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**Must the County Issue a Medi-Cal Notice of Action to an "Authorized Representative"?**

Is the county required to issue a notice of action to a person who acts as "authorized representative" in the Medi-Cal application process on behalf of the applicant? Who may complete a Medi-Cal application on behalf of the applicant? Note that the term "authorized representative" for purposes of this discussion does not mean the person acting on behalf of a claimant in a state hearing. Instead, authorized representative refers to the person designated by the Medi-Cal applicant to assist him/her in the application process or who has assisted the applicant in the application process..

If the applicant is mentally competent, Medi-Cal Eligibility Procedures Manual (MEPM)§ 4-U page 3 says that counties are not obligated to issue a notice of action on a routine basis to the authorized representative. An authorized representative is permitted to receive a notice of action only if the applicant specifically requests one be sent to the authorized representative.

Even if the county fails to send a notice of action to the authorized representative upon the request of a competent applicant, that applicant would be responsible for filing a timely hearing request. The failure of the county to send a notice of action to the authorized representative would not be a basis for a judge to find jurisdiction if the competent claimant filed an untimely hearing request after receiving an adequate notice of action.

If the applicant is not mentally competent, and the county is made aware that the applicant is incompetent, the county is obligated to send a notice of action to the person completing the Medi-Cal application as well as to the applicant or beneficiary. If the person completing the Medi-Cal application designates someone else to receive county correspondence on behalf of the Medi-Cal applicant, the county must send any notice of action to that person.

The county is obligated to have the person completing the Medi-Cal application on behalf of an incompetent claimant complete a DHS 7068 form designating to whom the county should send all correspondence, including notices of action.

*California Department of Social Services - State Hearings Division  
Notes from the Training Bureau - April 10, 2002*

**Item 02-04-02I**

**ACIN I-13-02 February 20, 2002 (Synopsis):** State Minimum Wage Increase and FSET Requirements

MPP §63-407.85 defines work participation requirements for persons assigned to FSET. For each month a food stamp household is assigned to an FSET work component, the required hours of participation are determined by dividing the household's monthly food stamp allotment by the higher of the state or federal minimum wage.

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Since the state minimum wage is higher, it is used when calculating the number of hours a household member is required to participate in an FSET work component. Because the state minimum wage increased effective January 1, 2002, the number of hours an FSET participant will be required to work will be reduced.

*California Department of Social Services - State Hearings Division  
Notes from the Training Bureau - April 10, 2002*

**Item 02-04-02H**

**ACIN I-10-02 February 22, 2002 (Synopsis):** Cal-Learn

Cal-Learn is a mandatory program for pregnant or parenting teens under age 19 who receive CalWORKs and have not earned a high school diploma or equivalent. If a county discovers that a pregnant or parenting teen should have been enrolled in Cal-Learn, the county should take corrective action and refer the teen to the Cal-Learn program. Some of the actions that the county must take if it failed to enroll a teen in Cal-Learn when the teen should have been enrolled are as follows:

The county should issue bonuses to the teen for all time periods the teen should have been in Cal-Learn and was making satisfactory progress in school as defined by Cal-Learn regulations. The teen should be reimbursed for any childcare, transportation, and ancillary expenses incurred in accordance with MPP §42-765.1.

Retroactive payments for bonuses and supportive services are not considered income or property in the month received or the following month. No sanction may be imposed retroactively if the teen failed to make adequate progress in school as defined by Cal-Learn regulations.

*California Department of Social Services - State Hearings Division  
Notes from the Training Bureau - April 10, 2002*

**Item 02-04-02G**

**ACIN I-05-02 January 18, 2002 (Synopsis):** Treatment of Absent Household Member for Military Service

A household member who is out of the home and living with a military unit is not considered part of the food stamp household. Any income or resources the military member provides to the household is countable per MPP §63-503.45.

*California Department of Social Services - State Hearings Division  
Notes from the Training Bureau - April 10, 2002*

**Item 02-04-02F**

**ACIN I-114-01 December 31, 2001 (Synopsis):** Implementation of the New Statewide Minimum Wage