

DEPARTMENT OF HEALTH SERVICES

714/744 P Street
P.O. Box 942732
Sacramento, CA 94234-7320
(916) 657-2941



November 1, 1996

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

Letter No.: 96-62

**THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY
RECONCILIATION ACT OF 1996 (P.L. 104-193)**

Ref. All County Welfare Directors Letters (ACWDL) Nos. 91-99 and 94-60

INTRODUCTION

On August 22, 1996, President Clinton signed into law "The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193 ("PRAWORA"). This law revises the provision of welfare benefits and the services available to specific aliens. Emergency regulation package R-60-96E will implement PRAWORA by eliminating state-only funded nonemergency pregnancy-related services from the restricted scope benefits available to aliens who are not described in federal law as qualified to receive such services.

In 1988, California enacted legislation which authorized Medi-Cal to use state-only funds to provide nonemergency pregnancy-related services to alien women without satisfactory immigration status. (Welf. & Inst. Code section 14007.5 and Stats. 1988, ch. 1441, § 1, subd. (g).)

With the enactment of PRAWORA, federal law prohibits states from providing state and local public benefits, including, but not limited to, state-only funded nonemergency pregnancy-related services for aliens who are not qualified aliens, nonimmigrant aliens under the Immigration and Nationality Act (INA), or aliens paroled into the United States for less than one year under Section 212 (d) (5) of the INA. These regulations only address state-only funded nonemergency pregnancy-related services for aliens who are not within the classes of aliens defined in federal law as qualified aliens, nonimmigrant aliens under the INA, or aliens paroled into the United States for less than a year under Section 212 (d) (5) of the INA. (See section 50302.1 of the attached Emergency Regulation package R-60-96E for a complete description of aliens who are designated as qualified aliens, nonimmigrant aliens under the INA, or aliens paroled into the United States for less than a year under Section 212 (d) (5) of the INA. This regulation is subject to change and approval by the Office of Administrative Law.)

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EFFECTIVE DATE

This letter is to inform counties that effective December 1, 1996, only alien women who are qualified aliens, nonimmigrant aliens under the INA, or aliens paroled into the United States for less than a year under Section 212 (d) (5) of the INA are eligible for or entitled to receive state-only funded nonemergency pregnancy-related benefits. With the passage of the PRAWORA, those aliens who are unable to document that they are qualified aliens, nonimmigrant aliens under the INA, or aliens paroled into the United States for less than a year under Section 212 (d) (5) of the INA will only receive medical assistance under Title XIX of the Social Security Act for care and services that are necessary for the treatment of an emergency medical condition (including emergency labor and delivery) and that are not related to an organ transplant procedure.

It is the expectation of the Department of Health Services (DHS) that county systems will be changed to accommodate the new aid codes and that training for staff will occur no later than December 1, 1996. It is important that county changes are made expeditiously to avoid disruption in services to those individuals eligible for state-only funded nonemergency pregnancy-related services.

As authorized under federal law, eligibility process and procedures remain unchanged.

NOTICE TO BENEFICIARIES

A notice will be sent to all beneficiaries in affected aid codes instructing them to contact their eligibility worker immediately if they believe they are eligible to receive state-only funded nonemergency pregnancy-related services because they are qualified aliens, nonimmigrant aliens under the INA, or aliens paroled into the United States for less than a year under Section 212 (d) (5) of the INA. It will be necessary for counties to flag all cases when individuals come into the county office and identify themselves as being eligible under federal law to receive state-only funded nonemergency pregnancy-related services. At the December renewal, all aliens in aid codes 48, 58, 7C, and 5F will automatically be converted to new aid codes, as described below. After the December renewal, in instances where the individual indicates that she is eligible to receive state-only funded nonemergency pregnancy-related services, those flagged cases must be converted back to the original aid code.

