

EDUCATORS FOR FAIR CONSIDERATION



# Taking Control of Your Health

A guide to *Medi-Cal* for recipients of Deferred Action for Childhood Arrivals (DACA)

**Do you have DACA<sup>1</sup>? Did you know you might qualify for free or low-cost comprehensive health care through California's Medi-Cal program? Read on to learn more!**

You may have heard that DACA recipients and undocumented people do not have to pay the tax penalty for not having insurance last year. **This is correct.** DACA recipients and undocumented people are excluded from purchasing health coverage and receiving tax credits through the *Affordable Care Act*, also known as “Obamacare.” Therefore, they cannot buy and are not mandated to have health insurance through California’s marketplace, *Covered California*.

Despite this exclusion, many DACA recipients in California can sign up for free or low-cost health coverage through California’s Medi-Cal program, which provides access to more than just emergency services. This is true because in California immigrants with DACA status are considered “Permanently Residing under the Color of Law” or PRUCOL, a category that is used by government benefit programs in California such as Medi-Cal.

Low-income immigrants who are undocumented or may not be considered PRUCOL may still be eligible for Medi-Cal, but would only receive restricted or emergency Medi-Cal. Find out if you might qualify for regular Medi-Cal and how to apply. It doesn’t cost anything to apply and it won’t hurt your chances of getting legal status in the future.

Take control of your health and apply today. Remember, it is safe for your family members to apply!

*This means **DACA** recipients and undocumented individuals **DO NOT** have to pay the tax penalty.*

<sup>1</sup>Deferred Action for Childhood Arrivals is a memorandum authored by the Obama administration that allows immigrants who meet certain requirements to receive a temporary work permit and reprieve from deportation.

# Frequently Asked Questions (FAQ)

## Q1. What is Medi-Cal? What services does it cover?

Medi-Cal is California's Medicaid program – no-cost or low-cost health coverage that provides access to doctor visits, medications, dental services and vision.

Individuals who have incomes below 138% of the Federal Poverty Level <sup>2</sup> [for example, \$27,708 for a family of two] can qualify for no-cost Medi-Cal and do not have to pay a monthly health insurance premium or costly out-of-pocket expenses when they see a doctor. Medi-Cal has traditionally been available only to children, people with disabilities, seniors, or pregnant women. Medi-Cal is now available to childless adults. You can own a house or a car and still qualify for Medi-Cal.

## Q2. What's the difference between regular and restricted Medi-Cal?

There are two types of Medi-Cal coverage: a restricted version of the program called “limited-scope” Medi-Cal and a comprehensive version of the program called “full-scope” Medi-Cal.

**Limited-scope Medi-Cal** generally covers emergency care and pregnancy-related care. Limited-scope Medi-Cal may also cover care and services related to an emergency medical condition (including dialysis services). However, limited-scope Medi-Cal generally does not cover medications, regular doctor visits, organ transplant, or long-term care.

**Full-scope Medi-Cal** covers most health care services including doctor visits, hospital care, tests, medications, emergency care, and surgeries, among other services. For a complete list of the types of services full-scope Medi-Cal covers, see the [Medi-Cal website](#).

## Q3. If I am a DACA recipient, how do I know whether I qualify for full-scope Medi-Cal?

Any low-income DACA recipient already qualifies for limited-scope Medi-Cal. However, many DACA recipients don't know they actually qualify for full-scope Medi-Cal - **if** they meet all other eligibility requirements.

To qualify for Medi-Cal, you must make under 138% of the Federal Poverty Level. To see if you qualify based on income, consult the chart below. Income numbers are based on your *annual* earnings. You may qualify if you make under the [amount listed](#) for your family size.

Family Size	138% Federal Poverty Level
1	\$16,105
2	\$21,708
3	\$27,310
4	\$32,913
5	\$38,516

Numbers subject to change annually. For the complete table, see the [Medi-Cal website](#).

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<sup>2</sup>The FPL is a measure of income levels released by the U.S Department of Health and Human Services (DHHS) to determine eligibility for programs.

