



Date: November 23, 2022
Amended February 15, 2023

DMS Operations Memo 22-30

To: Income Maintenance Supervisors
Income Maintenance Lead Workers
Income Maintenance Staff

Affected Programs:

- | | |
|---|--|
| <input checked="" type="checkbox"/> BadgerCare Plus | <input type="checkbox"/> Caretaker Supplement |
| <input checked="" type="checkbox"/> FoodShare | <input type="checkbox"/> FoodShare Employment and Training |
| <input checked="" type="checkbox"/> Medicaid | |
| <input type="checkbox"/> SeniorCare | |

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Extension to Refugee Treatment of Certain People Arriving from Afghanistan

CROSS REFERENCE

- BadgerCare Plus Handbook, [4.3.3.4 Afghan Parolees](#)
- Medicaid Eligibility Handbook, [7.3.3.4 Afghan Parolees](#)
- FoodShare Wisconsin Handbook, [3.12.1.11 Iraqis and Afghans with Special Immigrant Status](#)

EFFECTIVE DATE

~~November 23, 2022~~ **February 15, 2023**

PURPOSE

This operations memo announces an extension of the time period in which certain people arriving from Afghanistan, if they are granted parole into the United States within that time period, are to be treated like refugees when determining eligibility for BadgerCare Plus, Medicaid and FoodShare.

BACKGROUND

On ~~September 30, 2022, the Continuing Appropriations and Ukraine Supplemental Appropriations Act, 2023~~ **December 29, 2022, the Consolidated Appropriations Act, 2023** was signed into law. This Act includes a provision (Sec. ~~449(a)~~ **1501**) that amends the Afghanistan Supplemental Appropriations Act of 2022 (PL 117-43) to extend the time period when individuals from Afghanistan who have been paroled during that time period are to be treated like refugees when determining eligibility for FoodShare and health care benefits. The term “parolee” in this situation refers to immigration-related

parole which allows individuals who may be inadmissible or otherwise ineligible for admission to the United States to be in the United States for a temporary period for urgent humanitarian reason or significant public benefit.

People from Afghanistan to whom this applies will generally be in one of the following categories:

- Special Immigrant Lawful Permanent Resident (SI LPR)
- Special Immigrant Conditional Permanent Resident (SI CPR)
- Special Immigrant Parolee (SI Parolee)
- Non-SI Parolee (sometimes referred to as a “humanitarian parole” or “OAR/OAW parole”)

Federal law states that people from Afghanistan paroled into the United States during specific dates, regardless of whether they are Special Immigrant (SI) or non-SI parolees, “shall be eligible for resettlement assistance, entitlement programs, and other benefits available to refugees admitted under section 207 of the Immigration and Nationality Act (8 U.S.C. § 1157) until March 31, 2023, or the term of parole granted..., whichever is later” unless parole has been terminated by the Secretary of Homeland Security. Individuals are eligible to receive benefits for a limited period, either through March 31, 2023, or until the end of their parole term, whichever is later.

POLICY

Effective immediately, the end date of the time period in which certain people from Afghanistan, if they are granted parole into the United States within that time period, are to be treated as refugees has been extended from ~~September 30 to~~ December 16, 2022, to ~~September 30, 2023~~. Afghans and persons with no nationalities who were residing in Afghanistan and subsequently paroled into the United States between July 31, 2021, and ~~December 16, 2022~~ ~~September 30, 2023~~, are to be treated as refugees when determining eligibility for BadgerCare Plus, Medicaid, and FoodShare. These individuals are not subject to a waiting period and are eligible for benefits if they meet all other non-financial and financial criteria.

In addition, Afghans and persons with no nationalities who were residing in Afghanistan and subsequently paroled into the United States after September 30, 2022, are to be treated like they are refugees when determining their eligibility if they are one of the following:

- The spouse or child of an individual paroled between July 31, 2021, and ~~December 16, 2022~~ ~~September 30, 2023~~
- The parent or legal guardian of an individual paroled between July 31, 2021, and ~~December 16, 2022~~ ~~September 30, 2023~~, who is determined to be an unaccompanied child

All the above individuals are treated as refugees until either March 31, 2023, or the date their parole status expires, whichever is later.

Should these individuals file for and transition to asylee status, they would continue to be eligible for health care and FoodShare benefits while they remain in that status and would not be subject to a waiting period.

Note: This only applies to Afghan nationals, citizens, or those who habitually lived in Afghanistan who are granted parole status between July 31, 2021, and ~~December 16, 2022~~ ~~September 30, 2023~~. All other refugees and special immigrants (SIV), including SIVs with parolee statuses, are not subject to the March 31, 2023, limitation and continue to be eligible for federal public benefits like FoodShare and health care, provided all other eligibility requirements are met.

The table below shows the Class of Admission Codes that are used for the groups that are treated like refugees based on their parole status:

Class of Admission Code	Description	CARES Immigrant Registration Status Code
Afghan Non-Special Immigrant Parolee (Non-SI Parolee)		
OAR/OAW	Non-SI Parolee (CPB implemented August 2021)	Code 04
PAR	Non-SI Parolee, used before OAR implementation	Code 04
DT	Non-SI Parolee, used before OAR implementation	Code 04
Afghan Special Immigrant Parolee (SI Parolee)		
SQ4	Principal	Code 04
SQ5	Dependent	Code 04

Afghan Special Immigrant Lawful Permanent Residents (SI LPR)		
SQ1	Principal	Code 04
SQ2	Spouse of SQ1	Code 04
SQ3	Child of SQ1	Code 04
SQ6	Principal, Adjusting Status	Code 04
SQ7	Spouse of SQ6, Adjusting Status	Code 04
SQ8	Child of SQ6, Adjusting Status	Code 04
SI1	Principal	Code 04
SI2	Spouse of SI1	Code 04
SI3	Child of SI1	Code 04
SI6	Principal	Code 04
SI7	Spouses of an SI6	Code 04
SI8	Children of an SI6	Code 04
Afghan Special Immigrant Conditional Permanent Resident (SI CPR)		
CQ1	Principal	Code 04
CQ2	Spouse of CQ1	Code 04
CQ3	Child of CQ1	Code 04

CONTACTS

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DHS/DMS/BEOT/
DHS/DMS/BEEP/JT/MA/JL