CHANGES IN BENEFITS FOR CERTAIN AID CODES

AID CODES INVOLVING PREGNANT UNDOCUMENTED WOMEN

Aid Code 58

Aid code 58 currently identifies those beneficiaries who are eligible for restricted scope Medi-Cal benefits with or without a share of cost. Infants, children, men and pregnant/nonpregnant women are in this aid code. It includes aliens who are undocumented, as well as nonimmigrant aliens lawfully admitted for a temporary period, such as aliens who are present in the United States under certain visitor and student visas (who can meet residency requirements). Some of these aliens may be qualified aliens, nonimmigrant aliens under the INA, or aliens paroled into the United States for less than a year under Section 212 (d) (5) of the INA. In these cases, the alien will remain eligible for state-only funded nonemergency pregnancy-related services.

Through November 30, 1996, aid code 58 beneficiaries receive restricted scope Medi-Cal benefits, emergency care including labor and delivery, and state-only funded nonemergency pregnancy-related services.

Effective December 1, 1996, all applicants/beneficiaries who are not qualified aliens, nonimmigrant aliens under the INA, or aliens paroled into the United States for less than a year under Section 212 (d) (5) of the INA, as well as undocumented men and children, are only eligible to receive emergency services and will be placed in new aid code 5G. Aliens in aid code 5G are eligible for restricted scope Medi-Cal benefits with or without a share of cost (emergency care, including emergency labor and delivery). New aid code 5G does not include state-only funded nonemergency pregnancy-related services.

Effective December 1, 1996, only those applicants/beneficiaries who are qualified aliens, nonimmigrant aliens under the INA, or aliens paroled into the United States for less than a year under Section 212 (d) (5) of the INA will be placed in aid code 58. These applicants/beneficiaries are eligible for restricted scope Medi-Cal benefits with or without a share of cost. These services include state-only funded nonemergency pregnancy-related services as well as emergency care, including emergency labor and delivery.

Aid Code 5F

Aid code 5F was established as a means to separately identify those undocumented pregnant women who are otherwise eligible for aid code 58 with or without a share of cost. Counties were previously instructed to begin implementation of 5F on October 1, 1994 as eligible undocumented pregnant women applied for Medi-Cal. We did not require counties to move all pregnant women immediately from aid code 58 into aid code 5F. Only those identified at redetermination were required to be changed.

Aid code 5F currently provides the same restricted Medi-Cal services as aid code 58, including emergency and state-only funded nonemergency pregnancy-related services.

Through November 30, 1996, aid code 5F beneficiaries receive restricted scope Medi-Cal benefits, emergency care including labor and delivery, and state-only funded nonemergency pregnancy-related services.

Effective December 1, 1996, applicants/beneficiaries who are not qualified aliens, nonimmigrant aliens under the INA, or aliens paroled into the United States for less than a year under Section 212 (d) (5) of the INA are only eligible to receive emergency services and will be placed in new aid code 5N. Aliens in new aid code 5N are eligible for restricted scope Medi-Cal benefits with or without a share of cost (emergency care, including emergency labor and delivery). New aid code 5N does not include state-only funded nonemergency pregnancy-related services.

Effective December 1, 1996, only those applicants/beneficiaries who are qualified aliens, nonimmigrant aliens under the INA, or aliens paroled into the United States for less than a year under Section 212 (d) (5) of the INA will be placed in aid code 5F. All aliens in aid code 5F are eligible for restricted scope Medi-Cal benefits with or without a share of cost. These services include state-only funded nonemergency pregnancy-related services as well as emergency care, including emergency labor and delivery.

Aid Code 7C

This is the federal poverty level (FPL) program aid code for certain children born after September 30, 1983, who have not attained age 19 and whose family income does not exceed 100 percent of the FPL. Services covered under this aid code are emergency services, including labor and delivery, and state-only funded nonemergency pregnancy-related services.

Through November 30, 1996, aid code 7C beneficiaries receive restricted scope Medi-Cal benefits, emergency care including labor and delivery, and state-only funded nonemergency pregnancy-related services.

