



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
Second Regular Session

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## **HB 2362: AHCCCS; undocumented individuals**

**Sponsor: Representative Sandoval, LD 23**

**Committee on Health & Human Services**

### **Overview**

Allows a person who is unable to provide documentation verification of qualified alien status to apply for AHCCCS and be eligible for services.

### **History**

#### ***Arizona Health Care Cost Containment System***

Established in 1981, the Arizona Health Care Cost Containment System (AHCCCS) is Arizona's Medicaid program that oversees contracted health plans for the delivery of health care to individuals and families who qualify for Medicaid and other medical assistance programs. Through contracted health plans across the state, AHCCCS delivers health care to qualifying individuals including low-income adults, their children or people with certain disabilities.

Statute outlines the covered health and medical services offered to AHCCCS members, including: 1) inpatient hospital services; 2) outpatient health services; 3) laboratory and X-ray services; 4) prescription medications; 5) medical supplies, durable medical equipment, insulin pumps and prosthetic devices; 6) treatment of medical conditions of the eye; 7) early and periodic health screening and diagnostic services; 8) family planning services; 9) podiatry services; 10) nonexperimental transplants; 11) emergency dental care; 12) ambulance and nonambulance transportation; 13) hospice care; 14) orthotics; 15) medically necessary chiropractic services; and 16) diabetes outpatient self-management training services ([A.R.S. § 36-2907](#)).

#### ***United States Citizenship and Qualified Alien Status Eligibility Requirements***

A person who is applying for AHCCCS must provide verification of United States (US) citizenship or documented verification of qualified alien status. A qualified alien may apply for AHCCCS and if otherwise eligible, may receive all services if the qualified alien meets at least one of the following:

- 1) is designated as one of the exception groups under [8 U.S.C. § 1613\(b\)](#);
- 2) has been a qualified alien for at least five years; or
- 3) has been continuously present in the U.S. since August 21, 1996.

A person who is a qualified alien who does not meet the eligibility requirements or who is a noncitizen that does not claim and provide verification of qualified alien status may apply for Medicaid and can only receive emergency services. A *qualified alien* is a person: 1) defined as a qualified alien under [8 U.S.C § 1613\(b\)](#); 2) defined as a qualified alien by the Attorney General under the authority of [Public Law 104-208, section 501](#); and 3) an Indian described in [8 U.S.C. § 1612\(b\)\(2\)\(E\)](#).

Annually on September 30, AHCCCS must submit a report to the Governor, President of the Senate, Speaker of the House of Representatives, the staff Director of the Joint Legislative Audit Committee and a copy to the Secretary of State and Director of the Arizona State Library, Archives and Public Records that includes the following information:

- 1) the number of individuals that AHCCCS has verified immigration status using the systematic alien verification for entitlements programs administered by the US Citizenship and Immigration Services;
- 2) the number of documents discovered to be fraudulent by using the systematic alien verification for entitlements programs;
- 3) a list of the types of fraudulent documents discovered;
- 4) the number of US citizens who were referred by AHCCCS for prosecution of violations of state or federal laws; and
- 5) the number of individuals referred by AHCCCS for prosecution of violations of state or federal laws who were not citizens ([A.R.S. § 36-2903.03](#)).

**Provisions**

1. Allows, subject to available appropriations, a person who is unable to provide documented verification of qualified alien status to apply for AHCCCS and be enrolled in the system and receive all AHCCCS covered services if otherwise eligible. (Sec. 1)
2. Removes language that allows the following persons to receive emergency services pursuant to [1903\(v\) of the Social Security Act](#):
  - a) a person who is a qualified alien but does not meet Medicaid eligibility; or
  - b) a noncitizen who does not claim and provide verification of qualified alien status. (Sec. 2)
3. Removes the requirement that AHCCCS provide copies of the systematic alien verification report to the Director of the Arizona State Library, Archives and Public Records. (Sec. 2)
4. Makes technical and conforming changes. (Sec. 2)

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