

CHAPTER 7: VERIFICATION OF ELIGIBILITY FOR INSURANCE AFFORDABILITY PROGRAMS

TABLE OF CONTENTS

A. Overview of the Verification Process for Determining Eligibility	1
1) Attestation of Eligibility	1
2) Database Verification	2
3) Reasonable Explanation.....	3
B. Data Matching.....	4
1) Overview of Data Matching	4
C. Reasonable Compatibility Standards for MAGI	5
1) Overview of Reasonable Compatibility Standards.....	5
2) Attestation and data are both below Medicaid eligibility levels.....	5
3) Attestation and data are both above Medicaid eligibility levels.	5
4) Attestation is lower than data and the difference between attestation and data is less than 10% ...	6
D. Reasonable Explanations.....	6
E. Conditional Eligibility.....	Error! Bookmark not defined.
1) Temporary Eligibility for APTC/CSR.....	7
2) Temporary Eligibility for Medicaid/CHIP.	7
3) Special Circumstance Exceptions.	8
4) Good Faith Extension.....	8
F. Satisfactory Documentation	8

CHAPTER 7: VERIFICATION OF ELIGIBILITY FOR INSURANCE AFFORDABILITY PROGRAMS

A. Overview of the Verification Process for Determining Eligibility

1) Attestation of Eligibility.

Individuals applying for Medicaid, Rite Care, or a Qualified Health Plan, with or without financial help, are required to complete a single streamlined application. This application contains basic information about everyone in the household who is applying for health insurance so that HealthSource RI, the Executive Office of Health and Human Services (EOHHS), and the Department of Human Services (DHS) may determine the household's eligibility for health insurance coverage. Applicants are required to provide the following information for everyone in the household applying for coverage:

- Name
- Household composition
- Social Security Numbers (**required for anyone applying or as head of household who has one)
- Residency
- Modified Adjusted Gross Income (MAGI)
- Citizenship and immigration status
- Date of birth
- Incarceration
- Whether applicants are eligible for other health insurance (including other government sponsored Minimum Essential Coverage (MEC), including Medicare)

2) Identity Proofing

a. Overview

Identity Proofing is the process of confirming an applicant's identity. HealthSource RI verifies an applicant's identity using a service provided by Experian. Experian helps HealthSource RI ask specific questions about the applicants about their personal and financial history, such as previous addresses or jobs. These questions are specific enough that only the applicant should know the answers. ID proofing is a required step before HSRI can use electronic data sources to verify an applicant's eligibility for coverage or financial help. It is meant to prevent an unauthorized person from creating an account and applying for health coverage in an without the applicant's knowledge.

b. Who is required to complete ID Proofing?

ID Proofing is required for the primary account holder who is applying for coverage for him/herself and/or on behalf of his/her family. Other individuals named in an application, who are not the primary account holder, are not ID proofed. If a customer submits a paper application, they must log into an online account and complete ID proofing before they can access an online application. Individuals can complete ID proofing online or use assistance from the Contact Center. Certified Application Counselors cannot complete ID Proofing on behalf of an applicant.

c. What happens if a customer cannot complete online ID Proofing?

The applicant can call the Contact Center for manual ID proofing or come to the walk in center with identification.

3) Database Verification.

HealthSource RI will attempt to verify an applicant's personal information (such as income, Social Security Number, citizenship and immigration status) against a variety of state and federal data sources when available.¹ For more information, please refer to HealthSource RI's application policies on www.HealthSourceRI.com.

In most cases, an applicant will need to provide personal information for HealthSource RI to determine the applicant's eligibility for health coverage and financial help. If this personal information cannot be verified, HealthSource RI will either prevent the applicant from enrolling in a QHP or offer "conditional eligibility" – allowing the applicant to continue with their application, enroll in coverage, but on the condition that the applicant submit more documents in the near future.²

HSRI performs a monthly check for accounts that have failed to provide the necessary documentation by the due date. If those documents were not provided in timely fashion, **HSRI will cancel the customer's financial assistance or coverage**, depending on which documents are missing.

