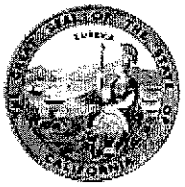
State of California—Health and Human Services Agency
Department of Health Services

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



GRAY DAVIS
Governor

July 19, 2002

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

Letter No.: 02-42

ALL REPRESENTATIVES OF MEDI-CAL APPLICANTS

The purpose of this letter is to rescind the following All County Welfare Directors Letters (ACWDLs) that address the subject of authorized representation and procedures to be used for incompetent applicants:

ACWDLs Nos. 95-30, 95-60, 96-20, 97-01, and 02-28.

Note that ACWDLs 93-84 and 94-99, which also addressed this subject, were rescinded by the Department of Health Services (Department) in 1996.

The Department will issue a new letter that provides relevant examples and guidance on this and related subjects. If there are additional ACWDLs that need rescission, those rescissions will be included in the follow-up ACWDL, along with the examples.

In the interim, the Department directs counties to follow the provisions of Title 22, California Code of Regulations. In particular, the provisions of Section 50163(a)(3)(B) should be consulted in situations when the applicant is incompetent and has no spouse, conservator, guardian, or executor. Section 50163(a)(3)(B) does not contain a requirement that a person filing an application on behalf of an incompetent person have prior knowledge of the latter's circumstances.

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Internet Address: www.dhs.ca.gov

If you have any questions, please contact Ms. Beverly Binkier at (916) 651-8698.

Sincerely,

ORIGINAL SIGNED BY

Richard Brantingham
Acting Chief
Medi-Cal Eligibility Branch