

DEPARTMENT OF HEALTH SERVICES

14744 P STREET
P.O. BOX 942732
SACRAMENTO, CA 94234-7320



TO: All County Welfare Directors
All County Administrative Officers

December 12, 1989
Letter No.: 89-110

SUBJECT: NEW EMERGENCY IRCA/OBRA REGULATIONS

REFERENCE: ACWDL 88-84

Since October 18, 1988, the regulatory content of All County Welfare Directors Letters 88-66, 88-68, 88-70 and 88-84 has been incorporated by reference into the California Code of Regulations. Effective November 14, 1989, new emergency regulations were filed with the California Secretary of State which restate this material in standard regulatory format. They do not change existing alienage/citizenship policy relating to eligibility for full and restricted Medi-Cal benefits. In particular, policy previously stated in All County Welfare Directors Letter 88-84 relating to extending presumptive eligibility still remains in force:

"Do not delay, deny, reduce or terminate full-scope benefits to immigrant aliens on the basis that the Immigration and Naturalization Service (INS) has not verified that the individual has satisfactory immigration status (SIS). This applies to applicants and current beneficiaries who are otherwise entitled to full-scope benefits and who claim SIS but have not had a reasonable opportunity (30 days or the time it takes to determine eligibility, whichever is longer) to obtain documents. This also applies to applicants and current beneficiaries who are otherwise eligible for full-scope benefits and whose status has not been verified by INS."

The new emergency regulations repeal 22 CCR Sections 50301 and 50303, 50304, 50305, 50310, 50311, and 50313; amend Sections 50169, 50173 and 50187; and add new Sections 50301, 50301.1 through 50301.6, 50302, 50304 and 50740. A copy of the public hearing notice for Regulation package R-85-89 will be published in the California Notice Register on December 8, 1989. A copy will also be mailed to you on the same date. If you do not receive your copy of the public notice, please call the Office of Regulations at (916) 322-4990, ATSS 8-492-4990.

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The public hearing on the new emergency regulations is scheduled for January 24, 1990 at 10:00 A.M. in the Auditorium at 714 P Street, Sacramento, CA.

Sincerely,

Original signed by

Ricardo Bustamante, for
Frank S. Martucci, Chief
Medi-Cal Eligibility Branch

cc: Medi-Cal Liaisons
Medi-Cal Program Consultants

Expiration Date: December 12, 1990