

## DEPARTMENT OF HEALTH SERVICES

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ACRAMENTO, CA 94234-7320

(916) 657-2941



October 26, 1995

Medi-Cal Eligibility Information Letter No.: I-95-23

TO: All County Welfare Directors  
All County Administrative Officers  
All County Medi-Cal Program Specialists/Liaisons

### USE OF VOTER REGISTRATION DOCUMENTS AS EVIDENCE OF RESIDENCY

Title 22, California Code of Regulations (CCR), Section 50320.1 requires Medi-Cal applicants to provide evidence of residency as a condition of eligibility for benefits. Section 50320.1(a)(1)(H) specifically provides that "Evidence that the applicant has registered to vote in this State" is one of the items that an applicant may provide as evidence that he or she is a resident of California. This All County Welfare Directors Letter provides clarification of various documents that relate to voter registration, and how counties should view each of these documents when they are provided as evidence of California residency. For purposes of this discussion, there are three voter registration documents that an applicant could potentially provide as evidence of California residency including:

- A Voter Registration Form and/or receipt
- A Voter Notification Card
- An Abstract of Voter Registration

### VOTER REGISTRATION FORM AND/OR RECEIPT

The Voter Registration Form (Enclosure 1, Sample A) is completed by persons who wish to register to vote. When completed and signed, this form constitutes a written declaration which shows that the bearer has declared under penalty of perjury to live at the address shown on the form, and to meet the other voter registration requirements. Generally, if the voter registration form is mailed by someone other than the registrant, the registrant is given a Registration Form Receipt (Enclosure 1, Sample B) signed by the person who will forward the completed registration form to the appropriate election administrator for processing. However, possession of a Registration Form Receipt does not ensure that the Voter Registration Form was properly completed or signed by the registrant.

If a Medi-Cal applicant wishes to provide a copy of the Voter Registration Form or the Registration Form Receipt as evidence of residency, it must be considered in light of CCR Section 50320.2(b) which specifies that:

"A declaration, affidavit, or other statement from the applicant or any other person that the applicant is a resident of California is unacceptable as verification of residency in the absence

of other credible evidence that supports a finding that the applicant is a resident of California pursuant to Section 50320(b)." (CCR Section 50320(b) is the general residency requirement.)

This means that a Voter Registration Form (or the related Registration Form Receipt), by itself, is not sufficient to establish that the applicant is a resident of California. However, the County may accept a copy of the Voter Registration Form and/or Receipt along with other evidence the applicant may provide to support his or her claim of California residency.

### VOTER NOTIFICATION CARD

The Voter Notification Card (Enclosure 2) is the document mailed to voters as official evidence of registration to vote. This card is sent to the address indicated on the Voter Registration Form and is not forwarded by postal authorities to any other residence. Therefore, a Voter Notification Card, provides evidence that the bearer received mail at the address indicated, and serves as rudimentary evidence that the bearer lives at the address indicated.

A Voter Notification Card, by itself, is acceptable as evidence of California residency. However, if there is other evidence indicating that the applicant is not a resident of California, that evidence must also be considered in making a residency determination for Medi-Cal eligibility. If there is credible evidence which contradicts an applicant's claim of California residency, it is quite possible that a Voter Notification Card, by itself may not be sufficient to support a finding of California residency.

### ABSTRACT OF VOTER REGISTRATION

In some situations it is necessary for a person who has lost his or her Voter Notification Card to obtain evidence of voter registration. In these cases, the county may issue an Abstract of Voter Registration (Enclosure 3)<sup>1</sup> which is an official replacement document showing that the person named was on record as a registered voter in that county at the time the abstract was issued. Such a document is similar in substance to the Voter Notification Card since an Abstract of Voter Registration is only issued to persons who are registered to vote at the time the abstract is requested. Therefore, possession of an Abstract of Voter Registration shows that the bearer had received a Voter Notification Card in the past in the issuing county. In determining residency, an Abstract of Voter Registration should be viewed like a Voter Notification Card as

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<sup>1</sup>This sample document was provided by Sacramento County. Other counties may use a different form for issuing an Abstract of Voter Registration.

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discussed above. Like a Voter Notification Card, it is quite possible that an Abstract of Voter Registration, by itself, may not be sufficient to support a finding of California residency when there is evidence to the contrary.

### OTHER CONSIDERATIONS

A Medi-Cal applicant may provide a Voter Notification Card or an Abstract of Voter Registration based on registration to vote in any California county as evidence of residency in this state. However, if the document was issued by a previous county of residence, it might not be indicative of current residency in the State. In this situation, the eligibility worker must determine if the applicant has established residence in another state or country since the time the voter registration document was issued. If a Medi-Cal applicant has recently resided in another state or country, counties must determine if residency has been reestablished in California. (Residency regulations relating to absences from the state are found at CCR Sections 50321 and 50323.)

For example, if a Medi-Cal applicant recently resided in another state or country, and provides a Voter Notification Card that was issued by a California County during a prior period of residence in this state, counties must carefully review the case to determine if residency in California has been reestablished. If there is evidence that the applicant does not currently meet the residency requirement, possession of a Voter Notification Card issued during a prior period of residence in the state would not be sufficient to establish California residency in the absence of other credible evidence.

