



DATE: September 11, 2023

Behavioral Health Information Notice No: 23-046

TO: California Alliance of Child and Family Services
California Association for Alcohol/Drug Educators
California Association of Alcohol & Drug Program Executives, Inc.
California Association of DUI Treatment Programs
California Association of Social Rehabilitation Agencies
California Consortium of Addiction Programs and Professionals
California Council of Community Behavioral Health Agencies
California Hospital Association
California Opioid Maintenance Providers
California State Association of Counties
Coalition of Alcohol and Drug Associations
County Behavioral Health Directors
County Behavioral Health Directors Association of California
County Drug & Alcohol Administrators

SUBJECT: Emergency Services and Specialty Mental Health Services for Medi-Cal Members with Unsatisfactory Immigration Status

PURPOSE: To notify counties of a change in classification of Specialty Mental Health Services (SMHS) and to clarify DHCS policy regarding state and county funding for Medi-Cal beneficiaries with unsatisfactory immigration status.

REFERENCE: [BHIN 22-054](#); [BHIN 22-017](#); [BHIN 22-004](#)

BACKGROUND:

California provides full scope Medi-Cal services to certain Medi-Cal beneficiaries who have unsatisfactory immigration status. For these covered populations, federal funds (FF) are only available for emergency and pregnancy-related services. Non-emergency and non-pregnancy related services are to be reimbursed with State funds. Affected populations include qualified non-citizens subject to the five-year bar, individuals who are Permanently Residing Under Color of Law (PRUCOL), and individuals under 26 or over 50 years of age who otherwise meet all Medi-Cal eligibility criteria (such as income and state residency) but do not have satisfactory immigration status.

Regarding emergency services, DHCS deployed updates to the Short Doyle Medi-Cal (SD/MC) claiming system on April 7, 2020, to ensure that DHCS was not reimbursing Counties FF for nonemergency and non-pregnancy related services provided to beneficiaries with unsatisfactory immigration status enrolled in full scope aid codes.



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DHCS also deployed a system change in SD/MC effective March 8, 2022, to correctly adjudicate Title XXI claims at 50% FFP for emergency services for children with the T series, M5, or M6 aid codes, and with SB 75 or PRUCOL immigration statuses.¹

POLICY:

In accordance with CMS-approved 1915(b) waiver requirements, SMHS are not classified as emergency services for purposes of assuring access under Section 1932(b)(2) of the Social Security Act and 42 CFR 438.114.² For purposes of these referenced federal authorities, emergency and post-stabilization services for all Medi-Cal beneficiaries are covered through the capitation payment made to Medi-Cal managed care plans. Therefore, federal funds shall not be claimed for SMHS previously identified as emergency services when provided to beneficiaries with unsatisfactory immigration status.

Counties are responsible for SMHS provided to Medi-Cal beneficiaries with unsatisfactory immigration status identified as qualified non-citizens who have been in the United States for less than five years (Qualified Non-Citizens) or individuals with PRUCOL immigration status. Claims submitted to SD/MC for these individuals will be denied with CARC/RARC code CO/96/MA43. Services provided to Medi-Cal beneficiaries covered under State-funded programs including SB 75, Young Adult Expansion, and Older Adult Expansion will be reimbursed with State General Fund.

Counties remain responsible for psychiatric inpatient hospital services and psychiatric health facility services provided to all beneficiaries with or without satisfactory immigration status who are experiencing a psychiatric emergency medical condition, as defined in subdivision (k) of Health and Safety Code section 1317.1, and without prior authorization.³

DHCS deployed system changes to SD/MC on May 9, 2023, to implement the new policy for SMHS provided to beneficiaries with unsatisfactory immigration status. Please direct questions regarding the policy or claiming in SD/MC to MEDCCC@dhcs.ca.gov.

Sincerely,

Original signed by

Brian Fitzgerald, Chief
Local Governmental Financing Division

¹ See [BHIN 22-054](#).

² See [Approved CalAIM Section 1915\(b\) Waiver Application and Attachments \(June 23, 2023\)](#).

³ See [BHIN 22-017](#).