



To: County and Community Agencies Serving Immigrant Children  
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## Immigrant Children's Eligibility for Medi-Cal under the Deficit Reduction Act (DRA)

The purpose of this memorandum is to clarify documentation requirements under the Deficit Reduction Act (DRA) for immigrant children who are eligible for Medi-Cal. Despite recent changes under the DRA, there are **no new documentation or eligibility requirements** for immigrant children to qualify for Medi-Cal. New documentation rules requiring proof of U.S. citizenship apply *only to U.S. citizens*.

As of July 1, 2006, the DRA requires documentation of U.S. citizenship status and identity for most Medi-Cal applicants who declare they are U.S. citizens. (For a list of documents that may be used to prove U.S. citizenship and identity, please see attached list.) The DRA does not affect immigrant children who are *not* U.S. citizens and are otherwise eligible for Medi-Cal. There are a number of immigrant children who may already be receiving or eligible for Medi-Cal, including those in the following immigration situations:

- Permanently residing in the United States under color of law (PRUCOL)
- Pending or approved Violence Against Women Act (VAWA) self-petitioners or derivatives
- Lawful permanent residents (green card holders)
- Refugees and asylees
- U visa applicants
- Victims of human trafficking

Immigrant children in these situations do not need to become U.S. citizens to continue receiving their Medi-Cal benefits under the DRA, nor do they need to provide any new documentation of their identity or status under the DRA.

Some U.S. citizen children are exempt from the citizenship and identity requirements for Medi-Cal eligibility. A partial list of those who are exempt include:

- Title IV-E Foster Care and Title IV-E Adoption Assistance children
- Children receiving Title IV-B services
- Infants eligible under the Abandoned Baby Program who are also born in the U.S. and lack documentation
- Newborns whose mothers are receiving Medicaid at the time of birth

The health of immigrant children is being needlessly threatened by misunderstandings about their eligibility for Medi-Cal under the DRA. Please share this information as widely as possible.

## **Documents to Prove Citizenship and Identity for Medi-Cal under the Deficit Reduction Act (DRA)**

As of July 1, 2006, U.S. citizens who are applying for Medi-Cal must prove their U.S. citizenship status and their identity. Below is a list of acceptable documentation. This list applies to U.S. citizens only. *There are no new documentation or eligibility requirements for non-citizen Medi-Cal recipients and applicants.*

The preferred forms of documentation prove both U.S. citizenship and identity. They include:

- U.S. Passport
- Certificate of naturalization (DHS Forms N-550 or N-570) for foreign born individuals who became U.S. citizens
- Certificate of U.S. citizenship (DHS Forms N-560 or N-561) for individuals who derive citizenship through a parent
- A valid State-issued driver's license if the State requires proof of U.S. citizenship (this is not currently the case in California)

The following is a list of documentation that can possibly be used to prove U.S. citizenship but does not prove identity. If one of these forms of documentation is used, an identity document will need to be provided as well.

- U.S. public birth certificate showing birth in one of the 50 states, DC, Puerto Rico, Guam, the U.S. Virgin Islands, American Samoa, Swain's Island, or Northern Mariana Islands
- Certification or report of birth abroad to a U.S. citizen (DS-1350, FS-240 or FS-545)
- U.S. citizen ID card
- Final adoption decree showing child's name and U.S. place of birth
- U.S. military record showing a U.S. place of birth
- U.S. hospital record of birth on hospital letterhead (does not include "souvenir" birth certificate issued by the hospital)
- Life, health or other insurance record showing a U.S. place of birth

Among the documents that may be used to prove identity (but not U.S. citizenship) are:

- A driver's license issued by a State with a photo and other identifying information
- School identification card with a photo
- U.S. military card or draft record
- Government issued identification card with photo and other identifying information

Children who are under the age of 16 may also use the following documents to prove their identity:

- Schools records, including nursery or daycare records
- Affidavits