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May 21, 2018

TO: ALL COUNTY WELFARE DIRECTORS Letter No.: 18-09
ALL COUNTY ADMINISTRATIVE OFFICERS
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS
ALL COUNTY HEALTH EXECUTIVES
ALL COUNTY MENTAL HEALTH DIRECTORS

SUBJECT: OVERVIEW OF THE CALIFORNIA HEALTHCARE, ELIGIBILITY,
ENROLLMENT AND RETENTION SYSTEM CHANGE REQUEST
69974 ON IMMIGRANT ELIGIBILITY

The purpose of this letter is to provide counties with information about the implementation of California Healthcare, Eligibility, Enrollment, and Retention System (CalHEERS) Change Request (CR) 69974. CR 69974 makes additional enhancements to CalHEERS functionality relating to determination of eligibility based on immigration status implemented in Release 17.9 on September 25, 2017.

CalHEERS Changes Implemented by CR 69974

The CalHEERS system has been updated to:

- Require an individual to attest to their immigration status and document type on the application portal
- Include an expanded and updated immigration status drop-down menu to the application portal¹
- Make all immigration document entry fields optional throughout the application portal

¹ This expanded and updated menu includes 47 immigration status options. It will enable non-citizen applicants to attest to their immigration status. The menu includes statuses for Qualified Non-Citizens, Lawfully Present immigrants, PRUCOL immigrants, and for the Trafficking or Crime Victims Assistance program. The menu also includes an option for "Document or Status Not Listed".

- Grant full scope Medi-Cal to otherwise eligible Qualified Non-Citizens based on attestation with subsequent verification or with real-time verification
- Grant conditional full scope Medi-Cal to otherwise eligible state-funded Permanently Residing in the United States Under Color of Law (PRUCOL) without requesting verification from the Verify Lawful Presence service (VLP) provided through the Federal Data Services Hub.
- Grant full scope Medi-Cal to otherwise eligible Lawfully Present immigrants who are under the age of 21 or pregnant based on attestation with subsequent verification or real-time verification
- Grant restricted scope Medi-Cal to eligible Lawfully Present immigrants who are over the age of 21 or not pregnant
- Grant restricted scope Medi-Cal to an eligible individual who selects “document or status not listed” on both the immigration status drop-down menu and the immigration document drop-down menu
- Request Grant Date from VLP only when required for Qualified Non-Citizens
- Allow counties to administratively verify the immigration status of an applicant/beneficiary
- Allow counties to administratively verify PRUCOL status
- Update the electronic health information transfer (eHIT) schema to include all immigration statuses from the immigration status drop-down menu and all documents from the document drop-down menu in CalHEERS
- Send updated Citizen/Alien indicators to the Medi-Cal Eligibility Data System (MEDS) when the system has sufficient information to do so.

CalHEERS Portal Changes

Immigration Status Drop-Down Menu – The immigration status drop-down menu for an individual to select their immigration status has been updated. Prior to this change request, the immigration status drop-down menu on the CalHEERS portal only displayed immigration statuses that were Lawfully Present. If an individual selected none of those statuses, a second menu provided a list of PRUCOL immigration statuses

(with the exception of the last PRUCOL category on the MC 13) for selection. With the implementation of CR 69974, the immigration status drop-down menu now displays 47 immigration statuses including a “My Document or Status is not Listed” option.

Immigration Document Drop-Down Menu – The document drop-down menu has been updated to separate the "Cuban/Haitian Entrant, Document indicating withholding of removal" document option into two separate documents on the portal. The two new options are “Document indicating Cuban/Haitian Entrant” and “Document indicating withholding of removal”.

Immigration Document Information Fields – The document information fields are now all optional fields. Prior to this change request if an individual selected a document from the document drop-down menu, most of the fields for inputting document information were mandatory and could not be bypassed. With this change request, all of the document information fields are now optional. This update allows an individual to attest to having a document and to be provided with a “Reasonable Opportunity Period” (ROP) to provide the document or any necessary document information.

