

WGIUPD

**GENERAL INFORMATION SYSTEM**

12/01/08

**DIVISION:** Office of Medicaid Management

**PAGE 1**

**GIS 08 MA/033**

**TO:** Local District Commissioners, Medicaid Directors

**FROM:** Judy Arnold, Director, Division of Eligibility and Enrollment  
Office of Health Insurance Programs

**SUBJECT:** Revised Desk Guide:  
Key to I-766/I-688B Employment Authorization Documents (EADs)

**EFFECTIVE DATE:** Immediately

**CONTACT PERSON:** Local District Support Unit  
Upstate (518)474-8887 NYC (212)417-4500

The purpose of this General Information System (GIS) message is to provide a revised desk guide based on recent changes in employment authorization coding and policy instituted by the United States Citizenship and Immigration Services (USCIS).

The attached desk guide, "Key to I-766/I-688B, Employment Authorization Documents (EADs)", defines certain codes on the USCIS Employment Authorization Documents. The codes indicate the provision of the law related to the individual's status. The desk guide contains the most commonly found codes on the EADs; however, the list is not all-inclusive. The list includes codes for the purpose of aiding the worker in determining eligibility for Medicaid and Family Health Plus.

**Note:** The U.S. Citizenship and Immigration Services (USCIS) recently announced that it is extending the validity of initial work authorization documents for refugees. The initial document will be good for two years upon admission to the United States. Previously, the Employment Authorization Document (EAD) expired after one year. The USCIS policy change ensures consistency in the validity periods for initial EADs issued to both refugees and asylees (USCIS has been issuing two-year initial EADs to asylees since 2006).

Please replace all previous versions, including the desk guide in the reference materials attached to 04 OMM/ADM-7 (Attachment D-3), with the attached desk guide dated 09/09/08.

**KEY TO I-766, I-688B, Employment Authorization Documents (EADs)**

The codes on the front of the card indicate the person's immigration status and/or also refer to the federal employment authorization regulations at 8 C.F.R. 274a.12. The following list is not exhaustive.

<b>CODE ON EAD</b>	<b>EMPLOYMENT AUTHORIZATION MEANING</b>	<b>Immigration Status</b>	<b>Type of Health Benefit</b>
(a)(3)	Refugee	Qualified immigrant	MA/FHPlus/CHPlus
(a)(4)	Paroled as a refugee: If admitted to U.S. for less than one year, is PRUCOL.  If admitted to U.S. for at least one year, is a qualified immigrant.	<ul style="list-style-type: none"> <li>▪ PRUCOL</li> <li>or</li> <li>▪ Qualified immigrant</li> </ul>	MA/FHPlus/CHPlus
(a)(5)	Granted asylum	Qualified immigrant	MA/FHPlus/CHPlus
(a)(6)	Fiance(e) of U.S. citizen [K-1 visa] or minor child of fiance(e) [K-2 visa]	<ul style="list-style-type: none"> <li>▪ Nonimmigrant;</li> <li>or</li> <li>▪ PRUCOL, if the immigrant has filed I-485 to adjust status to LPR with USCIS.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Eligible for emergency MA only;</li> <li>or</li> <li>▪ if the immigrant has filed to adjust to LPR status with USCIS, may be eligible for MA/FHPlus/CHPlus.</li> </ul>
(a)(7)	Parent or minor child of person granted LPR status as special immigrant under INA 101(a)(27)(I)	Nonimmigrant	Eligible for emergency MA only
(a)(8)	Citizen of the Federated States of Micronesia or the Marshall Islands	PRUCOL	MA/FHPlus/CHPlus
(a)(9)	Spouse of U.S. citizen [K-3 visa] or spouse's minor child [K-4 visa].	PRUCOL	MA/FHPlus/CHPlus
(a)(10)	Granted withholding of deportation	Qualified immigrant	MA/FHPlus/CHPlus
(a)(11)	Granted extended voluntary departure	PRUCOL	MA/FHPlus/CHPlus
(a)(12)	Granted temporary protected status (TPS)	PRUCOL	MA/FHPlus/CHPlus
(a)(13)	Granted voluntary departure under the Family Unity Program.	PRUCOL	MA/FHPlus/CHPlus
(a)(14)	Granted Family Unity under the LIFE Act	PRUCOL	MA/FHPlus/CHPlus
(a)(15)	Spouse of LPR [V-1 visa], LPR's minor child [V-2 visa] or spouse's minor child [V-3 visa]	PRUCOL	MA/FHPlus/CHPlus
(a)(16)	Victim of a severe form of human trafficking [T visa]	Qualified immigrant	MA/FHPlus/CHPlus
(a)(19)	Victim of crime admitted with U visa	PRUCOL	MA/FHPlus/CHPlus
(a)(20)	Derivative relatives of U visa holder (U2-U5 visa)	PRUCOL	MA/FHPlus/CHPlus
(b)(6)	Foreign students in "on-campus" employment	Nonimmigrant	Eligible for emergency MA only
(b)(9)	Temporary worker or trainee (H-1, H-2A, H-2B or H-3 visa)	Nonimmigrant	Eligible for emergency MA only. Children whose parents hold an H-visa are eligible for Child Health Plus without a residency review.
(b)(11)	Exchange visitor (J-1 visa status)	Nonimmigrant	Eligible for emergency MA only.
(b)(16)	Religious worker (R visa status)	Nonimmigrant	Eligible for emergency MA only

