

DEPARTMENT OF HEALTH SERVICES

714/744 P Street
P.O. Box 942732
Sacramento, CA 94234-7320
(916) 657-2941



April 24, 1997

TO: All County Welfare Directors
All County Administrative Officers
All County Medi-Cal Program Specialists/Liaisons
All Pickle Coordinators

Letter No.: 97-15

Ref.: E-Mail Nos. 94037, 94073, and 94182

NEW INSTRUCTIONS TO THE COUNTIES REGARDING PICKLE GRANDFATHERED BENEFICIARIES

This All County Welfare Directors Letter (ACWDL) is to advise the counties that the Pickle program will **NOT** be doing redeterminations on the Pickle beneficiaries that were grandfathered in 1993, 1994, and 1995. This letter also rescinds the instructions in E-Mail Nos. 94037 (March 9, 1994), 94073 (May 19, 1994), and 94182 (December 28, 1994) that said that the counties were to provide such determinations. Nevertheless, in the event that some counties may be doing redeterminations, we are now informing them to stop doing so. At the time that we sent the referenced E-Mail letters, we were unable to provide the counties with the tools that they needed to accomplish the determinations. In addition, Pickle program grandfathering procedures also need to be coordinated with Ramos procedures so the benefits provided to the grandfathered individuals coincide for both programs. Currently, Ramos beneficiaries are not being redetermined by the counties.

The tools that the counties need when they are advised to redetermine the grandfathered recipients include special aid codes that as yet have not been implemented. The earliest the aid codes will be operational is September 1997. We will advise the counties via E-Mail or ACWDL when they will be operational. The proposed Aid Codes are 1D, Aged; 2D, Blind; 3D, Family No Share-of-Cost (SOC); and 6D, Disabled. In the interim, the grandfathered Pickle recipients were placed in Aid Codes 14, 24, and 64.

In addition to the aid codes, the counties will also need to use "Pseudo SSI/SSP Payment Standard" charts to update the payment standard for 1993, 1994, and 1995 when they are alerted to institute redeterminations. This requires that the counties disregard the reductions that took place in 1993, 1994, and 1995 and add the cost of living adjustment (COLA) to each of the then existing payment standards (the payment standard for a single person was \$620 in 1993, the yearly COLAs increased that unreduced payment standard to \$670 in 1997). These "Pseudo

All County Welfare Directors
All County Administrative Officers
All County Medi-Cal Program Specialists/Liaisons
All Pickle Coordinators
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SSI/SSP Payment Standard” charts have been completed and are enclosed in this ACWDL. However, they are only to be used by those counties that redetermined some of the grandfathered beneficiaries prematurely and discontinued them using a lower payment standard (that is, using \$620 for 1993 individuals in 1994) when the new unreduced payment standard should have been \$632.

We are not, however, asking the counties to go through their cases to locate those who were discontinued incorrectly. Please provide a new Pickle grandfathering redetermination only to those you encounter that may have been inadvertently discontinued. The stated grandfathering rule is, “Once a grandfathered individual, always a grandfathered individual.” An individual can go on and off the grandfathering program an indefinite number of times.

Lastly, we anticipate that some counties will locate grandfathered individuals that “win the lottery,” or that “inherit” vast amounts of money. If that happens, then, counties should redetermine eligibility and if there is excess property, discontinue the beneficiary from the Pickle grandfathering program until he/she spends down the excess resources. Resource limits remain the same for these individuals, \$2,000 for a single individual and \$3,000 for a couple. However, we will not redetermine individuals for resources either, unless a beneficiary’s excess resources are reported to a county worker.

If you have any questions concerning this ACWDL or the Pickle program, please call Ms. Sylvia Finberg of my staff at (916) 657-0080. For questions relating to the Ramos program, please contact Ms. Bonnie Kinkade of my staff at (916) 657-1469.