Qualified Non-Citizen Radio Button – The "Are you a Qualified Non-Citizen" radio button has been removed from the Household Member Page. The intent of this data collection was to ensure individuals who attested to being a Qualified Non-Citizen received full scope Medi-Cal benefits. With the implementation of this change request, an individual can attest to being a Qualified Non-Citizen by selecting their specific immigration status. Therefore, there is no need to collect duplicative information with the use of this button.

eHIT Changes

Grant Date – CalHEERS will receive the grant date for Qualified Non-Citizens who are subject to the five year bar through the VLP Hub and pass this information to the Statewide Automated Welfare System (SAWS) through eHIT.

Immigration Status Information – CalHEERS will send SAWS an individual’s immigration status information and corresponding verification information via eHIT. CalHEERS will provide the VLP Response, when available, to SAWS via eHIT.

Immigration Document Information – The eHIT schema is updated to include all of the documents from the portal document drop-down menu. The eHIT schema now includes the documents “Document indicating Cuban/Haitian Entrant” and “Document indicating withholding of removal” instead of the single document of “Cuban/Haitian Entrant, Document indicating withholding of removal.” In addition, the eHIT schema will also

include "Document or Status not Listed." To ensure that immigrants may attest to their immigration status without providing a document at the time of application, the "Document Type" field is optional in the eHIT schema.

Qualified Non-Citizen Indicator – The Qualified Non-Citizen indicator has been removed from eHIT.

Immigration Status Verification Information – The CalHEERS system includes four immigration status verification inputs used to provide information necessary for verification of immigration status: Lawful Presence, Qualified Non-Citizen, Five Year Bar Applies/Five Year Bar Met, and PRUCOL. Instead of passing/failing each of these indicators based on the immigration status verification, the new "immigration category verification" field has been added to eHIT. The "immigration category verification" field is a Yes/No indicator that the eligibility worker will send along with the immigration status and/or document that verifies whether or not an immigration status sufficient for Medi-Cal eligibility has been verified. When SAWS sends a "Y" for the immigration category verification field, with the immigration status, CalHEERS will input the four verification attributes based on the table provided by the Department of Health Care Services (see Table 1).

PRUCOL Last Category – The eHIT schema includes the functionality for counties to pass the last PRUCOL category to CalHEERS. This will be necessary when an immigrant claims the appropriate PRUCOL category on the MC 13 Statement of Citizenship, Alienage, and Immigration Status form as explained below.

Grant Date and Entry Date

In accordance with current Medi-Cal policy, the "INS-ENTRY-DATE" field must be used to provide the Grant Date for Qualified Non-Citizens subject to the five-year bar. For some other Qualified Non-Citizens, that field is used for the individual's Date of Entry into the United States. To more accurately reflect the use of this field for those two different dates, the "INS-ENTRY-DATE" field name will be changed to "ENTRY/GRANT DATE" in MEDS. The change to the name of the "INS-ENTRY-DATE" field will be reflected in the appropriate MEDS screens, in MEDS transactions that include this field, and in the MEDS Manual. There is no change to the policy regarding when to use Grant Date versus Date of Entry in that field.

In accordance with ACWDL 98-55, for Qualified Non-Citizens who are subject to the five year bar, the date in MEDS should be the Grant Date. For Medi-Cal cases that have been administratively verified as Yes (Y) but also are in one of the four immigration statuses subject to the five-year bar on federal funding for full scope Medi-Cal,

CalHEERS will trigger a call to the VLP Hub for the Grant Date. For Medi-Cal cases that have been administratively verified by the county, CalHEERS will store the grant date and use the SAWS administrative verification of immigration for the eligibility determination. Counties must ensure that the Grant Date returned by the VLP hub call is sent to the Date of Entry/Grant Date field in MEDS.

Qualified Non-Citizens who are subject to the five year bar are:

- Lawful Permanent Residents
- Conditional Entrant granted before April 1980
- Paroled into the United States for one year or more
- Battered non-citizen, or parent or child of battered non-citizen

NOTE: Other Qualified Non-Citizens (including, but not limited to refugees and asylees) are exempt from the five year bar, so the Grant Date is not needed. Lawful permanent residents who are veterans, or the spouse or child of a veteran, are also exempt from the five-year bar. In accordance with current policy, Qualified Non-Citizens who are exempt from the five-year bar because they are a veteran (or because they are the spouse or child of a veteran) must have the appropriate code (4, 5, or 6) in the Alien Eligibility Code field in MEDS.

