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GAVIN NEWSOM
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**PPL No. 21-012R2
REVISED 2**

TO: Local Governmental Agency (LGA) Coordinators for the Targeted Case Management (TCM) Program

SUBJECT: **Unsatisfactory Immigration Status (UIS) Beneficiaries**

This Policy and Procedure Letter (PPL) clarifies when TCM services provided to beneficiaries with an UIS are ineligible for federal financial participation (FFP) and state general funds (SGF). Furthermore, it informs LGAs that they are solely responsible for funding the TCM services that are provided to UIS beneficiaries.

Background

Section 1903(v)(2) of the Social Security Act prohibits states from claiming FFP for non-pregnancy related services provided to individuals without a satisfactory immigration status (including both undocumented immigrants and lawfully present immigrants subject to a five year waiting period). Furthermore, TCM is not an emergency related service. As such, TCM services provided to UIS beneficiaries are ineligible for FFP through the TCM program, with the exception of pregnancy related services. LGAs must adequately document the pregnancy related TCM services provided to a UIS beneficiary to properly claim FFP for those services.

UIS Beneficiary Claims

As of January 1, 2021, LGAs must cease submitting claims to the Department of Health Care Services (DHCS) for TCM services provided to UIS beneficiaries because such services are unallowable or improper under the TCM program. LGAs are solely responsible for funding these improper services and claims; the claims will be ineligible for both FFP and SGF. DHCS has updated the TCM Online System to ensure that claims for TCM services provided to UIS beneficiaries are denied and ineligible for FFP or SGF.

Beneficiaries with a UIS are individuals who fall into at least one of the following groups:

1. Any individual that falls within a restricted scope Medi-Cal aid code. Restricted scope Medi-Cal aid codes are those aid codes that cover only emergency and pregnancy related services, and when needed, long-term care. FFP for these aid codes is limited to emergency and pregnancy related services.
2. Any individual that falls within a full scope aid code who is receiving state funded full scope Medi-Cal because they have an UIS. FFP for individuals receiving state funded full scope Medi-Cal is also limited to emergency and pregnancy related services. Individuals with an UIS, who are receiving state funded full scope Medi-Cal, will fall into one of the following categories:
 - a) "Qualified" Non-Citizen (QNC) beneficiaries who are subject to and have not met the five-year bar.
 - b) Individuals who are Permanently Residing Under Color Of Law (PRUCOL).
 - c) Senate Bill 75 (Chapter 18, Statutes of 2015) beneficiaries.
 - d) Young Adult Expansion (YAE) beneficiaries (ages 21 through 25).
 - e) Trafficking and Crime Victims Assistance Program (TCVAP) beneficiaries. The TCVAP program is a cash and medical assistance program for eligible non-citizen victims of trafficking and other crimes. TCVAP beneficiaries are in the following aid codes: 2V, 4V, 5V and 7V. TCVAP beneficiaries in aid code 2V and 4V are 100 percent State funded. For individuals in aid codes 5V or 7V, FFP is available only for emergency and pregnancy related services.
 - f) Effective May 1, 2022, Older Adult Expansion (OAE) beneficiaries (50 years of age or older).

DHCS will take the following steps to ensure that LGAs do not receive FFP for improper claims for services provided to UIS beneficiaries:

- Underpayment - DHCS will not draw down FFP to pay any underpayment resulting from improperly claiming and providing services to UIS beneficiaries.
 - DHCS will continue to draw down FFP for any underpayments of claims not attributable to UIS beneficiaries.

Ensuring fiscal integrity is a DHCS priority. As such, DHCS will provide separate and additional guidance for identifying UIS beneficiaries and reporting non-claimable encounters.

Please email DHCS-TCM@dhcs.ca.gov for any questions regarding this PPL.

Sincerely,

ORIGINAL SIGNED BY

Brian Fitzgerald, Chief
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