STATE OF CALIFORNIA—HEALTH AND WELFARE AGENCY GEORGE DEUKMEJIAN, Governor

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

TO: All County Welfare Directors
All County Administrative Officers

January 16, 1989
Letter No.: 89-06

SUBJECT: INCAPACITY

Reference: All County Welfare Directors Letter 87-14

This is a reminder that not only should incapacity be verified in accordance with Title 22, California Code of Regulations (CCR), Section 50167(a)(2), but the parent must meet the criteria for physical or mental incapacity as defined in Title 22, CCR, Section 50211.

It has come to our attention that some counties may have been using only acceptable verification of incapacity to determine if a parent is incapacitated rather than in conjunction with the other required criteria. All County Welfare Directors Letter 87-14 addressed only the verification process.

For example, although a parent has a current Certificate of Disability form and the incapacity is expected to last at least 30 days, if the parent has no recent full time work history or the incapacity does not substantially reduce or eliminate the parent's ability to support or care for the child, the parent would not be incapacitated for purposes of determining deprivation.

If you have any questions, please contact Margie Buzdas at (916) 324-4972.

Sincerely,

Original signed by

Frank S. Martucci, Chief
Medi-Cal Eligibility Branch

cc: Medi-Cal Liaisons
Medi-Cal Program Consultants

Expiration Date: December 28, 1989