Medi-Cal Coverage for Qualified Non-Citizens

In California, Qualified Non-Citizens receive full scope Medi-Cal benefits regardless of their five-year bar status, if otherwise eligible. Lawfully Present children under the age of 21 and Lawfully Present pregnant women are entitled to receive full scope or pregnancy related Medi-Cal benefits. Children and pregnant women who are “Qualified Non-Citizens” will be mapped using the existing immigration status coding methodology in MEDS. However it is still required to map all Medi-Cal eligible individuals using the Citizen/Alien Indicator Code and the Alien Eligibility Code. All Medi-Cal records for eligible individuals must include information in the Citizen/Alien Indicator Code field and the Alien Eligibility Code field (when necessary) in MEDS.

Medi-Cal Coverage for Lawfully Present Immigrants

The Children’s Health Insurance Program Reauthorization Act of 2009, among its many other provisions, gave states the option to provide Medi-Cal benefits to eligible children (under the age of 21) and pregnant women who are “lawfully residing” in the United States as defined for Medi-Cal eligibility purposes.

The implementation of this SPA allows counties to grant full scope Medi-Cal eligibility (or pregnancy related benefits if appropriate) to “Lawfully Present” immigrants. Restricted scope Medi-Cal shall continue to be granted to otherwise eligible “Lawfully Present” immigrants who are 21 or older and not pregnant. The CalHEERS system has been automated to allow an individual to attest specifically to an immigration status that is defined as Lawfully Present. The statuses that are now implemented on the CalHEERS portal are:

- Pending application for Creation of Record of Lawful Admission for Permanent Residence, with Employment Authorization
- Granted withholding of removal under the Convention against Torture – CAT
- Granted Student Visa (e.g. F or M visa)
- Granted Work Visa (e.g. H-1, J-1, O, R, P visa)
- Granted Visitor Visa (e.g. B visa)²
- Lawful Temporary Resident (special agricultural workers, or certain immigrants admitted into the U.S. before 1982)
- Granted Temporary Protected Status (TPS), or pending applicants for TPS (pending applicants must have Employment Authorization)
- Family Unity Beneficiary
- Granted Deferred Enforced Departure
- Resident of American Samoa
- Citizen of Micronesia, the Marshall Islands, or Palau
- Administrative order staying removal issued by the Department of Homeland Security

² Visitor visa information provided for Medi-Cal applicants and beneficiaries must be verified through the VLP hub for Lawful Presence. If a visa holder is 19 years of age or older and VLP hub verification indicates the individual is not lawfully present, the county must review the record to determine the appropriate level of benefits.

- Pending application for legalization under Immigration Reform and Control Act - IRCA, with Employment Authorization
- Pending application for asylum with Employment Authorization or is under the age of 14 and has had a pending application for asylum for at least 180 days
- Pending application for withholding of removal with Employment Authorization, or is under the age of 14 and has had a pending application for withholding of removal for at least 180 days
- Pending application for legalization under the LIFE Act, with Employment Authorization
- Pending application for suspension of deportation, or cancellation of removal or special rule cancellation of removal, with Employment Authorization
- Pending application for Special Immigrant Juvenile Status

Lawfully Present immigrants are mapped using the Citizen/Alien indicator "2" in MEDS. All Medi-Cal records for eligible individuals must include information in the Citizen/Alien Indicator Code field and the Alien Eligibility Code field (when necessary) in MEDS.

Once a Lawfully Present immigrant is no longer under the age of 21 or pregnant, their eligibility must be re-evaluated, and if applicable, reduced with proper notice from full scope to the benefits they are entitled to.

Short-Term Visa Holders and California Residency

Per ACWDL 98-48, short-term visa holders can meet California residency requirements if a preponderance of the credible evidence supports a claim of California residency. If after reviewing all the available evidence, a county determines that a person with a short-term visa is a resident of California, the basis for that finding must be documented in the case file.

