

HEALTH COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
RESOLUTION NO. 15-96

**URGING THE MAYOR AND THE BOARD OF SUPERVISORS TO
CONTINUE SUPPORT FOR PRESUMPTIVE MEDICAID ELIGIBILITY
FOR UNDOCUMENTED PREGNANT WOMEN**

WHEREAS, under 42 United States Code Section 1396, States may participate in the Federal Medicaid program to provide medical assistance to families with dependent children or aged, blind, or disabled individuals; and,

WHEREAS, the State of California participates in this program through its Medi-Cal program and provides services to approximately five million people; and,

WHEREAS, current federal statute permits States to presumptively grant Medicaid eligibility to a woman based on pregnancy and income, and provide services to the woman until such times as is determined that the woman is ineligible for Medicaid; and,

WHEREAS, the State of California uses pregnancy and family income to determine presumptive Medi-Cal eligibility and residency status is not used as a criteria to determine presumptive eligibility in the State; and,

WHEREAS, the Health Care Financing Administration has issued a directive which could allow States to deny Medicaid presumptive eligibility to pregnant women who are not residents and has indicated its intent to re-visit its position prohibiting States from requiring additional information as a condition for presumptive Medicaid eligibility; and,

WHEREAS, this recent HCFA communication allows States, such as California, to deny presumptive Medi-Cal eligibility to undocumented pregnant women; and,

WHEREAS, over the last several years, the Governor of California has consistently attempted to eliminate Medi-Cal funded prenatal care services for undocumented women, and has both proposed elimination of the service in 1996-97 and has not included funding for this service in his proposed 1996-97 State budget; and,

WHEREAS, the State Department of Health Services is reviewing HCFA's interpretation of residency verification for determining presumptive eligibility and may use this recent HCFA communiqué to bolster its position that it has the legal authority to eliminate prenatal care to undocumented women; and,

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RESOLUTION NO. 15-96 (Cont'd.)

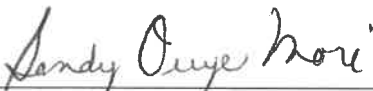
WHEREAS, denying undocumented women access to prenatal care is counter to preventive health care, increases the risk of low-birth weight infants, and places the expectant mother and her unborn child at necessary risk for complications during pregnancy; and,

WHEREAS, the Health Commission previously indicated its desire to ensure undocumented residents access to health care by opposing Proposition 187, the California "Save Our State" Initiative (Health Commission Resolution #35-94, "Consideration of a Proposed Board of Supervisors Resolution to Oppose Proposition 187, the California 'Save Our State' Initiative") and has uniformly opposed any proposal which limits access of undocumented women to prenatal care; now, therefore, be it

RESOLVED, that the Health Commission does not support the use of residency verification in the determination of Medi-Cal presumptive eligibility and continues to support presumptive Medicaid eligibility for undocumented pregnant women based on pregnancy and income level alone; and, be it

FURTHER RESOLVED, that the Health Commission urges the Mayor and the Board of Supervisor to support the continued access of undocumented women to prenatal care through the determination of presumptive eligibility for these individuals.

I hereby certify that the foregoing resolution was adopted by the Health Commission at its meeting on Tuesday, July 2, 1996.



Sandy Ouye Mori
Executive Secretary to
the Health Commission