Sincerely,

ORIGINAL SIGNED BY
TOM WELCH for

FRANK S. MARTUCCI, CHIEF
Medi-Cal Eligibility Branch

Enclosures

From: SYSTEMS --DHSEMC2
TO: SFINBERG--HW1

Date and time 03/09/94 10:14:00

Date: Wednesday, 9 March 1994 10:14 PT
To: CRDNTS
From: HS.MEB.SYSTEMS@DHSEMC2
Subject: EMC2 DHS #94037

TO: All County Welfare Directors
All County Administrative Officers
All County Medi-Cal Specialists/Liaisons
All County Pickle Coordinators

REDETERMINE THE GRANDFATHERED 2.7 PERCENT PICKLE INDIVIDUALS

Ref.: E-Mail No. 94003, All County Welfare Directors Letter (ACWDL) 94-20

This is to clarify the previous E-Mail 94003 and ACWDL 94-20 concerning the grandfathered 2.7 percent Pickle individuals (Welfare and Institutions Code Section 14005.21). We did not intend to preclude any Pickle redeterminations for this group. Those individuals who were eligible for the Pickle program August 31, 1993 had their Pickle-based Medi-Cal extended as of January 1, 1994. Under state law, they are subject to all regular Pickle requirements except for the income standard which remains at the Supplemental Security Income/State Supplementary Payment (SSI/SSP) income levels which were in effect before the 2.7 percent SSI/SSP reduction on September 1, 1993. These individuals must be redetermined under Pickle eligibility rules (e.g., property at \$2,000 for a single person and \$3,000 for a couple). Also, if their income rises above the SSI/SSP income levels which were in effect on August 31, 1993 (e.g., \$620 for a single person after all disregards were applied), except for cost of living adjustments (COLAS), they will no longer be eligible for the Pickle program.

The 2.7 percent individuals who were Pickle eligible August 31, 1993 will continue in aid code 14, 24 or 64 until they go into the new aid code(s) in September 1994.

This E-Mail will be followed by an ACWDL.

If you have any questions, please contact Sylvia Finberg of my staff at (916) 657-0080.

Sincerely,

Frank S. Martucci, Chief
Medi-Cal Eligibility Branch

From: SYSTEMS --DHSEMC2
TO: KSIMON --HW1

Date and time 05/19/94 15:40:00

Date: Thursday, 19 May 1994 15:40 PT
To: CRDNITS
From: HS.MEB.SYSTEMS@DHSEMC2
Subject: EMC2 DHS #94073

TO: All County Welfare Directors
All County Administrative Officers
All County Medi-Cal Program Specialists/Liaisons
All County Pickle Coordinators

CERTAIN IN-HOME SUPPORTIVE SERVICES (IHSS) RECIPIENTS WHO SHOULD BE
GRANDFATHERED IN UNDER WELFARE AND INSTITUTIONS (W&I) CODE SECTION 14005.21
WHEN EVALUATED FOR PICKLE ELIGIBILITY

Ref.: E-Mail No. 93164

As you are aware, W&I Code Section 14005.21 provides that certain individuals who were effected by the 2.7 percent reduction in the Supplemental Security Income/State Supplementary Program (SSI/SSP) income levels on September 1, 1993 are to be treated for Medi-Cal purposes as if the reduction has not occurred. That is, certain individuals are grandfathered for Medi-Cal purposes under the unreduced SSI/SSP levels.

The purpose of this E-Mail is to revise the policy stated in E-Mail No. 93164 regarding IHSS recipients who are eligible for IHSS in August 1993 before the 2.7 percent SSI/SSP reduction. That E-Mail stated that if IHSS is discontinued for these individuals and they are applying for Medi-Cal-Only, they are considered "new" Pickle applicants and not grandfathered for purposes of determining their Pickle eligibility. That is incorrect.