Effective December 1, 1996, all applicants/beneficiaries who are not qualified aliens, nonimmigrant aliens under the INA, or aliens paroled into the United States for less than a year under Section 212 (d) (5) of the INA are only eligible to receive emergency services and will be placed in new aid code 5M. Aliens in new aid code 5M are eligible for restricted scope Medi-Cal benefits without a share of cost (emergency care, including emergency labor and delivery). New aid code 5M does not include state-only funded nonemergency pregnancy-related services.

Effective December 1, 1996, only those applicants/beneficiaries who are qualified aliens, nonimmigrant aliens under the INA, or aliens paroled into the United States for less than a year under Section 212 (d) (5) of the INA will be placed in aid code 7C. These aliens are eligible for restricted scope Medi-Cal benefits with or without a share of cost. These services include state-only funded nonemergency pregnancy-related services as well as emergency care, including emergency labor and delivery.

Aid Code 48

Aid code 48 provides family planning, pregnancy-related, and postpartum services for any age female if family income is at or below 200 percent of the FPL.

Through November 30, 1996, aid code 48 beneficiaries receive restricted scope Medi-Cal benefits, emergency care including labor and delivery, and state-only funded nonemergency pregnancy-related services.

Effective December 1, 1996, all applicants/beneficiaries who are not qualified aliens, nonimmigrant aliens under the INA, or aliens paroled into the United States for less than a year under Section 212 (d) (5) of the INA are only eligible to receive emergency services and will be placed in new aid code 5H. Aliens in new aid code 5H are eligible for restricted scope Medi-Cal benefits (emergency care, including emergency labor and delivery). New aid code 5H does not include state-only funded nonemergency pregnancy-related services.

Effective December 1, 1996, only those applicants/beneficiaries who are qualified aliens, nonimmigrant aliens under the INA, or aliens paroled into the United States for less than a year under Section 212 (d) (5) of the INA will be placed in aid code 48. These aliens

are eligible for restricted scope Medi-Cal benefits. These services include state-only funded nonemergency pregnancy-related services as well as emergency care, including emergency labor and delivery.

Aid Code 76 (Postpartum)

Aid code 76 identifies the 60-Day Postpartum program. Under the PRAWORA all undocumented alien women who are not qualified aliens, nonimmigrant aliens under the INA, or aliens paroled into the United States for less than a year under Section 212 (d) (5) of the INA are not entitled to state-only funded nonemergency postpartum services. Counties may place only alien women who are qualified aliens, nonimmigrant aliens under the INA, or aliens paroled into the United States for less than a year under Section 212 (d) (5) of the INA in aid code 76 on or after December 1, 1996.

RIGHT TO A HEARING

If an alien was made eligible to receive state-only funded nonemergency pregnancy-related services for the month of November 1996 and on or after December 1, 1996, is no longer qualified to receive such services because the alien is not a qualified alien, nonimmigrant alien under the INA or an alien paroled into the United States for less than a year under Section 212 (d) (5) of the INA, the alien has the right to request a hearing on the issue of immigration status.

NOTICES OF ACTION (NOA)

Counties must revise current NOA language before December 1, 1996, to indicate that state-only funded nonemergency pregnancy-related services are no longer provided to applicants or beneficiaries who are not qualified aliens, nonimmigrant aliens under the INA, or aliens paroled into the United States for less than a year under Section 212 (d) (5) of the INA. If an alien was made eligible to receive state-only funded nonemergency pregnancy-related services for the month of November 1996 and on or after December 1, 1996, is no longer qualified to receive such services because the alien is not a qualified alien, nonimmigrant alien under the INA or an alien paroled into the United States for less than a year under Section 212 (d) (5) of the INA, the alien has the right to request a hearing on the issue of immigration status.