# Frequently Asked Questions (FAQ)

## Q4. What is the process and what documents are needed to apply for Medi-Cal? Is there a deadline to enroll?

Knowledge is power! Unfortunately, many applicants are deterred from applying because they are unfamiliar with the application process, or because county workers are unfamiliar with DACA status or the process to enroll them into Medi-Cal. Below, you can learn all of the steps and documents needed to apply to Medi-Cal.

### Documents Needed

#### Proof of Identity (only one of the following is needed):

- ◆ California Driver's License or Identification Card
- ◆ Passport
- ◆ School Identification Card
- ◆ Birth Certificate
- ◆ Marriage Record
- ◆ Social Security Card (if available)
- ◆ Divorce Decree
- ◆ Work Badge
- ◆ Adoption Record
- ◆ Court order for name change
- ◆ Church membership or baptismal confirmation certificate

#### Proof of California Residency:

There are many ways to show proof of California residency. Your proof of your income can serve as proof of residency, if the paystub or employer letter shows the employer's California address. If your income is not earned from the state of California, you can send other proof of California residence. For example you can send: recent rent receipts, a utility bill in your name, a current California Driver's License or ID, or evidence that you or your child are enrolled in a school in California.

#### Proof of Income:

A copy of your most recent pay stub, or a copy of your most recent federal income tax return or an employer statement. If you do not have proof of income you can also self-attest.

#### Copies of documents that establish DACA status:

Employment Authorization Document (EAD) or Form I-797 Form of Action. If none of these documents are available, you may need to fill out form [MC-13](#) provided by the Department of Health Care Services. On the MC-13 form, check the box on page 2 marked "deferred action status."

# Frequently Asked Questions (FAQ)

## Steps For Applying

### 1. Apply:

Complete a Medi-Cal application and submit it by mail, in person, or online. *In-person assistance is strongly recommended.* To apply in-person, visit your local clinic and ask for a certified enroller, or visit your *local county human services agency*. To apply by mail, send the completed and [signed application](#) to your local county human services agency. To apply by phone, contact your local human services agency. To apply online, visit [www.CoveredCA.com](http://www.CoveredCA.com). Applications are securely directed from Covered CA to your local county social services agency. For more information visit: [www.dhcs.ca.gov](http://www.dhcs.ca.gov)

### 2. Notification:

You'll receive a notice by mail that your application has been received.

### 3. Verification:

Your county's social services office may contact you by mail or phone to request additional information or documentation of your income, immigration status, or other criteria that cannot be verified electronically.<sup>2</sup>

### 4. Notice of Action:

Receive a Notice of Action (NOA) that will tell you if you have been approved or denied Medi-Cal. If you are denied, you have the right to appeal the decision. (See Question 8 for more details)

### 5. Benefits Card:

If approved, you will receive a Medi-Cal card, known as a Benefits Identification Card (BIC)— When you receive your BIC in the mail, you will be able to use the many Medi-Cal benefits available to you.

### 6. Choose health plan:

Within 45 days of receiving your BIC you will be mailed a packet of information about health plans that you can choose to enroll in. You must pick a health plan within 30 days and if not, Medi-Cal will choose a health plan for you. If you would like to continue receiving care from your current doctor but have concerns about which health plans they accept, make sure to ask. There are two types of Medi-Cal coverage: a restricted version of the program called "limited-scope" Medi-Cal and a comprehensive version of the program called "full-scope" Medi-Cal.

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*There is no deadline to enroll into Medi-Cal. Medi-Cal enrollment periods are ongoing. When you are determined eligible for Medi-Cal you are eligible to receive health services for the entire month you are determined eligible. You can enroll today!*

## Q5. How long does it take to get a response?

The process for verifying your Medi-Cal eligibility takes 45 days from the day your application is received to the day you receive your Benefits Identification Card (BIC). If your application is not processed within 45 days, Medi-Cal will give you temporary benefits until your application can be processed.

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<sup>2</sup>Note: Information about you or other members of your household WILL NOT be used by U.S. Immigration and Customs Enforcement (ICE) for immigration enforcement purposes. See Question 13 for more details.

# Frequently Asked Questions (FAQ)

## Q6. What should I do if the person helping me enroll is not aware that DACA recipients qualify for full-scope Medi-Cal?

