



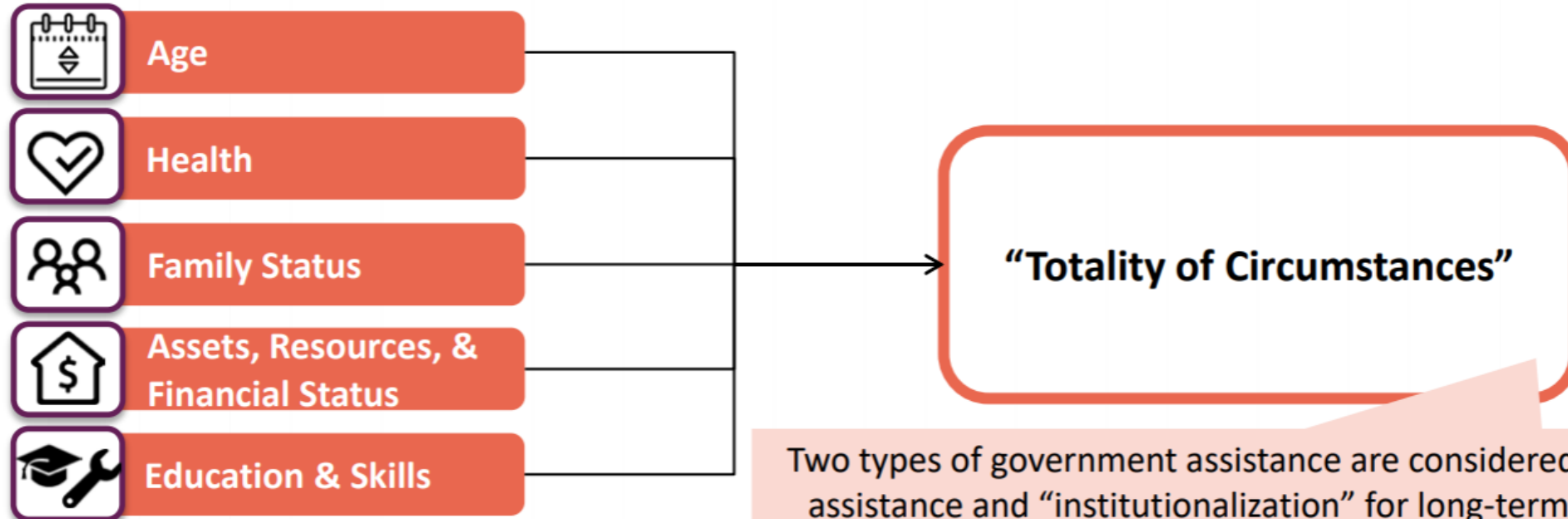
PUBLIC CHARGE DRAFT COMMENTS

Connect for Health Colorado Board of Directors Meeting

October 8, 2018

Immigrants determined to be or “likely at any time to become” a public charge may be denied entry or, if they live in the U.S., barred from changing their temporary status to permanent residency

To make a public charge determination, the following statutorily-required factors are considered – and no single factor is determinative:



Existing statute also includes an “affidavit of support” requirement for certain immigrants

The proposed rule would expand the list of public benefits considered in a public charge determination

The rule would establish standards by benefit category for the level of use that results in a countable benefit:



“Monetizable” benefits, tied to monetary thresholds



“Non-Monetizable” benefits, tied to durational thresholds

Benefit Programs	Existing (✓) and Additional Proposed (+) Benefits	Benefit Type
Supplemental Security Income (SSI)	✓	
Temporary Assistance for Needy Families (TANF)	✓	
Federal, state, or local cash benefit programs	✓	
Institutionalization for long-term care	✓	
Non-emergency Medicaid (<i>exclusions listed on next slide</i>)	+	
Medicare Part D Low Income Subsidy (LIS)	+	
Supplemental Nutrition Assistance Program (SNAP)	+	
Housing Assistance under the Housing Choice Voucher Program or Section 8 Project-Based Rental Assistance	+	
Subsidized Housing under the Housing Act of 1937	+	

Source: State Health and Value Strategies, 2018

Draft Comments – Goals

- Communicate concern on the overall impact of the rule and likelihood of immigrant families to forego health coverage, regardless of whether public charge rule would apply to them.
- Seek clarity on the ‘applied for’ language and its interaction with Medicaid/Marketplace single streamlined application requirements that may mean Marketplace applicants would be subject to the rule through their application to Connect for Health Colorado.
- Provide comment on our recommendation to exclude CHIP enrollees from the final rule (as requested in the proposed rule).
- Communicate preferences on timing and effective date to allow for appropriate outreach, messaging, and any technology changes necessary.