STATE OF CALIFORNIA—HEALTH AND WELFARE AGENCY

GEORGE DEUKMEJIAN, *Governor*

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

November 30, 1987

TO: All County Welfare Directors

Letter No. 87-73

SUBJECT: CHILDREN CLAIMED AS TAX DEPENDENTS BY ABSENT PARENTS

This letter is to clarify policy concerning a child not living in the home who is claimed by his/her parent(s) as a tax dependent. Several counties have recently asked questions about children under 18 years of age who are claimed as tax dependents by absent parents.

BACKGROUND

In January 1986, Title 22 California Administrative (CAC) Sections 50373 and 50351 were amended to limit parental responsibility in tax dependency situations to 18-21 year olds. For the tax dependent child under 18 who is not living in the home of the tax claiming parent, only actual parental contributions will be counted as available to the child.

CURRENT TAX DEPENDENT POLICY

A person who is 18 years of age or older but under age 21, whether living in the home or away shall be considered a child and his/her parent(s) shall be considered responsible if the parent claims the child as a dependent in order to receive a tax credit or deduction for state or federal income tax purposes (22 CAC Sections 50351 (c) and 50373 (a) (4)).

For persons 18 years or older but under age 21 not living in the home who are not claimed as a tax dependent and for persons under 18 years of age not living in the home whether or not they are claimed as a tax dependent, follow the regulations as outlined in the Procedures Manual Section 8C.

If you have any questions, please contact Margie Buzdas (916) 323-4129.

Sincerely,

Original signed by

Frank S. Martucci, Chief
Medi-Cal Eligibility Branch

cc. Medi-Cal Liaisons
Medi-Cal Program Consultants

Expiration date: November 30, 1988