Applicants who have an eligible immigration status are generally eligible for coverage through Presumptive Eligibility if they meet other PE requirements.

In order to get PE coverage, many qualified non-citizens (such as many LPRs or green card holders) have a 5-year waiting period. This means they must wait 5 years after receiving “qualified” immigration status before they can get coverage. There are exceptions. For example, refugees, asylees, or LPRs who used to be refugees or asylees don’t have to wait 5 years.

Without a five-year waiting period

1. Citizens of the Marshall Islands, Micronesia, and Palau who are living in one of the U.S. states or territories (referred to as Compact of Free Association or COFA migrants)
2. Lawful Permanent Residents (i.e., green-card holders or LPRs who adjusted to LPR from an immigration status that is exempt from the 5-year bar listed at numbers 3-9, below)
3. Refugee admitted to the U.S. under section 207 of the INA
4. Granted asylum under section 208 of the INA
5. Deportation is being withheld under section 243(h) or 241(b)(3) of the INA
6. Cuban or Haitian entrant as defined in section 501(e) of the Refugee Education Assistance Act of 1980
8. Victim of trafficking with a certification or eligibility letter from the Office of Refugee Resettlement
9. Afghan or Iraqi special immigrant visa holder

With a five-year waiting period (from the date they received the qualifying status)

10. Lawful Permanent Residents (i.e., green-card holders or LPRs), unless adjusted from a status that is exempt from the 5-year waiting period at 3-9, above
11. Battered non-citizens and their children or parents
12. Non-citizens paroled into the U.S. for at least one year
13. Conditional entrants granted status prior to April 1, 1980 (Note: because of the grant date requirement, these non-citizens will already have met the 5-year waiting period)
14. Exception: qualified non-citizens (at 10-13) are exempt from the 5-year waiting period if they are:
   a. Veterans who received an honorable discharge, or
   b. A military service member on active duty in the armed forces of the United States (other than active duty for training-i.e., Reserves), or
   c. A spouse or unmarried dependent child of a veteran or active duty service member as described above, or
   d. have lived in the US since 1996

If the applicant has one of the following statuses above, use the applicant’s statement and select ‘Yes’ to the question “Does this person have an eligible immigration status?”