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Medi-Cal Eligibility Division Information Letter No.: I 22-30

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

SUBJECT: Refugee Medical Assistance and Medi-Cal Eligibility for New Ukrainian Arrivals (Reference: Medi-Cal Eligibility Division Information Letter No.: I [22-16](#); All County Welfare Directors Letter [19-13](#))

The purpose of this Medi-Cal Eligibility Division Information Letter (MEDIL) is to provide updated information regarding the Medi-Cal eligibility requirements for displaced Ukrainian populations arriving in the United States (U.S.).

Background

As a result of Russia's invasion of Ukraine, there is a significant influx of Ukrainian arrivals who will need Medi-Cal or Refugee Medical Assistance (RMA) coverage. Previous guidance issued in MEDIL I 22-16 informed counties that these individuals and future arrivals will have a variety of immigration statuses. Additionally, MEDIL I 22-16 clarified that some individuals who enter as humanitarian parolees may claim PRUCOL as the basis of full scope Medi-Cal eligibility.

Since the release of MEDIL I 22-16, The Additional Ukraine Supplemental Appropriations Act, 2022 (H.R. 7691, P.L. 117-128), became law. The Office of Refugee Resettlement (ORR) provided additional guidance on the eligibility of Ukrainian arrivals for RMA and Medicaid based on the new law, which provides that New Ukrainian Arrivals paroled into the U.S. are eligible for full scope Medi-Cal or RMA and other benefits to the same extent as refugees if they meet the requirements explained below.

RMA and Medi-Cal Eligibility

The new federal law provides that:

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- Otherwise eligible Ukrainian citizens and nationals (and some other Ukrainian residents) paroled into the U.S. between February 24, 2022, and September 30, 2023, are eligible for full scope Medi-Cal or RMA to the same extent as refugees.
- Otherwise eligible spouses and children of Ukrainian citizens, nationals and residents paroled into the U.S. between February 24, 2022, and September 30, 2023, are eligible for full scope Medi-Cal or RMA to the same extent as refugees if the spouses or children are paroled in to the U.S. after September 30, 2023.
- If a Ukrainian citizen, national or resident is paroled into the U.S. between February 24, 2022, and September 30, 2023, as an unaccompanied child, their parents or legal guardian are also eligible for full scope Medi-Cal to the same extent as refugees (if otherwise eligible) if the parents or legal guardian are paroled into the U.S. after September 30, 2023.
- Otherwise eligible individuals paroled into the U.S. as described above are eligible for full scope Medi-Cal to the same extent as refugees until their parole ends. Ukrainian arrivals eligible for RMA benefits under the new law are eligible to the same extent as refugees.

Other Considerations

- **Beginning Date of Aid for RMA**--For those who are RMA eligible under the new law, and who are paroled between February 24, 2022 and May 21, 2022, the period of RMA eligibility begins on May 21, 2022. For those paroled after May 21, 2022, their RMA eligibility period begins on their date of humanitarian parole.
- **Retroactive Coverage**--For those who are Medi-Cal eligible under the new law, the three-month retroactive eligibility period for full scope Medi-Cal cannot begin earlier than February, 2022. This means that Ukrainian parolees who were paroled into the United States in February, March or April 2022 are not eligible for retroactive full scope Medi-Cal prior to February, 2022 unless they qualify for full scope coverage under a state-only funded program in those months.
- **No Negative Actions**--Per Medi-Cal Eligibility Division Information Letters (MEDILs) I 20-07, I 20-08, I 20-18, I 20-25, I 20-26 and ACWDL 21-16, counties must delay processing of Medi-Cal annual renewals, and defer discontinuances and other negative actions based on the declared State and National Emergency due to the COVID-19 public health emergency (PHE). The county shall continue to process determinations or redeterminations for those individuals who would

gain access to health care coverage and resolve barriers related to access to care.

- **Other Requirements**--All other RMA and Medi-Cal program eligibility requirements remain unchanged and in effect. This includes the requirement that an individual must be ineligible for Medi-Cal and Children's Health Insurance Program coverage, and meet all RMA requirements to be eligible for RMA benefits.