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RETROACTIVE ELIGIBILITY

Up to three months of retroactive coverage continues to be available under the aid codes 58, 5F, 7C, 48, and 76, as provided in Title 22, CCR, Section 50710. Benefits for those retroactive months occurring prior to December 1, 1996, will include state-only funded nonemergency pregnancy-related benefits.

COMPLETING THE SUPPLEMENTAL DECLARATION OF ALIENAGE AND IMMIGRATION STATUS (MC 13 S)

To implement the requirements of PRAWORA on December 1, 1996, please use the attached MC 13 S to determine which aliens are eligible for state-only funded nonemergency pregnancy-related services. The Department intends to make the necessary revisions to the MC 13 as soon as possible and will eliminate the MC 13 S at that time. In the meantime, all alien applicants are required to complete the MC 13 S.

SECTION A

All alien applicants for Medi-Cal are required to complete SECTION A to indicate their alien status. Categories 1 through 7 in Section A (and a category for visa holders similar to category 8) are currently included on the MC 13. Aliens in categories 1 through 7 are still eligible for full scope Medi-Cal benefits.

Aliens in category 8 remain eligible for state-only funded nonemergency pregnancy-related services in accordance with established Medi-Cal policies and procedures. However, beginning on December 1, 1996, counties will be required to verify the alien status of aliens in category 8 using the established secondary Systematic Alien Verification for Entitlement (SAVE) system procedures.

Aliens in category 9 only qualify for emergency services, including emergency labor and delivery. Aliens in category 9 will remain eligible for immunizations with respect to immunizable diseases and for testing and treatment of symptoms of communicable diseases whether or not such symptoms are caused by a communicable disease. Aliens in category 9 may still be eligible to receive state-only funded nonemergency pregnancy-related services if they answer yes to section B for themselves or for their child(ren).

In addition, until further notice from the Medi-Cal Eligibility Branch, all aliens who indicate that they are in any of the 16 Permanently Residing in the United States Under

Color of Law (PRUCOL) categories included on the MC 13 remain eligible for full scope Medi-Cal if they meet all other eligibility requirements.

SECTION B

Under federal law, battered aliens who meet certain specific requirements may still be eligible to receive state-only funded nonemergency pregnancy-related services even though they indicate that they are in category 9 in section A of the MC 13 S. (See section 50302.1 (b) (7) and (8) of the attached Emergency Regulation package R-60-96E for a complete description of battered aliens who are designated as qualified aliens.)

If an applicant or beneficiary answers "yes" to the question in Section B, counties are required to flag the case until further notice from the Medi-Cal Eligibility Branch. The counties will receive further instruction regarding the new alien categories if, and when, the United States Attorney General issues an opinion or guidelines that would qualify an applicant for state-only funded nonemergency pregnancy-related benefits for such services.

SECTION C

All aliens applying for Medi-Cal are required to complete Section C of the MC 13 S.

If you have any further questions regarding this letter, please contact the appropriate analyst listed below:

Pregnancy	Marge Buzdas	(916) 657-0726 or (916) 255-0983
Alienage	Marlene King	(916) 657-0134 or (916) 255-0930

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MC 13 S

**John Zapata (916) 657-0725 or
(916) 255-0929**

Sincerely,

ORIGINAL SIGNED BY

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

Enclosures

(1) Adopt Section 50302.1 to read:

50302.1 Limitations on Medi-Cal Benefits for Aliens.

(a) Effective December 1, 1996, pursuant to Section 411 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended, and notwithstanding any other provision of this division, aliens who are not qualified aliens, nonimmigrant aliens under the Immigration and Nationality Act (INA), or aliens paroled into the United States under Section 212(d)(5) of the INA for less than one year, are not eligible to receive the state-only funded nonemergency pregnancy-related services described in subdivision (d) of Section 14007.5 of the Welfare and Institutions Code and subdivision (q) of Section 1 of Chapter 1441 of the Statutes of 1988.

