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April 29, 2022

Medi-Cal Eligibility Division Information Letter No.: I 22-16

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

SUBJECT: Medi-Cal Eligibility for New Ukraine Arrivals

The purpose of this Medi-Cal Eligibility Division Information Letter (MEDIL) is to provide clarification regarding the documents typically provided to Ukrainians arriving in California, and the related Medi-Cal and Refugee Medical Assistance (RMA) eligibility for this population.

## Background

Under current federal policy, the United States (U.S.) may accept up to 100,000 people fleeing Ukraine with a focus on family reunification. It is anticipated that additional Ukrainian nationals will seek entry into the United States by whatever means possible. The department will provide additional updates to counties as information becomes available.

Ukrainian arrivals may have a variety of different immigration statuses upon entry. It is anticipated that many of the Ukrainian arrivals will enter under Temporary Protected Status, or as humanitarian parolees and may not be eligible for the traditional federal services offered to immigrants granted refugee status. However, they may qualify for state-funded programs in California including state-funded full scope Medi-Cal.

## Temporary Protected Status

On March 3, 2022, the Department of Homeland Security announced the [designation of Ukraine](#) for Temporary Protected Status (TPS) for eighteen months. According to the United States Citizenship and Immigration Services (USCIS), the Secretary of Homeland Security may designate a foreign country for [TPS](#) due to conditions in the country that temporarily prevent the country's nationals from returning safely, or in certain circumstances, where the country is unable to handle the return of its nationals adequately. To qualify for TPS under this most recent designation, Ukrainian nationals

must have continuously resided in the U.S. since April 11, 2022. Individuals with TPS may apply for an Employment Authorization Document and immigrant or nonimmigrant status. For Medi-Cal eligibility purposes, immigrants granted TPS are lawfully present. Some of these immigrants can claim to be Permanently Residing in the United States Under Color of Law (PRUCOL) and receive full scope Medi-Cal if they meet all other eligibility criteria.

### **Humanitarian Parole Status**

Ukrainian entrants who arrive with humanitarian parole pursuant to section 212(d)(5) of the Immigration and Nationality Act, are qualified immigrants if paroled for one year or more. Immigrants paroled for less than one year are PRUCOL and can be granted full scope Medi-Cal if otherwise eligible. These individuals may have a valid and unexpired Ukrainian passport with a USCIS Parole stamp including the purpose for parole, date of admission, and date of expiration for parole. They may also have other documents, including a USCIS Form I-94. The I-94 will show that the individual is a Ukrainian citizen or national who is paroled in the U.S. under Section 212(d)(5) of the INA. The date of entry and date of expiration of parole are also identified on this form.

### **Other Immigration Statuses and Claiming to be Permanently Residing in the United States Under Color of Law (PRUCOL)**

As noted above, Ukrainian arrivals may enter the United States under a variety of statuses. Evaluate their eligibility under current Medi-Cal or RMA policy based on the immigration status information and/or documents provided. Ukrainian entrants may qualify for full scope Medi-Cal by claiming that they are Permanently Residing in the United States Under Color of Law (PRUCOL). Counties must accept a claim of PRUCOL from Ukrainian arrivals or their authorized representative, in accordance with current policy, when requested.

### **Utilizing the Last PRUCOL Category**

For Ukrainian arrivals without 212(d)(5) humanitarian parole status, who are not in a “qualified” immigration status and not in one of the 15 “documented” PRUCOL statuses, the only path to full scope Medi-Cal eligibility may be the last PRUCOL category on the “MC 13 Statement of Citizenship, Alienage and Immigration Status”, which is generally for immigrants who are: “An alien, not in one of the above [PRUCOL] categories, who can show that: (1) INS knows he/she is in the United States; and (2) INS does not intend to deport him/her, either because of the person’s status category or individual

circumstances.” It is anticipated that many individuals arriving from Ukraine will need to claim the last PRUCOL category on the MC 13 as the basis for full scope Medi-Cal. In these cases, counties are to grant full scope Medi-Cal, if otherwise eligible, and verification of status is not required.

A claim of PRUCOL status in the last category can be made by the applicant, or by an authorized representative with knowledge of the immigrant’s circumstances. Under current Medi-Cal policy, a signed MC 13 is required when an individual claims PRUCOL in the last category; however, **counties are not to delay granting full scope eligibility to these immigrants while obtaining the signed MC 13.** The signed MC 13 can be obtained after approval of benefits. Please note that Telephonic signature is also acceptable for this purpose.

As of May 1, 2022, all otherwise eligible immigrants who are 50 years of age or older will be eligible for full scope Medi-Cal regardless of immigration status. This means that immigrants who are not in a satisfactory immigration status for full scope Medi-Cal, do not need to claim PRUCOL for full scope coverage unless they are 26 through 49 years of age.

