

RÉSUMÉ DIGEST

ACT 745 (SB 194)

2026 Regular Session

Miguez

Existing law requires a state agency or political subdivision to verify that each applicant for a federal, state, or local public benefit is recognized as a U.S. citizen or has satisfactory immigration status as a qualified alien defined in federal law.

New law adds another option for eligibility for public benefits by providing coverage pursuant to federal law (42 U.S.C. 1396b(v)(4)), which allows lawfully residing pregnant women and children who may otherwise not be eligible for assistance to receive public benefits.

New law retains existing law and provides that for purposes of Medicaid, Medicare, the Supplemental Nutrition Assistance Program (SNAP), and any health plan offered through the Affordable Care Act marketplace, the term qualified alien shall be limited to any one of the following:

- (1) An alien lawfully admitted for permanent residence as an immigrant, as defined in federal law (8 U.S.C. 1101(a)(15) and 1101(a)(20)), excluding alien visitors, tourists, diplomats, students, and other individuals admitted temporarily without intent to abandon a foreign residence.
- (2) An alien granted the status of Cuban or Haitian entrant, as defined in federal law (section 501(e) of the Refugee Education Assistance Act of 1980 (Pub. L. 96-422)).
- (3) An individual lawfully residing in the United States pursuant to a Compact of Free Association, as referenced in federal law (8 U.S.C. 1612(b)(2)(G)).

New law requires the La. Dept. of Health (LDH) to provide a reasonable opportunity for an applicant for enrollment in Medicaid not to exceed the minimum time required by federal law to verify citizenship or immigration status when the status cannot be verified through available data sources.

New law provides that Medicaid coverage may be provided provisionally during the reasonable opportunity period where required by federal law and that failure to submit acceptable documentation within the reasonable opportunity period shall result in denial or termination of Medicaid eligibility.

New law prohibits any additional reasonable opportunity period to be granted for an applicant who has previously been denied eligibility at any time due to a failure to verify citizenship or satisfactory immigration status.

New law requires LDH to seek any state plan amendment or waiver from the Centers from Medicare and Medicaid Services necessary to carry out the provisions of new law.

New law provides that LDH has discretion to provide emergency healthcare services.

New law provides that the entire income and financial resources of any individual rendered ineligible for participation in SNAP pursuant to federal law shall be considered available to the household and included in determining the eligibility and benefit allotment of the household of which the individual is a member.

Effective August 1, 2026.

(Amends R.S. 46:233.4)