Providing Full Scope Benefits for State Funded Immigrants

The following state-funded PRUCOL immigration statuses from the updated drop-down menu in CalHEERS and eHIT will continue to receive full scope Medi-Cal benefits if they meet all eligibility requirements:

- A non-citizen who has a pending application for adjustment to Lawful Permanent Resident (LPR) status, without Employment Authorization
- Granted Deferred Action for Childhood Arrivals – (DACA)
- Granted Order of Supervision, without Employment Authorization
- An immigrant who entered and has continuously resided in the United States since before January 1, 1972, who would be eligible for an adjustment of status to lawful permanent resident (eligible as a Registry immigrant).
- Granted voluntary departure and awaiting issuance of a visa
- A non-citizen on whose behalf an immediate relative petition (I-130) has been approved and who is entitled to voluntary departure
- Taking steps to apply for a T visa or for certification by the Office of Refugee Resettlement
- Filed for a U visa

Because these statuses are for state funded immigrants, verification of status will not go through the VLP Hub. Counties should continue to verify the immigration status of individuals who claim these statuses. Once the immigration status is verified, the county eligibility worker should administratively verify the immigration status and send a “Y” through eHIT for the individual to receive full scope Medi-Cal. If the county eligibility worker cannot verify the specific immigration status, but the SAWS system has verification that an individual is eligible for full scope Medi-Cal benefits under PRUCOL, the eligibility worker should select the last PRUCOL category to get the individual full scope Medi-Cal.

Administrative Verification of Immigration Status

ACWDL 16-21 provided a table, “Summary of Immigration Statuses Listed in CalHEERS Immigration Status Drop-Down Menu,” that showed which of the immigration statuses included in the immigration status drop-down menu in CalHEERS were Qualified Non-Citizens, Lawfully Present, and PRUCOL with the implementation of CalHEERS CR 32277. The purpose of this chart was for it to be used as a tool by county eligibility workers when it was necessary to administratively verify immigration statuses. With the implementation of CR 69974 there are now 47 immigration statuses

an individual can select from the portal. It is no longer necessary for the county eligibility worker to provide each category with a pass or fail as they were instructed to do in ACWDL 16-21. With the implementation of CR 69974, the four verification inputs of an individual's immigration status: Lawful Presence, Qualified Non-Citizen, Five Year Bar Applies/Five Year Bar Met, and PRUCOL will be mapped by CalHEERS based on the immigration status that is verified.

On the CalHEERS portal if an individual selects "Document or Status Not Listed" for both the immigration status and document, CalHEERS will grant restricted scope Medi-Cal. The same logic will be used when immigration status and document is sent to CalHEERS through eHIT, including a "blank" for immigration status and a "blank" for document. By sending a "blank" for both the immigration status and document, CalHEERS will grant restricted scope eligibility for Medi-Cal and ineligibility for Covered California.

NOTE: Counties should send an applicant the MC 13 when the individual selects "Document or status not listed" from both the immigration document and the immigration status drop-down menus.

Administrative Verification of Documents

If there is no immigration status selected and the individual attests to a document on the portal, CalHEERS will grant conditional eligibility. If there is enough information provided in the optional fields, a VLP hub call will be made. If there is not enough information provided in the optional fields a VLP hub call will not be made and conditional eligibility will be granted and the eligibility worker shall collect the necessary information to verify eligibility.

Reducing Benefits after 90- Day "Reasonable Opportunity Period" (ROP)

Consistent with current policy, an applicant attesting to U.S citizenship/satisfactory immigration status shall be granted full scope Medi-Cal benefits without delay, if otherwise eligible, pending verification of their status. If otherwise eligible, applicants are granted full scope Medi-Cal during the 90-day ROP to give them an opportunity to provide documents (if needed) or to have their citizenship/satisfactory immigration status verified. In the event that an applicant submits documents during the ROP that support a full scope status, full scope Medi-Cal benefits shall continue until and unless there is final determination that the individual does not have satisfactory immigration status. Full scope Medi-Cal that was granted conditionally must be reduced with proper notice if documentation of citizenship/satisfactory immigration status is not provided

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during the 90-day ROP or a final determination is made that the individual does not have satisfactory immigration status. To manually initiate this change in CalHEERS if not already triggered by SAWS, county eligibility workers should change the Manual Verifications of Lawful Presence, Qualified Non-Citizen, Five Year Bar Applies/Five Year Bar Met, and PRUCOL to "Fail."