Some Medi-Cal workers may not be aware that DACA recipients are eligible for Medi-Cal and may turn you away or discourage you from applying. If that happens, there is a state memo “MEDIL” that explains to the Medi-Cal worker that you are eligible for full-scope as a DACA recipient. You can print out the [MEDIL document](#) and bring it with you when you apply in person.

## Q7. What if I already have limited-scope Medi-Cal? Can I get full-scope Medi-Cal as DACA?

Yes. You should contact your current Medi-Cal worker and tell them you are a DACA recipient and want full-scope Medi-Cal. You will need to provide a copy of your work permit and may need to fill out the MC-13 form. If your Medi-Cal worker does not change your Medi-Cal to full-scope, give them a copy of the state memo (see above). If that still does not work, you can file an appeal.

## Q8. How do I file an appeal?

If you do not agree with Medi-Cal’s decision to deny you full-scope or limited-scope Medi-Cal, you should file an appeal. On the Notice of Action, there will be information on how to call and request a hearing. You must request a hearing within 90 days of the date of your notice. You will then be contacted by the Medi-Cal agency and tell them the reasons you disagree. If they do not change their decision, you can go before an administrative law judge at a hearing. This is not a court hearing and the hearing is usually done by phone or in an office building. You do not need an attorney to represent you at the hearing. For more information, go to [www.healthconsumer.org](http://www.healthconsumer.org).

## Q9. What if I have past medical bills? Can Medi-Cal cover those?

Medi-Cal is retroactive. This means that once you are approved for Medi-Cal, your benefits will cover you starting the 1st day of the month you applied, and may also cover past bills before you applied to Medi-Cal.

### **Coverage pending Medi-Cal approval:**

*If you apply to Medi-Cal and your application is pending you can seek care. Even if you are approved for Medi-Cal until 3 months later, your Medi-Cal benefits will start the month you applied. If you visit the doctor or incur a bill while your Medi-Cal application is pending, you can tell your doctor to bill Medi-Cal once you are approved.*

### **Coverage before applying to Medi-Cal:**

*If you have bills before applying to Medi-Cal, you can get Medi-Cal to cover those bills up to 3 months before you applied. For example, if you apply for Medi-Cal in March but you received a service in January, the costs for that service should be covered as long as you were Medi-Cal eligible in January.*

Once you are approved for Medi-Cal, ask your Medi-Cal worker about retroactive coverage to cover past bills. Make sure to provide a copy of your bills. Once you are approved for retroactive Medi-Cal, tell your provider or the collections agency to bill Medi-Cal and give them a copy of your Benefits Identification Card (BIC).

# Frequently Asked Questions (FAQ)

## Q10. Does Medi-Cal cover my immediate family?

Your family members may be eligible for limited OR full-scope Medi-Cal depending on their immigration status. Undocumented applicants may be eligible for limited-scope Medi-Cal only. Any family member who is a U.S. citizen is eligible for full-scope Medi-Cal even if the rest of the family is undocumented and as long as they meet the income requirements. You can apply for all family members on the same application.

## Q11. What is the “individual mandate” and does it apply to me?

Under the Affordable Care Act, the individual mandate is a fee charged to people (with legal status) who do not sign up for adequate health coverage. Starting January 2014, almost everyone is now required to have health insurance, which is often called the individual mandate. If a person did not have coverage last year, they may have to pay a tax penalty when they file their taxes by April 2015.

However, many individuals are exempt from this requirement. All individuals who are undocumented, have DACA status, or cannot afford health insurance qualify for an exemption and do not have to pay a tax penalty. If you qualify for an exemption based on your immigration status, you will need to fill out [form 8965](#) and select “exemption C” on the form to claim your exemption and avoid paying a tax penalty. Instructions for filling out the form are found [here](#).

**Note:** DACA recipients and undocumented individuals are still responsible for making sure their eligible tax dependents, including U.S. citizen and legal permanent resident children, obtain health insurance or may risk paying a penalty fee for the eligible dependents. If you did not obtain insurance for eligible family members, you may still qualify for an exemption from the tax penalty. For more information on exemptions, visit: [www.marketplace.gov](http://www.marketplace.gov).

