

DEPARTMENT OF HEALTH SERVICES

714/744 P STREET
SACRAMENTO, CA 95814



December 20, 1988
Letter No. 88-101

TO: All County Welfare Directors
All County Administrative Officers
All County Health Directors

SUBJECT: SB 175, SECTION 10

In accordance with Section 10, of Senate Bill (SB 175), (copy attached) each county will be allowed to file an application to establish its base year (fiscal year 1986-87) Medi-Cal revenue for services to undocumented aliens. This will be used as a basis to determine any shortfall for the 1988-89 and 1989-90 fiscal years due to the implementation of the Immigration Reform and Control Act of 1986 (IRCA) and the Omnibus Budget Reconciliation Act of 1986 (OBRA).

In accordance with the provisions of SB 175, a county that wants to establish its base year Medi-Cal revenue for undocumented aliens must complete the enclosed application and submit the application plus any supporting documentation on or before December 30, 1988.

Please submit the application to:

Audits and Investigations
Department of Health Services
1250 Sutterville Road, Room 127
Sacramento, CA 95822

If you have any questions regarding the completion of this application, please call Donna Dubyak at (916) 324-8510.

Sincerely,

Original signed by

Frank S. Martucci, Chief
Medi-Cal Eligibility Branch

Enclosures

cc: Medi-Cal Liaisons
Medi-Cal Program Consultants

Expiration Date: December 20, 1989

COUNTY APPLICATION

Name of County	County Department/ Agency Preparing Application
Contact Person	Address
Phone Number	Total Medi-Cal Base Year Revenue for FY 1986-87

STATEMENT OF CERTIFICATION

I, _____, certify under penalty of perjury, that I am an official of _____,

Name of County

and duly authorized to sign this certification; that to the best of my knowledge and belief, the information contained in this application is true and correct. I understand all data is subject to audit in the event a claim is submitted for a revenue shortfall offset.

Executed on _____ at _____
Date Place

Signature

Title

Address

PROVIDER INFORMATION

Part A

1. Legal Name of Facility	2. Medi-Cal Provider No.	
3. D.B.A.	4. Facility Phone	
5. Facility Street Address	6. City	7. Zip
8. Administrator	9. Phone Number	
10. Medi-Cal Revenue for Undocumented Aliens		

Part B

Explanation of Derived Medi-Cal Revenue for Undocumented Aliens:

INSTRUCTIONS FOR COMPLETING APPLICATION

1. Only one application per county is to be submitted. (Page 1)
2. One (1) provider information form is to be completed for each provider within the county used to determine the base year Medi-Cal revenue for undocumented aliens. (Page 2)
3. An explanation of the system used to determine the base year Medi-Cal revenue must be given (Page 2, Part B). (See enclosed sample application.)

COUNTY APPLICATION

Name of County	County Department/ Agency Preparing Application
Any County	Welfare Department
Contact Person	Address
Jim Rogers	414 8th Street Any City, CA 67351
Phone Number	Total Medi-Cal Base Year Revenue for FY 1986-87
(816) 483-7642	*\$4,431,175

STATEMENT OF CERTIFICATION

I, Jane Doe, County Clerk, certify under penalty of perjury, that I am an official of Any County, Name of County and duly authorized to sign this certification; that to the best of my knowledge and belief, the information contained in this application is true and correct. I understand all data is subject to audit in the event a claim is submitted for a revenue shortfall offset.

Executed on December 2, 1988 at Any City, CA
Date Place

Signature _____

County Administrator
Title

414 8th Street, Any City, CA 67351
Address

*The total must agree with the accumulated total from the reported amounts on the Provider Information worksheets Part A, item number 10.

