



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



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TO: ALL COUNTY WELFARE DIRECTORS Letter No.: 08-43
ALL COUNTY ADMINISTRATIVE OFFICERS
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS
ALL COUNTY MENTAL HEALTH DIRECTORS
ALL COUNTY HEALTH EXECUTIVES

SUBJECT: EIGHT-MONTH PERIOD OF ELIGIBILITY AND REVIEW OF
DETERMINATION OF MEDI-CAL ELIGIBILITY FOR REFUGEE
MEDICAL ASSISTANCE/ENTRANT MEDICAL ASSISTANCE
BENEFICIARIES
(Reference(s): Medi-Cal Eligibility Procedures Manual, Article 24,
Refugee Medical Assistance Program, Title 45, Code of Federal
Regulations, Part 400.100, Subpart G, Refugee Medical Assistance

Overview

The purpose of this letter is to:

- Clarify that the Refugee Medical Assistance/Entrant Medical Assistance (RMA/EMA) program is a special program that provides full-scope medical assistance through the Medi-Cal program but is not a Medi-Cal program.
- Clarify that the RMA/EMA program grants medical assistance for a period of eight months and that eligibility must be terminated at the end of the eight-month eligibility period.
- Clarify that asylees, Cuban/Haitian entrants, citizen children of refugees, and Amerasians, are also potentially eligible for RMA/EMA benefits.

- Clarify that victims of severe forms of trafficking and certain family members are also potentially eligible for RMA/EMA benefits.
- Clarify how Date of Entry is determined for refugees, asylees, citizen children of refugees, victims of severe forms of trafficking, and certain family members.
- Describe the requirements for determining Medi-Cal eligibility for RMA/EMA beneficiaries before expiration of the eight-month period of RMA/EMA eligibility.
- Describe Medi-Cal Eligibility Data System (MEDS) changes that will assist counties in identifying RMA/EMA cases that must be evaluated for ongoing Medi-Cal eligibility and to discontinue RMA/EMA benefits at the end of the eight-month eligibility period.
- Provide counties with Notices of Action for Approval (DHCS 7111) and Discontinuance (DHCS 7110) of RMA/EMA (Enclosed).

Eligibility for RMA/EMA Program

All refugees are to be determined ineligible for CalWORKs, Medi-Cal, and the Healthy Families Programs before they can be eligible for RMA/EMA. RMA/EMA is a 100 percent federally funded program for refugees. The RMA/EMA program provides these refugees with full-scope medical assistance, but it is not a Medi-Cal program. The RMA/EMA program has its own eligibility requirements as set out in Title 45, Code of Federal Regulations, Part 400, and as set out in Article 24 of the Medi-Cal Eligibility Procedures Manual.

Beginning Date of RMA/EMA Eligibility Period and Documentation

Refugees, asylees, Cuban/Haitian entrants, Amerasians, citizen children of refugees, and victims of severe forms of trafficking and certain family members are entitled to an eight-month period of eligibility for RMA/EMA beginning with the "Date of Entry" into the United States. The eight-month period begins with the month of Date of Entry even if their Date of Entry was on the last day of the month because Medi-Cal uses whole month eligibility when making benefit determinations. The Date of Entry is equivalent to the month of entry.

However, there are different requirements for determining the Date of Entry for refugees, asylees, Cuban/Haitian entrants, Amerasians, citizen children of refugees, victims of severe forms of trafficking, and certain family members.

- For refugees, Cuban-Haitian entrants, and Amerasians use the Date of Entry indicated on their immigration documents as the first month of eligibility.
- For asylees, use the month that they were granted asylum as the Date of Entry.
- For a citizen child of a refugee use the Date of Entry of the parent, or if two parents, the Date of Entry of the parent who arrived last.
- For victims of severe forms of trafficking and certain family members use the date of the Certification Letter or the date of the T visa.

Counties must accept the documents shown below as evidence of the status of the individual and must verify status using the SAVE system in accordance with current Medi-Cal policies and procedures.

