

DEPARTMENT OF HEALTH SERVICES

714/744 P STREET
SACRAMENTO, CA 95814



November 7, 1988

TO: All County Welfare Directors
All County Administrative Officers

Letter No.: 88-91

SUBJECT: SB 175 WORKSHOP QUESTIONS AND RESPONSES

The following are questions counties have asked recently and our responses. Please note that these answers hold true despite the temporary restraining orders we told you about in All County Welfare Directors (ACWD) Letter 88-84.

Form MC 13

1. Can one adult sign the MC13 form for the entire family?

Yes, the MC13 can be signed by one adult as the representative for the entire family. However, there must be one MC13 for each eligible member of the Medi-Cal Family Budget Unit (MFBU).

2. Is the MC13 required for ineligible members of the MFBU?

No, the MC13 is not required for ineligible members of the MFBU since they are not entitled to benefits.

3. An undocumented alien mother did not want Medi-Cal benefits for herself, but wanted them for her U.S. citizen child; must she complete an MC13 for herself?

No, the ineligible mother would only need to complete an MC13 for her child, but not for herself.

4. Must every new applicant complete a MC13?

Yes, every new applicant must complete a MC13, subject to the qualifications explained in the ACWD Letter 88-84.

5. Must existing U.S. citizen beneficiaries complete the MC13?

Yes, U.S. citizens beneficiaries need to complete the MC13 by the next redetermination.

6. Does failure to complete or refusal to sign the MC13 result in ineligibility?

Yes, applicants and beneficiaries must complete the required portions of the MC13. If they refuse to do so, they are ineligible for Medi-Cal.

7. Must minor consent applicants fill out the MC13?

Yes, every applicant must complete the MC13.

8. Must a MC13 be completed by persons requesting Medi-Cal Only benefits upon an Aid to Families with Dependent Children (AFDC) discontinuance even if they had previously documented satisfactory immigration status (SIS)?

Yes, the MC13 must be completed by those requesting Medi-Cal Only benefits even if they had already documented SIS while on AFDC.

9. When must the MC13 be completed for existing beneficiaries?

The MC13 must be completed for alien beneficiaries that you have tracked when they report a change in immigration status; when they request a change in level of benefits; or by November 30, 1988, whichever occurs first. For aliens whom you have not tracked and for U.S. citizens, you must complete the MC13 by the next annual redetermination, or when there is a change in immigration status, level of benefits requested, or as the case comes to your attention, whichever occurs first, if there is no prior MC13 in file.

Social Security Number

10. Is one allowed to use the Income and Eligibility Verification System (IEVS) for applicants who want only restricted benefits if they voluntarily present their social security number?

Yes, you can use IEVS for individuals who voluntarily furnish their social security number and who only apply for restricted benefits. Applicants requesting full benefits are required to furnish their social security number, and you can use it for IEVS as usual.

Medically Indigent Adults

11. Are Omnibus Budget Reconciliation Act and Immigration Reform and Control Act (OBRA/IRCA) aliens eligible for Medi-Cal if they are Medically Indigent Adults (MIAs)?

No, aliens must be "otherwise eligible" to receive Medi-Cal. This means that aliens must meet all factors of eligibility, including linkage. Aliens who are 21 to 64 years of age and not blind, disabled, pregnant, in long-term care, or parents of children deprived of parental support (AFDC-Medically Needy), i.e. aliens who are what is commonly termed "MIAs", are not linked. Therefore, alien MIAs, just as U.S. citizen MIAs, are not eligible to Medi-Cal services, whether restricted or full scope.

Temporary Visitors

12. What qualifies as an intent to remain in California for temporary visitors?

Use the criteria listed in Section 50320 of the California Code of Regulations. You may accept aliens' statement of subjective intent to remain indefinitely in California to establish their state residence even when such intent conflicts with the impending expiration of their visa, unless there are other objective factors which cast doubt on the credibility of such statement of intent.

SAVE

13. Can one use the Systematic Alien Verification for Entitlements (SAVE) system when aliens know their A number, but have no documents?

No, aliens must present valid Immigration Naturalization Service (INS) documents before you can use SAVE. Pursuant to the procedures outlined ACL 88-84, the alien must be allowed a reasonable opportunity to obtain such documents. The INS document is necessary for secondary verification, and also for the confirmation of SAVE data.

14. Which date of birth should we use for Medi-Cal Eligibility Data Systems (MEDS) when discrepancies exist among official records of date of birth?

It is up to the applicants to correct any date-of-birth discrepancy. They should correct the birthdate with whatever agency has the incorrect date. Proof of the corrected document should then be provided to you. For example, you may not grant eligibility to an alien on the basis of age when the INS record of his birth shows him to be 65 while the Social Security Administration records his age at 63. This alien is ineligible on the basis of age until the discrepancy is resolved.

15. What should counties do if INS does not return the G-845 form within ten working days?

The average time for an INS response is ten working days; the maximum, twenty-one. You can call your INS Office anytime after ten working days to check on the status of your G-845. At the time of your telephone call, you should state the date you sent the G-845, the A number or admission number and alien's name.

16. Must a SAVE verification be done at annual redeterminations of aliens' eligibility?

Yes, a SAVE verification must be done at annual redeterminations because aliens may lose their lawful residence status.

Notices of Action

17. Can the counties unilaterally change the MC13 or the notices of action (NOAs)?

No. Do not revise any forms without our approval. If you want any changes, please submit them in writing to our analyst, Tom Dickson, as soon as possible. He is revising the forms in response to county suggestions.

18. When will DHS have available Spanish translations of the forms?

February of 1989 or sooner if possible.

Postpartum Care and Newborns

19. Why must we use aid code 76 for postpartum care for OBRA/IRCA aliens?

Aid Code 76 (the 60-Day Postpartum Program) is necessary to provide postpartum care for some women who would lose eligibility for Medi-Cal benefits as a result of the termination of pregnancy; to identify postpartum care at no share of cost to the mother; to keep the program consistent with the established postpartum care code; and to provide a clearly identifiable category code to the Federal Government.

20. Are newborn U.S. citizen children of undocumented alien mothers entitled to full benefits?

Yes, provided they are otherwise eligible.

21. How many days do we have to complete a MC13 for newborn U.S. citizen children of undocumented alien mothers?

The MC13 should be completed as soon as possible, but no later than thirty days from the time you are notified of the U.S. citizen's birth.

System

22. How does one remove an aid code from the original aid code field ("Orig-Aid"), on MEDS, if one discovers that the record has been coded as OBRA/IRCA erroneously?

Using the existing MEDS transactions, deletion of the OBRA/IRCA aid code may be accomplished by placing an asterisk (*) in the first digit of the Orig-Aid field.

23. Are SAVE responses available online, as is IEVS information?

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No, SAVE responses are not maintained on the IEVS database. SAVE responses are available only through the SAVE report which is printed the day following the inquiry. The Department intends to provide a SAVE online inquiry response in the future. We will inform you as soon as this option is available.

If you have any policy questions or suggestions please contact Elaine Bilot at (916) 323-4124, ATSS 8-473-4124 or Tom Dickson at (916) 324-4961, ATSS 8-454-4961. For system-related questions, call your State MEDS Liaison.

Thank you for your cooperation and attendance at the workshops. We are particularly grateful to our gracious hosts at each of our workshop sites.

Sincerely,

Original signed by

Angeline Mrva, for
Frank S. Martucci, Chief
Medi-Cal Eligibility Branch

cc: Medi-Cal Liaisons
Medi-Cal Program Consultants

Expiration Date: November 7, 1989