



JENNIFER KENT  
*Director*



EDMUND G. BROWN JR.  
*Governor*



WILL LIGHTBOURNE  
DIRECTOR

**July 3, 2018**

ALL COUNTY WELFARE DIRECTORS LETTER NO. 18-14  
ALL COUNTY INFORMATION NOTICE NO. I-38-18

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

**SUBJECT:** MEDI-CAL FOR UNACCOMPANIED REFUGEE MINORS

The purpose of the letter is to provide counties with additional policy guidance on Medi-Cal eligibility rules and business processes for Unaccompanied Refugee Minor (URM) cases. Reference: All County Welfare Directors' Letters (ACWDL) No. 18-02, 16-01, 15-32, 14-41, 14-26, and All County Letter (ACL) No. 16-03.

### **Background**

The Department of Health Care Services (DHCS) provides no share of cost full scope Medi-Cal benefits to youth in the URM Program if otherwise eligible. The URM Program provides culturally and linguistically appropriate child welfare, foster care, and independent living services to minors who do not have parents in the United States (U.S.), or who enter the U.S. unaccompanied by a parent, an immediate adult relative, or an adult having documentable legal evidence of custody of the minor. These youth enter the U.S. several different ways but are designated into the URM Program by the federal Office of Refugee Resettlement (ORR). URM youth do not enter the state's child welfare system because they are usually not removed from the home of a parent or legal guardian due to abuse, neglect, or through a voluntary agreement.

For Medi-Cal eligibility purposes, URM youth are to be treated like foster care children. Unlike state foster care, ORR regulations do not require that a URM youth be placed in the care and custody of the state. ORR regulations require states to ensure legal

responsibility, including legal custody and/or guardianship, is established for each URM youth in accordance with applicable state law (45 C.F.R. § 400.115(a)). Currently, the state has three URM Program service providers who contract with the California Department of Social Services (CDSS):

- Catholic Charities of Santa Clara County (CCSCC)
- Crittenton Services for Children and Families (Crittenton) in Orange County
- International Christian Adoptions (ICA) in Sacramento County

These service providers may place youth who are in the federal URM Program with certified foster parents in neighboring counties.

### **URM Application Process**

Social workers from CCSCC, Crittenton, or ICA submit Medi-Cal applications to the appropriate county social services agency on behalf of children placed with their agency in the URM Program. Typically, Medi-Cal applications that are mailed in will be accompanied by a coversheet that identifies the applying individual as a representative of CCSCC, Crittenton, or ICA. In addition, the application needs to include an approval letter from ORR to confirm that the child is a federal URM Program participant if the child is in any of the following immigration statuses:

- Asylee
- Cuban/Haitian entrant
- Victim of human trafficking (T visa)
- Non-citizen victims of domestic violence and other serious crimes who have been granted a U visa
- Youth who have been granted Special Immigrant Juvenile Status

The ORR does not provide URM youth who are in refugee status with an approval letter. The social worker will provide a verification letter from the CDSS as proof of URM Program eligibility for refugees.

Because URM youth are to be treated like foster care children for Medi-Cal eligibility purposes, the Medi-Cal application must include the following:

- A completed MC 250/MC 250A form
- A copy of the URM Designation letter from ORR or URM Approval letter from CDSS

Other information needed for the case record includes:

- A Social Security Number (SSN)  
[Please note: The County Welfare Department (CWD) must not delay or deny services for otherwise eligible URM youth who fail to furnish their SSN. If an applicant has not been issued a SSN, normal rules for obtaining a SSN apply. The CWD must update the Medi-Cal Eligibility Data System (MEDS) record when SSN information is provided].
- Immigration status information and/or an immigration document  
[Please note: The CWD must not delay or deny services for otherwise eligible URM youth who fail to furnish their immigration status. The CWD must update the MEDS record when immigration status information is provided].

### **Medi-Cal Eligibility and Immigration Status Information**

*All children in California under the age of 19 receive full scope Medi-Cal regardless of immigration status, but verification of immigration status is still required for children with a satisfactory immigration status because State law requires the department maximize federal financial participation to the extent available for this population. (Welfare and Institutions Code § 14007.8)*

The CWD must verify the immigration status of URM youth using the Systematic Alien Verification for Entitlements (SAVE) system in accordance with current Medi-Cal policy unless the Federal Data Services Hub via the California Healthcare Eligibility, Enrollment and Retention System has already verified their status. Immigration status information or an immigration document for the URM youth will be provided along with the URM designee letter when available.

Individuals in the URM Program are eligible for full scope Medi-Cal regardless of immigration status. If immigration status information is not available at the time of application, counties must not delay establishing eligibility during the verification process if the URM youth is otherwise eligible.

Nevertheless, if the immigration status of a URM applicant cannot be verified at the time of application, the CWD must follow up with the service provider. Counties must verify the immigration status of URM youth in accordance with current Medi-Cal policy. If this information is not received, please contact the Refugee Programs Bureau at (916) 654-4356 or at [URM@dss.ca.gov](mailto:URM@dss.ca.gov).

## **County of Responsibility for URM Youth**

For purposes of Medi-Cal eligibility, the county of responsibility for URM youth is the county in which the youth resides. Therefore, the instructions on the back of the MC 250 form (which require the MC 250 to be sent to the county in which the foster care agency is located) does not apply to URM cases.

## **Foster Care Maintenance Payments**

Youth in the URM Program do not receive assistance payments (such as a Foster Care Maintenance Payments) through the counties. The only benefits URM youth will access through the county is Medi-Cal under aid codes 45 or 4M. All other services and benefits are provided through the URM service providers CCSCC, Crittenton, or ICA. These URM services are funded by ORR through CDSS administered contracts with the three URM Program service providers.

