



TOBY DOUGLAS  
DIRECTOR

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



EDMUND G. BROWN JR.  
GOVERNOR

August 14, 2013

Gloria Nagle, PhD, MPA  
Associate Regional Administrator  
Centers for Medicare and Medicaid Services  
Division of Medicaid and Children's Health  
90 Seventh Street, Suite 5-300 (5W)  
San Francisco, CA 94103-6707

Dear Ms. Nagle:

The Department of Health Care Services (DHCS) requests to withdraw its State Plan Amendment (SPA) 13-016 submitted on June 20, 2013. SPA 13-016 updates the definition of "lawfully residing" for purposes of providing full Medicaid coverage to lawfully residing pregnant women and children provided in SPA 09-014. SPA 09-014, provided approval for the option authorized by the Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA) to provide full scope Medi-Cal to pregnant women and children, who are qualified aliens subject to the five-year bar or are lawfully residing in the United States (US) as defined in the SPA.

DHCS would like to withdraw SPA 13-016 because the Modified Adjusted Gross Income (MAGI) SPA template S89, entitled 'Non-Financial Eligibility – Citizenship and Non-Citizen Eligibility', will implement this same change. SPA template S89 is a required Affordable Care Act (ACA) SPA, therefore CMS staff suggested that DHCS withdraw SPA 13-016 and implement the desired change to the CHIPRA 214 definition through S89, DHCS concurs with that recommendation.

DHCS would like to thank CMS and Central Office staff for the technical assistance provided during their review of this SPA. Please contact Ms. Tara Naisbitt, Chief, Medi-Cal Eligibility Division, at (916) 552-9450 or by email at [tara.naisbitt@dhcs.ca.gov](mailto:tara.naisbitt@dhcs.ca.gov) if you have any questions regarding this request.

Sincerely,

**Original Document Signed by:**

Toby Douglas  
Director