



# MALDEF

The Latino Legal Voice for Civil Rights in America.

## **National Headquarters**

MALDEF Nonprofit Center  
634 S. Spring Street, 12<sup>th</sup> Fl.  
Los Angeles, CA 90014  
TEL: 213.629.2512  
Fax: 213.629.0266

## **Atlanta Program Office**

34 Peachtree Street, NW  
Suite 2500  
Atlanta, GA 30303  
Tel: 678.559.1071  
Fax: 678.559.1079

## **Chicago Regional Office**

11 East Adams Street  
Suite 700  
Chicago, IL 60603  
TEL: 312.427.0701  
Fax: 312.427.0691

## **Los Angeles Regional Office**

634 S. Spring Street, 11<sup>th</sup> Fl.  
Los Angeles, CA 90014  
TEL: 213.629.2512  
Fax: 213.629.0266

## **Sacramento Program Office**

1512 4<sup>th</sup> Street  
Sacramento, CA 95814  
Tel: 916.444.3031  
Fax: 916.444.7207

## **San Antonio Regional Office**

110 Broadway  
Suite 300  
San Antonio, TX 78205  
TEL: 210.224.5476  
Fax: 210.224.5382

## **Washington, D.C. Regional Office**

1016 16<sup>th</sup> Street, NW  
Suite 100  
Washington, DC 20036  
Tel: 202.293.2828

April 20, 2021

Dr. Tomás J. Aragón  
Director and State Public Health Officer  
California Department of Public Health  
PO Box 997377, MS 0500  
Sacramento, CA 95899-7737  
[cdph.internetadmin@cdph.ca.gov](mailto:cdph.internetadmin@cdph.ca.gov)

Re: Request to Bring Proof of Immigration Status or Lawful Presence  
in California Department of Public Health Emails/Texts Confirming  
COVID-19 Vaccine Appointments

Dear Dr. Aragón:

On behalf of MALDEF (Mexican American Legal Defense and Educational Fund), I write with concerns about automated emails and text messages sent by the California Department of Public Health (“CADPH”) confirming individuals’ COVID-19 vaccine appointments because they unlawfully suggest that undocumented individuals who are not lawfully present in the United States are ineligible to receive a vaccine.

We have been contacted by multiple individuals who have made appointments through California’s My Turn website (<https://myturn.ca.gov/>) and subsequently received CADPH confirmation texts and emails containing additional appointment information. In the emails and texts, CADPH provides a link to a Covered California webpage and says that the webpage contains examples of acceptable forms of identification that should be presented at appointments. See Attachment 1 (email and text citing to <https://www.coveredca.com/documents-to-confirm-eligibility/immigration-status/>). The linked Covered California webpage is titled “Proof of Immigration Status or Lawful Presence” and lists documents that prove various types of lawful presence (e.g., lawful permanent resident, asylees, refugees, etc.). See Attachment 2. Thus, individuals following the CADPH link may be misled into believing they must prove their lawful presence at their appointment. Further, there is no indication in the confirmation emails or texts, or in the linked Covered California site that individuals may receive the COVID-19 vaccine regardless of immigration status.

The Unruh Civil Rights Act (“Unruh Act”) entitles persons to “the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments” regardless of race, national origin and *immigration status*. Cal. Civ. Code § 51 (emphasis added). Thus, the California

April 20, 2021

Page 2

Department of Public Health cannot discriminate against undocumented individuals in the administration of the COVID-19 vaccine.

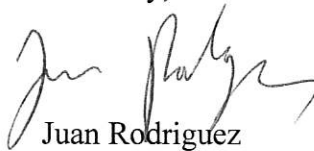
We expect CADPH does not intend to discourage undocumented individuals from making appointments for or receiving a vaccine; however, by providing a link suggesting that people must provide “proof of immigration status or lawful presence,” CADPH may be doing just that.

