



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



GAVIN NEWSOM.
GOVERNOR

DATE: September 7, 2021

**PPL No. 21-012R
REVISED**

TO: Local Governmental Agency (LGA) Coordinators for the Targeted Case Management (TCM) Program

SUBJECT: **Unsatisfactory Immigration Status (UIS) Beneficiaries**

This Policy and Procedure Letter (PPL) provides clarification to LGAs participating in the TCM program concerning claims for services provided to UIS beneficiaries that are ineligible for federal financial participation (FFP) and state general funds (SGF). Furthermore, it informs LGAs that they are solely responsible for funding the TCM services that are provided to UIS beneficiaries.

Background

Section 1903(v)(2) of the Social Security Act prohibits states from claiming FFP for non-emergency and non-pregnancy related services for individuals without a satisfactory immigration status (including both undocumented immigrants and lawfully present immigrants subject to a five year waiting period). TCM is not provided in emergencies nor is an emergency related service. As such, UIS beneficiaries are ineligible for FFP through the TCM program, with the exception of pregnancy related services. LGAs must adequately document the pregnancy related TCM services provided to a UIS beneficiary to properly claim FFP for those services.

UIS Beneficiary Claims

As of January 1, 2021, LGAs must cease submitting improper claims to the Department of Health Care Services (DHCS) for TCM services provided to UIS beneficiaries. LGAs are solely responsible for funding these improper services and claims; the claims will be ineligible for both FFP and SGF. DHCS is making edits to the TCM Online System to ensure that claims ineligible for FFP or SGF for the UIS beneficiaries are denied.

UIS beneficiaries are individuals who fall into at least one of the following groups:

1. Non-Qualified Non-Citizens, individuals who have either entered the United States bypassing immigration authorities or who have overstayed their visa.
2. Qualified Non-Citizen (QNC) beneficiaries who are not federally eligible for fullscope Medi-Cal

3. Immigrants who are Permanently Residing Under Color Of Law (PRUCOL) and are not federally eligible for full scope Medi-Cal
4. Senate Bill 75 (Chapter 18, Statutes of 2015) beneficiaries are not federally eligible for full scope Medi-Cal
5. Young Adult Expansion (YAE) beneficiaries ages 21 to 25 include undocumented immigrants and certain lawfully present immigrants who are not QNCs and are not federally eligible for full scope Medi-Cal
6. Undocumented Older Californians Expansion (effective 5/1/2022) beneficiaries ages 50 years or older, including undocumented immigrants and certain lawfully present immigrants who are not QNCs, are not federally eligible for full-scope Medi-Cal.
7. For participants of the Trafficking and Crime Victim Assistance Program (TCVAP), a cash assistance program for non-citizen victims of crime who are in need of immediate services and who are obtaining a legal humanitarian status or assisting in the prosecution of a crime, the following aid codes do not qualify for FFP: 7V, 5V, 4V, 2V

DHCS will take the following steps to ensure that LGAs do not receive FFP for improper claims for services provided to UIS beneficiaries:

- Underpayment - DHCS will not draw down FFP to pay any underpayment resulting from improperly claiming and providing services to UIS beneficiaries.
 - DHCS will continue to draw down FFP for any underpayments of claims not attributable to UIS beneficiaries.
- Overpayment – DHCS will continue to recoup all overpaid funds to LGAs, overpayments related to improper TCM services provided to UIS beneficiaries.

Ensuring fiscal integrity is a DHCS priority. As such, DHCS will provide separate and additional guidance for identifying UIS beneficiaries and reporting non-claimable encounters.

Please email DHCS-TCM@dhcs.ca.gov for any questions regarding this PPL.

Sincerely,

ORIGINAL SIGNED BY

Brian Fitzgerald, Chief
Local Governmental Financing Division
Department of Health Care Services