
CDSS ACWDL 02-42 -- July 19, 2002 -- Representatives of Medi-Cal Applicants

This ACWDL rescinds the following ACWDLs regarding authorized representatives for incompetent applicants: ACWDL 95-30, 95-60, 96-20, 97-01 and 02-28. Previously, ACWDLs 93-84 and 94-99 had been rescinded. ACWDL 94-62 has not been rescinded.

The DHS will issue a new ACWDL that provides new guidance and examples on the subject of authorized representatives and incompetent applicants and beneficiaries. In the interim, this ACWDL suggests that counties follow Title 22 CCR §50163(a)(3)(B) in situations where the applicant is incompetent and has no spouse, conservator, guardian or executor. That section does not require that a person filing an application on behalf of an incompetent person have prior knowledge of that person's circumstances.

Note: While this ACWDL does not mention ACWDL 94-62, that ACWDL may be helpful in circumstances involving an incompetent applicant.

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

Item 02-12-01B

CDSS ACWDL 02-40 -- July 3, 2002 -- Processing Disability Evaluations under the SB 87 Process

Counties are reminded that they must process disability evaluations any time an applicant or beneficiary alleges he/she has a disability. This is true regardless of whether the individual is currently receiving Medi-Cal on another basis.

The 250% program allows individuals to earn above the current Substantial Gainful Activity (SGA) limit (\$780 monthly in 2002) and still qualify for Medi-Cal through disability linkage. Counties must thus not deny Medi-Cal based on SGA if the individual alleges a disability, but must refer the case to the Disability and Adult Programs Division (DAPD) for a disability evaluation.

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

Item 02-12-01A

CDSS ACWDL 02-38 -- June 28, 2002 -- Questions and Answers About the Aged and Disabled (A&D) Federal Poverty Level (FPL) Program

Following are answers to some of the questions in this ACWDL:

• New FPLs become effective in April of each year. The A&D FPL program limit for an individual is determined by adding \$230 to 100% of the FPL for an individual and \$310 to 100% of the FPL for a couple. Do not count the annual Social Security cost of living

adjustments that an individual receives in January of each year until the new FPL limits are increased in April of that year. A&D FPL income limits cannot be less than the SSI/SSP levels for an individual or a couple.

“ Health care premiums may be used as a deduction for purposes of determining eligibility for the A&D FPL except for the IHSS deduction.

“ However, a Medi-Cal beneficiary may not choose to pay his/her own Medicare Part B premium once the Part B premium buy-in starts (usually after the individual has received Medi-Cal for two months) in order to become eligible for the A&D FPL program. The DHS is participating in a Medicare Buy-In agreement and that agreement requires the department to pay the Part B premium for all cash grant and medical assistance only beneficiaries. The A&D FPL is a medical assistance only program.

“ If one member of a couple can qualify for the A&D FPL program based on income while the other member cannot, the couple may apply for the A&D FPL for only one member. The person who does not qualify for the A&D FPL may choose not to receive Medi-Cal, or to receive Medi-Cal under the medically needy (MN) program with a share of cost.

*California Department of Social Services - State Hearings Division
Notes from the Training Bureau - November 4, 2002*

Item 02-11-01E

ACIN I-73-02 September 20, 2002 (Synopsis): Suspension of Special Circumstances Program (SCP)

Because of a lack of funding, the SCP is suspended by operation of law for the July 2002 through July 2003 fiscal year.

*California Department of Social Services - State Hearings Division
Notes from the Training Bureau - November 4, 2002*

Item 02-11-01D

ACIN I-72-02 September 24, 2002 (Synopsis): Rescission of Requirement to Report Vendor Payments in Food Stamps

Reference: 7 Code of Federal Regulations (CFR) 273.92(c); MPP §§63-502.149.2, 63-504.3, 63-505.3

The Food and Nutrition Service (FNS) released Administrative Notice 02-32 on May 1, 2002 that rescinds the policy that requires food stamp households to report vendor payments.

*California Department of Social Services - State Hearings Division
Notes from the Training Bureau - November 4, 2002*