



**UNDOCUMENTED RESIDENTS OVER AGE 65**  
**NOW ELIGIBLE FOR MEDICAID**

Recent changes in New York law have expanded access to Medicaid coverage for nursing home residents age 65 and over who lack legal immigration status. Previously, Medicaid coverage for undocumented individuals over the age of 65 was limited to the treatment of emergency medical conditions. Unless they were able to establish PRUCOL status, such individuals were not eligible to receive long-term care coverage, leaving skilled nursing facilities with no way to recoup the cost of the care and services provided to such individuals. However, beginning on January 1, 2024, undocumented non-citizens in New York aged 65 and older who are otherwise eligible except for their immigration status, are now entitled to receive expanded Medicaid benefits, including coverage for preventive and primary care as well as nursing home benefits.

On March 4, 2024, NYCHRA's Medical Assistance Program issued a Medicaid Alert outlining the requirements and procedures for residents to obtain nursing home benefits under the new Social Services law. In order to apply for nursing home benefits for these undocumented residents, an application must be submitted to the agency of fiscal responsibility and the Department of Health, which will determine whether the resident is financially eligible under existing program rules, including the application of the five (5) year look back period. The Department of Health has established a new email address, [MCfor65plusundoc@health.ny.gov](mailto:MCfor65plusundoc@health.ny.gov), solely for general inquiries and applications by nursing home providers relating to undocumented individuals over the age of 65 who are seeking nursing home benefits. Nursing home staff should note that this does not change the application procedures used for other residents; the email submission should only be utilized for applications under this newly expanded law.

Cona Elder Law's experienced attorneys continue to monitor the most recent developments regarding this legislation and other important legal matters concerning the nursing home industry. Contact us at 631.390.5000 or [click here](#) to learn more about how our firm can help your facility preserve its bottom line and ensure your ability to continue to provide quality services to your nursing home residents.