## Reminders

All RMA and Medi-Cal program eligibility requirements remain unchanged and in effect. For example:

- All eligible immigrants regardless of immigration status are eligible for full scope Medi-Cal if under 26 years of age, or, as of May 1, 2022, 50 years of age or older.
- Some Ukrainian arrivals could be in one of the 16 Permanently Residing in the United States Under Color of Law (PRUCOL) categories. In those cases, current Medi-Cal policies for PRUCOL immigrants apply.
- An applicant or beneficiary may be eligible with a “lawfully present” immigration status, that, if otherwise eligible, entitles them to federally funded full scope Medi-Cal if under 21 or pregnant.
- Immigrants paroled for one year or more under section 212(d)(5) are qualified immigrants. If paroled for less than one year under 212(d)(5), they are to be treated as PRUCOL. See [All County Welfare Director’s Letter 18-09](#) for MEDS coding information.

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- RMA applicants and beneficiaries must meet all RMA eligibility requirements and have an immigration status acceptable to the RMA program to be RMA eligible.
- All appropriate SAVE verification and MEDS coding requirements apply.

Enclosed with this MEDIL is an “Overview of Medi-Cal Eligibility for Ukraine Immigrants” which summarizes the Medi-Cal eligibility of Ukrainian arrivals described in this letter. For information about the eligibility of Ukrainian immigrants for Department of Social Services programs see [All County Information Notice I-40-22](#).

If you have any questions about this letter, or if DHCS can provide further information, including questions related to eligibility documentation for Ukraine arrivals that requires clarification, please contact Buck Harris by phone at (916) 345-8162 or by email at [Buck.Harris@dhcs.ca.gov](mailto:Buck.Harris@dhcs.ca.gov).

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Health Care Benefits and Eligibility

## Overview of Medi-Cal Eligibility for Ukraine Arrivals

**Background**—As a result of the war in Ukraine, there is a significant influx of Ukrainian arrivals who will need full Medi-Cal coverage. The purpose of this overview is to provide recommendations for granting full scope Medi-Cal to this population if they are otherwise eligible. The table below summarizes the Medi-Cal eligibility for Ukrainian arrivals based on expected immigration status at entry.

<b>Medi-Cal coverage for Ukrainian immigrants</b>			
<b>Immigration Status</b>	<b>Medi-Cal Immigration Category</b>	<b>Medi-Cal Eligibility if otherwise eligible</b>	<b>Comments</b>
Temporary Protected Status	Lawfully present and may claim PRUCOL	State-funded full scope Medi-Cal under PRUCOL. Federally funded based on lawful presence if under 21 or pregnant	Individuals eligible for TPS under this designation must have continuously resided in the United States since April 11, 2022. Individuals who attempt to travel to the United States after April 11, 2022 will not be eligible for TPS.
Paroled under 212(d)(5) for less than one year.	PRUCOL	State-funded full scope Medi-Cal under PRUCOL. Federally funded based on lawful presence if under 21 or pregnant	There is a defined PRUCOL category for immigrants paroled under 212(d)(5). But immigrants paroled for one year or more under this section are qualified immigrants.
Other PRUCOL categories	Last category on MC 13	PRUCOL last category is state-funded full scope. Otherwise, these immigrants would be restricted scope.	This category applies to (1) individuals known by USCIS (formerly INS) to be in the country, and (2) not likely to be deported.

## Current Immigration Policies For Medi-Cal Eligibility

**Follow current Medi-Cal rules--** Counties are to grant full scope Medi-Cal coverage to Ukrainian immigrants based on current Medi-Cal policy, if otherwise eligible.

**Accept claims of PRUCOL--**For Ukrainian arrivals who do not have a full scope Medi-Cal status, but are otherwise eligible, counties must accept a claim of PRUCOL, based on the last PRUCOL category, from the applicant or their authorized representative.

**Immigrants Under 26 years of age--**All eligible immigrants under 26 years of age will be covered with full-scope Medi-Cal whether state or federally funded.

**Immigrants 50 years of age or older--**As of May 1, 2022, all eligible immigrants 50 years of age or older will be covered with full scope Medi-Cal whether state or federally funded.

**Immigrants 26 through 49 years of age or older--**Immigrants who are 26 through 49 years of age may receive full scope Medi-Cal if otherwise eligible. These include:

- Parolees (either as qualified immigrants or under PRUCOL).
- Those in any of the PRUCOL categories.
- Those who are lawfully present and pregnant (if they are not a qualified immigrant or PRUCOL).
- Under current Medi-Cal policy as of May 1, 2022, immigrants who are 26 through 49 years of age who are not otherwise in a full scope status can receive full scope Medi-Cal under the last PRUCOL category, if claimed by the applicant or an authorized representative with knowledge of their circumstances. Current policy requires a signed MC 13 (Statement of Citizenship, Alienage and Immigration status) when declaring the last PRUCOL category; however, **counties are not to delay granting full scope eligibility to these immigrants while obtaining the signed MC 13.** The signed MC 13 can be obtained after approval of benefits. Please note that telephonic signature is also acceptable for this purpose.