

Immigrant Access to Medi-Cal

Many immigrants may be eligible for Medi-Cal. Unfortunately, many are unaware of their eligibility and do not seek care or benefits because of fear or lack of information. This guide provides an overview of immigrant eligibility for expanded Medi-Cal under the Affordable Care Act. It also explains Medi-Cal's application process and answers questions regarding potential immigration complications, including "public charge" and potential sponsor liability. Immigrants may be eligible for other forms of Medi-Cal coverage not specifically addressed here.

What is "full scope" Medi-Cal?

Full scope Medi-Cal includes most health care services such as doctor visits, laboratory and x-ray services, prescriptions and medications, inpatient and outpatient hospital care, emergency room visits, and mental health services. In contrast, Restricted Medi-Cal provides only limited health care coverage, such as emergency services and pregnancy-related services.

Which immigrants qualify for full scope Medi-Cal?

Immigrants may qualify if they have low income (up to 138% of the Federal Poverty Level), are physically present with the intent to remain in California, and fall into one of 4 categories:

- 1) U.S. Citizens
- 2) Lawful Permanent Residents
- 3) PRUCOL Immigrants
- 4) Survivors of Human Trafficking with Intent to Apply for T Nonimmigrant Status ("T-Visa")

Other immigrants are not eligible for full-scope Medi-Cal. However, they can apply for health insurance through My Health LA, Restricted Medi-Cal, or other programs (see below).

What is PRUCOL?

PRUCOL stands for Permanently Residing in the U.S. Under Color Of Law. It is a category used solely for Medi-Cal, not for immigration purposes. An immigrant may claim to be PRUCOL when they have a good faith belief that U.S. Citizenship & Immigration Services (USCIS) knows of their presence in the U.S. and does not intend to deport them. PRUCOL includes immigrants who have applied for legal status and are waiting for a response. Some examples of PRUCOL status include:

- Asylum and refugee status
- U Nonimmigrant Status and T Nonimmigrant Status ("U Visa" and "T-Visa")
- Applicant for cancellation of removal or suspension of deportation
- Grantee of an indefinite stay of deportation or voluntary departure
- Grantee of voluntary departure and awaiting issuance of a visa
- Deferred Action status, including Deferred Action for Childhood Arrivals (DACA)

If I am PRUCOL, how do I apply for full-scope Medi-Cal?

To apply for full-scope Medi-Cal as a PRUCOL immigrant, you will need to do the following:

- 1) Fill out Form MC 13, entitled "Statement of Citizenship, Alienage, and Immigration Status." You can find the form online and print it out, or ask for a copy at your local DPSS office. You do not need to have a Social Security Number in order to apply. (This form cannot be submitted online and is available only in English.)

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- 2) Make a copy of an immigration document that proves you have legal status or have applied for status. (Do not give any original documents to DPSS; they may not be returned to you.) Examples include:
 - a. USCIS Approval Notice
 - b. USCIS Receipt Notice
 - c. Notices that contain an “A Number” or “Receipt Number” for your immigration case.
- 3) Bring the MC 13 and the copy of your immigration document to your local DPSS office.

If I am a survivor of human trafficking and I intend to apply for T Nonimmigrant Status (the “T-Visa”), how do I apply for full-scope Medi-Cal?

If you are not a PRUCOL immigrant but have survived human trafficking, and you want to apply for the T Visa, you may be eligible for full-scope Medi-Cal. Contact an immigration attorney for advice on how to proceed. To find an attorney, call the California Bar at (866) 442-2529 or call 2-1-1.

Will getting Medi-Cal make me a “public charge” and prevent me from getting a green card?

“Public charge” is an immigration term used by USCIS. It refers to an immigrant who is not eligible to become a legal permanent resident because he or she is likely to become dependent on the government for subsistence. Most immigrants can get Medi-Cal and healthcare without being identified as a public charge. However, there is a greater risk of becoming a public charge if you are using Medi-Cal to pay for long-term care at a nursing home or mental health institution. In addition, if you are dishonest in your Medi-Cal application, you may be at risk of criminal prosecution that could affect your immigration status. If you already have a green card, the fact that you receive Medi-Cal will not prevent you from returning to the U.S. after a trip lasting less than six months.

Will getting Medi-Cal hurt my sponsor?

It depends. An immigrant’s sponsor may be held responsible for repayment of health care costs within 45 days of a request for repayment by the health care provider. The state has up to 10 years from the date on which the immigrant last received Medi-Cal benefits to bring a lawsuit for repayment against the immigrant’s sponsor. However, there have been no reported attempts by the State of California to obtain repayment for Medi-Cal benefits from sponsors.

What if I cannot meet the immigration status requirements for full scope Medi-Cal? Is there any health care coverage available to me?

Immigrants who do not qualify for full-scope Medi-Cal due to their immigration status are eligible for My Health LA, a program that allows participants to go to health clinics for free medical care (see below for more information). Immigrants may also be eligible for other healthcare programs provided by Los Angeles County, such as Ability to Pay, Healthy Kids (for children ages 0 to 5), and the County Pre-Pay Program. Call 2-1-1 for more information about these programs.

What is Restricted or “Emergency” Medi-Cal? How do I apply?

Restricted Medi-Cal, sometimes called “Emergency” Medi-Cal, provides limited health care coverage such as emergency services and pregnancy-related services. It is available if you are low-income and you are a California resident (live in California and intend to stay here). If you would like to apply for Restricted Medi-Cal, call the Department of Social Services at (877) 597-4777.

What is My Health LA?

My Health LA is a free health care program for low-income people who live in Los Angeles County. It is for people who do not have health insurance and cannot get health insurance. Legal immigration status is not required. If you would like to apply or get more information, call (844) 744-6452.

If you think you qualify for Medi-Cal, call Mental Health Advocacy Services at (213) 389-2077.