## **Extended Foster Care for URM Youth**

URM youth are eligible for the URM version of extended foster care if they are between the ages of 18 and 21 and meet all eligibility requirements. URM youth who meet extended foster care eligibility requirements should be placed into aid code 45 for Medi-Cal purposes.

## **Former Foster Youth Program for URM Youth**

URM youth who meet Former Foster Youth (FFY) Program eligibility requirements are eligible to continue receiving full scope Medi-Cal under the FFY Program. When the CWD learns that a FFY eligible URM youth has exited their URM placement (at age 18 or older), the CWD shall seamlessly transition the youth into the Medi-Cal program for FFY and assign the 4M aid code *even if the youth's whereabouts are unknown*. When URM youth age out of the FFY Program at age 26, follow the FFY age out process as set forth in ACWDLs 14-41, 14-41E, and 15-32.

## **Annual Redetermination**

Counties must follow Medi-Cal Foster Care and FFY annual redetermination rules for the URM population. At annual redetermination, the CWD must contact the URM service provider on record for individuals who are not in the FFY Program.

This includes:

- URM Program certified youth who are under 18 years of age and receiving Medi-Cal benefits under aid code 45.
- URM youth 18 to under 21 years of age that have elected to participate in extended foster care placement as designated by the service provider on record CCSCC, Crittenton, or ICA.

The service provider CCSCC, Crittenton, or ICA must verify URM Program eligibility status prior to completing an annual redetermination.

When the CWD is notified of a change in circumstances resulting in a youth exiting URM foster care placement between 18 and 21 years of age, or when the URM youth turns 21 years of age, the CWD will then utilize the MC 250A form and transition the youth into aid code 4M.

Upon transition into aid code 4M, the CWD will send out the Notice of Action (NOA) MC 239 FFY-4 form informing the beneficiary of continuing Medi-Cal coverage. This NOA will also be utilized to inform youth exiting foster care at age 18 or older that they have been automatically moved into the FFY Program.

Once the URM youth is transitioned into aid code 4M, the CWD will send out the NOA MC 239 FFY-3 form at annual redetermination advising them of their continued enrollment in the FFY Program (aid code 4M). Even if the notice is returned to the county due to loss of contact, the youth must be left in 4M until age 26. When there is a loss of contact with a FFY beneficiary, the CWD must move the youth into fee-for-service Medi-Cal if they are in a managed care plan. Because there is no MEDS transaction for county eligibility workers to move a beneficiary from managed care to fee-for-service Medi-Cal, eligibility workers must submit these requests to the Medi-Cal Managed Care Division Office of the Ombudsman through the following link:

<http://www.dhcs.ca.gov/services/medi-cal/Pages/MMCDOOfficeoftheOmbudsman.aspx>

Eligibility for aid codes 45 or 4M provided to URM youth should not be terminated prior to age 26 unless the CWD has **verified** that the individual is deceased or not a California resident.

If a URM youth is a Medi-Cal beneficiary on the date he or she becomes an inmate of a public institution, Medi-Cal benefits are suspended not terminated.  
(Welfare and Institutions Code § 14011.10)

## **URM Beneficiaries and Managed Care**

The Medi-Cal provided to URM youth is fee-for-service Medi-Cal or optional managed care. This means that URM youth in non-County Organized Health System counties, are in fee-for-service Medi-Cal unless they opt into a managed care plan. URM beneficiaries receiving fee-for-service Medi-Cal will not receive a Health Care Options (HCO) packet unless one is requested. If the individual chooses to opt into a managed care plan, he or she will need to select a health care provider. To join a managed care plan, or to get more information about a managed care plan, counties should direct beneficiaries or the service providers to contact HCO between the hours of 8:00 AM and 5:00 PM, Monday through Friday at the following toll free number: 1-800-430-4263.

## **Inter-County Transfers**

Counties must follow Medi-Cal Inter-County Transfer (ICT) rules, as set forth in ACWDL 18-02, for URM beneficiaries. Do not use the foster care ICT process for the URM population. Medi-Cal eligible URM youth or their service provider (CCSCC, Crittenton, or ICA) must promptly notify the CWD of any change in circumstances including, but not limited to, a change in county of residence. Upon notification of a change in county of residence, the CWD receiving this information shall initiate an ICT in accordance with ACWDL 18-02. The original county of residence must update MEDS to reflect necessary changes in the CURRENT RESIDENCE ADDRESS and RES-COUNTY data fields.

The URM service provider must not be required to submit a new application for Medi-Cal in the new county of residence for a URM beneficiary who is already on Medi-Cal. The case will remain active in the sending county until the receiving county has taken over the record. Counties must work together to ensure there is no break in coverage or benefits during the transition from one county to another.

If you have any questions regarding the URM Program, or related clarification provided in this letter, please direct your inquiry to Camille Ancona, Manager, Funding, and Data Unit, by phone at (916) 653-7785, or by e-mail at [Camille.Ancona@dss.ca.gov](mailto:Camille.Ancona@dss.ca.gov). For questions related to Medi-Cal eligibility for URM youth, please direct your inquiry to Buck Harris, Policy Operations Branch, by phone at (916) 345-8162 or by e-mail at [Buck.Harris@dhcs.ca.gov](mailto:Buck.Harris@dhcs.ca.gov).

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Sincerely,

***Original Document Signed By***

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MARCELA RUIZ, Chief  
Immigration and Refugee Programs Branch  
Department of Social Services

Sincerely,

***Original Document Signed By***

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SANDRA WILLIAMS, Chief  
Medi-Cal Eligibility Division  
Department of Health Care Services