Many of the individuals who were on IHSS in August 1993 also would have been Pickle eligible as well. If these individuals are discontinued from IHSS and apply for Medi-Cal-Only, they should be considered "old" Pickle eligibles and, by extension, grandfathered in under W&I Code Section 14005.21. That is, they will be subject to all regular Pickle requirements except for the income standard which remains at the SSI/SSP income levels which were in effect before the 2.7 percent SSI/SSP reduction on September 1, 1993. These individuals must be redetermined under Pickle eligibility rules (e.g., property at \$2,000 for a single person and \$3,000 for a couple). Also, if their income rises above the SSI/SSP income levels which were in effect on August 31, 1993 (e.g., \$620 for a single person after all disregards were applied including the disregard of all cost of living adjustments), they will no longer be eligible for the Pickle program.

The IHSS/Pickle individuals discussed above will continue in aid codes 14, 24 or 64 until they go into the new aid code(s) sometime in the near future.

This E-Mail will be followed by an All County Welfare Directors Letter.

If you have any questions, please contact Sylvia Finberg of my staff at (916) 657-0080.

Sincerely,

Frank S. Martucci, Chief
Medi-Cal Eligibility Branch

Wednesday, 28 December 1994 11:24 PT
To: CRDNTS
From: SYSTEMS.MEB@DHSEMC2
Subject: EMC2 DHS #94182

ENCLOSURE

TO: All County Welfare Directors
All County Administrative Officers
All County Medi-Cal Program Specialists/Liaisons
All County Pickle Coordinators

SUPPLEMENTAL SECURITY INCOME/STATE SUPPLEMENTAL PAYMENT (SSI/SSP) FOR 1995 AND PICKLE ELIGIBILITY

Ref.: SSI/SSP Payment Standard Charts, January 1995, 1994, and 1993.

The purpose of this E-Mail is to provide an answer to the counties regarding the question, "What payment standard do I use for Pickle individuals in January 1995, and which do I use for the grandfathered Pickle beneficiaries?"

Answer:

1. For the 503 Leads beneficiaries use the January 1995 SSI/SSP Payment Standard chart, for example, a single person at \$614.40.
2. For those who were Pickle eligible in August 1993 who would have lost their eligibility except that they were grandfathered in under the 2.7 percent grandfathering provision: Continue using the SSI/SSP Payment Standard dated January 1, 1993, for example, a single individual at \$620. Keep in aid codes 14, 24, or 64.
3. For those who were Pickle eligible in August 1994 who would have lost eligibility except they were grandfathered in under the 2.3 percent grandfathering provision: Continue using the January 1994 SSI/SSP Payment Standard chart, for example, \$603.40 (single individual). However, if the beneficiary is ineligible due to income above \$603.40 but it is below \$614.40, use the January 1995 SSI/SSP Payment Standard to determine whether they may once again be eligible for the Pickle program using aid codes 16, 26, or 66. If they go off regular Pickle, they can once again be grandfathered in to the 2.3 percent program in aid codes 14, 24, or 64.

Please note that some of these individuals may be once again SSI/SSP eligible under the new SSI/SSP Payment Standard (January 1995) which includes those, for example, below \$614.40 for a single person. For many, reinstatements to SSI/SSP should be automatic. If an individual feels he/she should be reinstated to SSI/SSP, he/she should contact their local social security office.

IMPORTANT NOTE ON 2.7/2.3 PERCENT BENEFICIARIES: Some (less than 1,000) 2.7/2.3 percent beneficiaries received the Pickle Stuffer erroneously. This is because these beneficiaries were placed on the 2.7/2.3 percent programs manually and therefore did not show the "RO"/"QO" Pickle indicators. It is not necessary to evaluate these persons for Pickle at this time. These beneficiaries can be identified on the QM screen of MEDS by looking at the government responsibility (GOVT-RESP) field which is a "2" and the eligibility status (ELIG-STAT) code is an "007".