Verification policies and procedures differ between applicants who are requesting financial support and those who are not. If the data sources match the applicant's attestation, or if the applicant's income provided is found "reasonably compatible"³ as determined by the ACA with available data sources, the person's eligibility will be based on the information attested to by the applicant. If the data sources **do not** match the attestation within "reasonable compatibility", then HealthSource RI will ask the customer to provide documentation to help reconcile the discrepancy between the attestation and the data sources. We recognize many customers have income that fluctuates throughout the year. Because of that fluctuation, we give customers the chance to explain the income mismatch, or provide paystubs.

When a customer submits an application, HSRI verifies the information the applicant provided against a variety of state and federal data sources. If information found in the data source does not match the information provided by a customer, a customer's eligibility notice will say the customer is made "conditionally eligible" and include a request for documentation. The due date for the documentation is listed on the notice. HSRI takes action on accounts that fail to respond to the request in a timely fashion. Depending on the information HSRI needs to verify, customers may lose access to financial assistance or lose their coverage if they do not respond with the requested information.

¹ 45 CFR 155.315

² 45 CFR 155.315(f)(4)(1)

³ 45 CFR § 155.320(c)(1)(v)

For example, failure to provide timely information regarding one's immigration status may result in the loss of coverage, while failure to provide information regarding a customer's annual income may result in the removal of tax credits or change from a CSR plan to a non-CSR plan.

Customers receive an additional notice at least 30 days before any action is taken, telling them how their coverage will be impacted if they do not respond to the exchange's request for verification.

a. Reasonable Explanation

If HealthSource RI determines that an applicant's explanation for the discrepancy between his or her reported income and data from external data sources is reasonable, the applicant's final determination of eligibility will be based on the attestation provided. If the applicant's explanation is not determined to be reasonable to resolve the discrepancy, the applicant will be required to provide documentation to reconcile the discrepancy.

b. Verification Process and Conditional Eligibility

When applicants report an income level that would qualify their household for financial help, but that income cannot be verified by external data sources, applicants receive conditional eligibility, meaning they have a 90 days to submit satisfactory documentation to verify their income.⁴ During this 90-day period, customers receive conditional coverage and financial assistance.⁵ This 90-day period is discussed further in section E of this Chapter.

If applicants do not take the requested steps to verify their personal information, their conditional eligibility will end after this 90-day period.⁶ Additionally, applicants may have to pay back any tax credits paid on their behalf during this period.⁷

c. Eligibility Determination

If the applicant provides timely documentation, the applicant's eligibility will be based on the documentation provided.⁸ If the applicant does not provide satisfactory income documentation within the required 90 days, and the applicant is not granted a good faith extension,⁹ then the applicant's final eligibility will be based on available data sources.

⁴ 45 CFR 155.315(f)(2)(ii)

⁵ 45 CFR 155.315(f)(4)

⁶ 45 CFR 155.315(f)(5)

⁷ 45 CFR 155.315(f)(4)(ii)

⁸ Rhode Island Medicaid Rules & Regulations, § 1308.06

⁹ 45 CFR § 155.315(f)(3)

B. Data Matching

1) Overview of Data Matching

HealthSource RI will attempt to verify an applicant's eligibility information through a variety of state and federal data sources.¹⁰ For example, income will be verified against IRS, state wage collection agency, and unemployment income data. Social Security Numbers, age, and citizenship will be verified against Social Security Administration data. Immigration status will be verified against data from the Department of Homeland Security. HealthSource RI will accept self-attestation for some eligibility factors, such as residency or pregnancy (except where the attestation is not reasonably compatible with available information).¹¹ For these eligibility factors, HealthSource RI will not verify the applicant's attestation against state or federal data sources unless such attestation does not appear reasonably compatible with information available to HealthSource RI.¹²

Customers must give HealthSource RI permission to obtain, use and share confidential information in compliance with HealthSource RI application policies. HealthSource RI must receive this consent to determine if an applicant is eligible for financial help. However, customers who decline to sign this consent and are already eligible for other benefits or programs will still receive access to those services.

For more information, please refer to HealthSource RI's application policies available on www.HealthSourceRI.com

¹⁰ 45 CFR 155.320(a)-(f); 42 CFR 435.948(a)-(f); 42 CFR. 435.949(a)-(b); Rhode Island Medicaid Rules & Regulations, § 1303.05.01

¹¹ Rhode Island Medicaid Rules & Regulations, § 1308.04

¹² Rhode Island Medicaid Rules & Regulations, § 1308.04.02-03

C. Reasonable Compatibility Standards for Income

1) Overview of Reasonable Compatibility Standards

Eligibility determinations for individuals must be based, to the maximum extent possible, on self-attestation that is then verified by information obtained from federal and state electronic data sources.¹³ When information obtained through these electronic data sources is reasonably compatible with an individual's attestation, the attestation is considered verified and will be used by HealthSource RI.

