

Medicare Minute Teaching Materials — October 2024

Medicare and Immigration Status

1. Why is the topic of Medicare and immigration important?

Medicare can be confusing for anyone. It is easy to misunderstand Medicare eligibility or the best time to enroll in the various parts of Medicare. The factors around Medicare eligibility and enrollment choices can be even more complicated for older people who were born outside the U.S. Immigrants may not have as much work history in the U.S., may have a variety of immigration statuses, or may have limited English proficiency—all making a potentially confusing process even more difficult.

According to the United States Census Bureau, “the foreign-born population 65 years and older numbered 7.3 million in 2018, representing 13.9 percent of the total older population in the United States.” This number is expected to rise drastically in the coming years and is estimated to reach 22 million (or 23 percent of the total older adult population) by 2060.

Between the rising older immigrant population and the unique factors that impact their health coverage options, it is important that older adults who were born abroad and their advocates learn about which aspects of Medicare eligibility, enrollment, and payment may be different for this group. These materials recognize that Medicare advocates and counselors are not immigration specialists and cannot, and should not, provide immigration counseling, advice or representation. Instead, we focus on the Medicare implications of various possible immigration situations. Identifying the appropriate immigration category for a particular person or advising about the immigration consequences of potential actions are fully outside our scope. Anyone who has questions about their immigration status or how enrolling in Medicare or other public benefits might impact their immigration status should be referred to experts in immigration law.

2. Can I be eligible for Medicare even if I’m not a U.S. citizen?

Yes. Non-citizens with certain other immigration statuses are eligible for Medicare if they meet other requirements. There are two different ways that a person who is not a citizen can be eligible to enroll in Medicare:

- 1. Non-citizens who qualify for certain government benefits:** You will qualify for Medicare if you qualify to receive or currently receive:
 - Social Security retirement benefits
 - Railroad Retirement Benefits (RRB)
 - Social Security Disability Insurance (SSDI)

In any of these cases, you will have premium-free Part A. See questions 3-5 for more information about enrollment and coverage for this group.

- 2. Non-citizens who are lawful permanent residents (LPRs) and have lived in the U.S. continuously for five years (but do not qualify for or receive the benefits above):** In this case, you will likely owe a premium for Part A. See question 6 for more information about this group.

3. How do I know if I owe a Part A premium as a non-citizen?

To qualify for premium-free Part A, you must be considered “fully insured” by the Social Security Administration. To be considered “fully insured” at age 65 you, or in some situations your spouse, must have worked at least 40 calendar quarters (or 10 years) in a job where Social Security taxes were paid. For people under 65, the number of calendar quarters of Social Security credit needed varies based on the age of onset of disability and when those work quarters occurred. Most people who are considered fully insured also qualify for Social Security retirement or Railroad Retirement Benefits.

If you are fully insured, you are eligible for premium-free Part A and you are eligible for Medicare without regard to where you have lived for the past five years.

If you are not fully insured and must pay a premium for Part A, you are only eligible to enroll in Medicare if you are a LPR and have lived in the U.S. continuously for the 5 years prior to enrolling in Medicare (see question 6).

If you are under 65 years old and eligible for Medicare due to receiving Social Security Disability Insurance (SSDI) for 24 months, End-Stage Renal Disease (ESRD), or receiving SSDI and having Amyotrophic Lateral Sclerosis (ALS), you are considered fully insured and you are eligible for premium-free Part A.

If you aren't sure if you qualify for premium-free Part A, you can call the Social Security Administration at 800-772-1213. Alternatively, you can create a *my Social Security* account at www.ssa.gov to view your work history and benefits eligibility.

4. Do I have a length of residency requirement if I receive or qualify for premium-free Part A?

No. Your length of residency is not considered when determining your Medicare eligibility if you qualify for premium-free Part A.