- **Refugees (Not Indochinese):**

To determine the first month of RMA/EMA for refugees, use the entry date shown on the following documents:

- I-94 under INA Sec. 212(d)(5) with notation Refugee
- I-766 with code A04
- I-688B under INA Sec. 274a.12(a)(4)
- I-94 under INA Sec. 207 with code RE-1, RE-2, RE-3, RE-4, RE-5
- I-766 with code A03
- I-688B – under INA 274a.12(a)(3)
- INS Form I-571

- **Indochinese Refugees**

- I-94 under INA Sec. 212(d)(5) with notation Refugee
- I-94 under INA Sec. 207
- I-551 with code IC6/ IC7

- **Cuban/Haitian Entrants**

To determine the first month of RMA/EMA eligibility for Cuban/Haitian Entrants, use the entry date shown on the following documents:

- I-94 with stamp showing Cuban/Haitian Entrant under INA Sec. 212(d)(5)
- I-551 with code CH6

- Cuban/Haitian Passport with INA Sec. 212(d)(5) with stamp date after 10/10/80
- I-766 with code C11
- Zi-766 with code A04
- I-688B under INA Sec. 274a.12(a)(4)
- I-688B under INA Sec. 274a.12(c)(11)
- INS Form I-221
- INS Form I-862
- INS Form I-220A
- INS Form I-122
- INS Form I-221S
- INS Form I-589 stamped by EOIR
- EOIR-26
- I-766 with code C10
- I-688B under INA Sec. 274a.12(c)(10)
- Notice of Hearing date before Immigration Judge
- I-766 with code C08
- I-688B under INA Sec. 274a.12(c)(8)

- **Amerasians**

To determine the first month of RMA/EMA eligibility for Amerasians, use the entry date shown on the following documents:

- I-94 with code AM-1, AM-2, or AM-3
- I-551 with code AM-6, AM-7, or AM-8
- Vietnamese Exit Visa with code AM-1, AM-2, or AM-3
- Vietnamese Passport with code AM-1, AM-2, or AM-3
- United States Passport with code AM-1, AM-2, or AM-3
- Form I-551 with code RE6, RE7, RE8, RE9, AS6, AS7, AS8, CH6, HA6, HB6, GA6, GA7, or GA8
- Foreign Passport with temporary I-551 Stamp with code RE6, RE7, RE8, RE9, AS6, AS7, or AS8

- **Victims of Severe Forms of Trafficking**

To determine the first month of RMA/EMA eligibility for victims of severe forms of trafficking, use the date on the Office of Refugee Resettlement Certification Letter.

Immediate Family Members of Victims of Trafficking

If the victim of severe forms of trafficking is under 21 years of age, the spouse, children, unmarried siblings under 18 years of age on the date of application and parents may receive a T Visa. If the Victim is over 21 years of age, the T Visas are available to the Victim's spouse and children.

To determine the first month of RMA/EMA eligibility for immediate family members of victims of severe forms of trafficking, use the date on the Derivative T Visas with code T-2, T-3, T-4, or T-5; the Date on the Passport or I-94, or, if present in the U.S., the Notice Date on the I-797-Notice of Action of Approval of the Visa.

- **Asylees**

To determine the first month of RMA/EMA eligibility for asylees, use the date asylum was granted. Also use the date asylum is granted as the date of entry in MEDS. Counties must ensure that MEDS includes the proper date of entry for asylees so that the eight-month RMA eligibility period is tracked correctly in MEDS. This date is shown in the following documents:

- I-94 under INA Sec. 208
- I-94 with code AS-1, AS-2, AS-3
- INS Form I-571
- I-766 with code A05
- I-688B INA Sec. 274a.12(a)(5)
- Order of Immigration Judge Granting Asylum under INA Sec. 208
- Asylum Approval Letter from INS Asylum Office
- Written Decision from Board of Immigration Appeals
- I-551 with codes AS6, AS7, AS8

- **Kurdish/Iraqi Asylees**

To determine the first month of RMA/EMA eligibility for Kurdish/Iraqi asylees, use the date asylum was granted as shown on the following documents:

- I-94 under INA Sec. 208 or 108(a)
- I-94 or I-551 with codes AS6, AS7, AS8
- Medical Document (Form 157)
- EAD Card with QF1-Asylum Granted
- QT-II and QT-III – Paroled in the Public Interest (274a.12.(a)(5) or 274.(c)(11)

Approval of RMA/EMA Eligibility

Once approval of RMA/EMA eligibility has been determined, send the enclosed Notice of Action (NOA Approval of Benefits under RMA/EMA DHCS 7111). The NOA informs the refugee that this is an eight-month program.