The following Table 2 summarizes Rhode Island's Reasonable Compatibility standards. These are discussed in greater detail below.

Table 2. Overview of Rhode Island's Reasonable Compatibility Standards

Attestation and Data Scenario	Reasonable Compatibility Standard
a. Both attestation and data are below Medicaid eligibility levels.	Reasonably Compatible: Individual is eligible for Medicaid.
b. Both attestation and data are above Medicaid eligibility levels.	Reasonably Compatible: Individual is ineligible for Medicaid and screened for APTC and CSR.
c. The attestation is lower than the data and the difference between the attestation and data is less than 10%. ¹⁴	Reasonably Compatible: Eligibility based on attestation.
d. The attestation is lower than the data and the difference between the attestation and data is greater than 10%. ¹⁵	Not Reasonably Compatible: pursue reconciling discrepancy in accordance with the process outlined in Section A of this Chapter.

2) Attestation and data are both below Medicaid eligibility levels

Attestation and data sources are reasonably compatible if the difference or discrepancy does not impact the eligibility of the applicant. In other words, even if there is a difference between what an individual says he or she earns or expects to earn and what the data shows, the data is considered reasonably compatible with the attestation if both the attestation and the data are both below Medicaid eligibility levels.

3) Attestation and data are both above Medicaid eligibility levels.

Attestation and data sources are reasonably compatible if they are both above the Medicaid eligibility levels. Under that scenario, the individual would be found ineligible for Medicaid and his/her eligibility would be screened for Advanced Premium Tax Credits (APTCs) and Cost Sharing Reductions (CSRs).

¹³ 45 CFR 155.320(a)-(f); 42 CFR 435.945(a)-(b).

¹⁴ "An attestation of income and data from electronic sources is considered reasonably compatible if the difference between the applicant's attestation and the data sources is less than 10%"; see Rhode Island Medicaid Rules & Regulations, §1308.06.03

¹⁵ "An attestation of income and data on income sources are considered not reasonably compatible if the difference between the applicant's attestation and data sources is less than 10%"; see Rhode Island Medicaid Rules & Regulations, §1308.06.04

Example: An applicant attests that he/she makes ~~\$16,000~~ 18,000 a year and the data shows that the individual earned \$20,000 a year. Both the attestation and data are above Medicaid eligibility and are considered reasonably compatible for Medicaid eligibility. The individual is found ineligible for Medicaid. He/sheThey will be screened for eligibility for APTC/CSR and need to verify income

4) Attestation is lower than data and the difference between attestation and data is less than 10%

An attestation of income eligibility and data sources is considered reasonably compatible if the difference between the applicant's attestation and the data sources is less than 10%.¹⁶ When data obtained by HealthSource RI is found reasonably compatible with the applicant's attestation, no further verification is required (including documentation) and the eligibility of the person will be based on their attestation.

Example: Applicant attests to an annual income of \$25,000. HealthSource RI verifies the individual's attestation against data sources and shows an income of \$27,000. The difference between the income the individual attested to and the data sources is reasonably compatible; the difference is less than 10% therefore no additional verification of income is required.

5) Attestation is lower than data and the difference between attestation and data is greater than 10%.

An attestation of income eligibility and data sources is considered not reasonably compatible if the difference between the applicant's attestation and data sources is greater than 10%.¹⁷

Example: Applicant attests to an annual income of \$25,000. HealthSource RI verifies the individual's attestation against data sources and shows an annual income of \$32,000. The difference between the income the individual attested to and the data sources is not reasonable compatible because the difference is greater than 10%, the individual will need to verify their income.

D. Reasonable Explanations for Income Inconsistency

When HealthSource RI finds an applicant's income attestation is not reasonably compatible with available data sources, HealthSource RI may accept a reasonable explanation.¹⁸ The following chart is a non-exhaustive list of acceptable explanations when there is a discrepancy between an attestation of income and data sources. If the applicant provides one of these explanations, the applicant's eligibility will be based on their attestation and no further verification steps will be required of the applicant. Generally, for an explanation to be reasonable, it must be related to a life event resulting in a substantial change in income. Please see the following list of reasonable explanations for a discrepancy in income.

