State of California—Health and Human Services Agency
Department of Health Care Services

TOBY DOUGLAS
Director

EDMUND G. BROWN JR.
Governor

March 25, 2014

Medi-Cal Eligibility Division Information Letter No.: I 14-21

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS

SUBJECT: STATEMENT OF CITIZENSHIP, ALIENAGE AND IMMIGRATION STATUS FORM (MC 13) UNDER THE AFFORDABLE CARE ACT

The purpose of this Medi-Cal Eligibility Division Informational Letter (MEDIL) is to: (1) address circumstances when counties are required to obtain a statement of Citizenship, Alienage and Immigration status (MC13) form with the implementation of the Affordable Care Act (ACA); and (2) to advise counties that full-scope Medi-Cal is to be granted pending the reasonable opportunity period for United States (U.S.) citizenship or immigration status verification.

Background

Prior to the implementation of the ACA, applicants who claimed they were U.S citizens/nationals were able to claim citizenship by attestation on a signed application, or on an MC 13 for any adults who did not sign the application. Applicants who claimed "satisfactory immigration status" were required to complete the MC 13 form and to provide a copy of any relevant immigration document(s) in order for the counties to electronically verify immigration status via a Systematic Alien Verification for Entitlements (SAVE) inquiry. Pending completion of verification of immigration status, counties were to grant full-scope benefits without delay to otherwise eligible applicants attesting satisfactory immigration status on the MC 13 form.

Post ACA

With the implementation of the ACA, applicants who claim they are U.S citizens/nationals or have satisfactory immigration status on the single streamlined application, SAWS 2 Plus, or CF 285 application forms for insurance affordability programs will have their citizenship or immigration status electronically verified via CalHEERS through the federal data hub.

Effective January 1, 2014, and not withstanding previous guidance released in MEDIL 14-08 regarding citizenship/immigration status, the MC 13 form is not required of applicant(s) who meet condition 1 and 3 or condition 2 and 3 below:

1) Attest to being a U.S. citizen/national or to having satisfactory immigration status on the Medi-Cal application including but not limited to the single streamlined application, SAWS 2 Plus, and CF 285 forms; or

2) Are secondary adults on a case who did not sign the application and the primary applicant attests the individual is a U.S. citizen/national; and

3) Whose citizenship/immigration status is verified via electronic means including the federal data hub, California birth match, or the Social Security Administration (SSA) citizenship verification process.

Medi-Cal applicants are no longer required to submit paper documentation of their citizenship or immigration status to complete their application, although verification of citizenship and immigration status remains a requirement. Consistent with the current policy to grant full scope Medi-Cal to otherwise eligible U.S. citizens or immigrants pending verification of satisfactory immigration status, counties shall grant full-scope benefits, without delay to otherwise eligible applicants attesting on the appropriate application form to being U.S. citizens/nationals or having satisfactory immigration status without further documentation from the applicant. In addition, self-attestation of citizenship via telephonic signature and electronic signature for applications submitted via any application pathway shall be an acceptable form of attestation.

Reasonable Opportunity Period

If an applicant's immigration status **cannot** be initially verified via CalHEERS through the federal data hub (e.g., because the hub is down) or the application information is not "reasonably compatible" with information from the federal data hub, counties must submit a manual SAVE verification request. The county should first use the information provided on the application to attempt verification of citizenship or satisfactory immigration status. If the manual SAVE process does not successfully verify immigration status or resolve the inconsistency, the applicant must be provided a 90-day reasonable opportunity period to resolve the inconsistency. In accordance with ACWDLs 92-48 and 09-65, counties shall grant full-scope benefits during verification of citizenship or immigration status to otherwise eligible applicants. If citizenship or immigration status cannot be verified within the 90-day reasonable opportunity period, counties shall appropriately reduce the scope of benefits.

Counties must keep a copy of the manual SAVE results and documents submitted in the case file.

If you have any questions, or if you need further information, please contact Ms. Amarjit Singh at (916) 552-9459 or by email at Amar.Singh@dhcs.ca.gov.

Original Signed By:

Tara Naisbitt, Chief
Medi-Cal Eligibility Division