
The more recent letter also instructed such persons that they could get a refund for any money paid to DHS since March 19, 1996 until the present in response to the initial letter.

*California Department of Social Services - State Hearings Division
Notes from the Training Bureau - June 12, 2000*

Item 00-06-01C

CDHS ACWDL 00-11 -- March 14, 2000 (Synopsis): DHS Form 7077 - Notice Regarding Standards for Medi-Cal Eligibility

DHS Form 7077 - Notice Regarding Standards for Medi-Cal Eligibility

Pursuant to Welfare and Institutions Code (W&IC) §§14006.3 and 14006.4, which are effective January 1, 2000, counties must provide form DHS 7077 to all Long Term Care (LTC) applicants, **their spouses, and/or authorized representatives/agents**. The county must provide and review the DHS 7077 during an assessment or a face-to-face interview. The DHS 7077 must be signed by, and a copy provided to the applicant and his/her spouse, legal representative, or agent, and a copy retained for the case record.

If the applicant is not competent, the DHS 7077 must be reviewed with, signed by, and provided to someone who is competent such as a competent spouse, an attorney and/or agent if such person is present at a face-to-face interview or assessment. If the representative did not attend the face-to-face interview, such as with a public guardian or conservator, the county must mail the form to the representative for his/her signature.

A copy of the DHS 7077 is an attachment to the ACWDL. It provides information concerning resources for both unmarried and married residents of LTC and deals with transfer of the home for both unmarried and married LTC residents. It notes that a transfer of the home will not result in a period of ineligibility for nursing facility care in either one of the following two circumstances:

1. The recipient of the transferred home states in writing that the LTC resident would have been allowed to return to the home at the time of transfer if the LTC resident's condition allowed him/her to leave the nursing facility. This provision applies only if the home was exempt because the LTC resident declared an intent to return home.
2. The home is transferred to:
 - a) the LTC resident's spouse;
 - b) the LTC resident's minor or disabled child;
 - c) a sibling of the LTC resident who has an equity

interest in the home, and who resided in the home at least two years before the resident began living in institutions, and who provided care to the LTC resident that permitted him/her to remain at home longer; or

d) an adult son or daughter who resided in the LTC resident's home at least two years before the resident began living in institutions, and who provided care to the LTC resident that permitted him/her to remain at home longer.

This ACWDL also advises that counties are still required to provide the MC 007 to all Medi-Cal applicants including LTC residents whenever a Medi-Cal application is submitted or information is requested regarding Medi-Cal. The MC 007 must be reviewed with the individual at the face-to-face interview or at screening/assessment.

*California Department of Social Services - State Hearings Division
Notes from the Training Bureau - June 12, 2000*

Item 00-06-01B

CDHS ACWDLs 00-10 and 00-18 -- March 8 and March 21, 2000 (Synopsis): Federal Poverty Level (FPL) Charts

Federal Poverty Level (FPL) Charts

ACWDL 00-10 provides FPL charts that are effective April 1, 2000. Included is a *Sneed v. Kizer* prorated FPL chart based on new poverty levels which will be used for Section 1931(b) applicants and recipients.

ACWDL 00-18 provides a chart for Qualified Medicare Beneficiary (QMB), Specified Low-Income Medicare Beneficiary (SLMB), and Qualifying Individual 1 (QI-1) and Qualifying Individual 2 (QI-2) levels effective April 1, 2000 through March 31, 2001.

*California Department of Social Services - State Hearings Division
Notes from the Training Bureau - June 12, 2000*

Item 00-06-01A

CDHS ACWDL 00-07 -- February 22, 2000 (Synopsis): 2000 Statewide Average Private