



OPERATIONAL MEMO

TITLE:	COMPACT OF FREE ASSOCIATION (COFA) MIGRANTS
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APPROVED BY: MARIVEL KLUECKMAN	

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Purpose and Audience:

The purpose of this memo is to inform authorized individuals/entities, such as county departments of social/human services, Medical Assistance (MA) sites, Eligibility Application Partner (EAP) sites, and anyone who processes applications of the change regarding Compact of Free Association (COFA) individuals being eligible for medical coverage.

Information:

Effective December 27, 2020, section 208 of the Consolidated Appropriations Act of 2021, requires states and the District of Columbia (DC) to provide Medicaid coverage for individuals who are considered Compact of Free Association (COFA) migrants (also referred to as compact citizens). COFA is an agreement between the United States and the three Pacific Island sovereign states of Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau—known as Freely Associated States.

States and DC must cover COFA migrants in Medicaid as “qualified non-citizens” without a 5-year waiting period, if otherwise eligible under the Medicaid state plan or section 1115 demonstration.

States must verify immigration status of applicants through the U.S. Department of Homeland Security (DHS) SAVE program. (See 42 U.S.C. § 1320b-7(d); 42 CFR § 435.406.) If a state is not able to promptly verify citizenship or immigration status, it must provide benefits during a 90-day reasonable opportunity period (ROP) to applicants who: Attest to citizenship or having an eligible immigration status; and meet all other eligibility requirements for Medicaid. (42 CFR § 435.956(b).)

Once an eligible immigration status has been verified or if an individual is in the ROP, states must enroll eligible individuals into full Medicaid coverage, if otherwise eligible under the state plan.

Colorado currently collects information on the paper application and PEAK for applicants to self-attest regarding an applicant's eligible immigration status.

Colorado Benefit Management System (CBMS) will be updated to determine COFA individuals in an eligible non-citizen status effective December 27, 2020.

Micronesia, the Marshall Islands, and Palau are already listed as an immigration status in the Non-Citizen screen of CBMS. If an individual was denied as of January 2021 or any month thereafter for not meeting the 5-year bar, the system will re-determine whether or not the individual was eligible based on this new policy

Attachment(s):

None

Department Contact:

HCPF_medicaid.eligibility@state.co.us