¹⁶ 45 CFR 155.320(c)(1)(v); State Medicaid Verification Plan.

¹⁷ 45 CFR 155.320(c)(1)(vi)

¹⁸ 45 CFR 155.320(c)(2)(i)(B); 42 C.F.R. 435.952(c).

Reasonable Explanations for a Discrepancy in Income ¹⁹	
<ul style="list-style-type: none"> • Loss of job • Decrease in hours/wages earned • Self-employed • Do not file taxes • Have not filed taxes yet • Homelessness • Victim of domestic violence • Victim of natural disaster 	<ul style="list-style-type: none"> • Fluctuating or inconsistent sources of income • Income from capital gains • Income from dividends • Income from royalties • Seasonal worker • Divorce or marriage • Death in family • Victim of identity theft

E. Conditional Eligibility

If the applicant’s attestation and HSRI’s data verification are not reasonably compatible and, in the case of income eligibility, the applicant has been unable to provide a reasonable explanation, applicants will be given 90 days to submit satisfactory documentation to verify any outstanding eligibility elements.²⁰ This is referred to as conditional eligibility.

1) Temporary Eligibility for APTC/CSR.

Customers who appear to be eligible for a Qualified Health Plan with financial help will be given temporary coverage during a 90-day reconciliation period. During this 90-day period, the applicant will receive coverage with financial help based on the individual’s attested amount. However, if at the end of the 90-day period the individual is unable to resolve the inconsistency by submitting satisfactory documentation, HealthSource RI will adjust the eligibility for programs or assistance based on available data sources. This change may impact applicant’s ability to stay in their current plan. In that case, the customer’s plan would be canceled and the customer would have to re-enroll into a new plan, if eligible. A special enrollment period, as described in Chapter 3, will be provided to customers impacted in this way.

If an applicant attested to an incorrect income that consequently made them eligible for an amount of advanced premium tax credits (APTC) for which they were not actually eligible, the applicant will be responsible for repayment to the IRS of the difference in tax credits at the end of the year when filing taxes.

2) Temporary Eligibility for Medicaid/CHIP.

Medicaid applicants with discrepancies other than citizenship or immigration status have 30 days provide satisfactory verification in order to proceed with the eligibility determination. An individual or dependent appearing to be Medicaid or CHIP eligible will not have temporary coverage during this 90-day reconciliation period. The only exception to this rule is where the individual or dependent is required to verify eligibility for citizenship or immigration status. Please refer to the most recent Medicaid Rules & Regulations with questions on temporary eligibility for Medicaid/CHIP.

¹⁹ Rhode Island Medicaid Rules & Regulations, § 1308.07

²⁰ 45 C.F.R. 155.320(c)(3)(vi)(C)

3) Special Circumstance Exceptions.

Individuals seeking APTC eligibility who meet certain special circumstances may be exempt from submitting documentary evidence to verify eligibility.²¹ This evaluation will be conducted on a case-by-case basis by HSRI and may be available to applicants who can demonstrate an income-related hardship that prevents them from providing satisfactory documents, such as being a victim of domestic violence, a victim of a natural disaster, or being homeless.²² These requests must be made by calling the Contact Center.

4) Good Faith Extension.

For QHP, APTC and CSR eligibility, the 90-day period to provide satisfactory documentary evidence may be extended, on a case-by-case basis as determined by HSRI, if the individual demonstrates a good faith effort to secure the documents and provides a reasonable explanation as to why the documents have not yet been provided. HealthSource RI will consider any request for a good faith extension on a case-by-case basis and must be requested by the customer through the contact center. Generally, good faith extensions may be extended to individuals whose efforts to comply with information requests were frustrated by a lack of available data, physical or technical difficulties in accessing systems housing necessary documentation, or where there is a lack of available sources with which to verify data.

F. Satisfactory Documentation

During the reconciliation process, applicants will be asked to submit satisfactory documentation to verify eligibility. The following charts summarize acceptable documentation when verifying eligibility.

