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Department of Health Care Services



GAVIN NEWSOM
GOVERNOR

DATE: June 9, 2022

PPL No. 22-013

TO: Local Governmental Agency (LGA) and Local Educational Consortia (LEC) Coordinators for the County-Based Medi-Cal Administrative Activities (CMAA) Program, Tribal-Based Medi-Cal Administrative Activities (TMAA) Program, and School-Based Medi-Cal Administrative Activities (SMAA)

SUBJECT: Unsatisfactory Immigration Status (UIS) Population in the Medi-Cal Administrative Activities (MAA) Programs

PURPOSE: This Policy and Procedure Letter (PPL) clarifies that MAA provided to ineligible beneficiaries with a UIS are not qualified for Federal Financial Participation (FFP) through the CMAA, TMAA, and SMAA programs.

REFERENCE: Section 1903(v)(2) of the Social Security Act

BACKGROUND:

Section 1903(v)(2) of the Social Security Act (SSA) prohibits states from claiming federal funding for non-emergency and non-pregnancy related services for individuals with an unsatisfactory immigration status (UIS). The MAA programs do not reimburse for emergency related activities; however, pregnancy-related services for Medi-Cal beneficiaries with a UIS are federally reimbursable through the MAA programs.

POLICY:

Per the SSA section 1903(v)(2), FFP is not allowed for MAA provided to beneficiaries with a UIS unless the activities are related to pregnancy services. Thus, LGAs and LECs must apply a Medi-Cal discount percentage (MDP) to claims before submitting to the Department of Health Care Services (DHCS) for reimbursement. This will remove unallowable costs associated with the UIS population. The MDP calculation must remove ineligible beneficiaries with a UIS from their verified Medi-Cal clients served count. DHCS is revising the existing Secure File Transfer Protocol system to facilitate this exclusion. For CMAA only, DHCS will remove ineligible beneficiaries with a UIS from California's Medi-Cal population when calculating Countywide Averages.

These changes go into effect for all MDPs developed on or after January 1, 2022, even if the MDP applies to previous quarters. This policy does not change how LGAs and LECs submit their input files.

Beneficiaries with a UIS are individuals who fall into at least one of the following groups:

1. Any individual that falls within a restricted scope Medi-Cal aid code. Restricted scope Medi-Cal aid codes are those aid codes that cover only emergency and pregnancy-related services and when needed, long-term care. FFP for these aid codes are limited to emergency and pregnancy-related services.
2. Any individual that falls within a full scope aid code who is receiving state funded full scope Medi-Cal because they have a UIS. FFP for individuals receiving state funded full scope Medi-Cal are also limited to emergency and pregnancy-related services. Individuals with a UIS who are receiving state funded full scope Medi-Cal will fall into one of the following categories:
 - a. "Qualified" Non-Citizen (QNC) beneficiaries who are subject to and have not met the five-year bar.
 - b. Individuals who are Permanently Residing Under Color Of Law (PRUCOL).
 - c. Senate Bill 75 (Chapter 18, Statutes of 2015) beneficiaries.
 - d. Young Adult Expansion (YAE) beneficiaries (ages 21 through 25).
 - e. Trafficking and Crime Victims Assistance Program (TCVAP) beneficiaries. The TCVAP program is a cash and medical assistance program for eligible non-citizen victims of trafficking and other crimes. TCVAP beneficiaries are in the following aid codes: 2V, 4V, 5V and 7V. TCVAP beneficiaries in aid code 2V and 4V are one hundred percent state funded. For individuals in aid codes 5V or 7V, FFP is available only for emergency and pregnancy-related services.
 - f. Effective May 1, 2022, Older Adult Expansion (OAE) beneficiaries (50 years of age or older).

Please email the respective program for any questions regarding this PPL.

CMAA/TMAA: cmaa@dhcs.ca.gov
SMAA: smaa@dhcs.ca.gov

Sincerely,

ORIGINAL SIGNED BY

Brian Fitzgerald, Chief
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