## Q12. What resources are available if I don't qualify for full-scope Medi-Cal?

Undocumented immigrants who otherwise qualify for Medi-Cal can qualify for limited-scope Medi-Cal which includes emergency or pregnancy-related services. Also, many local counties offer free or reduced-cost services to individuals without insurance, regardless of immigration status. Check your local county for more information, or the Hispanas Organized for Political Equality (HOPE) resource guide for undocumented immigrants: [Health Care Resource Guide for Undocumented Immigrants](#).

If you do not qualify for Medi-Cal because you earn too much money, you may still use local or county services, public health services (e.g., immunizations), or go to a local community clinic. DACA recipients may be eligible to enroll in employer-based coverage.

## Q13. If I apply for Medi-Cal today, will it affect my immigration status in the future?

Applying for Medi-Cal will not affect your immigration status. By law, any information provided on your application may only be used to determine eligibility for health coverage. Information about you or other members of your household will not be used by U.S. Immigration and Customs Enforcement (ICE) for immigration enforcement purposes. In fact, ICE released a memo regarding this issue on October 2013. Also, if you qualify for Medi-Cal or other health or nutrition programs (like CalFresh), this will not affect your ability to get a green card in the future under the public charge test. For more information on questions about public charge go to [www.nilc.org](http://www.nilc.org)

# Frequently Asked Questions (FAQ)

## **Q14. Will I be eligible for Medi-Cal if I apply for President Obama's Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) immigration program?**

On November 20, 2014 -after years of advocacy and organizing led by undocumented communities- President Obama took administrative action to grant temporary relief from deportation and eligibility for work permits for millions of undocumented immigrants across our nation. The announcement expands the current DACA program and also creates a Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) program for undocumented parents of U.S. Citizens and Lawful Permanent Residents. While these programs have been temporarily delayed, it is important to know that once they are available and granted, individuals with new expanded DACA or DAPA status should be eligible for full-scope Medi-Cal, if they meet all other eligibility requirements.

## Other Resources

**For more information on resources available to DACA recipients, please visit:**

California Immigrant Policy Center

[www.caimmigrant.org](http://www.caimmigrant.org)

Educators for Fair Consideration

[www.e4fc.org](http://www.e4fc.org)

National Immigration Law Center

[www.nilc.org](http://www.nilc.org)

Pre-Health Dreamers

[www.phdreamers.org](http://www.phdreamers.org)

Dream Resource Center

[www.undocumentedanduninsured.org/](http://www.undocumentedanduninsured.org/)

# Learn More about Health4all!

*Health care is still unaffordable for millions of immigrants, including undocumented individuals. In 2015 we have an opportunity to heal the injustice of exclusive health policies and expand health coverage to all Californians, regardless of immigration status.*

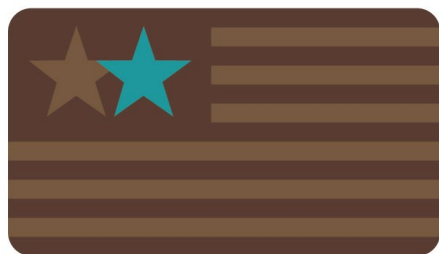
To learn how you can join the fight for Health For All, please visit our [webpage](#) or contact Betzabel Estudillo at [bestudillo@caimmigrant.org](mailto:bestudillo@caimmigrant.org).

*Together, we can build on the vision and promise of the Affordable Care Act and empower all communities to improve their quality of life.*

## About this Guide



The California Immigrant Policy Center (CIPC) advances inclusive policies that build a prosperous future for all Californians, using policy analysis, advocacy, and capacity building to unlock the power of immigrants in California. CIPC fights for progressive policies that advance the health of every Californian, challenge unjust detentions and deportations, and uphold the rights of immigrant workers.



Educators for Fair Consideration (E4FC) empowers undocumented young people to pursue their dreams of college, career, and citizenship in the United States. They address the holistic needs of undocumented young people through direct support, leadership and career development, community outreach and education, creative expression, and advocacy. E4FC programming is designed by and for undocumented young people with support from committed allies. E4FC a fiscally-sponsored project of Community Initiatives.

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