This E-Mail will be followed by an All County Welfare Directors Letter. If

PICKLE HANDBOOK

PSEUDO SSI/SSP PAYMENT STANDARDS FOR GRANDFATHERED (RO) INDIVIDUALS, 1993
 JANUARY 1, THROUGH DECEMBER 31, 1997

	Independent Living Arrangement			Household of Another with In-Kind Room and Board			Independent Living Arrangement Without Cooking Facilities (RMA) ^{1/}			Nonmedical Board and Care Licensed Facility/Household of Relative Without In-Kind Room & Board		
	Total	SSI (FBR)	SSP	Total	SSI (FBR)	SSP	Total	SSI (FBR)	SSP	Total	SSI (FBR)	SSP
INDIVIDUAL:												
Aged or Disabled	670.00	484.00	186.00	523.33	322.67	200.66	738.00	484.00	254.00	786.00	484.00	302.00
Blind	739.00	484.00	255.00	592.33	322.67	269.66				786.00	484.00	302.00
Disabled Minor*	547.40	484.00	63.40	399.33	322.67	76.66				786.00	484.00	302.00
NMOHC ^{2/}				631.67	322.67	309.00						
COUPLE:												
Both are:												
Aged or Disabled												
Per Couple	1,214.00	726.00	488.00	994.00	484.00	510.00	1,350.00	726.00	624.00	1,572.00	726.00	846.00
BLIND:												
Couple--Both are blind												
Per couple	1,407.00	726.00	681.00	1,187.00	484.00	703.00				1,572.00	726.00	846.00
BLIND/AGED OR DISABLED:												
Couple One is blind, the other is aged or disabled												
Per Couple	1,335.00	726.00	609.00	1,115.00	484.00	631.00				1,572.00	726.00	846.00
NMOHC^{2/}												
Per Couple				1,302.33	484.00	818.33						
NONMEDICAL BOARD AND CARE						FEDERAL BENEFIT RATE (FBR)						
	<u>Minimum</u>		<u>Maximum</u>									
TOTAL:	\$ 786.00		\$ 786.00			INDIVIDUAL:		\$ 484.00				
Board and Room	\$ 336.00		\$ 336.00			Aged, Blind, or Disabled						
Care and Supervision	\$ 288.00 Min.		\$ 358.00 Max.			COUPLE:		\$ 726.00				
Personal and Incidental Needs	\$ 162.00 Max.		\$ 92.00 Min.			Aged, Blind, or Disabled						
<p>* Independent living arrangement for a disabled minor means living in the home of his/her parents. Household of another is used if both the disabled minor and his/her parents live in the household of someone else, i.e., grandparents, etc.</p> <p>^{1/} RMA - Restaurant Meals Allowance</p> <p>^{2/} NMOHC^{2/} - Nonmedical out-of-home care living in household of relative with In-Kind Room and Board</p>												

PICKLE HANDBOOK

PSEUDO SSI/SSP PAYMENT STANDARDS FOR GRANDFATHERED (QO) INDIVIDUALS, 1994
 JANUARY 1, THROUGH DECEMBER 31, 1997

	Independent Living Arrangement			Household of Another with In-Kind Room and Board			Independent Living Arrangement Without Cooking Facilities (RMA) ^{1/}			Nonmedical Board and Care Licensed Facility/Household of Relative Without In-Kind Room & Board		
	Total	SSI (FBR)	SSP	Total	SSI (FBR)	SSP	Total	SSI (FBR)	SSP	Total	SSI (FBR)	SSP
INDIVIDUAL:												
Aged or Disabled	641.40	484.00	157.40	502.10	322.67	179.43	709.40	484.00	225.40	786.00	484.00	302.00
Blind	708.40	484.00	224.40	569.24	322.67	246.57				786.00	484.00	302.00
Disabled Minor*	547.40	484.00	63.40	389.50	322.67	66.83				786.00	484.00	302.00
NMOHC ^{2/}				631.67	322.67	309.00						
COUPLE:												
Both are:												
Aged or Disabled												
Per Couple	1,166.22	726.00	440.22	957.16	484.00	473.16	1,302.22	726.00	576.22	1,572.00	726.00	846.00
BLIND:												
Couple--Both are blind												
Per couple	1,354.01	726.00	628.01	1,144.95	484.00	660.95				1,572.00	726.00	846.00
BLIND/AGED OR DISABLED:												
Couple One is blind, the other is aged or disabled												
Per Couple	1,283.95	726.00	557.95	1,074.90	484.00	590.90				1,572.00	726.00	846.00
NMOHC ^{2/}												
Per Couple				1,302.33	484.00	818.33						
NONMEDICAL BOARD AND CARE						FEDERAL BENEFIT RATE (FBR)						
	<u>Minimum</u>		<u>Maximum</u>									
TOTAL:	\$ 786.00		\$ 786.00			INDIVIDUAL:			\$ 484.00			
Board and Room	\$ 336.00		\$ 336.00			Aged, Blind, or Disabled						
Care and Supervision	\$ 288.00 Min.		\$ 358.00 Max.			COUPLE:			\$ 726.00			
Personal and Incidental Needs	\$ 162.00 Max.		\$ 92.00 Min.			Aged, Blind, or Disabled						
* Independent living arrangement for a disabled minor means living in the home of his/her parents. Household of another is used if both the disabled minor and his/her parents live in the household of someone else, i.e., grandparents, etc.												
^{1/} RMA - Restaurant Meals Allowance												
^{2/} NMOHC ² - Nonmedical out-of-home care living in household of relative with In-Kind Room and Board.												