5. What does “entitled to Part A” mean?

The Social Security Administration (SSA) will sometimes use the phrase “entitled to Part A” to mean that someone qualifies for premium-free Part A. If you are not “entitled to Part A,” this means you are not eligible for specifically **premium-free** Part A. You may still be eligible to purchase Part A for a monthly premium. This phrasing sometimes makes people think they are not eligible for Medicare-eligible, when they in fact are.

6. What does it mean to be a lawful permanent resident living in the country continuously for five years?

A person who is a lawful permanent resident (LPR) may also be referred to as a “green card holder” or a person lawfully admitted for permanent residence (LAPR). LPRs are non-citizens who are allowed to live in the U.S. indefinitely. To get LPR status and a “green card,” someone must apply with the U.S. Citizenship and Immigration Services.

To be eligible for Medicare, a person who is an LPR and not fully insured must have lived in the country continuously for five years before enrolling in Medicare. The five years begins the day someone arrives in the U.S.—specifically with the intention of establishing a home, not just visiting. There are two important notes on the five-year residency requirement:

- The five years can begin even before someone is granted LPR status. For example, if a noncitizen moves to the U.S. in 2020, but is not granted LPR status until 2022, their five years can begin in 2020.
- A non-citizen can keep their LPR status even if they leave the U.S. temporarily, meaning for no more than six months. These visits out of the country shouldn't be considered a break in their period of residence in the U.S.
 - If the visit is more than six months, the Social Security Administration (SSA) may still consider it only a temporary visit if the person can show "evidence demonstrating an intent to remain a U.S. resident." SSA lists potential examples, such as keeping their home or paying U.S. income taxes while away.

For a person who meets the five-year residency requirement after turning 65, the Initial Enrollment Period (IEP) will be the seven months surrounding the month that they meet the residency requirement (rather than the seven months surrounding the month of their 65th birthday).

7. How can I get assistance with Medicare premiums?

Medicare premiums can be expensive, especially for the many non-citizens who don't qualify for premium-free Part A. In 2024, the Part A premium can be as high as \$505 per month, and the standard Part B premium is \$174.70 per month. Most people should also enroll in a Part D prescription drug plan, and the average monthly premium for a Part D plan this year is \$34.70. If you have limited income and assets, you can get assistance paying for these premiums through the following programs:

Medicare Savings Programs (MSPs): If you enroll in an MSP, you will no longer owe the Part B program. Even more, if you qualify for a certain level of MSP (called the Qualified Medicare Beneficiary, or QMB), you will also not owe a Part A premium, if you have one. To qualify for an MSP, you must have Medicare Part A and meet income and asset guidelines.

- If you do not have Part A but meet QMB eligibility guidelines, your state may have a process to allow you to enroll in Part A and QMB. Many states allow this throughout the year, but others limit when you can enroll in Part A.
- Income and asset guidelines vary by state, and some states do not count assets when determining MSP eligibility.
- Medicaid programs, including MSPs, have their own immigration status and residency requirements, that do not align exactly with Medicare's requirements. Some people who are entitled to premium-free Part A may not be eligible for MSP due to these restrictions. Some states provide Medicaid benefits, including MSP for people who do not meet the federal requirements using only state funds.
- Contact your State Health Insurance Assistance Program (SHIP) to learn about MSP eligibility in your state. Contact information for your local SHIP is on the last page of this document.

Extra Help: The Extra Help program (also called the Part D Low-Income Subsidy, or LIS) pays for your Part D premium up to a state-specific benchmark amount and lowers the cost of your prescription drugs. You can apply through the Social Security Administration or contact your SHIP for help applying. Contact information for your local SHIP is on the last page of this document.

- There are no additional immigration or length of residency requirements for Extra Help.

8. If I am eligible to enroll in Medicare, does that mean that Medicare will pay for my care?

Not always. Some people are eligible to enroll in Medicare, but limitations on payment mean that they do not have effective coverage. Medicare also does not pay for any care outside of the United States.

