STATE OF CALIFORNIA—HEALTH AND WELFARE AGENCY

PETE WILSON, Governor

DEPARTMENT OF HEALTH SERVICES
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June 30, 1992

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

Letter No.: 92-42

SUBJECT: Undue Hardship for Hospice Applicants/Beneficiaries

The purpose of this memo is to inform counties that the definition of undue hardship (All County Welfare Directors Letter, No. 90-01, dated January 5, 1990, draft regulation section 50096.5) has been extended to include those individuals applying for, or receiving benefits under the hospice program. Any applicant for, or beneficiary of, the hospice program shall not be made ineligible for nursing facility services or nursing facility level of care in a medical institution.

Therefore, when entering the restricted services codes onto MEDS to begin issuing restricted cards as a result of disqualifying transfers [see All County Welfare Directors Letter (ACWDL) Numbers 91-107 and 92-07], counties must be careful not to do so if a hospice restriction is already in place.

If an institutionalized individual has made a disqualifying transfer and is receiving a restricted card which will not allow payment of long-term care services, and if that individual decides to go on to the hospice program, he/she will be eligible for hospice even though he/she may receive hospice benefits in a nursing facility or medical institution at a nursing facility level of care. Counties must then follow the current procedures for notifying the Department that an individual has applied for and is eligible to receive hospice benefits (see ACWDL Number 88-42).

If, for any reason other than a request by a beneficiary to be taken off the hospice program, a restricted service code for long-term care is entered over a hospice code, then counties must notify Ronald Truong at (916) 657-1450 immediately so that the error can be corrected.

If you have any questions on this issue, please call Sharyl Shanen-Raya at (916) 657-2942.

Sincerely,
ORIGINAL SIGNED BY

Frank S. Martucci, Chief
Medi-Cal Eligibility Branch