



I received a notice from DCF saying that someone in my household is no longer eligible for Medicaid because “There has been a change in Federal Law that affects Medicaid eligibility for certain noncitizens.”

### 1. What federal law is this notice referring to, and what does the law do?

H.R. 1, a law Congress passed in 2025 (also called the “One Big Beautiful Bill Act”), narrowed which adult noncitizens can get Medicaid. This change takes effect October 1, 2026.

Importantly, H.R. 1 did not change the rule that lets states cover “lawfully residing children” up to their 19th birthday. So if a child was eligible for Florida Medicaid before October 1, 2026, they remain eligible as long as they’re still lawfully residing. See Question 3.

### 2. For noncitizen adults, which immigration status categories are eligible for Florida Medicaid after October 1, 2026?

Under H.R. 1 a noncitizen adult must be in one of these three categories to qualify:

- (1) Lawful Permanent Residents(LPR/green card holder)\*
- (2) Cuban/Haitian Entrant\*\*
- (3) Compact of Free Association (COFA) Migrant

\*Green Card Holders - You generally must wait 5 years after entering the U.S. before you’re eligible — unless you became a green card holder after having one of these earlier statuses, in which case the 5-year wait does not apply to you:

- Refugee
- Asylee
- Deportation Withheld
- Cuban/Haitian Entrant
- Amerasian Immigrant
- Certain U.S. veterans, active-duty service members, or their family members
- COFA Migrant

\*\*Cuban/Haitian Entrant - Includes:

- An individual granted parole as a Cuban-Haitian Entrant (Status Pending);
- A national of Cuba or Haiti who is not subject to a final removal order and:
  - Was paroled into the United States;
  - Is in removal proceedings; or
  - Has an application for asylum pending.
- More information about this status is available [here](#).



### 3. For noncitizen children, which immigration status categories are eligible for Florida Medicaid after October 1, 2026?

Important: H.R. 1 did not make any changes to noncitizen eligibility for children under age 19. A “lawfully residing child” remains eligible for Medicaid and KidCare under Florida law. If your child fits one of the categories below and their coverage was terminated, the DCF notice is incorrect.

“Lawfully residing” categories for children include:

- Lawful Permanent Residents (no 5-year wait for children)
- Refugee
- Asylee
- Parolee, if paroled for at least 1 year
- Survivor of domestic violence or trafficking
- Members of a federally recognized Indian Tribe
- Applicants for withholding of removal
- For a complete list of “Lawfully Residing” categories that qualify noncitizen children for Medicaid, see [DCF Transmittal No. P-16-06-005](#), Attachments 1 and 2.

### 4. Are lawfully residing pregnant women eligible for Medicaid coverage in Florida?

No. Florida does not offer Medicaid to pregnant women who are lawfully residing, although this option is permitted under federal law.

Therefore, noncitizen pregnant women over age 18 must qualify in one of the three adult categories specified in Question 2 in order to be eligible for Medicaid.

### 5. I think DCF’s notice is wrong – what should I do?

If you believe you or your family member still qualifies based on the information above, here’s what to do:

#### Step 1 - File an appeal right away

| File before October 1, 2026                                    | File after your coverage ends                                                                                  |
|----------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| Your Medicaid coverage continues while DCF reviews your appeal | Still allowed, but only within 90 days of your notice date – and coverage will not continue during the appeal. |



To file an appeal, email [appeal.hearings@myflfamilies.com](mailto:appeal.hearings@myflfamilies.com) with:

- Whose Medicaid coverage is being wrongfully terminated and the date of termination
- A request that coverage continue while the appeal is pending appeal (only applies if you file before the termination date)
- The DCF Case #
- The name, email address, mailing address, and phone number of the person filing the appeal

### Step 2 — Upload proof of your status

After filing your appeal, upload proof of your qualifying immigration status (see Questions 2 and 3) to your MyACCESS account. Make a note of your receipt number.

### Step 3 — Submit a [DCF Inquiry](#)

Select “Public Benefits,” fill in your county and contact information, then paste this into the “Your Comment” box:

Sample text to copy and paste:

*"I received a notice stating that Medicaid is ending September 30, 2026. I have uploaded proof of a qualifying immigration status for me/my family member to my MyACCESS account (Receipt # \_\_\_\_\_). Please update your records to reflect that I/my family member remain(s) eligible for Medicaid coverage and issue an updated notice confirming this eligibility."*

## 6. Did H.R. 1 make any changes to non-citizen eligibility for Emergency Medicaid?

No. Any immigrant, regardless of status, who needs emergency medical assistance should obtain the treatment needed.

Noncitizens who meet all Medicaid eligibility factors except for citizenship status may still qualify for Medicaid to cover a medical emergency, including childbirth. Hospitals must submit a Medical Assistance Referral form (CF-ES 2039) to start this determination, and coverage only applies to the date(s) of the emergency itself.

**Need help?** Contact a legal aid program in your area ([this link](#) has program contact information), or submit a request for assistance to the Florida Health Justice Project through our [online intake form](#).