Medicare eligibility for people who are fully insured (according to Social Security, see question 3) does not consider immigration status, but Medicare is prohibited by federal law from paying claims for any person who is not lawfully present in the United States. This means that although you can enroll in Medicare, it will not cover any health care services you receive. In some situations, it is a good idea to enroll in Medicare even if it will not pay claims to avoid late enrollment penalties or problems with coordination of benefits. Whether or not this is the right choice for you will depend on your specific immigration, residence, and health circumstances. You should also see if you qualify for other health insurance coverage through Medicaid or the Marketplace (see question 10).

9. Do Social Security, Medicare, and private plans offer translation services?

The Social Security Administration (SSA) and 1-800-MEDICARE (633-4227) offer free translation services when you call their helplines. Additionally, Medicare Advantage Plans and Part D plan companies are required by law to provide free interpretation services in all languages when you call. If you are experiencing issues getting an interpreter when you call your Medicare Advantage or Part D plan, you should call 1-800-MEDICARE (633-4227) to file a complaint.

10. Where else can I get health coverage if I am not a U.S. citizen and don't qualify for Medicare?

You may have a few other options if you don't qualify for Medicare:

Marketplace coverage: There are no length of residency requirements for Marketplace coverage (or the tax credits and cost-sharing reductions that can make Marketplace plans more affordable), so LPRs may qualify for Marketplace coverage. Even if someone does qualify for Medicare, but not for premium-free Part A, they may find it more affordable for them to enroll in a Marketplace plan rather than Medicare. To learn more about Marketplace coverage, go to www.HealthCare.gov, call 800-318-2596, or contact your state Marketplace if your state has one.

Medicaid: Most non-citizens must meet a five-year residency requirement for Medicaid coverage, but not all. Each state's eligibility for its Medicaid programs differs. For example, states are able to remove the length of residency requirement or LPR status for pregnant people and children or provide additional coverage using only state funds. If you aren't lawfully present in the country, including if you are undocumented, you can still get Medicaid coverage for emergency care. To learn more about your state's Medicaid programs, contact your local Medicaid agency.

11. How can I protect my Medicare number?

Medical identity theft happens when someone steals your personal information and uses it to get medical treatment or equipment and bills your insurance for it. Healthcare companies can try to reach people in various ways, like television commercials, radio ads, events, mailings, phone calls, and text messages. Some of them may be legitimate, but some could potentially be scammers trying to steal your personal and/or medical identity information.

It is important to protect your Medicare and/or health ID number and only share it with your health care provider or trusted person. You should protect your Medicare card like you would a credit card. Scammers have various ways of stealing someone's Medicare number and other personal information. Make sure you read your Medicare statements often. If you see services or prescriptions that you didn't know about or receive, your Medicare and/or health ID number could be considered "compromised." Here are some reasons you would report potential medical identity theft:

- You gave out your Medicare and/or health ID number:
 - Over the phone or internet to someone offering additional benefits, durable medical equipment, genetic testing, COVID-19 testing/supplies, back braces, etc.
 - At a fair or other gathering as a check-in or to receive free services
 - In response to a television or radio commercial, Facebook ad, postcard, or print ad requesting a Medicare number
- You are contacted by a debt collection company for a provider bill you do not owe
- You received boxes of braces, testing kits, or other medical supplies in the mail that you did not request
- A Medicare and/or a Medicare Advantage plan denies or limits your coverage or benefits because of a medical condition you do not have

If you believe you may have experienced medical identity theft, call your local Senior Medicare Patrol (SMP). Contact information for your SMP is on the last page of this document.

12. Where can I go for more help?

State Health Insurance Assistance Program (SHIP): Your local SHIP has trained, unbiased counselors who can provide one-on-one Medicare assistance. They can discuss your unique circumstances, like your Medicare eligibility, enrollment options, or screening for cost assistance programs. They may also be able to connect you to other local resources and assistance. Contact information for your local SHIP is on the last page of this document.

Senior Medicare Patrol (SMP): SMPs can teach you how to detect and protect yourself from potential Medicare fraud, errors, or abuse. Contact your local SMP if you believe you have experienced medical identity theft. Contact information for your local SMP is on the last page of this document.