A policy or practice that has the effect of deterring undocumented individuals from scheduling or receiving a COVID-19 vaccination is a violation of the Unruh Act. Accordingly, we demand that CADPH immediately revise its automated vaccine appointment confirmation emails and text messages to: (1) expressly state that undocumented individuals are eligible to receive a vaccine regardless of their immigration status, or (2) remove the link to the Covered California “Proof of Immigration Status or Lawful Presence” webpage.<sup>1</sup>

Anti-immigrant rhetoric is rampant, and non-citizens are being denied benefits and opportunities to which they are entitled at an alarming frequency in the middle of a pandemic that has devastated Latino and immigrant communities. CADPH has a responsibility to ensure that individuals have equal access to COVID-19 vaccines and are not deterred from scheduling or attending appointments because CADPH’s appointment confirmation emails and text messages contain misleading information concerning proof of immigration status.

As the vaccine rollout rapidly expands across California, we look forward to your prompt response to our request.

Sincerely,

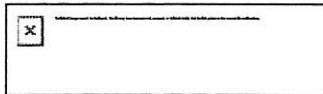


Juan Rodriguez  
Staff Attorney  
MALDEF

---

<sup>1</sup> We note that, beyond the link to the Covered California webpage, the CADPH confirmation email lists acceptable forms of identification (*e.g.*, passport, library card, employer letter, utility bill, matricula consular). We recommend that if the CADPH opts to remove the link to the Covered California website from its confirmation emails and texts, that the above referenced list of acceptable forms of identification be added to CADPH’s text messages, which currently do not include any reference to these forms of identification.

From: **CA Department of Health** <MyTurn\_donotreply@cdph.ca.gov>  
Date: Apr . 2021  
Subject: This is your appointment reminder!  
To:



---

**This is your appointment  
reminder!**

Hi! Your second appointment for the COVID-19 vaccination is Sunday, April 11 2021, at . Please show this code when you arrive:



**Appointment Number**

---

**Patient**

**Vaccination Location**

Cal Poly Pomona - MASS VAX HUB  
674 Kellogg Drive, Pomona, CA 91768

**Appointment 2**

Sunday, April 11 2021, at 9:50 AM

Please bring a form of documentation with your name on it. The name should match the name on your appointment confirmation.

- If your eligibility is based on age, bring a document with a birthdate.
- If your eligibility is based on occupation, bring a document showing your occupation.
- If your eligibility is based on an underlying condition or disability, no other documentation is required for verification.

**You do not need a government-issued ID to receive a vaccine.** Examples of acceptable documentation with your name include: a REAL ID, state driver's license or identification card, passport, library card, employee/work ID, letter from your employer or school, paystub, bank/ATM card, membership card, utility bill, money transfer receipt, matricula consular, or any of the documents accepted by Covered California as identification.



---

**Need to change or cancel your appointment?**

Cancel your appointment [here](#), then schedule a new date and time as needed.

**For detailed information about the vaccines, visit <http://vaccinateall58.com> and see the fact sheets for COVID-19 Emergency Use Authorization (EUA):**

- [Pfizer vaccine fact sheet](#)
- [Moderna vaccine fact sheet](#)
- [Johnson & Johnson \(Janssen\) vaccine fact sheet](#)

