



DATE: March 16, 2026

Medi-Cal Eligibility Division Information

Letter No.: I 26-08

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY WELFARE ADMINISTRATIVE OFFICERS
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS

SUBJECT: AMERICAN INDIAN/ALASKA NATIVE PROPERTY EXEMPTIONS

Purpose

The purpose of this Medi-Cal Eligibility Division Information Letter (MEDIL) is to remind counties of certain property/resource exemptions for Non-Modified Adjusted Gross Income (Non-MAGI) programs that apply to American Indian or Alaska Native (AI/AN) individuals.

Background

Federal and state statutes allow certain payments made to members of AI/AN Tribes, including federally recognized Tribes, to be excluded from income and resource assessments. When determining eligibility for Non-MAGI programs, it is important to ensure that these specific payments under those statutes are not counted in the property reserve following the month of receipt.

There are 574 federally recognized Tribes eligible for certain special programs, funding, and services provided by the United States Bureau of Indian Affairs due to their status as Tribes.

The most current list of federally recognized Tribes, published on December 11, 2024, can be viewed on the Federal Register's website under [Indian Entities Recognized by and Eligible To Receive Services From the United States Bureau of Indian Affairs](#).

Types of AI/AN Resource Exemptions

In accordance with Title 22, California Code of Regulations (CCR), Section [50445](#) and [Title V, Section 5006](#) of the American Recovery and Reinvestment Act of 2009 (ARRA), the following types of incomes and resources listed below are excluded from Non-MAGI determinations for AI/AN individuals. Counties may also reference [ACWDL 09-26](#) for more information on ARRA protection for AI/ANs under Medi-Cal.

Property Exemptions

- Real property and property improvements that are:
 - Held in trust
 - Subject to Federal restrictions, or supervised by the Secretary of the Interior
 - Reservations that belong to any federally recognized Indian Tribe, pueblo or colony, or former reservations in Oklahoma
 - Alaska Native regions established by the Alaska Native Claims Settlement Act (ANCSA)
 - Indian allotments on or near a reservation approved by the Bureau of Indian Affairs of the Department of the Interior
 - Located within the most recent boundaries of a prior Federal reservation
- Ownership interests in rents, leases, royalties, or federally protected usage rights related to natural resources, hunting, fishing, and harvesting.
- Ownership interests in, or usage rights of, items with religious, spiritual, traditional, or cultural significance or that support subsistence or a traditional lifestyle applicable under tribal law or custom.

- Payments under Public Law 90-507 are excluded as personal property if the total nonexempt personal property, including such payments, does not exceed the property limit for one person. Payments that are converted into other property are treated the same as those payments. However, if this converted property, which is now considered excluded personal property, is converted again, it will be counted in the property reserve unless exempted.
- Payments received under Public Law 92-254 or Section 6 of Public Law 87-775.
- Per capita payments resulting from any judgment made by either the Indian Claims Commission or the Court of Claims in favor of any Indian Tribe.
- Distributions from shares of stock and ANCSA are exempt if they remain separate and identifiable and are not commingled with nonexempt resources.
- Receipts derived from lands held in trust and distributed by the federal government to members of Indian Tribes, as specified in Title 22, CCR, [Section 50537\(e\)](#), are exempt, if all the following conditions are met:
 - Retained by the original recipient
 - Not commingled
 - Separate and identifiable as a proportionate share of the applicant's or beneficiary's property

Counties shall note that per capita distributions of Indian gaming revenue are countable payments for both MAGI and Non-MAGI individuals. For Non-MAGI individuals, any unspent funds shall be included in the property reserve following the month of receipt.

As a reminder, counties may reference the Income and Deductions Chart in [ACWDL 21-04](#) for a list of income types that are exempt from the MAGI and Covered California income calculations for AI/AN applicants or members. For additional information on AI/AN Income Exemptions, counties can refer to [ACWDL 16-02](#).

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If you have any questions or need further information, please contact the Medi-Cal Eligibility Division (MCED) Policy inbox at MCED-Policy@dhcs.ca.gov.

Sincerely,

Sarah Crow, Chief
Medi-Cal Eligibility Division
Department of Health Care Services