

# Common Questions for Immigrant Families About Children's Health Insurance



Children's Defense Fund<sup>®</sup>

*New York State offers two programs that provide free or low cost health insurance to children: Child Health Plus A (Children's Medicaid) and Child Health Plus B. Child Health Plus A is a free, comprehensive health insurance program for low-income children under age 19. Child Health Plus B offers free or low cost health insurance, with services provided through health plans, for children under age 19 who do not qualify for Child Health Plus A. There are no immigration requirements for Child Health Plus B. Children must be "residents" of (meaning that they live and intend to stay in) New York State to qualify for either Child Health Plus A or B.*

*Immigrant families often have questions about these health care programs. This fact sheet answers some common questions about Child Health Plus A (Children's Medicaid) and Child Health Plus B.*

## **1. Who can get Child Health Plus A (Children's Medicaid) and Child Health Plus B?**

All immigrant children living in New York State should be able to qualify for one of these health insurance programs. Many immigrant children can now qualify for Child Health Plus A (Children's Medicaid), even if they have only lived in this country a short time, and even if they don't have a "green card." A recent court decision, Aliessa et al. v. Novello, expanded potential eligibility for Child Health Plus A to include children who came to this country in the last five years, and to "PRUCOL" children ("Permanently Residing Under Color of Law; this basically means the INS knows they are here and does not intend to deport them). Immigrant children who are not eligible for Child Health Plus A (Children's Medicaid), either because their family's income is too high, or because they are undocumented, can still receive Child Health Plus B.

## **2. Will use of Child Health Plus A (Children's Medicaid) or Child Health Plus B hurt my ability to get a green card?**

No. The INS cannot refuse to give you a green card because you or anyone in your family currently use or used these programs in the past. The INS could decide to deny a green card to certain immigrants where these programs\* were used for long term institutional care, such as at a nursing home or mental health institution, or by an immigrant who is HIV positive. Immigrants needing long term care or who are HIV positive should talk to an immigration expert.

## **3. Will use of Child Health Plus A (Children's Medicaid) and Child Health Plus B affect my ability to apply for U.S. citizenship?**

No. The INS cannot consider use of these programs when deciding whether to grant an immigrant U.S. citizenship.

## **4. Will use of Child Health Plus A (Children's Medicaid) and Child Health Plus B get me deported?**

No. The INS cannot deport you for using these programs. In VERY RARE instances only, the INS could seek to deport certain immigrants who use these programs\* for long term institutional care such as at a nursing home or mental health institutions.

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\* Child Health Plus B does not cover long term institutional care.

**5. Will use of Child Health Plus A (Children’s Medicaid) and Child Health Plus B prevent me from sponsoring a family member to live in the United States?**

No. Use of these programs cannot be considered when you apply to sponsor a family member to live in the United States. However, you could be asked about how much income you have as a sponsor. Sometimes if your income is low enough to qualify for one of these programs, you may not be an adequate sponsor (but you can get a co-sponsor).

**6. Will use of Child Health Plus A (Children’s Medicaid) and Child Health Plus B limit my ability to travel in and out of the country?**

No. The INS cannot refuse to let you re-enter the United States because you are receiving or have received these programs. However, if you have used these programs\* to pay for long term institutional care and you leave the country for more than six months, it could affect your ability to come back to the United States.

**7. Will I have to pay the money back if I use Child Health Plus A (Children’s Medicaid) or Child Health Plus B?**

No. You will not be required to pay back the money used for these programs.\* If your child entered the country after December 19, 1997 and if a sponsor signed an affidavit of support for that child, it is possible that the sponsor may have to repay the value of services used. This would be called “sponsor liability”, but New York State does not currently impose “sponsor liability” in these programs.

**8. Will I have to reveal my immigration status if I want to apply for health insurance for my child?**

No. The immigration status of parents is *not considered* when determining whether a child can get benefits for either Child Health Plus A (Children’s Medicaid) or Child Health Plus B – they won’t even ask. You do not have to give a social security number for yourself in order to apply for your child!

**9. Will I have to reveal my child’s immigration status to apply for health insurance under Child Health Plus A (Children’s Medicaid) or Child Health Plus B?**

Health Insurance is available for all children in New York State, regardless of immigration status. If your child is undocumented, you will not have to show any immigration documents, and your child may qualify for Child Health Plus B. You will have to show documents about your child’s immigration status if he or she is in one of the categories listed on the application. If your child does not belong to one of the immigration categories listed on the application, you *will not be asked* for any more information or documents about your child’s immigration status.

*It is New York State’s policy NOT to report information on the application to the Immigration and Naturalization Service (INS).*

**10. What if my child needs long term institutionalized care, like care in a nursing home or in a mental health institution?**

Use of Child Health Plus A (Children’s Medicaid) for long term institutional care could be used as a reason by the INS to deny a green card, as explained above. Discuss your case with an immigration lawyer and your health care provider for details about the risks and benefits for your family.

***For more information about health insurance for children,  
contact the Children’s Defense Fund at (212) 697-2323.***

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\* However, if benefits were obtained by fraud, they could have to be repaid. Always remember it is very important not to use false documents or information in applying for these programs. Fraud can cause problems with the State and INS.