

50301.6 Verification of Satisfactory Immigration Status

(a)

"Satisfactory immigration status" for Medi-Cal purposes means lawful admission for permanent residence in the United States, status as an alien permanently residing in the U.S. under color of law, or status as an amnesty alien.

(b)

The authenticity of all INS-issued documents presented as reasonable evidence of such status shall be verified through the Systematic Alien Verification of Entitlements (SAVE) system operated by INS or by direct contact with INS officials.

(c)

Applicants for full Medi-Cal benefits who have declared themselves to be aliens, must also declare in writing whether, to the best of their knowledge and belief, they have a satisfactory immigration status. Such aliens shall present INS-issued documents which indicate their status. At least one of these documents should contain an alien registration or alien admission number.

(d)

A primary SAVE system verification shall be used to access the biographical/immigration status computer record contained in the Alien Status Verification Index maintained by INS. This procedure shall be used to verify the status of all aliens claiming satisfactory immigration status who present an INS-issued document which contains an alien registration or alien admission

number.

(e)

The secondary SAVE system verification procedure shall be used to forward copies of original INS documents in cases where: (1) A primary check of the Alien Status Verification Index instructs the county department to "Institute secondary verification." (2) The document presented indicates immigration status but does not include an alien registration or alien admission number. (3) The Alien Status Verification Index record includes the alien registration or admission number on the document presented by the alien but does not match other information contained in the document. (4) The document is suspected to be counterfeit or to have been altered. (5) The document includes an alien registration number in the A60 000 000 (not yet issued) or A80 000 000 (illegal border crossing) series. (6) The document is a fee receipt from INS for replacement of a lost, stolen or unreadable INS document. (7) The document is one of the following: an INS Form I-181b notification letter issued in connection with an INS Form I-181 Memorandum of Creation of Record of Permanent Residence, an Arrival-Departure Record (INS Form I-94) or a foreign passport stamped "PROCESSED FOR I-551, TEMPORARY EVIDENCE OF LAWFUL PERMANENT RESIDENCE" that INS issued more than one year before the date of application for Medi-Cal.

(1)

A primary check of the Alien Status Verification Index instructs the county department to "Institute secondary verification."

(2)

The document presented indicates immigration status but does not include an alien registration or alien admission number.

(3)

The Alien Status Verification Index record includes the alien registration or admission number on the document presented by the alien but does not match other information contained in the document.

(4)

The document is suspected to be counterfeit or to have been altered.

(5)

The document includes an alien registration number in the A60 000 000 (not yet issued) or A80 000 000 (illegal border crossing) series.

(6)

The document is a fee receipt from INS for replacement of a lost, stolen or unreadable INS document.

(7)

The document is one of the following: an INS Form I-181b notification letter issued in connection with an INS Form I-181 Memorandum of Creation of Record of Permanent Residence, an Arrival-Departure Record (INS Form I-94) or a foreign passport stamped "PROCESSED FOR I-551, TEMPORARY EVIDENCE OF LAWFUL PERMANENT RESIDENCE" that INS issued more than one year before the date of application for Medi-Cal.

(f)

The status of amnesty aliens who are eligible only for restricted Medi-Cal benefits because they are not aged, blind, disabled or under 18 years of age, shall be verified through the SAVE system; provided, however, that the county department shall not require or request an applicant for or beneficiary of restricted Medi-cal benefits to disclose their citizenship or immigration status, birthplace, country of citizenship, alien registration number and/or alien admission number, date of first entry into the United States, name upon first entry into the United States, or whether they have a Social Security Number.

(g)

Full Medi-Cal benefits received pending completion of a determination of immigration status by INS shall be reduced to restricted Medi-Cal benefits upon receipt of notice from the SAVE system, from an INS official, or the applicant/beneficiary of a lack of satisfactory immigration status.

(h)

The county department shall provide adequate notice to the individual of any adverse action and shall accord to the individual an opportunity for a hearing in accordance with the Department of Social Services Manual of Policies and Procedures and Procedures sections 22-017, 22-021 and 22-022.