**Need help or have questions?**

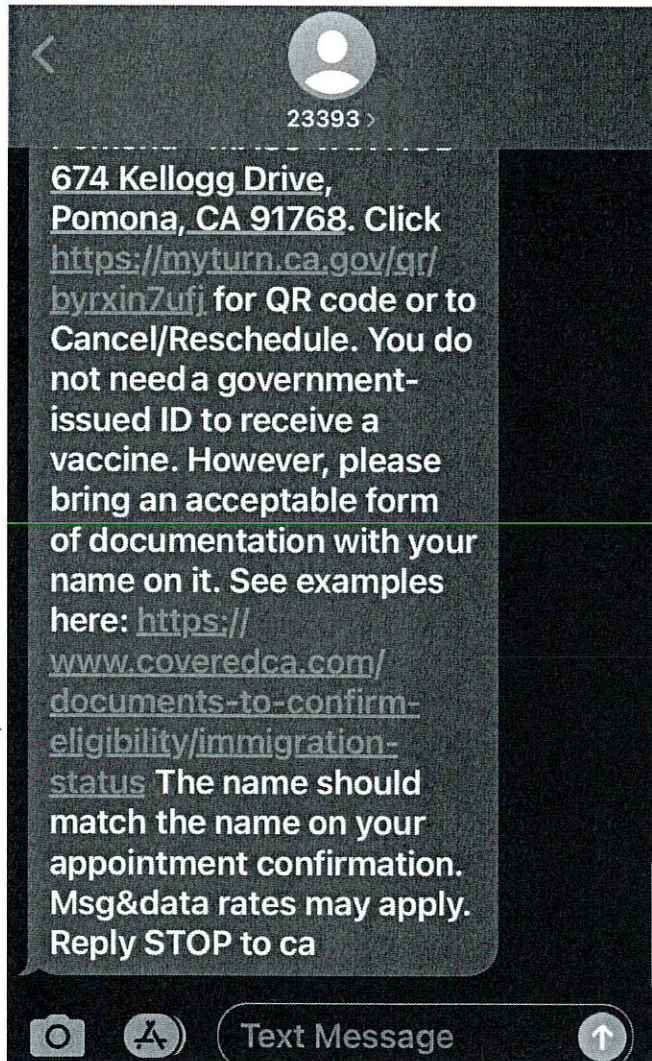
Our Virtual Assistant can help answer your vaccine, registration, and scheduling questions. Chat now at [chat.myturn.ca.gov](https://chat.myturn.ca.gov)

Or call the CA COVID-19 Hotline at **1-833-422-4255**

**You can reduce the risk to yourself and others by:**

- Staying at home and isolating from others when sick
- Wearing a mask
- Practicing physical distancing
- Washing your hands often

To unsubscribe from My Turn emails, [click here](#)

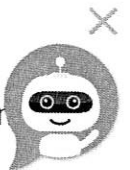


---

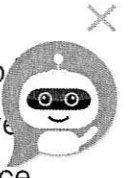
# Proof of Immigration Status or Lawful Presence

Submit a copy of one of the following documents.

1. Lawful permanent residents (LPR/green card holder). *For pending applicants for adjustment to LPR, go to #22 of this section.*
  - Permanent Resident Card or "Green Card" (I-551).
  - Temporary I-551 stamp on form I-94/I-94A or on a foreign passport.
  - Machine Readable Immigrant Visa with temporary I-551 language.
  - Reentry Permit (I-327).
  - Arrival/Departure Record (I-94) (showing stamp for admission as LPR).
  - Arrival/Departure Record (I-94) in foreign passport (showing stamp for admission as LPR).
  - Order issued by Department of Homeland Security (DHS), Board of Immigration Appeals, or Immigration Judge granting registry, suspension of deportation, cancellation of removal, or adjustment of status.
  - Receipt from U.S. Customs and Immigration Service (USCIS) showing that Form I-90, application for LPR replacement card, has been filed.
2. Asylees. *For pending applicants for Asylum, go to #23 of this section.*
  - Arrival/Departure Record (I-94) (with stamp showing grant of asylum, "Asylee" or "§208").
  - Arrival/Departure Record (I-94) in foreign passport (with stamp showing grant of asylum, "Asylee" or "§208").
  - Order granting asylum by USCIS, DHS, immigration judge, Board of Immigration Appeals, or federal court.
  - Employment Authorization Document (Card) (I-766) (annotated "A5").
  - Refugee Travel Document (I-571).
  - Permanent Resident Card, "Green Card" (I-551).
3. Refugees
  - Arrival/Departure Record (I-94/I-94A) (stamped "Refugee" or "§207").
  - Employment Authorization Document (Card) (I-766) (annotated "A3").
  - Refugee Travel Document (I-571).
  - Permanent Resident Card, "Green Card" (I-551).
  - Application for Employment Authorization (I-765), or receipt from USCIS indicating filing of application.



