State of California—Health and Human Services Agency
Department of Health Services

California Department of Health Services

DIANA M. BONTÁ, R.N., Dr. P.H.
Director

June 10, 2002

GRAY DAVIS
Governor

TO: All County Welfare Directors
All County Administrative Officers
All County Medi-Cal Program Specialists/Liaisons
All County Health Executives
All County Mental Health Directors

Letter No.:02-34

THE 250 PERCENT WORKING DISABLED PROGRAM AND THE DEPARTMENT OF SOCIAL SERVICES DISABILITY EVALUATION PROCESS

Ref.: Nos. 99-67, 00-16, 00-51, 01-14, 01-26, and 01-46

This letter is to inform the county of changes to the Disability Evaluation process for 250 Percent Working Disabled (WD) program cases. The Department of Social Services' State Programs (SP) has been adjudicating the 250 Percent WD disability cases for over a year and has identified several problems with the submission of 250 Percent program. Representatives from the Department of Health Services (DHS) and SP, and the county welfare departments (CWD) met to clarify the criteria and process for submitting 250 Percent WD program cases to SP. The following items provide that clarification:

- Offer the 250 Percent WD coverage to the individual (contingent on the disability determination) prior to sending the disability package to SP. This ensures that the individual is interested in enrolling in the 250 Percent WD program.

- Verify the 250 Percent WD individual's employment prior to submitting the disability package to SP. This ensures that the individual meets the 250 Percent WD criteria before submitting the disability package to SP.

- Identify 250 Percent WD cases on the Disability Transmittal Form (MC 221) by:

  - checking the "Other" box in Section 8, and
  - entering "250 Percent WD program" in Section 10.

- It is not necessary to submit a new disability package to SP when an individual moves from one program to another. Examples: A 250 Percent WD program individual moving to the Aged and Disabled program or a Medically Needy (MN)

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individual moving to the 250 Percent WD program. The exception to this rule is when there is indication of an individual's improved condition; or a reevaluation diary date is past due or within 90 days.

- It is not appropriate to send cases to SP to evaluate for different programs for various months. Example: The individual may be potentially eligible for the 250 Percent WD program for the months of January and February 2002, and eligible for the MN program for the months of March and April 2002. SP will evaluate cases as of the current month and retroactive months (if requested by the CWD) under the 250 Percent WD program only.

- A new basis denial code has been added to specifically define the 250 Percent WD denials. It was determined that the current basis denial codes and corresponding definitions listed in the Medi-Cal Eligibility Procedures Manual (MEPM), Section 22C-8.2 are not appropriate for the 250 Percent WD program. Since Substantial Gainful Activity is disregarded for 250 Percent WD individuals, the basis denial codes are not appropriate. The following is the new basis denial code for the 250 Percent WD program.

  N57 250 Percent WD Program Denial - "Based on the evidence in file, the applicant does not meet the Social Security Administration's definition of disability."

DHS will update the MEPM to reflect this additional basis denial code.

Please direct any questions regarding this letter to Ms. Vicki Partington of my staff at (916) 654-5909 or E-Mail Parting@dhs.ca.gov.

Sincerely,

ORIGINAL SIGNED BY

Richard Brantingham
Acting Chief
Medi-Cal Eligibility Branch