

DEPARTMENT OF HEALTH SERVICES

714/744 P STREET

O. BOX 942732

SACRAMENTO, CA 94234-7320



August 21, 1992

TO: All County Welfare Directors
All County Administrative Officers
All County Medi-Cal Program Specialists/Liaisons

Letter No. 92-44A

SUBJECT: ERRATA NOTICE

REFERENCE: ACWDL 92-44

All County Welfare Director's Letter 92-44 did not provide accurate information regarding moratorium dates for IRCA amnesty aliens. These are aliens who have changed their status to that of lawful permanent resident of the United States and whose five-year disqualification period has expired. These aliens are requesting a change in the level of benefits from restricted to full-scope.

This is to notify the counties that, as a result of the December 6, 1989, court ruling in the Zambrano v. INS case, the deadline for IRCA aliens to file for amnesty was extended to December 29, 1989. The Zambrano lawsuit involved aliens who did not meet the May 4, 1988, deadline (November 30, 1988, for SAW aliens) for one of the following reasons: (1) the applicant, or a family member, received public cash assistance and INS told him or her that he or she was not eligible for amnesty; or (2) the applicant applied for amnesty and the INS rejected his or her application because he or she, or a family member, received public cash assistance.

Alien applicants for full-scope Medi-Cal benefits who fall within this class will present documentation with temporary resident adjustment dates between December 6 - 29, 1989. The Department of Health Services does not have an estimate of how many potential amnesty aliens this lawsuit may involve. Counties should alert staff that the filing date for these amnesty aliens was extended to December 29, 1989; therefore, if otherwise eligible, they will be eligible to receive full-scope Medi-Cal benefits as of December 6 - 29, 1994.

If you have any questions, please contact Marlene King of my staff at (916) 657-0134.

Sincerely,
ORIGINAL SIGNED BY

Frank S. Martucci, Chief
Medi-Cal Eligibility Branch