4. Conditional entrant (CE) granted before 1980 (Note: this is the immigration status used for refugees prior to the Refugee Act of 1980; most have adjusted to LPRs though some retain CE status.)
  - Arrival/Departure Record (I-94/I-94A) (indicating status as “conditional entrant,” “refugee-conditional entrant,” “Seventh Preference,” “§203(a)(7)” or “P7”).
  - Employment Authorization Document (Card) (I-766) (annotated “A3”).
  - Permanent Resident Card or “Green Card” (I-551).
5. Individuals granted withholding of deportation or withholding of removal (under the immigration laws or under the Convention Against Torture [CAT])*For pending applicants for withholding of deportation/ removal, go to #23 of this section.*
  - Document indicating withholding of removal (e.g., an order granting withholding of deportation/removal issued by USCIS, DHS, immigration judge, Board of Immigration Appeals, or federal court).
  - Employment Authorization Document (Card) (I-766) (annotated “A10”).
  - Administrative order staying removal issued by the Department of Homeland Security.
  - Arrival/Departure Record (I-94/I-94A) (stamped “Withholding of Deportation,” “§243(h)” or “§241(b)(3)”).
  - Refugee Travel Document (I-571).
6. Individuals paroled into the U.S.
  - Arrival/Departure Record (I-94/I-94A) (with stamp indicating “parole” or “PIP” or “212(d)(5)” or other language indicating parole status).
  - Employment Authorization Document (Card) (I-766) (annotated “A4” or “C11”).
  - Employment Authorization and Advance Parole Card (I-512) (annotated with reason parole was granted under Title 8 of the Code of Federal Regulations).
7. Cuban or Haitian Entrants
  - Arrival/Departure Record (I-94/I-94A) (with stamp indicating “Cuban/Haitian Entrant” or any other notation indicating “parole under §212(d)(5)”, including “CU6,” “CU7,” or “CH6,” among others – rare since 1980s).
  - Employment Authorization Document (Card) (I-766) (annotated “C8,” or “C11”).
  - Temporary I-551 Stamp (on passport or I-94/I-94A).
  - Permanent Resident Card, “Green Card” (I-551).
  - Receipt or notice showing filing or pending status of Application for Asylum and withholding (I-589).
8. Qualified Domestic Violence Survivor (the parent and/or child of a spouse or child who been battered or subjected to extreme cruelty in the U.S. by a spouse, parent, or relative the same household) who has been approved (or has a pending petition) under Violence





Against Women Act (VAWA) for (1) status as a spouse or a child of a U.S. citizen, (2) status as a spouse or a child of a U.S. lawful permanent resident, (3) suspension of deportation, or (4) cancellation of removal.

- Application to qualify as abused spouse, child, or parent under VAWA (I-360).
- Notice of Action (I-797) (referencing a pending "I-360").
- Employment Authorization Document (Card) (I-766) (annotated "A10," "C14," "C9," "C10," "C14" or "C31").
- Receipt or other proof of filing I-485 "Application to Register Permanent Residence or Adjust Status."
- Any documents indicating a pending suspension of deportation or cancellation of removal case, including a receipt from an immigration court indicating filing of Application for Suspension of Deportation (EOIR-40) or Application for Cancellation of Removal (EOIR-42).
- Receipt or other proof of filing I-130 visa petition under immediate relative (IR) or second family preference (P-2) showing status as a spouse or child.

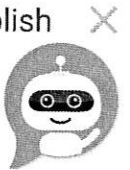
9. Victim of Trafficking and his/her Spouse, Child, Sibling or Parent (or individuals with a pending application for a victim of trafficking visa).

- Certification from Office of Refugee Resettlement (ORR).
- ORR eligibility letter if under 18 years of age.
- Employment Authorization Document (Card) (I-766) (annotated "A16," "C25").
- Notice of Action (I-797) ("Approval Notice" for "CP," "T-1" or "extension of T or U non-immigrant status," "T-2 spouse," "T-3 child," "T-4 parent," "T-5 unmarried sibling under 18.").
- Permanent Resident Card, "Green Card" (I-551).
- Employment Authorization and Advance Parole Card (I-512) (authorization for parole, indicating "T-2," "T-3," "T-4," "T-5," status).
- T-Visa Application (I-914).
- Certification status verified through U.S. Department of Health and Human Services. Trafficking Verification Line: (866)-401-5510.