(b) A qualified alien is an alien who at the time he or she applies for, receives, or attempts to receive a public benefit, is any of the following:

- (1) An alien lawfully admitted for permanent residence under the INA.
- (2) An alien who is granted asylum under Section 208 of the INA.
- (3) A refugee who is admitted to the United States under Section 207 of the INA.
- (4) An alien who is paroled into the United States under Section 212(d)(5) of the INA for a period of at least one year.
- (5) An alien whose deportation is being withheld under Section 243(h) of the INA.
- (6) An alien who is granted conditional entry pursuant to Section 203(a)(7) of the INA as in effect prior to April 1, 1980.
- (7) An alien who meets all of the conditions of subparagraphs (A), (B), (C), and (D) below:

(A) The alien has been battered or subjected to extreme cruelty in the United States by a spouse or a parent, or by a member of the spouse or parent's

family residing in the same household as the alien, and the spouse or parent of the alien consented to, or acquiesced in, such battery or cruelty.

(B) In the opinion of the Attorney General of the United States, which opinion is not subject to review by any court, there is a substantial connection between such battery or cruelty and the need for the benefits to be provided.

(C) The alien has been approved or has a petition pending which sets forth a prima facie case for:

i. status as a spouse or child of a United States citizen pursuant to clause (ii), (iii), or (iv) of Section 204(a)(1)(A) of the INA,

ii. classification pursuant to clause (ii) or (iii) of Section 204(a)(1)(B) of the INA,

iii. suspension of deportation and adjustment of status pursuant to Section 244(a)(3) of the INA, or

iv. status as a spouse or child of a United States citizen pursuant to clause (i) of Section 204(a)(1)(A) of the INA, or classification pursuant to clause (i) of Section 204(a)(1)(B) of the INA.

(D) For the period for which benefits are sought, the individual responsible for the battery or cruelty does not reside in the same household or family eligibility unit as the individual subjected to the battery or cruelty.

(8) An alien who meets all of the conditions of subparagraphs (A), (B), (C), (D) and (E) below:

(A) The alien is a child who has been battered or subjected to extreme cruelty in the United States by a spouse or a parent of the alien (without the active participation of the alien in the battery or cruelty), or by a member of the spouse's or parent's family residing in the same household as the alien, and the spouse or parent consented or acquiesced to such battery or cruelty.

(B) The alien did not actively participate in such battery or cruelty.

(C) In the opinion of the Attorney General of the United States, which opinion is not subject to review by any court, there is a substantial connection between such battery or cruelty and the need for the benefits to be provided.

(D) The alien is classified pursuant to clause (ii) or (iii) of Section 204(a)(1)(B) of the INA.

(E) For the period for which benefits are sought, the individual responsible for the battery or cruelty does not reside in the same household or family eligibility unit as the child subjected to the battery or cruelty.

(c) For purposes of this section, "nonimmigrant" is defined the same as in Section 1101(a)(15) of the INA.

(d) For purposes of establishing eligibility for state-only funded nonemergency, pregnancy-related services described in subdivision (d) of Section 14007.5 of the Welfare and Institutions Code and subdivision (g) of Section 1 of Chapter 1441 of the Statutes of 1993, all of the following requirements must be met:

(1) The alien must declare himself or herself to be a qualified alien under subsection (b), a nonimmigrant alien under subsection (c), or an alien paroled into the United States for less than one year under Section 212(d)(5) of the INA. The alien shall declare that status through use of the "Supplemental Alienage and Immigration Status Declaration" MC 13S (11/96).

(2) The alien must present documents issued by or acceptable to the Immigration and Naturalization Services (INS) which serve as reasonable evidence of the alien's declared status.

(3) The alien must complete and sign the form MC 13S (11/96) at the time of application.

(4) The documentation presented by the alien as reasonable evidence of the alien's declared immigration status must be submitted to the INS for verification through the Systematic Alien Verification of Entitlements (SAVE) system procedures as follows:

(A) A primary SAVE system verification must be used to access the biographical/immigration status computer record contained in the Alien Status Verification Index maintained by the INS. Subject to subparagraph (B), this procedure must be used to verify the status of all aliens who claim to be

qualified aliens and who present an INS-issued document that contains an alien registration or alien admission number.

