



Ohio Administrative Code

Rule 5160:1-5-05 Medicaid: refugee medical assistance (RMA).

Effective: [March 23, 2015](#)

(A) This rule describes a time-limited medical assistance program, funded through the office of refugee resettlement (ORR), that provides a medical screening through contracted refugee health screening providers, and other medical services. There is no resource limit for individuals described in this rule.

(B) Definitions.

(1) "Household income" is defined in rule 5160:1-1-61 of the Administrative Code.

(2) "Derivative T visa" means either a T-2, T-3, T-4, or T-5 visa issued to certain family members of victims of a severe form of trafficking who may be eligible for RMA benefits if the visa holder meets refugee program eligibility requirements.

(3) "Individual", for the purpose of this rule, means an applicant for or a recipient of RMA or refugee cash assistance (RCA) who is not a U.S. citizen and who meets one of the following definitions of immigration status under the Immigration and Nationality Act (INA) (as in effect on September 1, 2014), as verified by documentation issued by the U.S. department of state, U.S. department of homeland security, or U.S. department of justice:

(a) Paroled as a refugee or asylee under section 212(d)(5) of the INA (as in effect on September 1, 2014).

(b) Admitted to the U.S. as a refugee under section 207 of the INA (as in effect on September 1, 2014).

(c) Granted asylum under section 208 of the INA (as in effect on September 1, 2014).

(d) Cuban and Haitian entrants in accordance with requirements in 45 C.F.R. part 401 (as in effect on



September 1, 2014).

(e) Certain Amerasians from Vietnam who are admitted to the U.S. as immigrants pursuant to section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1988 (as contained in section 101(e) of Public Law 100-202) (as in effect on September 1, 2014), and amended by the 9th proviso under migration and refugee assistance in title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989, Public Law 100-461, as amended) (as in effect on September 1, 2014).

(f) Victims of a severe form of trafficking as identified in 22 U.S.C. 7105(b)(1) (as in effect on September 1, 2014) and certain family members, as identified in the Trafficking Victims Protection Reauthorization Act of 2003 (TVPPRA) (Pub. L. No. 108-193) (as in effect September 1, 2014). Victims of a severe form of trafficking are awarded a certification letter from ORR and are potentially eligible for RMA as described in 28 C.F.R. 1100.33 (as in effect on September 1, 2014). Certain family members are awarded "Derivative T" visas and are potentially eligible for RMA.

(g) Admitted as an Afghan or Iraqi special immigrant under section 101(a)(27) of the INA (as in effect on September 1, 2014).

(4) "RMA need standard" means one hundred per cent of the federal poverty level (FPL) based on family size.

(C) Eligibility criteria.

(1) The individual shall be neither:

(a) Eligible for medicaid; nor

(b) A full-time student in an institution of higher education, except where such enrollment is approved by the state, or its designee, as part of an individual employability plan as described in rules to 5101:1-2-40.5 of the Administrative Code.

(2) The individual meets the income requirements for RMA when:



- (a) The individual's household income is no more than the RMA need standard, or
- (b) The individual whose household income is more than the RMA need standard spends down household income to the RMA need standard, in accordance with the methods set forth in rule 5160:1-3-04.1 of the Administrative Code.
- (3) Initial and ongoing eligibility for RMA is based on the applicant's income on the date of application.
- (D) Eligibility period. An individual who meets the eligibility requirements of this rule may receive RMA for a time-limited period not to exceed eight months from the individual's date of entry or from the date status is granted, as listed on the individual's U.S. citizenship and immigration services' (USCIS) documentation.
- (E) Individual responsibilities. The individual shall:
 - (1) Provide:
 - (a) USCIS documentation of alien status;
 - (b) The name of the resettlement agency, if any, that resettled the individual; and
 - (c) The information necessary to establish eligibility, cooperate in the verification process, and report changes in accordance with rule 5160:1-1-58.2 of the Administrative Code.
 - (2) Spend down to the RMA need standard if the household income exceeds the RMA need standard; and
 - (3) Cooperate in providing verification of any third-party liability or coverage of medical expenses as defined in Chapter 5160:1-1-58 of the Administrative Code.
- (F) Administrative agency responsibilities. The administrative agency shall:



- (1) Accept an application, or electronic equivalent, for medical assistance as an application for RMA;
- (2) Not require an individual to apply for or receive RCA;
- (3) Not require a face-to-face interview;
- (4) Use actual countable family income for the month of application. Do not average income prospectively in determining income eligibility for RMA;
- (5) Determine medicaid eligibility, as described in Chapters 5160:1-1 to 5160:1-5 of the Administrative Code, prior to determining eligibility for RMA;
- (6) Call the trafficking verification line to confirm the validity of the certification letter or letter for children and to notify ORR of the benefits for which the individual has applied;
- (7) Make eligible an individual who receives RCA and who meets the eligibility requirements of this rule;
- (8) Obtain third-party liability information from an individual who has other health insurance; and
- (9) Explore retroactive eligibility for RMA, as defined in Chapter 5160:1-1-51 of the Administrative Code. Retroactive eligibility cannot begin prior to the individual's date of entry or from the date status is granted.