

DATE: December 6, 2023

Medi-Cal Eligibility Division Information

Letter No.: I 23-59

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

SUBJECT: NEW CITIZEN/ALIEN INDICATOR CODE “3” FOR THE DEFERRED
ACTION FOR CHILDHOOD ARRIVALS (DACA) POPULATION

The purpose of this Medi-Cal Eligibility Division Information Letter (MEDIL) is to inform the counties about a new Citizen/Alien Indicator code value of “3” and to provide preliminary guidance on using the new code. Effective December 1, 2023, the Department of Health Care Services (DHCS) added a new Citizen/Alien Indicator code value of “3” to the Medi-Cal Eligibility Data System (MEDS) to identify Medi-Cal applicants and members with Deferred Action for Childhood Arrivals (DACA) status.

Background

Historically, federal health care programs such as Medicaid, the Children's Health Insurance Program, and insurance and subsidies provided through a health coverage exchange such as Covered California excluded individuals with DACA status from the “lawfully present” definition. Lawfully present immigrants who meet all eligibility requirements are eligible for:

- Federally funded full scope Medi-Cal if they are:
 - Under 21 years of age or pregnant; or
 - A Qualified Immigrant who has met or is not subject to the 5-year bar.
- Covered California if they are ineligible for Medi-Cal but meet Covered California requirements.

Excluding immigrants with DACA status from the “lawfully present” definition prevents them from establishing eligibility for federally funded full scope Medi-Cal, Covered California, and potentially other programs.

On April 26, 2023, the Biden Administration, published a [proposed final rule](#) which, if approved, would expand coverage to individuals with DACA status by including them in the definition of lawfully present. Based on this proposal, DHCS developed a Citizen/Alien Indicator to assist Medi-Cal programs with identifying DACA immigrants from other lawfully present immigrants. However, a recent federal district court ruling expanded an injunction against administering the DACA program to the final rule.

Therefore, the implementation of the updated definition of lawfully present is on hold pending further judicial review.

Citizen/Alien Indicator Code “3”

Currently, otherwise eligible DACA Medi-Cal applicants and members are granted full scope Medi-Cal benefits in the “deferred action status” Permanently Residing in the United States Under Color of Law (PRUCOL) category. These immigrants are assigned the Citizen/Alien Indicator code “S” in MEDS. The “S” Citizen/Alien Indicator code does not identify individuals according to their specific status. To specifically identify immigrants with a DACA status, a new Citizen/Alien Indicator code “3” is required. With the implementation of the Citizen/Alien Indicator Code “3”, DHCS requests counties to use this Citizen/Alien Indicator code in MEDS to do the following:

- Beginning December 1, 2023, counties must ensure applicable case records with Citizen/Alien Indicator code “S” are updated with Citizen/Alien Indicator code “3” for persons with DACA status when those records come to their attention.
- New Medi-Cal applicants or members who claim DACA status on or after December 1, 2023, must be coded with a “3” in the MEDS Citizen/Alien Indicator code field.

Until further notice, otherwise eligible DACA immigrants with a Citizen/Alien indicator code of “S” or “3” will continue to receive state funded Medi-Cal under PRUCOL. Therefore, counties must **not** run Systematic Alien Verification for Entitlements (SAVE) verification for DACA immigrants at this time. The department will share additional guidance if this proposed rule is approved.

If you have any questions, or if we can provide further information, please contact Kavita Gaunder, by phone at (916) 345-7107 or by email at Kavita.Gaunder@dhcs.ca.gov.

Sincerely,

Yingjia Huang
Assistant Deputy Director
Health Care and Benefits
Department of Health Care Services