(B) The secondary SAVE system verification procedure must be used to forward copies of original INS documents evidencing an alien's status as a qualified alien, as a nonimmigrant alien under the INA, or as an alien paroled into the United States under Section 212 (d) (5) of the INA for less than one year in any of the following cases:

i. A primary check of the Alien Status Verification Index instructs the county department to "Institute secondary verification."

ii. The document presented indicates an alien's status but does not include an alien registration or alien admission number.

iii. The Alien Status Verification Index record includes the alien registration or admission number on the document presented by the alien but does not match other information contained in the document.

iv. The document is suspected to be counterfeit or to have been altered.

v. The document includes an alien registration number in the A60 000 000 (not yet issued) or A80 000 000 (illegal border crossing) series.

vi. The document is a fee receipt from INS for replacement of a lost, stolen or unreadable INS document.

vii. The document is one of the following: an INS Form I-181b notification letter issued in connection with an INS Form I-181 Memorandum of Creation of Record of Permanent Residence, an Arrival-Departure Record (INS Form I-94) or a foreign passport stamped "PROCESSED FOR I-551, TEMPORARY EVIDENCE OF LAWFUL PERMANENT RESIDENCE" that INS issued more than one year before the date of application for Medi-Cal.

(5) Verification of the alien's declared status must be received from the INS before eligibility for state-only funded nonemergency pregnancy-related services is established.

(e) A nonprofit charitable organization that provides federal, state, or local public benefits, shall not be required to determine, verify, or otherwise

require proof of eligibility of any applicant or beneficiary with respect to his or her immigration status or alienage.

(f) Nothing in this section shall be construed to withdraw eligibility for state public health assistance for immunizations with respect to immunizable diseases and for testing and treatment of symptoms of communicable diseases whether or not such symptoms are caused by a communicable disease.

(g) Any alien who was made eligible for state-only-funded nonemergency pregnancy-related services for the month of November 1996 whose services are terminated, suspended, or reduced, pursuant to subsection (a), is entitled to a hearing, pursuant to Welfare and Institutions Code Section 10950 and Title 22, California Code of Regulations, Section 50991, on the issue of whether the alien is a qualified alien as defined under subsection (b), a nonimmigrant alien as defined under subsection (c), or an alien paroled into the United States for less than one year under Section 212(d)(5) of the INA.

NOTE: Authority cited: Sections 10725 and 14124.5, Welfare and Institutions Code.

Reference: Sections 411 and 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Pub.L. 104-193); Sections 501 and 508 of Division C (the "Immigration Reform and Immigrant Responsibility Act of 1996") of the Omnibus Consolidated Appropriations Act, 1997 (Pub.L. 104-208); Sections 14007.5 and 14011, Welfare and Institutions Code; Section 1, Chapter 1441, Statutes of 1988; and Sections 50302, 50301.3 and 50301.6.

SUPPLEMENTAL ALIENAGE AND IMMIGRATION STATUS DECLARATION

IMPORTANT: Every Alien who wants Medi-Cal must complete **SECTION A** and **SECTION C** of this form. Some aliens may get State-funded Medi-Cal benefits if they, or their child, have been battered or treated cruelly by a spouse, parent or relative in the United States. If you think this program applies to you or your child, complete **SECTION A**, **SECTION B** and **SECTION C** of this form.

