
.32 In determining whether good cause exists for a refusal or failure to comply with program requirements, the CWD shall take into consideration whether the participant has a mental disability that cause or substantially contributed to the refusal or failure to comply with program requirements. This determination shall be made, where appropriate, in consultation with the county mental health department.

.33 An individual shall have good cause for not participating in welfare-to-work activities if he or she meets the criteria described in Section 42- 713.

.451 If the sanctioned parent's spouse or the assistance unit's second parent is not participating in the program, ... both the sanctioned parent and the spouse and second parent shall be removed from the assistance unit.

.452 The CWD shall notify the spouse of the non-complying participant or second parent in writing at the commencement of the compliance procedures of his or her own opportunity to participate and the impact on sanctions of that participation.

*California Department of Social Services - State Hearings Division
Notes from the Training Bureau - December 5, 2000*

Item 00-12-02K

CDHS ACWDL 00-58 -- November 14, 2000 (Synopsis): 2001 MCCA Spousal Impoverishment Caps

2001 MCCA Spousal Impoverishment Caps

Effective January 1, 2000, the Community Spouse Resource Allowance (CSRA) is increased to \$87,000. The new Minimum Monthly Maintenance Need Allowance (MMMNA) is \$2175.

*California Department of Social Services - State Hearings Division
Notes from the Training Bureau - December 5, 2000*

Item 00-12-02J

CDHS ACWDL 00-57 -- November 14, 2000 (Synopsis): Aged and Disabled FPL Program

Aged and Disabled FPL Program

Effective January 1, 2000, there is a new \$0 share of cost program for aged and disabled persons. To be eligible for this program, the individual or couple must be aged or disabled and not in Long-Term Care.

To qualify for this program, a single individual will have an effective income limit of \$926 based on \$696 + a \$230 disregard. (The ACWDL does not specify if this income

limit is a net or gross income limit, but it is a net income limit.) A couple will have an effective income limit of \$1248 based on \$938 + a \$310 disregard.

If persons who qualify for this \$0 share of cost program have other family members who apply for Medi-Cal, the qualifying member(s) will be an ineligible member of the other family member's Medi-Cal Family Budget Unit (MFBU). The income of the qualifying member(s) will be counted as will the needs of the qualifying members in computing the share of cost for the other family members.

*California Department of Social Services - State Hearings Division
Notes from the Training Bureau - December 5, 2000*

Item 00-12-02I

CDHS ACWDL 00-56 -- November 15, 2000 (Synopsis): Personal Care Deduction for Persons in Licensed Board and Care Facilities

Personal Care Deduction for Persons in Licensed Board and Care Facilities

This ACWDL gives instructions for implementing *Petit v. Bonta*. In *Petit*, the court found that Medi-Cal needed to allow persons in licensed board and care residential facilities to apply incurred expenses to their share of cost.

Effective April 1, 2000, individuals residing in a licensed board and care facility are allowed a standard \$315 personal care services deduction in lieu of the excess maintenance need deduction provided for in §50515(a)(3). If the excess maintenance need deduction in §50515(a)(3) produces a larger deduction than \$315, and thus results in a lower share of cost, the individual is entitled to the excess maintenance need deduction.

This ACWDL also provides a draft Medi-Cal Eligibility Procedures Manual (MEPM) §12C that discusses how counties should process cases when a share of cost has been reduced retroactively. It provides several case situations and instructs counties what steps to take if the beneficiary wants future shares of cost reduced or wants reimbursement for a share of cost already paid.

*California Department of Social Services - State Hearings Division
Notes from the Training Bureau - December 5, 2000*

Item 00-12-02H

CDHS ACWDL 00-53 -- October 23, 2000 (Synopsis): Temporary Disregard of Social Security Cost of Living Adjustments (COLA)

Temporary Disregard of Social Security Cost of Living Adjustments (COLA)

Beginning with the January 2001 COLA, counties are not to apply the Social Security COLA to the 1931(b) program until the new FPLs are released and applied (usually April 1 of each year).