Identity (First Name/Last Name)²³
<ul style="list-style-type: none">• Birth Certificate• U.S. Passport• Naturalization Certificate• Social Security Card• Driver’s License• State Issued Photo ID• School Photo ID• Employment Authorization Card• Permanent Resident Card

Social Security Number²⁴
<ul style="list-style-type: none">• Naturalization Certificate• Social Security Card• Military Service Records• Alien Card (I-155)• Employment Authorization Card (I-688B)• Social Security Records

²¹ 45 CFR S. 155.315(g)

²² 45 CFR S. 155.315(g)

²³ HealthSource RI Application Field Inventory, Tab B: Accepted Documentation.

²⁴ HealthSource RI Application Field Inventory, Tab B: Accepted Documentation.

- Federal tax return showing SSN

Date of Birth²⁵

- Birth certificate
- U.S. Passport
- Naturalization Certificate
- Social Security Card
- Driver's License
- State Issued Photo ID
- Social Security Records
- Baptismal Certificate
- Voter Registration Card
- Confirmation Papers
- Marriage License
- State/Federal Census Record
- Life Insurance Policy
- Immigration Papers
- School Records
- Military Service Records
- Physician Records
- Hospital Birth Records
- RSDI Award Letter if DOB of child is included
- Adoption Records
- Affidavit of a Third Party

Residency²⁶

- Rent Receipt
- Letter from Landlord
- Lease
- Mortgage Papers
- Utility Bill
- Property Tax Bill
- Home Insurance Bill
- Letter from Person Whom Applicant Pays Room and Board
- Mortgage Books/Records
- Sewer and Water Bills
- Non-Heating Utility Bills
- Telephone Bills

Income

- Pay stubs representative of the last four (4) weeks of income
- Earnings Statement
- Employment Letter
- Book Keeping Records

²⁵ HealthSource RI Application Field Inventory, Tab B: Accepted Documentation; Rhode Island Medicaid Policy, Verification of Age, 0328.05.05.

²⁶ HealthSource RI Application Field Inventory, Tab B: Accepted Documentation.

- Property Unit Proof
- Owner Occupied Proof
- Monthly Rental Income Proof
- Mortgage Breakdown Proof
- Income Tax Returns
- Reports from Social Security Veteran’s Administration and other agencies
- When the applicant is unable to obtain the information requested, Departmental forms (Wage Report, AP-50; Bank Clearance, AP-91; Clearance with VA, AP-150 and AP-151) are used.

Access to other coverage

- Letter from health insurer including coverage termination date
- Statement of health benefits that provides confirmation of health coverage and expiration dates
- Letter from Veterans Administration that provides clarification of scope of access to coverage, confirmation of health coverage with and expiration dates
- Letter from Peace Corps or Ameri Corps that provides clarification of scope of access to coverage, confirmation of health coverage and expiration date or that provides clarification of scope of access to coverage
- Letter or statement of Medicare or Medicaid benefits that proves clarification of scope of access to coverage, confirmation of health coverage and expiration dates
- Letter or statement of Medicaid or Children’s Health Insurance Program (CHIP) benefits that provides clarification of scope of access to coverage, proves confirmation of health coverage and expiration dates

Death

To demonstrate one is not deceased:

- For an adult applicant that must provide data to demonstrate that he or she is not deceased, the individual must present, in person, with a valid photo ID at the HSRI Drop Off Center.
- For a child applicant who does not possess a valid photo ID, a recent document will be accepted. A recent document is defined as a letter, form, or official record from a physician, school or day care dated within the past three months. Documents can be uploaded, faxed, or the letter can be mailed, or brought to the HSRI Drop Off Center.

To demonstrate one is deceased:

- Death certificate
- Letter from funeral home
- Obituary

Incarceration

To demonstrate one is not incarcerated:

- Discharge ID (only good for 1 month post release date)
- Discharge records
- Dated and signed letter from parole or probation officer with a seal or stamp from the Department of Corrections
- Adult applicants may present, in person, with a valid photo ID at the HSRI Drop Off Center

Citizenship²⁷**Primary Evidence: The following evidence must be accepted as satisfactory documentary evidence of both identity and citizenship**