SECTION A: SUPPLEMENTAL ALIEN STATUS DECLARATION

IMPORTANT: Please indicate the applicant's alien status below, and submit documents evidencing such status. The alien status documents listed for each category are the most commonly used documents that the United States Immigration and Naturalization Service (INS) provides to aliens in those categories. You can provide other acceptable evidence of your alien status even if it is not listed below. **ALIENS IN CATEGORIES 1-8 ARE ELIGIBLE FOR EMERGENCY AND PREGNANCY RELATED MEDICAL SERVICES IF THEY MEET ALL OTHER ELIGIBILITY REQUIREMENTS (INCLUDING CALIFORNIA RESIDENCY). ALIENS IN CATEGORY 9 ARE ELIGIBLE ONLY FOR EMERGENCY MEDICAL SERVICES (INCLUDING EMERGENCY LABOR AND DELIVERY) IF THEY MEET ALL OTHER ELIGIBILITY REQUIREMENTS (INCLUDING CALIFORNIA RESIDENCY).**

The applicant is:

1. An alien lawfully admitted for permanent residence under the Immigration and Nationality Act (INA). (Evidence includes an Alien Registration Receipt Card (form I-551).) ☐
2. An alien who is granted asylum under section 208 of the INA. (Evidence includes INS Form I-94 and a letter from the INS showing this status.) ☐
3. A refugee admitted to the United States under section 207 of the INA. (Evidence includes INS form I-94 showing this status or an unexpired Refugee Travel Document, INS Form I-571.) ☐
4. An alien paroled into the United States for less than one year under section 212 (d) (5) of the INA. (Evidence includes INS form I-94 showing this status.) ☐
5. An alien paroled into the United States for at least one year under section 212 (d) (5) of the INA. (Evidence includes INS form I-94 showing this status.) ☐
6. An alien whose deportation is being withheld under section 243 (h) of the INA. (Evidence includes an Arrival-Departure Record, INS Form I-94, and an order issued by the Executive Office of Immigration Review.) ☐
7. An alien who is granted conditional entry under section 203 (a) (7) of the INA as in effect prior to April 1, 1980. (Evidence includes INS form I-94 showing this status.) ☐

8. An alien not in one of the above categories who has been admitted to the United States for a limited period of time (a nonimmigrant). (Evidence includes a nonimmigrant visa.) ☐
9. An alien not in any of the above categories. (No evidence of alien status is required from aliens in this category.) ☐

SECTION B: DECLARATION FOR BATTERED ALIENS

IMPORTANT: Complete this section if the applicant or the applicant's child has been battered or subjected to extreme cruelty in the United States.

1. Has the applicant (or the applicant's child) been battered or subjected to extreme cruelty in the United States by a spouse or parent, or by a spouse's or parent's family member living in the same house?

☐ YES

SECTION C:

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE ANSWERS I HAVE GIVEN ARE CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE.

Applicant's Signature: _____ Date: _____

Signature of Person Acting For Applicant: _____ Date: _____

**DECLARACION SUPLEMENTAL DE ESTADO LEGAL DE EXTRANJERO
O SITUACION MIGRATORIA**

SECCION A: DECLARACION SUPLEMENTAL DE LA SITUACION MIGRATORIA

IMPORTANTE: Cada extranjero(a) que quiere beneficios de Medi-Cal tiene que completar **SECCION A** y **SECCION C** de este formulario. Algunos extranjeros pueden recibir beneficios de Medi-Cal que son pagados por el estado si ellos o su criatura ha sido golpeado o tratado con crueldad por su esposo(a) o sus padres. Si piensa que este programa es para usted o su criatura, llene **SECCION A**, **SECCION B**, y **SECCION C** de este formulario.

