

DEPARTMENT OF HEALTH SERVICES

714/744 P STREET

P.O. BOX 942732

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(916) 657-2941

November 9, 1995

Letter No.: 95-67

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

Note: This letter was erroneously forwarded (as advanced copies) to some Department of Health Services staff as Medi-Cal Eligibility Branch Information Letter No. I-95-23. Advanced copies of that information letter should be voided. That Medi-Cal Eligibility Branch Information Letter Number (I-95-23) will not be reissued. Counties should note that this number is voided.

USE OF VOTER REGISTRATION DOCUMENTS AS EVIDENCE OF RESIDENCY

Ref.: Medi-Cal Eligibility Branch Information Letter I-95-23

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

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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

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Voter Registration (Enclosure 3)¹ 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 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."

¹This 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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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.

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

ARE YOU A U.S. CITIZEN? ☒ Yes ☐ No

1 **Mr.** ☒ **First Name** **Middle Name** **Last Name**
 Mrs. ☐
 Miss ☐
 Ms. ☐ John X Doe

2 **Address** Where you live: Number Street Apartment No. City State ZIP Code
 1234 Fawn St Sacramento Sacto 95888

3 If No Street Address, Describe Where you live: (Cross Streets, Route, Box, Section, Township, Range, Etc.)

4 **Address** Where you Get Your Mail: (If Different From #2) City State ZIP Code

5 **DATE OF BIRTH** month day year 6 **PLACE OF BIRTH** State or Foreign Country 7 **OCCUPATION** 8 **TELEPHONE**
 8-4-60 California 916 123-4567

9 **PARTY REGISTRATION**—Check one box (OFF OFFICE USE ONLY)
☐ American Independent Party
☐ Democratic Party
☐ Green Party
☐ Libertarian Party
☐ Peace and Freedom Party
☐ Republican Party
☐ Decline to State
☒ Other (Specify) _____

10 **WARNING:** If you sign this statement even though you know it is untrue, you can be fined and jailed for up to four years.
VOTER DECLARATION—Read and Sign Below
☒ I am a U.S. Citizen.
☒ I will be at least 18 years old on or before 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 all the information on this form is true and correct.

11 **HAVE YOU EVER BEEN REGISTERED TO VOTE?** ☒ Yes ☐ No
 If yes, give information from last voter registration form:
 Name John X Doe
 Address 567 Elk Ave
 City Carmichael State CA
 Political Party _____

12 **SIGNATURE**—Sign on line in box below.
 John X Doe

13 **DATE** 8-1-95 34 H 768331
 If someone helps fill out or keeps this form, see #13 instructions below.

STATE OF CALIFORNIA
 COUNTY OF SACRAMENTO

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 ELECTION INFORMATION CONTACT
 SACRAMENTO COUNTY
 REGISTRAR OF VOTERS
 3700 BRANCH CENTER RD
 SACRAMENTO, CA 95827-3592
 (916) 366-2057

Person Receiving Registration Form From Voter
SIGNATURE

Address

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

Date

34 H 768331

ENCLOSURE 2

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

Phone No. (916) 366-4177

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

SAMPLE

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

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 *[Signature]*
Deputy Registrar