

Aug. 31, 2026

PUBLIC NOTICE

Public Notice of Final Action for the Implementation of Section 71109 “Alien Medicaid Eligibility” of the Working Families Tax Cut Legislation (Public Law 119-21)

The South Carolina Department of Health and Human Services (SCDHHS) gives notice of the following actions regarding Alien Medicaid Eligibility under the State Plan under Title XIX of the Social Security Act Medical Assistance Program (Medicaid).

Effective Oct. 1, 2026, SCDHHS will amend the South Carolina Title XIX State Plan to address the changes to Alien Medicaid Eligibility mandated by Section 71109 of the Working Families Tax Cut Legislation (Public Law 119-21) which limits federal funding for Medicaid and Children’s Health Insurance Program for some non-citizens.

This change does not affect:

- Lawful permanent residents (green card holders) who have:
 - Completed the five-year waiting period plus 40 qualifying work quarters, or
 - An immigration status that did not require the five-year waiting period and qualifying work quarters
- Cuban/Haitian entrants
- Citizens of the Marshall Islands, Micronesia or Palau living in the United States under the Compact of Free Association (COFA)
- Lawfully present pregnant women and children

SCDHHS has not determined a budgetary impact. Current members potentially impacted by this change will be reassessed prior to implementation. Anyone whose immigration status does not qualify for full Medicaid benefits may still qualify for Emergency Services coverage.

Copies of this notice are available at each South Carolina Healthy Connections Medicaid county office and at www.scdhhs.gov for public review. Additional information regarding these actions is available upon request at the address cited below.

Any written comments submitted may be reviewed by the public at the SCDHHS, Eligibility, Enrollment and Member Services, 1801 Main Street, Columbia, South Carolina, Monday through Friday between the hours of 9 a.m. and 5 p.m.

Eunice Medina
Director

Notice of Non-Discrimination

The South Carolina Department of Health and Human Services (SCDHHS) complies with applicable federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, or sex. SCDHHS does not exclude people or treat them differently because of race, color, national origin, age, disability, or sex.

SCDHHS provides free aids and services to people with disabilities, such as qualified sign language interpreters and written information in other formats (large print, braille, audio, accessible electronic formats, other formats). We provide free language services to people whose primary language is not English, such as qualified interpreters and information written in other languages. If you need these services, please contact the Americans with Disabilities Act (ADA)/Civil Rights Official by mail at: PO Box 8206, Columbia, SC 29202-8206, by phone at: 1-888-549-0820 (TTY: 1-888-842-3620), or by email at: civilrights@scdhhs.gov.

If you believe SCDHHS has failed to provide these services or discriminated in another way on the basis of race, color, national origin, age, disability, or sex, you can file a grievance with the Civil Rights Official using the contact information provided above. You can file a grievance in person, by mail, or via email. If you need help filing a grievance, we are available to help you.

You can also file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights, electronically through the Office for Civil Rights Complaint Portal, available at <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf> or by mail or phone at: U.S. Department of Health and Human Services, 200 Independence Avenue, SW, Room 509F, HHH Building, Washington, D.C. 20201 or by phone at: 800-368-1019, 800-537-7697 (TDD). Complaint forms are available at <http://www.hhs.gov/ocr/office/file/index.html>.