Immigration Documentation for Ukrainian Arrivals Classified as Humanitarian Parolees

Ukrainian citizens or nationals arriving in the U.S. as humanitarian parolees will typically have one of the following immigration documents:

- Foreign passport with DHS/CBP admission stamp indicating "PAROLED" and noting:
 - Uniting for Ukraine or "U4U" or
 - Ukrainian Humanitarian Parolee or "UHP" or
 - "PAR" or
 - DT
- Form I-765 Employment Authorization Document (EAD) receipt notice with code C11
- Form I-766 Employment Authorization Document (EAD) with code C11
- Form I-94 noting humanitarian parole (per INA section 212(d)(5) or 8 U.S.C. 1182(d)(5)) and a U4U, UHP, PAR or DT Code of Admission.

The passport or I-94 will include a parole stamp with the date of admission, and the date parole ends. **Ukrainian Humanitarian Parolees and other non-Ukrainian individuals displaced from Ukraine are eligible for ORR benefits and services until the end of the individual's parole term, unless the individual gains another ORR-eligible category or status.**

If a Ukrainian Humanitarian Parolee or other non-Ukrainian individual displaced from Ukraine applies for and obtains Temporary Protected Status (TPS), the individual will remain eligible for ORR benefits and services until the end of the individual's parole term, due to their underlying receipt of humanitarian parole per INA 212(d)(5). **An**

individual with only TPS and no underlying parole is not eligible for ORR benefits and services.

Code of Admission Codes for Ukrainian Humanitarian Parolees

Counties will generally receive Code of Admission (COA) codes as part of the SAVE response when status is verified by the SAVE system. New Ukrainian arrival applicants and beneficiaries will typically have one of the following COA codes:

- Uniting for Ukraine (“U4U”) or
- Ukrainian Humanitarian Parolee (“UHP”) or
- Parole Under Uniting for Ukraine (“PAR”) or
- DT

A COA code of U4U or UHP sent in the SAVE verification response indicating Humanitarian Parole status is sufficient to verify immigration status for paroled Ukrainian applicants and beneficiaries.

SAVE Verification

Regardless of the documentation presented to the eligibility worker, CWDs are required to comply with all program verification requirements, including SAVE verification of immigration status. In cases involving unusual situations requiring additional verification, the CWDs may submit inquiries for these cases to SAVE.Help@uscis.dhs.gov. But counties must grant full scope Medi-Cal coverage to otherwise eligible immigrants during the SAVE verification process in accordance with current policy.

Social Security Number Requirement for New Ukrainian Arrivals

As a reminder, full scope Medi-Cal or RMA must be approved for Ukraine new arrivals, and others, prior to providing their Social Security Number (SSN) if they are otherwise eligible. Title 22, California Code of Regulations, Section 50168, allows for an applicant to be approved for Medi-Cal, if all other requirements are met, even if the SSN has not been provided. Individuals are given 60-days from the date of application to provide their SSN or proof that they have applied for their SSN. They may have eligibility approved prior to the 60-day deadline even if they have not provided the SSN or proof of application yet, as long as they meet all other requirements.

Counties should assist applicants or beneficiaries as necessary to comply with a request to gather information in the application process, including beneficiaries that still

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need to meet the SSN requirement. If a beneficiary informs the county that an application has been made to comply with the requirement, and the delay is a result of the entity making the decision, the beneficiary shall not be discontinued pending the outcome of the decision. Counties may determine their own best practices for following up with the individual after a reasonable amount of time to determine if the individual has received the approval or denial or is not responding to the county (See ACWDL 19-13).

In the coming months, if you encounter documentation for Ukrainian arrivals that requires clarification, please contact the Medi-Cal Eligibility Division Immigration Unit staff at: MCEDImmigrationUnit@dhcs.ca.gov.

If you have any questions about this letter, or if we can provide further information, please contact Buck Harris by phone at (916) 345-8162 or by email at Buck.Harris@dhcs.ca.gov.

Original Signed By

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