STATE OF CALIFORNIA—HEALTH AND WELFARE AGENCY

PETE WILSON, Governor

DEPARTMENT OF HEALTH SERVICES
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July 14, 1995

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

LETTER NO: 95-39

TUBERCULOSIS (TB) PROGRAM INCOME STANDARDS

The Health Care Financing Administration (HCFA) has just released its TB program procedures. This will require some changes to the procedures the Department of Health Services issued to counties for the TB program. Changes in Section 5N of the Procedures Manual are being made and will be reissued when completed.

One change is being made because HCFA procedures use a single TB income standard and a single TB resource limit whether or not a TB applicant/beneficiary is married. Because the revised single TB income standard for 1994 is higher than either the individual or couple standard we provided during implementation in October 1994, we are providing the corrected 1994 TB Income Standard now. Please see the Implementation Date Section below for details about retroactive implementation.

1995 TB INCOME STANDARD:

$1,001 (Whether married or not)
Note: There is no TB income standard for a couple.

1994 CORRECTED TB INCOME STANDARD:

$977 (Whether married or not)
Note: There is no TB income standard for a couple.

TB RESOURCE LIMIT

There is only one TB resource limit whether or not the TB applicant/beneficiary is married.

The TB resource limit is: $2,000

NOTE: The only exception to the $2,000 limit is when determining a child's property eligibility and there are two parents present. Allow the parents a property limit of $3,000.

SPOUSAL DEEMING OF INCOME AND RESOURCES - CHANGE IN PROCEDURES

HCFA has now specified that in certain cases where there is a married couple, each person is to be evaluated for TB eligibility separately. According to HCFA, treating spouses independently will be more inclusive in providing eligibility than if the individuals were subject to a couple's standard. However, these new federal rules allow states the option to apply this treatment in all married cases. Therefore, the following describes how this change is to be implemented in all married cases.

- A married person is defined as an "individual" in determining TB income and resource eligibility. This applies when each member of the married couple is applying for the TB program and neither has been found ineligible as well as when a spouse is not applying for the TB program or is found ineligible.

- There will be no deeming from the ineligible spouse. There will be deeming from parent to child.

- The income of a married individual is income received in his/her own name.

- The property of a married individual is his/her separate property and one-half of community property.

NEW and REVISED TB FORMS:

A new and simplified form will be developed that will accommodate the two separate income eligibility determinations for a married couple and an individual applying for the TB program. If one individual is found to be ineligible then this process completes the TB program determination for the ineligible spouse. The MC 281 TB program Income Eligibility Worksheet will be discontinued when this form is available and in the warehouse.

We also will be revising other forms to delete references to the term "couple" and "applicant with an ineligible spouse" wherever it appears. In the interim while we are developing the new income form, counties should continue using the MC 281. The county will be required to make edit changes to forms to delete references to the word "couple" and "applicant with an ineligible spouse" wherever it appears on the current forms. The following forms will require edit changes until the new supply is available in the warehouse:

MC 275 TB
MC 276 TB
MC 275 TB (SP)
MC 276 TB (SP)
MC 278 TB

IMPLEMENTATION DATE:

Counties shall implement these changes no later than September 1, 1995. However, these changes are effective October 1, 1994 and counties should reevaluate previously held cases that were denied or discontinued due to income. These cases should be reevaluated using the corrected TB income standard and apply the new procedures, as appropriate, for married couples who need to be evaluated separately as individuals. Those found eligible should be provided retroactive eligibility back to the applicant's original application date.

Cases currently covered under the TB program do not need to be reevaluated until the county next handles the cases.

If you have any questions, please contact Ms. Sharon Garcia at (916) 657-5327 or Ms. Mary Maestas-Sandoval at (916) 657-1248.

Sincerely,

ORIGINAL SIGNED BY,

Ricardo Bustamante, for
Frank S. Martucci, Chief
Medi-Cal Eligibility Branch