

**SENATE  
STATE OF MINNESOTA  
NINETY-THIRD SESSION**

**S.F. No. 4263**

(SENATE AUTHORS: UTKE)

DATE  
02/26/2024

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Introduction and first reading  
Referred to Health and Human Services

OFFICIAL STATUS

1.1 A bill for an act  
1.2 relating to human services; eliminating the expansion of MinnesotaCare eligibility  
1.3 to include undocumented noncitizens; amending Minnesota Statutes 2023  
1.4 Supplement, section 256L.04, subdivision 10; repealing Laws 2023, chapter 70,  
1.5 article 16, section 15.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2023 Supplement, section 256L.04, subdivision 10, is  
1.8 amended to read:

1.9 Subd. 10. **Citizenship requirements.** (a) Eligibility for MinnesotaCare is ~~available~~  
1.10 limited to citizens or nationals of the United States; and lawfully present noncitizens as  
1.11 defined in Code of Federal Regulations, title 8, section 103.12; ~~and~~ Undocumented  
1.12 noncitizens are ineligible for MinnesotaCare. For purposes of this subdivision, an  
1.13 undocumented noncitizen is an individual who resides in the United States without the  
1.14 approval or acquiescence of the United States Citizenship and Immigration Services. Families  
1.15 with children who are citizens or nationals of the United States must cooperate in obtaining  
1.16 satisfactory documentary evidence of citizenship or nationality according to the requirements  
1.17 of the federal Deficit Reduction Act of 2005, Public Law 109-171.

1.18 (b) Notwithstanding subdivisions 1 and 7, eligible persons include families and  
1.19 individuals who are lawfully present and ineligible for medical assistance by reason of  
1.20 immigration status and who have incomes equal to or less than 200 percent of federal poverty  
1.21 guidelines; ~~except that these persons may be eligible for emergency medical assistance~~  
1.22 ~~under section 256B.06, subdivision 4.~~

- 2.1      Sec. 2. **REPEALER; MINNESOTACARE COVERAGE FOR UNDOCUMENTED**
- 2.2      **NONCITIZENS.**
- 2.3      Laws 2023, chapter 70, article 16, section 15, is repealed.

*Laws 2023, chapter 70, article 16, section 15*

Sec. 15. Minnesota Statutes 2022, section 256L.04, subdivision 10, is amended to read:

Subd. 10. **Citizenship requirements.** (a) Eligibility for MinnesotaCare is ~~limited~~ available to citizens or nationals of the United States ~~and~~ lawfully present noncitizens as defined in Code of Federal Regulations, title 8, section 103.12-; ~~and undocumented noncitizens are ineligible for MinnesotaCare.~~ For purposes of this subdivision, an undocumented noncitizen is an individual who resides in the United States without the approval or acquiescence of the United States Citizenship and Immigration Services. Families with children who are citizens or nationals of the United States must cooperate in obtaining satisfactory documentary evidence of citizenship or nationality according to the requirements of the federal Deficit Reduction Act of 2005, Public Law 109-171.

(b) Notwithstanding subdivisions 1 and 7, eligible persons include families and individuals who are ~~lawfully present and~~ ineligible for medical assistance by reason of immigration status and who have incomes equal to or less than 200 percent of federal poverty guidelines, except that these persons may be eligible for emergency medical assistance under section 256B.06, subdivision 4.

**EFFECTIVE DATE.** This section is effective January 1, 2025.