(EXAMPLE)

PROVIDER INFORMATION

Part A

1. Legal Name of Facility Any Town Hospital	2. Medi-Cal Provider No. HSC12345F	
3. D.B.A. Any Town Hospital	4. Facility Phone (816) 263-4917	
5. Facility Street Address 123 Fig Avenue	6. City Any Town	7. Zip 67348
8. Administrator John Fitzpatrick	9. Phone Number (816) 263-5142	
10. Medi-Cal Revenue for Undocumented Aliens \$4,431,175		

Part E

Explanation of Derived Medi-Cal Revenue for Undocumented Aliens:

The Alien Status Verification forms (CA6s) submitted to the Immigration and Naturalization Service (less the duplicates for family members and legal aliens) was used to determine the total number of undocumented aliens receiving services. These numbers came from the County Welfare Department's Alien Status Verification Report. The breakdown of inpatients and outpatients are included in this report.

The Medi-Cal average length of stay and the revenue per visit were taken from the Office of Statewide Health, Planning, and Development's Annual Disclosure Report for the 1986-87 fiscal year.

Computation:

Total I/P CA6s for undocumented aliens = 2,567 x contract rate/day for fiscal year 1986-87 of \$650 = \$1,668,550 x Medi-Cal average length of stay of 2.5 days = \$4,171,375.

Total O/P CA6s for undocumented aliens from E.R. = 1,732 x average Medi-Cal revenue/visit of \$150 = \$259,800.

Total Medi-Cal revenue for undocumented aliens = \$4,431,175

Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. For the purposes of the Administrative Procedure Act, the adoption of the regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare. Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, emergency regulations adopted by the State Department of Health Services in order to implement this act shall not be subject to the review and approval of the Office of Administrative Law. These regulations shall become effective immediately upon filing with the Secretary of State.

SEC. 10. It is the intent of the Legislature to protect counties providing health care services to aliens from incurring net losses of Medi-Cal revenue as a result of the initial implementation of this act relating to aliens' eligibility for Medi-Cal. To carry out this intent, the following shall apply:

(a) A county providing health care services to aliens may file with the State Department of Health Services an application, together with supporting documentation, showing the amount of Medi-Cal revenue the county received for the 1986-87 fiscal year for providing services to aliens who were not lawful permanent residents or otherwise permanently residing in the United States under color of law, including aliens who have been legalized under Section 210, 210A, or 245A of the federal Immigration Reform and Control Act of 1986 (IRCA) (Public Law 99-603). This revenue shall be referred to as the county's proposed base year alien Medi-Cal revenue. The application shall be filed no later than 90 days following the effective date of this act. The State Department of Health Services shall verify the application and documentation submitted by the county and shall establish the county's final base year alien Medi-Cal revenue

(b) A county whose final base year alien Medi-Cal revenue has been established by the State Department of

Health Services may file with the state department a claim for an offset in any shortfall in the county's annual alien Medi-Cal revenue for the 1988-89 and 1989-90 fiscal years, as compared to the county's base year alien Medi-Cal revenue. A county's annual alien Medi-Cal revenue shall be the annual Medi-Cal revenue received by the county for the 1988-89 or 1989-90 fiscal years for providing services to aliens who are not lawful permanent residents or otherwise permanently residing in the United States under color of law, including aliens who have been legalized under Section 210, 210A, or 245A of IRCA. A county's claims for a revenue shortfall offset under this section shall be filed no later than October 31, 1989, for the 1988-89 fiscal year and October 31, 1990, for the 1989-90 fiscal year, and shall include documentation supporting the county's computation of its annual alien Medi-Cal revenue.

(c) The state department shall verify a county's claims under this section and, except as otherwise provided in this section, shall pay the county an amount equal to the net revenue shortfall between the county's base year alien Medi-Cal revenue and the county's annual alien Medi-Cal revenue. If payments are required by this section, they shall be made from the General Fund and shall be appropriated for this purpose by the Legislature.

(d) The State Department of Health Services may proportionately reduce a county's payments under this section if the department determines that the county's net shortfall in its annual alien Medi-Cal revenue was due, in whole or in part, to a reduction in the level of health care services provided by the county, or due to a reduction in the number of aliens seeking health care through the Medi-Cal program at county facilities who are otherwise eligible for Medi-Cal, including those aliens who do not actually apply for Medi-Cal.

SEC. 11. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for those costs which may be incurred by a local agency or school district because this act creates a new crime or infraction, changes the definition of a crime or infraction, changes the penalty for a crime or