benefits see [this link](#). Green card holders when *renewing* their green card or when *applying for citizenship* are not subject to the public charge test. For a longer list of immigration statuses that are exempt from the public charge test see [this link](#).

How to Apply:

- **Medicaid:** Use ABE – Application for Benefits Eligibility to apply for Medicaid and other benefits in Illinois: <https://abe.illinois.gov/abe/access/>. Medicaid can be backdated up to three months from the day you apply, if you were eligible and had medical expenses during those three months.
- **Marketplace Coverage:** Use [HealthCare.gov](https://www.healthcare.gov) to apply for Marketplace coverage during Open Enrollment (Nov. 1 – Jan. 15) or if you qualify for a [Special Enrollment Period](#) during other parts of the year. [A Navigator or Assister](#) can help you enroll in Marketplace or Medicaid for free.

Applied for U Nonimmigrant Status OR Who has Been Granted U Visa: Eligibility For Medicaid and Marketplace Coverage

If you have applied for a U Nonimmigrant status and your application is pending OR if you have been granted a U visa, this fact sheet will help you understand your eligibility for health coverage in Illinois. Your eligibility for Medicaid or the Marketplace depends on whether you fall into one of the below categories:

1. **I filed an application for T Visa and my application is pending.**
2. **I have been granted U Visa. Note: U Visa recipients are subject to the five-year waiting period if they adjust to LPR status.**

I Applied for a Nonimmigrant U Visa and My Application is Pending

	ACA Adult	AABD	All Kids	HBIA	HBIS	VTTC Medical	Moms & Babies	Marketplace
Eligible?	No	No	Yes	Yes	Yes	Yes	Yes	*No

*If you have a U visa bona fide determinations with *deferred action*, you are lawfully present and thus eligible for the Marketplace.

I was granted a U Visa

	ACA Adult	AABD	All Kids	HBIA	HBIS	VTTC Medical	Moms & Babies	Marketplace
Eligible?	No	No	Yes	Yes	Yes	Yes	Yes	Yes

Eligibility for Additional Benefits & Programs

If you are preparing to file or have filed an application for a U Visa, you are eligible for the VTTC program, which provides cash assistance, nutrition assistance, and comprehensive health coverage. For more information about the VTTC program, please see this [fact sheet](#). A person who is approved for a U Visa does not meet federal Medicaid Qualifying Non-citizen criteria and continues to qualify for VTTC as long as they meet all other eligibility criteria. See [IDHS policy guidance](#). If you are preparing to file an application for a U Visa or you have applied for a U visa or have been granted a U Visa, you are also eligible for [WIC](#) and for the benefits and programs provided in [this fact sheet](#). You are also eligible for hospital financial assistance programs, charity care, medical care at Federally Qualified Health Centers (FQHCs), free and charitable clinics, and community health centers.

If you are preparing to file an application for a U Visa or you have applied for a U Visa or have been granted a U Visa, you are also eligible for federal emergency Medicaid. Emergency Medicaid is a way for the hospital to be reimbursed by the government for the cost of the individual's medical services, including any hospital stay; the patient who qualifies for Emergency Medicaid should not be charged a bill for those medical services. Kidney dialysis is also covered by Emergency Medicaid.

Need More Information?

- Public Charge questions? email pifillinois@povertylaw.org or visit the [Protecting Immigrant Families Illinois](#) website or visit Keepyourbenefits.us website to determine if you would be subject to the public charge test.
- Statewide [Community Service Agencies Serving Immigrants](#) and [IDHS Welcoming Centers](#) and ICIRR-administered [Family and Community Resource Centers](#) (FCRCs)

Have a question or want to report a concern about this fact sheet?: pifillinois@povertylaw.org