Social Security Administration (SSA): You can enroll in Medicare Parts A and B through SSA. SSA representatives can also help you with questions around your Medicare eligibility. For example, if you aren't sure how much work history you or your spouse has, you can call SSA to check. To contact SSA, you can call 800-772-1213, visit your local branch, or go to www.ssa.gov.

The National Immigration Legal Services Directory: While the above resources should have Medicare-related expertise, they may not provide immigration-specific services. For immigration services, use the [National Immigration Legal Services Directory](#) to find immigration legal services providers in your area. All providers listed offer free or low-cost immigration legal services.

SHIP case study

Nina is an LPR who moved to the U.S. two years ago to be closer to her children and grandchildren. Soon after moving to the U.S., she met and married a U.S. citizen. Nina has no work history of her own in the U.S., but her husband has nearly 20 years of work history. Her husband enrolled in Medicare when he turned 65 last year. Now Nina is turning 65 and curious about Medicare for herself.

What should Nina do?

- If Nina would like to learn about her Medicare eligibility, she can contact the Social Security Administration (SSA).
 - To learn more about Medicare eligibility in general or receive one-on-one Medicare counseling, she can call her local State Health Insurance Assistance Program (SHIP). If she isn't sure how to contact her SHIP, she can visit www.shiphelp.org.
- Nina may not have five years of residency in the U.S. or enough work history to qualify for premium-free Part A, but her husband does. Because she and her husband have been married for more than one year, she can use his work credits to enroll in Premium-free Part A and Part B when she turns 65, without waiting until she has resided in the US for 5 years. Nina can enroll in Medicare by contacting the Social Security Administration (SSA).
- If she would like to discuss coverage options with a counselor, she can speak to her local SHIP.

SMP case study

Roberta got a call from a number she did not recognize. She picked up and after a brief pause, a robotic voice said, "Hello. Is this Roberta?" to which she responded "Yes." After another brief pause, her conversation continued with someone whose voice now sounded real. Roberta's first language is not English, and she is having a hard time understanding the different types of voices on the phone. They said, "Hi Roberta. This is Niki. You could qualify for more Medicare benefits and all I need is your card number" Roberta explained that she was happy with her current Medicare coverage. Niki then said, "Can I get your Medicare number to see if you can get any extra benefits?" Roberta gave out her Medicare number. Later that week, she mentioned this call to her friend, who asked her what new benefits she would be receiving and when. Roberta realized she did not know where Niki had been calling from, and she had a feeling that something was wrong.

What should Roberta do?

- Roberta should call her local Senior Medicare Patrol, or SMP.
 - If she does not know her local SMP's contact information, she can visit www.smpresource.org or call 877-808-2468.
- The SMP team member collect additional information and will assist Roberta in contacting 1-800-MEDICARE to report her Medicare number as compromised.
- The SMP team member will help Roberta report the suspected medical identity theft to the proper authorities and will provide education on how to prevent Medicare fraud, errors, and abuse in the future.
 - For example, Roberta should read her Medicare statements often, and the SMP can assist her with how to read them. Roberta should only provide her Medicare number to providers and trusted individuals. Someone could use Roberta's personal information to bill for medically unnecessary services or products.

Local SHIP Contact Information	Local SMP Contact Information
<p>SHIP toll-free: 800-247-4422 SHIP email: idahoshiba@doi.idaho.gov SHIP website: shiba.idaho.gov</p> <p>To find a SHIP in another state: Call 877-839-2675 and say “Medicare” when prompted or visit www.shiphelp.org.</p>	<p>SMP toll-free: 800-247-4422 SMP email: idahoshiba@doi.idaho.gov SMP website: https://aging.idaho.gov/stay-safe/senior-medicare-patrol-fraud-prevention</p> <p>To find an SMP in another state: Call 877-808-2468 or visit www.smpresource.org.</p>
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