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December 17, 2008 - LATEST NEWS

California Eligibility Rules for Pre-, Post-Natal Care Unconstitutional

A 1991 California law requires pregnant women whose incomes exceed Medi-Cal eligibility rules to live in the state for six months before they can qualify for a program that provides pre- and post-natal health care. A San Francisco Superior Court judge overturned the law Tuesday. *San Francisco Chronicle*.

<http://www.californiahealthline.org/Articles/2008/12/17/Residency-Requirement-for-Pre-PostNatal-Care-Unconstitutional.aspx>

Wednesday, December 17, 2008

California Eligibility Rules for Pre-, Post-Natal Care Unconstitutional

On Tuesday, a San Francisco Superior Court judge overturned a state law that requires low-income women to live in California for six months before qualifying for health care coverage during pregnancy and immediately following childbirth, the [*San Francisco Chronicle*](#) reports.

Superior Court Judge Patrick Mahoney ruled that the 1991 law is unconstitutional because it penalizes women who exercise their right to move to California (Egelko, *San Francisco Chronicle*, 12/17).

Law Details

The state program is open to women who are ineligible for Medi-Cal but whose incomes do not exceed 300% of the federal poverty level.

Medi-Cal is California's Medicaid program.

Under California law, uninsured women who meet the income and residency requirements are eligible for medical services during their pregnancies and for 60 days after giving birth (*California Healthline*, 4/28).