



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



GAVIN NEWSOM
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Medi-Cal Eligibility Division Information Letter No.: I 21-15

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

SUBJECT: Eligibility for New Afghan Arrivals

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

Background

On August 14, 2021, the U.S. initiated mass evacuation of Afghan citizens and nationals who are at-risk due to the current political instability in Afghanistan. These individuals and future arrivals that are part of this operation may have a variety of different immigration status upon entry. Some may have a Special Immigrant Visa (SIV) or special immigrant (SQ/SI) parole status that meets the special immigrant requirement for U.S. Department of Health and Human Services Office of Refugee Resettlement (ORR) funded financial assistance, Medi-Cal assistance, and social services. These arrivals are eligible for services provided to refugees and may also be eligible for other federal and state benefits and services if they qualify.

Individuals with SIVs are processed overseas by the federal government, and then transported to their final resettlement community, including in California. These SIVs may be placed in temporary housing and use the address from their resettlement agencies until they are resettled permanently.

Other individuals will enter as humanitarian parolees and may not be eligible for the traditional federal services offered to refugees. However, they may qualify for state-funded programs including Medi-Cal.

Special Immigrant (SQ or SI) Parole

Due to the urgent need to relocate Afghan individuals who have assisted the U.S. government overseas, the federal government will admit Afghan Special Immigrants with SQ or SI parole status in addition to those who have already been granted visas. These individuals will arrive with an SQ or SI stamp on their I-94. This is a special stamp authorized for use with this population and will serve as acceptable documentation of Special Immigrant Visa status for Medi-Cal and RMA eligibility purposes.

Applicant	Documentation
Iraqi or Afghan Special Immigrant (Principal Applicant, Spouse of Principal Applicant, or Child of Principal Applicant)	I-94 noting SQ or SI Parole (per section 602(b)(1) AAPA/Sec 1059(a) NDAA 2006)

The SI/SQ parolees will be provided with a separate page on Customs and Border Protection letterhead in addition to their I-94. This document will include the following notation signed by a United States Citizenship and Immigration Services (USCIS) official:

Special Immigrant Status (SQ/SI Parolee

Sec 602(b)(1) APPA / SEC 1059(a) NDAA 2006

Date _____ USCIS Officer _____

Special Immigrant Visa Holder(SIV) Status

Some individuals arriving from Afghanistan will have documentation of Special Immigrant Visa holder. Individuals with this status will generally have foreign passports with a Department of Homeland Security, Customs and Border Protection stamp with an SQ1, SQ2, or SQ3 Class of Admission (COA) code. SIVs are able to apply to become legal permanent residents (LPRs).

Citizen/Alien Indicator Coding for those with Special Immigrant Status

Individuals with SQ/SI parole or SIV holder, although not refugees, are eligible for the same federal benefits as refugees. This means they must be coded with a Citizen/Alien Indicator Code of "R" in the Medi-Cal Eligibility Data System. This is important to ensure proper claiming of federal funds (based on refugee funding criteria) for this population.

Humanitarian Parole Status

Afghan entrants who arrive with humanitarian parole pursuant to section 212(d)(5) of the Immigration and Nationality Act, can claim PRUCOL and can be awarded full scope Medi-Cal if they meet all other eligibility criteria. These individuals may have a valid and unexpired Afghan 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 identification documentation, including a USCIS Form I-94. The USCIS Form I-94 verifies that the individual is an Afghan 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)

If an individual arriving from Afghanistan is not in an SQ or SI Parolee, Humanitarian Parole, or SIV holder, as discussed in this letter, evaluate their eligibility under current Medi-Cal or RMA policy based on the immigration status information and/or documents provided. Afghan entrants who are not issued a Special Immigrant Visa, SQ or SI Parole, or Humanitarian Parole may only qualify for full scope Medi-Cal by claiming that they are Permanently Residing in the United States Under Color of Law (PRUCOL).

Utilizing the Last PRUCOL Category

For Afghan arrivals without a Special Immigrant Visa (SIV) and without 212(d)(5) humanitarian parole status, 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 Afghanistan 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.

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.
- Some Afghan 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.
- 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 Afghan Immigrants” which summarizes the Medi-Cal eligibility of Afghan arrivals described in this letter.

Finally, the California Department of Social Services issued an All County Welfare Directors Letter on August 30, 2021, [Eligibility of Special Immigrant Parolees in SQ/SI Categories Under the Afghan Allies Protection Act of 2009 for Benefits and Services](#), related to eligibility for social services for Special Immigrant Parolees in SQ or SI. Additionally, the Department issued an All County Welfare Director Letter on September 3, 2021, [Eligibility of Humanitarian Parolees from Afghanistan](#), regarding eligibility for humanitarian parolees.

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

Original Signed By

Sandra Williams, Chief
Medi-Cal Eligibility Division

Enclosure

Overview of Medi-Cal Eligibility for Afghan Arrivals

Background—As a result of the U.S. withdrawal from Afghanistan, there is a significant influx of Afghan 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 Afghan arrivals based on expected immigration status at entry.

Medi-Cal coverage for Afghan immigrants if 26 or older*			
Immigration Status	Medi-Cal Immigration Category	Medi-Cal Eligibility if otherwise eligible	Comments
Special Immigrant Visa Or Special Immigrant Parolee (SQ/SI)	Refugee	Federally funded Full Scope Medi-Cal	
Paroled under 212(d)(5)	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)
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.

*All otherwise eligible immigrants under age 26 are eligible for full scope Medi-Cal in California regardless of immigration status.

**Eligible lawfully present immigrants are federally eligible for full scope if under 21 or pregnant.

***The State Plan Amendment that defines lawful presence for CHIPRA coverage of pregnant women and children, and the old PRUCOL category for parolees makes reference to section 212(d)(5) of the Immigration and Nationality Act (8 USC 1182(d)(5)). So to the extent Afghan arrivals are paroled under a different section of law, the last PRUCOL category is an option.

****The last PRUCOL category listed on Form MC 13 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.” This status is not recognized by the federal government for Medicaid purposes, but is used by California pursuant to 22 CCR §50301.3(s) for state-only full scope coverage when claimed by the applicant or beneficiary.

Conclusions:

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 26 years of age or older--Immigrants who are 26 or older, who arrive with specific immigration documentation, may receive full-scope Medi-Cal if otherwise eligible. These include:

- Special Immigrant visa holders or parolees
- Those in one of the PRUCOL categories
- Those who are lawfully present, if under 21 or pregnant

Under current Medi-Cal policy, immigrants who are 26 or older who do not have Special Immigrant visa status and who are not granted entry as a parolee under INA section 212(d)(5) (or some other 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.

Overview Summary:

- Counties are to grant full scope Medi-Cal coverage to immigrants based on Special Immigrant visa status, Special Immigrant (SQ/SI) parole, or parolee status under 212(d)(5), if otherwise eligible.
- For Afghan arrivals who do not have SIV, Special Immigrant Parole, 212(d)(5) parolee status, or another 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.