<b>CODE ON EAD</b>	<b>EMPLOYMENT AUTHORIZATION MEANING</b>	<b>Immigration Status</b>	<b>Type of Health Benefit</b>
(c) (1)	Dependent of foreign government official (A-1 or A-2 visa)	Nonimmigrant	Eligible for emergency MA only
(c) (2)	Spouse or minor child of an employee of the Coordination Council for North American Affairs (E-1 visa)	Nonimmigrant	Eligible for emergency MA only
(c)(3)(i)-(iii)	Foreign students (F-1 visa)	Nonimmigrant	Eligible for emergency MA only
(c)(4)	Dependent of employee of international organization (G-1, G-3 and G-4 visa)	Nonimmigrant	Eligible for emergency MA only
(c)(5)	Dependent of exchange visitor (J-2 visa)	Nonimmigrant	Eligible for emergency MA only
(c)(6)	Foreign student (M-1 visa)	Nonimmigrant	Eligible for emergency MA only
(c)(7)	Dependent of NATO employee	Nonimmigrant	Eligible for emergency MA only
(c)(8)	Asylum applicant	PRUCOL	MA/FHPlus/CHPlus
(c)(9)	Applicant for adjustment to lawful permanent resident	PRUCOL	MA/FHPlus/CHPlus
(c)(10)	Applicant for suspension of deportation	PRUCOL	MA/FHPlus/CHPlus
(c)(11)	Paroled for emergent or public interest reasons*	Qualified immigrant	MA/FHPlus/CHPlus
(c)(14)	Granted deferred action	PRUCOL	MA/FHPlus/CHPlus
(c)(16)	Applicant for registry (resided in U.S. since before January 1, 1972)	PRUCOL	MA/FHPlus/CHPlus
(c) (17)(i)(ii)	Certain personal or domestic servants (B-1 visa)	Nonimmigrant	Eligible for emergency MA only
(c) (17)(iii)	Employee of foreign airline (B-1 visa)	Nonimmigrant	Eligible for emergency MA only
(c) (18)	Deportable alien under order of supervision	PRUCOL	MA/FHPlus/CHPlus
(c) (19)	Applicant for Temporary Protected Status (TPS)	PRUCOL	MA/FHPlus/CHPlus
(c) (21)	Nonimmigrant witness or informant and dependents (S visa)	PRUCOL	MA/FHPlus/CHPlus
(c) (22)	Applicant for legalization under INA Section 245A	PRUCOL	MA/FHPlus/CHPlus
(c) (24)	Applicant for adjustment of status under the LIFE Act	PRUCOL	MA/FHPlus/CHPlus
(c) (25)	Immediate family member of a victim of a severe form of human trafficking (T visa)	Qualified Immigrant	MA/FHPlus/CHPlus
(c)(31)	Violence Against Women's Act (VAWA) self-petitioner	Qualified Immigrant	MA/FHPlus/CHPlus

**\*If admitted to the U.S. for less than one year, is PRUCOL. If admitted to the U.S. for at least one year, is a qualified immigrant.**