

S.F. judge strikes down residency rule for low-income mothers

[Bob Egelko, Chronicle Staff Writer](#)

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(12-16) 17:31 PST SAN FRANCISCO -- A San Francisco judge struck down a state law Tuesday that requires low-income women to live in California for six months before qualifying for state-funded care during pregnancy and immediately after childbirth.

The 1991 law violates the Constitution by penalizing women who exercise their right to move to California, said Superior Court Judge Patrick Mahoney, citing what he described as a long line of U.S. Supreme Court decisions.

The law covers uninsured pregnant women whose incomes are too high for Medi-Cal but who make no more than 300 percent of the federal poverty level, or \$3,500 a month for a family of two. They are provided with health coverage for themselves and their newborns, until 60 days after birth, and pay contributions of 1.5 percent of their household income.

Gov. Arnold Schwarzenegger vetoed a bill last year that would have eliminated the six-month residency requirement, saying it would have cost the state more than \$1 million a year. But Lucy Quacinella, a lawyer for Maternal and Child Health Access, the advocacy group that filed the suit in April, said the program saves taxpayers at least \$3 for every dollar spent by preventing birth defects and other conditions that cost far more to treat.

The Managed Risk Medical Insurance Board, which administers the program, will consider the ruling Wednesday and decide how to respond, said spokesman Will Turner.

E-mail Bob Egelko at beigelko@sfchronicle.com.

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