

**DEPARTMENT OF HEALTH SERVICES**

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August 22, 1995

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

**Letter No.: 95-50****REFUGEE MEDICAL ASSISTANCE (RMA) REGULATIONS****Ref.: Article 7, MEM PROCEDURES**

The purpose of this letter is to transmit a copy of the refugee RMA regulations published in the Federal Register and entitled Title 45, Code of Federal Regulations, Part 400 Refugee Resettlement Program, Final Rule. These regulations are effective October 1, 1995. Also enclosed is a draft copy of Section 50257, Title 22, California Code of Regulations.

The federal regulation change affects RMA in two ways:

1. Permits refugees who lose Refugee Cash Assistance (RCA) because of increased earnings through employment to continue to receive RMA until the end of the time-eligibility period which is presently eight months. The refugee may continue receiving RMA even though he obtains private medical coverage through his employment as long as the RMA payment is reduced by the amount of the third party payment.
2. RMA eligibility is to be determined for each individual member of a family so that if a child is eligible for Medi-Cal but the parents are not, place the child on Medi-Cal and the parents on RMA.

If you have any questions, please contact Elena Lara of my staff at (916) 657-0712.

Sincerely,

ORIGINAL SIGNED BY

**Frank S. Martucci, Chief  
Medi-Cal Eligibility Branch**

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(1) Amend Section 50257 to read:

50257. Refugee Medical Assistance (RMA) and Entrant Medical Assistance (EMA).

(a) Refugees and entrants who are not otherwise eligible for Medi-Cal under federally funded AFDC, SSI/SSP, MN or Medically Indigent Child programs may be eligible for Medi-Cal through the special federal programs of Refugee Medical Assistance (RMA) or Entrant Medical Assistance (EMA).

(b) Refugees and entrants who apply for Medi-Cal under the RMA or EMA programs shall:

(1) ~~Meet the definition of refugee contained in the Department of Social Services (DSS) Manual of Policy and Procedures (MPP), Sections 69-203.1 and 69-203.2, or the definition of entrant contained in MPP sections 69-301 through 69-305.~~ Meet the definition contained in the Department of Social Services (DSS) Manual of Policy and Procedures (MPP) of "refugee" (MPP sections 69.203.1 and 69.203.2), "children of refugees" (MPP section 69-203.3), or "entrant" (MPP sections 69-301 through 69-305).

(2) Have their eligibility for Medi-Cal under the RMA or EMA programs determined in accordance with articles 4 through 13 (commencing with section 50141) of this chapter; ~~however, in-kind services and/or shelter provided to refugees by a sponsor or resettlement agency are not to be considered as income.~~

(3) Provide the name of the resettlement agency to the county welfare department.

(c) Recipients of Refugee Cash Assistance (RCA) or Entrant Cash Assistance (ECA) shall automatically receive a Medi-Cal card. ~~But receipt of RCA/ECA is not a condition of RMA/EMA eligibility. Refugees may apply for "RMA/EMA-Only" benefits.~~

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~~(d) Recipients of RCA/ECA who become ineligible for these cash programs solely because of increased earnings from employment will continue to be eligible for up to eight months of transitional RMA/EMA benefits with no share-of-cost. Eligibility for RMA/EMA is limited until the end of the RMA/EMA time-eligibility period specified in subsection (e) of this Section.~~

(d) ~~(a)~~ Eligibility for Medi-Cal under the RMA or EMA programs shall be limited to the shorter of the following periods:

(1) The refugee's first ~~12~~ eight months of United States residency, beginning with the month of entry, or the entrant's (including entrant children born in United States resettlement camps) first ~~12~~ eight months of parole (release from Immigration and Naturalization Service custody).

(2) The time period for which DHS determines that sufficient federal funds are available under the Refugee Resettlement Program (RRP) and Cuban and Haitian Entrant Program (CHEP).

~~(f) Refugees shall be ineligible for RMA/EMA if:~~

~~(1) They have been denied or terminated from RCA/ECA for failure or refusal to comply with registration, employment, education or training requirements of MPP section 69-208; or~~

~~(2) They are full-time students in an institution of higher education, as defined by MPP section 69-206.51, except where such enrollment is part of an employability plan developed by a county welfare department or its designee per MPP sections 69-206.52, 69-206.53, or 69-206.54, or is part of a plan for an unaccompanied minor meeting the requirements of sections 69-213.23 or 69-213.62.~~

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NOTE: Authority cited: Sections 10725 and 14124.5, Welfare and Institutions Code; Section 57, Chapter 328, Statutes of 1982; and Section 87, Chapter 1594, Statutes of 1982. Reference: Sections 14005.4 and 14011.5, Welfare and Institutions Code; and Sections 400.90 through 400.156; Sections 400.200 through 400.212, and 400.300 through 400.319, Title 45, Code of Federal Regulations.