Verification of the Last PRUCOL Category

The eHIT schema prior to the implementation of CR 69974 did not include the functionality to administratively verify the last PRUCOL category on the MC 13. This category is for immigrants who claim to be "[a]n alien, not in one of the above categories, who can show that: (1) Immigration and Naturalization Service (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."

With the implementation of CR 69974, the eHIT schema now includes "PRUCOL Last Category." It is no longer required for an eligibility worker to administratively fail "Lawful Presence" and pass "PRUCOL" on the administrative verification page in CalHEERS. If an individual provides a signed MC 13 declaring the last category, the eligibility worker should pass the verification of "PRUCOL Last Category" (Yes/No) via eHIT. The verification of "PRUCOL Last Category" can only be sent as a "Y" if there is a signed MC 13. Please note that this new category is specific to individuals who claim that they are: "An alien, not in one of the above 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." The verification of "PRUCOL" is for all other PRUCOL categories and therefore does not need to be administratively passed when administratively verifying "PRUCOL Last Category."

If you have any questions, or if we can provide further information, please contact Amar Singh at (916) 327-6670 or by email at Amar.Singh@dhcs.ca.gov.

ORIGINAL SIGNED BY

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Enclosures

Table 1: Summary of Immigration Statuses Listed in CalHEERS Immigration Status Drop-Down Menu

Immigration Status	Lawfully Present	Qualified Non-Citizen	5-Year Bar Applies	PRUCOL	Citizen/Alien Indicator	Alien Eligibility Code
Lawful Permanent Resident (LPR/Green Card holder)	Yes	Yes	Yes (If not a veteran or spouse or child of a veteran)	No	K	If 4, 5 or 6, the LPR is a veteran or spouse or child of veteran exempt from 5-year bar.
A non-citizen with an approved visa petition, who has a pending application for adjustment to LPR status	Yes	No	No	Yes	2	*
A non-citizen, without a visa petition, who has a pending application for adjustment to LPR Status, with Employment Authorization	Yes	No	No	Yes	2	*
A non-citizen who has a pending application for adjustment to LPR status, without Employment Authorization	No	No	No	Yes	S	*
Refugee	Yes	Yes	No – Exempt	No	R	N/A
Asylee	Yes	Yes	No – Exempt	No	L or Z	N/A
Cuban/Haitian Entrant	Yes	Yes	No – Exempt	No	8	N/A
Amerasian Immigrant	Yes	Yes	No – Exempt	No	E	N/A
Granted withholding of deportation or removal	Yes	Yes	No - Exempt	No	D	N/A
Granted a stay of deportation	Yes	No	No	Yes	2	*
Granted suspension of deportation whose departure USCIS does not contemplate enforcing	Yes	No	No	Yes	2	*
Conditional Entrant granted before April 1980	Yes	Yes	Yes	No	C	N/A
Paroled into the United States for one year or more	Yes	Yes	Yes	No	W	N/A