PICKLE HANDBOOK

PSEUDO SSI/SSP PAYMENT STANDARD FOR GRANDFATHERED (VO) INDIVIDUALS, 1995
 JANUARY 1, THROUGH DECEMBER 31, 1997

	Independent Living Arrangement			Household of Another with In-Kind Room and Board			Independent Living Arrangement Without Cooking Facilities (RMA) ^{1/}			Nonmedical Board and Care Licensed Facility/Household of Relative Without In-Kind Room & Board		
	Total	SSI (FBR)	SSP	Total	SSI (FBR)	SSP	Total	SSI (FBR)	SSP	Total	SSI (FBR)	SSP
INDIVIDUAL:												
Aged or Disabled	640.40	484.00	156.40	491.13	322.67	168.46	708.40	484.00	224.40	786.00	484.00	302.00
Blind	695.40	484.00	211.40	556.73	322.67	234.06				786.00	484.00	302.00
Disabled Minor*	547.40	484.00	63.40	389.50	322.67	66.83				786.00	484.00	302.00
NMOHC ^{2/}				631.67	322.67	309.00						
COUPLE:												
Both are:												
Aged or Disabled												
Per Couple	1,140.71	726.00	414.71	936.02	484.00	452.02	1,276.71	726.00	550.71	1,572.00	726.00	846.00
BLIND:												
Couple--Both are blind												
Per couple	1,324.18	726.00	598.18	1,119.49	484.00	635.49				1,572.00	726.00	846.00
BLIND/AGED OR DISABLED:												
Couple One is blind, the other is aged or disabled												
Per Couple	1,255.73	726.00	529.73	1,051.05	484.00	567.05				1,572.00	726.00	846.00
NMOHC ^{2/}												
Per Couple				1,302.33	484.00	818.33						
NONMEDICAL BOARD AND CARE						FEDERAL BENEFIT RATE (FBR)						
	<u>Minimum</u>		<u>Maximum</u>									
TOTAL:	\$ 786.00		\$ 786.00				INDIVIDUAL:		\$ 484.00			
Board and Room	\$ 336.00		\$ 336.00				Aged, Blind, or Disabled					
Care and Supervision	\$ 288.00 Min.		\$ 358.00 Max.				COUPLE:		\$ 726.00			
Personal and Incidental Needs	\$ 162.00 Max.		\$ 92.00 Min.				Aged, Blind, or Disabled					
<p>* Independent living arrangement for a disabled minor means living in the home of his/her parents. Household of another is used if both the disabled minor and his/her parents live in the household of someone else, i.e., grandparents, etc.</p> <p>¹ RMA - Restaurant Meals Allowance</p> <p>² NMOHC² - Nonmedical out-of-home care living in household of relative with In-Kind Room and Board.</p>												