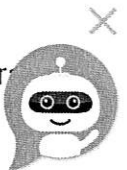
10. Member of a federally recognized Indian tribe or American Indian born in Canada

- Certificate from Department of Interior or Department of Indigenous and Northern Affairs certifying Native American tribal ancestry or other authoritative document.
- Letter from the Canadian Department of Indian Affairs, birth or baptismal record issued on a Canadian Indian Reservation, or tribal or school records which establish that American Indians born in Canada are of at least one half American Indian ancestry.

11. Other Non-Immigrant Status (letter visas) including worker visas and student visas:



- F-1, F-2, M1 and M2 (academic and student non-immigrant visa categories).
  - Form I-20.
  - Arrival/Departure Record (I-94/I-94A) showing non-immigrant status.
  - Foreign Passport (indicating admission to U.S. with non-immigrant visa).
  - Employment Authorization Document (Card) (I-766) (indicating non-immigrant status).
- J-1 and J-2 (exchange visitors including professors, scholars and physicians non-immigrant visa categories).
  - Form DS-2019, Certificate of Eligibility for Exchange Visitor Status.
  - Arrival/Departure Record (I-94/I-94A) indicating non-immigrant status.
  - Foreign Passport (with admission stamp indicating admission to U.S. with non-immigrant visa).
  - I-797, Notice of Action.
  - Employment Authorization Document (Card) (I-766) (indicating non-immigrant status).
- H, L, O, P, Q (temporary worker non-immigrant visas categories).
  - Foreign passport (indicating admission to U.S. with non-immigrant visa).
  - Arrival/Departure Record (I-94/I-94A) indicating non-immigrant status.
  - Form I-797, Notice of Action.
  - Employment Authorization Document (Card) (I-766) (indicating non-immigrant status).
- T (victim of human trafficking non-immigrant visa category).
  - Foreign passport (admission stamp indicating admission to U.S. with non-immigrant visa).
  - I-797, Notice of Action for "T" Status.
  - Arrival/Departure Record (I-94/I-94A) indicating non-immigrant visa status.
  - Employment Authorization Document (Card) (I-766) (indicating non-immigrant status).
  - Form I-485, Adjustment of Status.
- U (victim of criminal activity non-immigrant visa category).
  - Foreign passport (admission stamp indicating admission to U.S. with non-immigrant visa).
  - Arrival/Departure Record (I-94/I-94A) indicating "U" non-immigrant visa.
  - Receipt of Form I-918.
  - Employment Authorization Document (Card) (I-766) (indicating non-immigrant status).
  - Form I-539, Application to Extend Non-immigrant Status.



- Form I-485, Adjustment of Status.
- All other valid non-immigrant Letter Visa categories.
  - Valid non-immigrant visas begin with the letters A through V (however, most non-immigrant visas will be identified in the worker, visitor, and student visa types above).
  - Including but not limited to A, K, and R visas.
  - Foreign passport (admission stamp indicating admission to U.S. with non-immigrant visa).
  - Employment Authorization Document (Card) (I-766) (indicating non-immigrant status).
  - Arrival/Departure Record (I-94/I-94A) indicating admission to the US with a non-immigrant visa.
  - Form I-539, Application to Extend Non-immigrant Status.

12. Citizens of Micronesia, the Marshall Islands, and Palau

- Arrival/Departure Record (I-94/I-94A).
- Foreign Passport (annotated "CFA/RMI," "CFA/FSM" or "CFA/PAL.")
- Employment Authorization Document (Card) (I-766) (annotated "A8").

13. Residents of American Samoa

- An official document showing the individual is a resident of, or lives in, American Samoa.

14. Lawful Temporary Residents

- Employment Authorization Document (Card) (I-766) (annotated "A2", or with other evidence indicating eligibility under "§210" or "§245A").
- Application to Adjust from Temporary to Permanent Residence under INA §245A (I-698).

15. Individuals with Temporary Protected Status (TPS). *For pending applicants for TPS, go to #23 of this section.*

- Employment Authorization Document (Card) (I-766) (annotated "A12").
- Notice of Action (I-797) (showing grant of TPS status).