Immigration Status	Lawfully Present	Qualified Non-Citizen	5-Year Bar Applies	PRUCOL	Citizen/ Alien Indicator	Alien Eligibility Code
Paroled into the United States for less than one year	Yes	No	No	Yes	Y	*
Battered non-citizen, or parent or child of battered non-citizen	Yes	Yes	Yes	No	Varies	9 (indicates battered immigrant/ Qualified Non-Citizen)
Granted Deferred Action (but not under Deferred Action for Childhood Arrivals - DACA)	Yes	No	No	Yes	2	*
Granted Deferred Action for Childhood Arrivals – (DACA)	No	No	No	Yes	S	*
Granted Order of Supervision, with Employment Authorization	Yes	No	No	Yes	2	*
Granted Order of Supervision, without Employment Authorization	No	No	No	Yes	S	*
An immigrant who entered and has continuously resided in the United States since before January 1, 1972, who would be eligible for an adjustment of status to lawful permanent resident (eligible as a Registry immigrant)	No	No	No	Yes	S	*
Registry applicant, with Employment Authorization	Yes	No	No	Yes	2	*
Pending application for Creation of Record of Lawful Admission for Permanent Residence, with Employment Authorization	Yes	No	No	No	2	*
Granted voluntary departure and awaiting issuance of a visa	No	No	No	Yes	S	*
A non-citizen on whose behalf an immediate relative petition (I-130) has been approved and who is entitled to voluntary departure	No	No	No	Yes	S	*

Immigration Status	Lawfully Present	Qualified Non-Citizen	5-Year Bar Applies	PRUCOL	Citizen/ Alien Indicator	Alien Eligibility Code
Granted withholding of removal under the Convention against Torture – CAT	Yes	No	No	No	2	*
Granted a Victim of Trafficking visa (T visa), or spouse, child, sibling, or parent	Yes	No	No	No	O (Treat as Refugee)	N/A
Pending application for a Victim of Trafficking visa (T visa), or spouse, child, sibling, or parent	Yes	No	No	No--TCVAP	2	*
Taking steps to apply for a T visa or for certification by the Office of Refugee Resettlement	No	No	No	No--TCVAP	Varies	W
Granted U visa Granted U non-immigrant visa	Yes	No	No	No--TCVAP	V	Y
Filed for a U visa	No	No	No	No--TCVAP	Varies	X
Granted Student Visa (e.g. F or M visa) Student Visa – Granted a student visa (e.g. F or M visa)	Yes	No	No	No	V	*
Granted Work Visa (e.g. H-1, J-1, O, R, P visa) Work Visa – Granted a work visa (e.g. H-1, J-1, O, R, P visa)	Yes	No	No	No	V	*
Granted Visitor Visa (e.g. B visa) Visitor Visa – Granted a visitor visa (e.g. B visa)	Yes	No	No	No	V	*
Lawful Temporary Resident (special agricultural workers, or certain immigrants admitted into the U.S. before 1982)	Yes	No	No	No	2	*
Granted Temporary Protected Status (TPS), or pending applicants for TPS (pending applicants must have Employment Authorization)	Yes	No	No	No	2	*
Family Unity Beneficiary	Yes	No	No	No	2	*
Granted Deferred Enforced Departure	Yes	No	No	No	2	*
Resident of American Samoa	Yes	No	No	No	2	*
Citizen of Micronesia, the Marshall Islands, or Palau	Yes	No	No	No	2	*

Immigration Status	Lawfully Present	Qualified Non-Citizen	5-Year Bar Applies	PRUCOL	Citizen/ Alien Indicator	Alien Eligibility Code
Citizens of Micronesia, the Marshall Islands, and Palau						
Administrative order staying removal issued by the Department of Homeland Security	Yes	No	No	No	2	*
Pending application for legalization under Immigration Reform and Control Act - IRCA, with Employment Authorization	Yes	No	No	No	2	*
Pending application for asylum with Employment Authorization or is under the age of 14 and has had a pending application for asylum for at least 180 days	Yes	No	No	No	2	*
Pending application for withholding of removal with Employment Authorization, or is under the age of 14 and has had a pending application for withholding of removal for at least 180 days	Yes	No	No	No	2	*
Pending application for legalization under the LIFE Act, with Employment Authorization	Yes	No	No	No	2	*
Pending application for suspension of deportation, or cancellation of removal or special rule cancellation of removal, with Employment Authorization	Yes	No	No	No	2	*
Pending application for Special Immigrant Juvenile Status	Yes	No	No	No	2	*
Document or Status Not Listed	No	No	No	No	U	*

* The Alien Eligibility Code for these immigration statuses can be blank. However, if there is an Alien Eligibility Code of "9" it indicates that the individual is a battered immigrant and therefore a Qualified Non-Citizen who is subject to the five year bar.