SECCION A: DECLARACION SUPLEMENTAL SOBRE LA SITUACION MIGRATORIA

IMPORTANTE: Por favor indique abajo la situacion migratoria del solicitante y someta los documentos que demuestran la situacion migratoria. Los documentos de la situacion migratoria que aparecen en cada categoria, son los documentos que se acostumbra usar en los Estados Unidos por el Servicio de Inmigracion y Naturalizacion (INS) para los extranjeros en esas categorias. Usted puede proveer otra forma de documentacion sobre la situacion migratoria que no aparece abajo. **EXTRANJEROS EN CATEGORIAS 1-8 SON ELEGIBLE PARA SERVICIOS DE MEDI-CAL DE EMERGENCIA Y SERVICIOS RELACIONADOS CON EL EMBARAZO SI SATISFACE TODOS LOS REQUISITOS (INCLUYENDO RESIDENCIA EN CALIFORNIA).** **EXTRANJEROS EN CATEGORIA 9 SON ELEGIBLES SOLAMENTE PARA SERVICIOS DE MEDI-CAL DE EMERGENCIA (INCLUYENDO EL PARTO) SI SATISFACE TODOS LOS REQUISITOS (INCLUYENDO RESIDENCIA EN CALIFORNIA).**

El solicitante es:

1. extranjero(a) que ha sido admitido legalmente para residencia permanente, bajo la ley de Inmigracion y Nacionalidad (INA). (documentacion incluye carta de registracion de extranjero "Alien Registration Receipt Card" (form I-551) ☐
2. extranjero(a) que ha recibido asilo, bajo Seccion 208 de la INA. (documentacion incluye forma INS 1-94 y una carta de INS que muestra la situacion migratoria.) ☐
3. refugiado admitido a los Estados Unidos bajo Seccion 207 de la INA. (documentacion incluye forma INS 1-94 que muestra la situacion migratoria o un documento de viajar para refugiado, "Refugee Travel Document" forma INS I-571 que no se avencido.) ☐
4. extranjero(a) que entro en los Estados Unidos bajo la libertad condicional, por lo menos un ano bajo Seccion 212 (d)(5) de la INA. (documentacion incluye forma INS 1-94 que muestra situacion migratoria.) ☐
5. extranjero(a) que entro en los Estados Unidos bajo la libertad condicional por mas de un ano, bajo la Seccion 212 (d)(5) de la INA. (documentacion incluye forma INS 1-94 que muestra la situacion migratoria.) ☐

6. extranjero(a) para quien se detienen la deportacion bajo Seccion 243 (h) de la INA. (documentacion incluye registro de llegada-salida "Arrival-Departure Record" forma INS 1-94, y una orden por la Oficina Ejecutiva de Inmigracion, "Executive Office of Immigration Review".) ☐
7. extranjero(a) que tiene permiso de entrar en los Estados Unidos condicionalmente, bajo Seccion 203 (a)(7) tal como fue en efecto antes de Abril 1, 1980. (documentacion incluye forma INS 1-94 que muestra la situacion migratoria.) ☐
8. extranjero(a) que no esta en una de las categorias arriba, pero que ha sido admitido a los Estados Unidos por un plazo de tiempo limitado (no inmigrante). (documentacion incluye visa de no inmigrante.) ☐
9. extranjero(a) que no esta en una de las categorias mencionadas arriba. (documentacion sobre las la situacion migratoria no son requeridos para extranjeros en esta categoria.) ☐

SECCION B: DECLARACION PARA EXTRANJEROS QUE HAN SIDO GOLPEADOS

IMPORTANTE: Llene esta seccion si el(la) solicitante o la criatura del solicitante ha sido golpeado o ha sufrido extrema crueldad en los Estados Unidos.

1. Ha sido golpeado el (la) solicitante (o la criatura del solicitante) o ha sufrido extrema crueldad en los Estados Unidos por parte de su esposo(a) o sus padres, o por un miembro de la familia del esposo(a) que vive en el mismo hogar? Si ☐ No ☐

SECCION C:

DECLARO BAJO PENA DE PERJURIO BAJO LAS LEYES DEL ESTADO DE CALIFORNIA QUE LAS RESPUESTAS QUE HE DADO SON CORRECTAS Y VERDADERAS A LO MEJOR DE MI SABER.

Firma del Solicitante: _____ Fecha _____

Firma de la Persona
Que Representa

El Solicitante: _____ Fecha _____

MC 13 S (SP) (11/96)