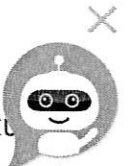
16. Individuals granted Deferred Enforced Departure (DED)

- Employment Authorization Document (Card)(I-766) (annotated "A11").
- Immigration documentation with an alien number or I-94 showing status.

17. Individuals granted Deferred Action Status

- Notice of Action (I-797) (showing approval of "deferred action" status).
- Employment Authorization Document (Card) (I-766) (annotated "C14").

Note: Deferred Action for Childhood Arrivals (DACA) is not an eligible immigration status for health insurance through Covered California. The Employment Authorization Document



(I-766) annotated Category "C33" is specific to DACA and is not proof of eligibility for Covered California. Individuals with DACA status may be eligible for Medi-Cal.

18. Family Unity beneficiaries

- Notice of Action (I-797) (showing approval for "Application for Family Unity [I-817]").
- Employment Authorization Document (Card) (I-766) (annotated "A13").

19. Individuals with Order of Supervision with employment authorization

- Notice or form showing release under "Order of Supervision" and Employment Authorization Document (Card) (I-766).

20. Registry Applicants with employment authorization

- Receipt or notice showing filing Form I-485 "Application to Register Permanent Residence or Adjust Status" and Employment Authorization Document (Card) (I-766).

21. Applicant for Special Immigrant Juvenile Status

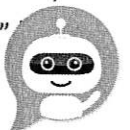
- Notice of Action (I-797) ("Special Immigrant Juvenile Approval Notice," "Welcome Notice/Approval of I-485," or "Other Basis of Adjustment SL6").
- Permanent Resident Card, "Green Card" (I-551) (coded "SL6").

22. Applicant for Adjustment to LPR Status

- Notice of Action (I-797) (ASC Appointment notice with Case Type "I-485 Application" **and** "Receipt of Application for Employment Authorization based on C9").
- Employment Authorization Document (Card) (I-766) (e.g. annotated "C9" or "C9P").
- Employment Authorization and Advance Parole Card (I-512) (authorization for parole, indicating applicant for adjustment of status).
- Receipt showing filing or pending status of Form I-485 "Application to Register Permanent Residence or Adjust Status."

23. Applicants for any of the following statuses must also submit an Employment Authorization Document (Card) (I-766).

- Temporary Protected Status (TPS) with employment authorization.
  - Receipt or notice showing filing or pending status of "Application for Temporary Protected Status" (I-821) **and** Employment Authorization Document (Card) (I-766) (annotated "C19").
- Legalization under IRCA or the LIFE Act with employment authorization.
  - Foreign passport (with a stamp or writing by INS/DHS officer, indicating pending "§245A Application") **and** Employment Authorization Document (Card) (I-766) (annotated "Application for Temporary Residence under INA §245A" 687]).



- Asylum or Withholding of Deportation/Removal, including applicants under the Convention against Torture (CAT) (only if granted employment authorization or are under the age of 14 and have had an application pending for at least 180 days).
  - Receipt or notice showing filing or pending status of “Application for Asylum and Withholding” (I-589) **and** Employment Authorization Document (Card) (I-766) (annotated “C8”).
- Cancellation of Removal or Suspension of Deportation with employment authorization.
  - Receipt or Notice showing filing Form EOIR-40, EOIR-42, or “Application for Suspension of Deportation or Special Rule Cancellation of Removal” (I-881) **and** Employment Authorization Document (Card) (I-766)

[← Back](#)

**Want to get started with Covered California?**

[Learn More](#)

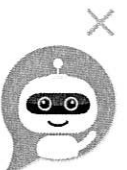
Was this article helpful?



Yes



No



Can't find what you're looking for?

Contact Us

## Never miss a deadline.

Sign up for email updates to get  
deadline reminders and other  
important information

First Name

e.g. John

ZIP Code

12345

Email\*

youremail@example.com

\* required

Subscribe

Contact Us

(800) 300-1506

Other Languages ▾

Service Center Hours

Monday to Friday: 8 a.m. - 6 p.m.

Saturday and Sunday: Closed