- A U.S. Passport
- Birth Certificate (if born in the US)
- Report of birth abroad of U.S Citizen
- U.S. Citizen ID card
- A Certificate of Naturalization
- A Certificate of U.S. Citizenship
- A valid State-issued driver's license, if the State issuing the license requires proof of U.S. citizenship or a social security number to issue a license. This is known as an enhanced driver's license (Note: Rhode Island driver's license does not fulfill this requirement). As of 2013 the only states offering these IDs are Michigan, Minnesota, New York, Vermont and Washington.
- Documentary evidence issued by a federally recognized Indian Tribe

Secondary Evidence: Only if the above documents are not available, the applicant can provide two of the following as secondary evidence:**One of the following documents to show citizenship:****PLUS One of these documents to prove identity:**

A U.S. public birth certificate showing birth in one of the 50 States, the District of Columbia, Puerto Rico (if born on or after January 13, 1941), Guam, the Virgin Islands of the U.S. (on or after January 17, 1917), American Samoa, Swain's Island, or the Northern Mariana Islands (after November 4, 1986 (CNMI local time)).	For individuals 16 years of age or older, any of the following Identity documents (described in 8 CFR 274a.2(b)(1)(v)(B)(1)):
Evidence of birth in Puerto Rico, the U.S. Virgin Islands or the Mariana Islands after they became part of the United States or an applicant's statement that they were resident in one of these locations when they became part of the United States.	A driver's license or identification card containing a photograph, issued by a state
At state option, a cross match with a State vital statistics agency documenting a record of birth.	School identification card
A Certification of Report of Birth	Voter's registration card
A Report of Birth Abroad of a U.S. Citizen	U.S. military card or draft record
A Certification of birth issued by the Department of State	Identification card issued by the Federal, State or local government
A U.S. Citizen I.D. card	Military dependent's identification card
A Northern Mariana Identification Card (I-873)	U.S. Coast Guard Merchant Mariner card
A final adoption decree showing the child's name and U.S. place of birth	For children under age 19, a clinic, doctor, hospital or school record, including preschool or day care records
Evidence of U.S. Civil Service employment before June 1, 1976	Two documents containing consistent information that corroborates an applicant's identity. Such

²⁷ 42 C.F.R. 435.407(a)-(d)

Citizenship²⁷		
	documents include, but are not limited to, employer identification cards, high school and college diplomas (including high school equivalency diplomas), marriage certificates, divorce decrees and property deeds or titles	
U.S. Military Record showing a U.S. place of birth	Finding of identity from a Federal or State governmental agency including, but not limited to, public assistance, law enforcement, internal revenue or tax bureau or tax bureau or corrections agency, if the agency has verified and certified the identity of the individual.	
A data verification with the Systematic Alien Verification for Entitlements (SAVE) Program for naturalized citizens	A finding of identity from an Express Lane Agency	
Documentary evidence of Child Citizenship Act status for adopted or biological children born outside the United States	If the applicant does not have any of the above listed documents, the applicant may submit an affidavit signed, under penalty of perjury, by another person who can reasonably attest to the applicant's identity	
Medical records, including, but not limited to, hospital, clinic, or doctor records or admission papers from a nursing facility, skilled care facility, or other institution that indicate a U.S. place of birth		
Official religious record recorded in the U.S. showing that the birth occurred in the U.S.		
School records including pre-school, Head Start and daycare, showing the child's name and U.S. place of birth		
Federal or State census record showing U.S. citizenship or a U.S. place of birth		
If the applicant does not have one of the documents listed above, he or she may submit an affidavit signed by another individual under penalty of perjury who can reasonably attest to the applicant's citizenship and that contains the applicant's name, date of birth and place of U.S. birth. The affidavit does not have to be notarized		
Immigration Status²⁸		
<ul style="list-style-type: none"> • Birth Certificate • Baptismal Certificate • U.S. Passport • Naturalization Certificate • Military Service Records • Alien Resident Card (I-155) (also known as a Green Card) • Employment Authorization Card (I-688B) • For recent arrivals, a temporary I-551 stamp in a foreign passport or on USCIS Form I-94 		

²⁸ Rhode Island Medicaid Policy, Immigration Eligibility, 0304.05.15-0304.05.85.05.