Refugees who claim a disability

If a refugee claims to be disabled as part of their RMA/EMA application, counties must submit the disability evaluation information for review as soon as possible even if the refugee is RMA eligible. This will ensure that whenever possible, the disability evaluation will be completed during the eight-month RMA eligibility period. If disability is established during the eight-month RMA eligibility period and the refugee is otherwise eligible for Medi-Cal they should be placed in the appropriate Medi-Cal program immediately.

Terminating RMA/EMA Eligibility

The RMA/EMA program is administered at the federal level by the Office of Refugee Resettlement (ORR). Title 45, CFR, Part 400.211 provides special refugee funding for an eight-month period for all individuals who are admitted into the United States in one of the categories described above. Federal and state regulations require RMA/EMA benefits to stop at the end of a refugee's eight-month time eligibility period. (Title 22, CCR, Sec. 50257.) Under no circumstances are counties to continue RMA/EMA eligibility beyond the eight-month federal time limit. Therefore, counties must terminate these benefits at the end of the eight-month eligibility period.

Evaluating Ongoing Medi-Cal Eligibility

To ensure uninterrupted medical coverage for refugees who are Medi-Cal eligible at the end of the RMA/EMA eligibility period, counties must complete a determination of Medi-Cal eligibility before RMA/EMA eligibility ends whenever possible.

Counties will need to send the enclosed notice of action (DHCS 7110) and a Medi-Cal application to RMA/EMA beneficiaries no later than 60 days before the end of the eight-month RMA/EMA eligibility period. The notice will:

- Enable the county to inform the refugee that his/her RMA/EMA eligibility will end.
- Request completion of a Medi-Cal application to determine Medi-Cal eligibility.

- Ask the RMA/EMA beneficiary to inform the county of any changes that could affect the determination of eligibility for Medi-Cal benefits (such as changes in income, property, medical condition, disability status, or household situation).

Please note that the determination of the refugee's Medi-Cal eligibility must be completed before the end of the eight-month RMA/EMA eligibility period so as to prevent a break in medical coverage whenever possible for eligible refugees. Counties are required to send a separate NOA regarding the outcome of the Medi-Cal eligibility determination.

- The review for Medi-Cal eligibility is intended to avoid unnecessary breaks in aid for RMA/EMA eligible individuals who meet the Medi-Cal eligibility requirements when their RMA/EMA benefits end.
- Counties should carefully review the RMA file for information that is required for Medi-Cal eligibility. RMA beneficiaries are not required to re-submit information they have already provided if that information conforms to Medi-Cal eligibility rules.
- If the county determines that a refugee receiving RMA/EMA is not eligible for on-going Medi-Cal, that determination does not affect RMA/EMA eligibility during the eight-month eligibility period unless the refugee no longer meets the RMA eligibility requirements.

Translation into Threshold Languages

The Department is in the process of having the Notices of Action (NOA) associated with this letter translated into the threshold languages. Once the translations are complete, the Department will inform the counties in a separate letter.

Upcoming System Changes

To assist counties in identifying RMA/EMA cases that must be evaluated for Medi-Cal eligibility and terminated from RMA/EMA, counties will receive an alert 90 days before a refugee's eight-month RMA/EMA eligibility period ends. The Department of Health Care Services (DHCS) will also implement MEDS changes to automatically discontinue eligibility in MEDS at the end of an RMA beneficiary's eight-month eligibility period. The timing for implementing these changes is explained below.

For refugees who are RMA/EMA eligible and in the sixth or later month of their RMA eight-month eligibility period, counties will receive an alert at MEDS Renewal in November 2008. In these cases, counties are required to send the DHCS 7110 NOA and an application as soon as possible, but no later than ten days before the RMA/EMA termination date at the end of the eight-month eligibility period. For beneficiaries who have been on RMA/EMA for eight months or longer, counties must send the DHCS 7110 NOA as soon as possible along with a Medi-Cal application.

MEDS will terminate RMA/EMA benefits as part of the monthly MEDS renewal process. In order to give adequate time for counties to send an application and notify affected beneficiaries, MEDS functionality that terminates RMA eligibility at the end of the eight-month eligibility period will be effective no sooner than MEDS Renewal in January 2009.