Conversely, if an applicant (such as a homeless person) provides a Voter Notification Card issued by a previous California county of residence, and there is no evidence to indicate that the applicant has left the state to reside elsewhere since the card was issued, it may serve as evidence of California residency. This is because CCR Section 50320(e) provides that: "Once California residence is established, it continues until residence is established in another state or country."

As always, whenever there is contrary evidence that the county believes is sufficient to determine that the applicant is not a resident of California, the facts supporting that finding must be noted in the case file. If the questions raised by contrary evidence are resolved to the county's satisfaction, that information should also be noted in the case file. If the county is unable to determine if an applicant with a voter registration document is (or is not) a resident of California, the county should request an investigation of the facts, or seek assistance from the Medi-Cal Eligibility Branch prior to making a final determination of residency.

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If you have any questions about the use of voter registration documents as evidence of California residency, please call John Zapata of my staff at (916) 657-0725.

Sincerely,

Original signed by

Frank S. Martucci, Chief  
Medi-Cal Eligibility Branch

Enclosures

ENCLOSURE 1

SAMPLE A

VOTER REGISTRATION FORM

STATE OF CALIFORNIA  
COUNTY OF SACRAMENTO

ARE YOU A U.S. CITIZEN?  Yes  No

1	Mr. <input checked="" type="checkbox"/> Mrs. <input type="checkbox"/> Miss <input type="checkbox"/> Ms. <input type="checkbox"/>	FIRST NAME <u>John</u>	MIDDLE NAME <u>X</u>	LAST NAME <u>Doe</u>
2	ADDRESS Where you live (Number Street Apartment No.) <u>1234 Fawn St</u>		City <u>Sacramento</u>	County <u>Sacto</u>
3	If No Street Address Describe where you live (Cross Streets Route Box Section Township Range, Etc.)		City	State
4	ADDRESS Where you Get Your Mail (If Different From #2)		City	State
5	DATE OF BIRTH month - day - year <u>8-4-60</u>	6 PLACE OF BIRTH State or Foreign Country <u>California</u>	7 OCCUPATION	8 TELEPHONE <u>916-123-4567</u>
9	PARTY REGISTRATION—Check one box <input type="checkbox"/> American Independent Party <input type="checkbox"/> Democratic Party <input type="checkbox"/> Green Party <input type="checkbox"/> Libertarian Party <input type="checkbox"/> Peace and Freedom Party <input type="checkbox"/> Republican Party <input type="checkbox"/> Decline to State <input checked="" type="checkbox"/> Other (Specify) _____		10 <b>WARNING:</b> If you sign this statement even though you know it is untrue you can be fined and jailed for up to 1 year. <b>VOTER DECLARATION—Read and Sign Below</b> ● I am a U.S. Citizen ● I will be at least 18 years old prior to the next election ● I am not in prison or on parole for a felony conviction ● I certify under penalty of perjury under the laws of the State of California that the information on this form is true and correct.	
11	11 HAVE YOU EVER BEEN REGISTERED TO VOTE? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, give information from last voter registration form Name <u>John X Doe</u> Address <u>567 Elk Ave</u> City <u>Carmichael</u> County <u>Sacto</u> State <u>CA</u>		12 SIGNATURE—Sign on line in box below. <u>John X. Doe</u>	
			13 DATE <u>8-1-95</u> 34 H 763331 If someone helps fill out or keeps this form, see #13 instructions below.	

SAMPLE B

ATTENTION, VOTER:

If you do not mail your form personally, have this receipt signed by the person who takes it from you and keep it until you receive your Voter Notification Card. This receipt will be used to investigate any cases in which that person does not mail or deliver the form to the County Clerk or Registrar of Voters within the time limit required by law.

FOR ELECTORAL INFORMATION CONTACT

SACRAMENTO COUNTY  
REGISTRAR OF VOTERS  
3700 BRANCH CENTER RD  
SACRAMENTO, CA 95827-3592  
(916) 366-2000

Person Receiving Registration Form From voter

SIGNATURE

Address

Telephone No. of person or organization paying for registration (if any).

Date

34 H 763331

ENCLOSURE 2

Voter Registration and Elections  
3700 Branch Center Road  
Sacramento, CA 95827-3892

Phone No. (916) 366-4177

FIRST CLASS MAIL  
U.S. POSTAGE  
PAID  
PERMIT NO. 159  
Sacramento, CA

DO NOT FORWARD  
MR JOHN X DOE  
1234 FAWN ST  
34H 763331

*SAMPLE*

VOTER NOTIFICATION CARD—SACRAMENTO COUNTY  
REGISTRATION DATED: 8/01/95  
EFFECTIVE FOR ELECTIONS ON OR AFTER: 8/30/95  
ID NUMBER: 34H 763331 99999

MR JOHN X DOE  
1234 FAWN ST  
SACRAMENTO, CA 95888

ENCLOSURE 3

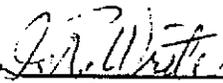
COUNTY OF SACRAMENTO, CALIFORNIA  
Department of Voter Registration and Elections

This card certifies that John X. Doe  
who resides at 1234 Fawn Street  
Sacramento, California 95888  
date of birth August 4, 1960  
state of birth California registered to vote in  
Sacramento County on August 1, 1995  
and is still currently registered.

Dated August 1, 1995  
Receipt # 37000

SAMPLE

ERNEST R. HAWKINS,  
Registrar of Voters

By   
Deputy Registrar