STATE OF CALIFORNIA—HEALTH AND WELFARE AGENCY

GEORGE DEUKMEJIAN, Governor

DEPARTMENT OF HEALTH SERVICES
714/744 P STREET
SACRAMENTO, CA 95814

September 10, 1987

TO: All County Welfare Directors
All County Administrative Officers

Letter: 87 - 54

SUBJECT: DISABILITY TAPE MATCH AND TERMINATE SYSTEM (DTMTS) SUIT

REFERENCE: ALL COUNTY WELFARE DIRECTORS LETTER 87-21

The purpose of this letter is to provide information on the status of the Disabled Rights Union (DRU), et. al. v. Kizer, et. al. lawsuit. The February 11, 1987 court order preventing the termination of Medi-Cal benefits for individuals subsequently denied SSI disability is still in effect. Continue to follow the instructions issued in ACWDL 87-21. In May, 1987, a Cross-Complaint for Injunctive and Declaratory Relief was filed by the State of California against Otis Bowen, Secretary of the Department of Health and Human Services. This action was taken to obtain Federal Court jurisdiction in this case.

As you know, the issuance of the DTMTS lists of ABD-MN cases denied SSI disability has been suspended. However, the lists continue to be generated on a monthly basis pending the settlement of the lawsuit. This creates a potential population of Medi-Cal beneficiaries who are unaware of the existence of the DRU lawsuit and the impact it could have on them. Therefore, as an act of good faith it was decided that it would be in the best interest of this group to inform them of their potential membership in a class action lawsuit and to explain the reason the Disabled Rights Union filed the suit. The attached Important Information notice is being sent to each of the beneficiaries identified by the DTMTS. The notice has been sent to the beneficiaries identified by the March through August lists. Effective with the September DTMTS list, the notice will be sent out on a monthly basis until further notice.

The Public Inquiry and Response (PIAR) unit has been provided with information about the DRU lawsuit so that it can provide additional information upon request. Please refer questions from the beneficiaries about the DRU lawsuit and the Important Information notice to PIAR.

If you have any questions, please contact Sandy Poindexter at (916) 324-4966.

Sincerely,

Original signed by

Angeline Mrva, for
Frank S. Martucci, Chief
Medi-Cal Eligibility Branch

cc: Medi-Cal Liaisons
Medi-Cal Program Consultants

Expiration Date: September, 1989

STATE OF CALIFORNIA—HEALTH AND WELFARE AGENCY

GEORGE DEUKMEJIAN, *Governor*

DEPARTMENT OF HEALTH SERVICES
714/744 P STREET
SACRAMENTO, CA 95814

IMPORTANT INFORMATION

This is to inform you that you are a potential member of a class action lawsuit because you were denied Supplemental Security Income (SSI) disability benefits after you began receiving Medi-Cal benefits as a disabled person. The federal Department of Health and Human Services has ordered that the Medi-Cal benefits you are receiving based on disability must be discontinued if the Social Security Administration (SSA) has determined that you do not meet the disability criteria for the SSI program.

The Disabled Rights Union has filed a lawsuit to try to prevent your Medi-Cal benefits from being automatically discontinued because you were denied SSI disability benefits. On February 27, 1987, a temporary restraining order was issued which prevents the discontinuance of your Medi-Cal until after the lawsuit is settled.

If the Disabled Rights Union's lawsuit is not successful, it is possible that your Medi-Cal benefits based on disability could be discontinued because of your SSI disability denial.

If you are appealing your SSI denial, you must do so within the time allowed by the Social Security Administration; and you must file your appeal according to their instructions and not with this office.

If you have questions about your rights or wish legal advice, you should contact your attorney or legal aid at once.

For more information you can contact Public Inquiry and Response (Public Information) at toll-free number (800) 952-5253. For teletypewriter (TTY) only, use (800) 952-5434.