Implementation Timeline Summary

- **November 2008 at MEDS Renewal** -- Counties receive alerts for beneficiaries who are currently RMA/EMA eligible and are beginning the sixth or later month of their RMA eight-month eligibility period. Counties must send Medi-Cal applications and DHCS 7110 NOA to all of these beneficiaries.
- **December 2008 and Ongoing at MEDS Renewal** -- Counties will receive alerts for all beneficiaries who are currently RMA/EMA eligible and are beginning the sixth month of their RMA eight-month eligibility period. Counties must send Medi-Cal applications at least 60 days prior to the end of the eight month RMA eligibility period and proper notice is required.
- **January 2009 and Ongoing at MEDS Renewal** -- System generated terminations occur for all RMA/EMA eligible beneficiaries on MEDS whose RMA eight-month eligibility period has ended. For these cases, the first set of eligibility terminations will occur at the end of January 2009.

NOTE: All Refugee Medical Assistance/Entrant Medical Assistance/Refugee Cash Assistance aid codes (01, 02, 08, 0A) will be included in this MEDS programming and benefits will be terminated at the end of the eight-month eligibility period in accordance with the schedule described above. The Department of Social Services will address this programming as it relates to Refugee Cash Assistance in a separate All County Letter issued by that department.

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Counties must immediately ensure compliance with the requirements of this letter and with all current RMA/EMA policy instructions issued by DHCS. Final notification of the implementation of these system changes will be provided via an upcoming MEDS Change Cycle Letter.

If you have any questions, please contact Mr. Jeffery Baca at (916) 552-9513.

ORIGINAL SIGNED BY

Vivian Auble, Chief
Medi-Cal Eligibility Division

Attachments

**MEDI-CAL
NOTICE OF ACTION****DISCONTINUANCE FOR
REFUGEE MEDICAL ASSISTANCE/
ENTRANT MEDICAL ASSISTANCE
(RMA/EMA)**

(County Stamp)

Notice date: _____

Case number: _____

Worker name/number: _____

Worker telephone number: _____

This affects _____

Your eligibility for RMA/EMA is limited to eight months.

As of _____ your eligibility for RMA/EMA will stop because:

☐ **You are at the end of your eight-month eligibility period for RMA/EMA.**

☐ **You have received more than the appropriate number of months of RMA/EMA.**

Your eight-month eligibility period for RMA/EMA began with your date of entry into the United States, the date asylum was granted, or the date of your Certification Letter depending on your refugee status.

We are sending you a Medi-Cal application. You must fill it out and return it to us if you want Medi-Cal. Please return the completed application to the address on this notice if you want us to see if you can receive Medi-Cal. When we receive your application, we will review it to see if you are eligible for Medi-Cal. If you return the enclosed application, you will receive another notice to tell you whether you are eligible for Medi-Cal.

IMPORTANT: If there are any changes that could affect your eligibility such as changes in your income, property, medical condition, disability status, or household situation, please report them to the County Eligibility Worker listed above.

Do not throw away your plastic Benefits Identification Card (BIC). You can use it again if you become eligible for Medi-Cal.

The regulation which requires this action is Title 22, California Code of Regulations, Section 50257.

**MEDI-CAL
NOTICE OF ACTION****APPROVAL FOR BENEFITS UNDER THE
REFUGEE MEDICAL ASSISTANCE/
ENTRANT MEDICAL ASSISTANCE
(RMA/EMA)**

(County Stamp)

Notice date: _____

Case number: _____

Worker name/number: _____

Worker telephone number: _____

This affects _____

We have reviewed all information available to us about your circumstances, and after evaluating you for all Medi-Cal programs and RMA we find that you are eligible for the RMA Program. You may receive RMA benefits for up to eight months beginning on the date that you were admitted into the United States as a Special Immigrant. You are entitled to receive medical services as follows:

☐ You are eligible for the program at no cost beginning the first day of _____.

☐ Your income exceeds the 200% Federal Poverty Level limit. Therefore, you are eligible for this program with a monthly share of cost of \$_____.

Income used to determine share of cost:**Net non-exempt income** \$_____**Less 200% Poverty Level** \$_____**Share of Cost** \$_____

IMPORTANT: If there are any changes that could affect your eligibility such as changes in your income, property, medical condition, disability status, or household situation, please report them to the County Eligibility Worker listed above.

You will get a plastic Benefits Identification Card (BIC) in the mail soon. Always present your BIC to your medical provider whenever you need care. This card is good as long as you are eligible for Medi-Cal or RMA benefits. **DO NOT THROW AWAY YOUR PLASTIC I. D. CARD (BIC).**

The regulation which requires this action is Title 22, California Code of Regulations, Section 50257.