- Unexpired Re-entry Permit (Form I-327)
- Forms AR-3 and AR-3a, Alien Registration Receipt Card
- USCIS Form I-94 with stamp showing admission under 203(a)(7) of the INA, refugee-conditional entry
- I-94 Arrival/ Departure record
- I-94W Nonimmigrant Visa Waiver Arrival/Departure record
- USCIS Form I-688B (or USCIS employment authorization card) annotated 274a.12(a)(3);
- USCIS Form I-766 annotated A3.
- For lawful permanent residents who are victims of domestic violence - IRS form I551 or I551B coded IB1 through IB3, IB6 through IB8, B11, B12, B16, B17, B20 through B29, B31 through B33, B36 through B38, BX1 through BX3, BX6, BX7 or BX 8
- For victims of domestic violence petitioning for legal status who are considered as "qualified aliens" under PROWORA - IRS Form 797 showing an approved 1-360 or 1-13 self petitioning as a spouse or child of a U.S. citizen or lawful permanent resident; OR USCIS Form 797 showing a Notice of Prima Facie Determination
- USCIS Form I-94 with date of admission and annotated with unexpired status as listed in Section 0304.05.45.05
- Dated USCIS letter or court order indicating a lawfully residing status listed in Section 0304.05.45.05
- An unexpired USCIS employment authorization document (I-688-B) annotated with status code
- Applicants for asylum: I-94, I-589 on file, I-688B coded 274a.12(c)(8)
- Applicants for suspension of deportation: I-94, I-256A on file, I-688B coded 274a.12(c)(10)
- Non-citizens granted stays of deportation by court order statute or regulation or by individual determination of USCIS whose departure the USCIS does not contemplate enforcing: letter or Granted a stay of deportation, I-688B coded 274.12(c)(12)
- Non-citizens granted suspension of deportation pursuant to Section 244 of INA (8 USC 1254) whose departure the USCIS does not contemplate enforcing: letter/order from the immigration judge and a Form I-94 showing suspension of deportation granted
- Non-citizens residing in the U.S. pursuant to an Order of Supervision: USCIS Form I-220B, I-688B coded 274a.12(c)(18)
- Temporary Protected Status: I-94 "Temporary Protected Status" and/or I-688B employment authorization coded 274a.12(a)(12)
- Deferred Enforced Departure: Letter from USCIS; I-688B coded 274a.12(a)(11)
- Family Unity: USCIS approval notice, I-797, and/or I-688B coded 274a.13
- Non-citizens granted deferred action status: Letter indicating that the non-citizen's departure has been deferred and/or I-688B coded 274a.12(c)(14)
- Non-citizens who have filed applications for adjustment of status whose departure the USCIS does not contemplate enforcing: Form I-94 or I-181 or passport stamped with either of the following: "adjustment application" or "employment authorized during status as adjustment applicant"; and/or I-688B coded 274a.12(c)(9)
- USCIS Form I-94 annotated with stamp showing entry as a refugee under Section 207 of the INA and date of entry
- USCIS Form I-688B (or USCIS Employment Authorization Card) annotated 274a.12(a)(3)
- USCIS Form I-766 annotated A3
- USCIS Form I-571
- USCIS Form 551 (Resident Alien Card) coded RE-6, RE-7, RE-8, or RE-9
- USCIS Form I-94 annotated with stamp showing a grant of asylum
- Grant letter from the Asylum Office of the USCIS
- USCIS Form I-688B annotated with 274a.12.(a)(S)
- USCIS Form I-766 annotated
- Order from Immigration Judge granting asylum

- Order from an Immigration Judge showing the date of a grant of deportation withheld under Section 243(h) of the INA
- USCIS Form I-688B (or USCIS employment authorization card) annotated 274a.12(a)(10)
- USCIS Form I-766 annotated A10
- USCIS Form 551 with codes CU6, CU7, or CH6
- Unexpired temporary I-551 stamp in a foreign passport or USCIS Form I-94 with codes CU6 or CU7
- USCIS Form I-94 with stamp showing the individual paroled as a Cuban/Haitian Entrant under Section 212(d)(5) of the INA
- An USCIS Form I-94 annotated with a stamp showing grant of parole under 212(d)(5) of the INA and a date showing granting of parole for at least one (1) year is acceptable verification of this status
- ORS issues a certification letter to adults and a letter of benefit eligibility pursuant to Section 107(b) of the Trafficking Victims Protection Act of 2000 to children under eighteen (18) years of age: For adult, the ORS certification letter is proof of qualified non-citizen status; For children under age eighteen (18), the ORS letter of benefit eligibility is proof of qualified non-citizen status