

DATE: February 10, 2026

Medi-Cal Eligibility Division Information

Letter No.: 26-04

TO: ALL COUNTY WELFARE DIRECTORS  
ALL COUNTY ADMINISTRATIVE OFFICERS  
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS

SUBJECT: DILIGENT SEARCH PROCEDURES FOR INCOMPETENT INDIVIDUALS  
(REFERENCE: [MEDI-CAL ELIGIBILITY DIVISION INFORMATION LETTER I 20-33, ALL COUNTY WELFARE DIRECTORS LETTER 94-62](#))

The purpose of this Medi-Cal Eligibility Division Informational Letter (MEDIL) is to provide counties with reminders and clarification on diligent search procedures for individuals who are incompetent (unable to act on their own behalf in business and personal matters) and are unable to assist in the application process.

## Background

Counties must follow the guidelines provided in [22 Cal. Code Regs. § 50163](#) and [Medi-Cal Eligibility Procedures Manual \(MEPM\) Article 4 Section I](#) when completing a diligent search. The diligent search is required in special circumstances where an applicant is unable to provide information necessary for an eligibility determination due to amnesia, being in a comatose condition, or other incompetency and has no qualified representative to provide the necessary information on their behalf. Examples of qualified representatives who may act on behalf of the incompetent applicant, in rank order, are spouses, guardians, conservators, or executors, other individuals with legal authority, such as Power of Attorney, other relatives or persons with sufficient knowledge of the applicant's circumstances, and representatives of a public agency or county department. When there is no representative who can act for an incompetent individual, the county must complete a diligent search regardless of whether the applicant's identity is known.

The diligent search process must be thoroughly documented in the case journal, including the determination of competency, all contacts made, and the information obtained.

### **Determination of Competency**

Before the county can complete the diligent search, a determination of the applicant's competency must be conducted to confirm whether the individual is capable of handling their own affairs. Refer to the guidance provided in [All County Welfare Director Letter 94-62](#) when making a determination of competency for applicants.

### **Referral to the Public Guardian or Conservator**

In accordance with the [MEPM, Article 4 Section I](#), the county shall make a referral to the public guardian or conservator's office for individuals who are determined to be incompetent and have no qualified representative available to provide the information necessary for a Medi-Cal eligibility determination.

If the public guardian's office accepts responsibility, the county shall make an eligibility determination based on the information provided by that office. If the public guardian's office does not accept responsibility or does not respond to the county's request, the county must document this in the case journal and proceed with the search for information to make an eligibility determination.

Counties have informed Department of Health Care Services (DHCS) that the applicant's medical records, financial information, and other evidence of the applicant's inability to manage their affairs may be necessary to support the referral to the public guardian or conservator. This information may not be available to the county. In situations where this information is unknown or unavailable, the county must proceed to make the referral to the public guardian or conservator's office and document the referral, detailing the county's interaction with the public guardian or conservator's office in the case journal. The county must not delay making an eligibility determination in these situations.

## **Guidance for Counties**

The county welfare department or representative of a public agency shall assume total control of a Medi-Cal case if the applicant is unable to apply for or complete the Medi-Cal eligibility determination process due to incompetency and if the applicant does not have a qualified representative available to provide the information necessary for the eligibility determination in accordance with [22 Cal. Code Regs. § 50163](#).

The county welfare department or the representative of a public agency shall:

1. Perform a diligent search to obtain available information regarding the applicant's circumstances applicable to Medi-Cal eligibility determination.
2. Complete the Statement of Facts based upon the findings of the diligent search.
3. Establish disability in accordance with [22 Cal. Code Regs. § 50167](#).

## **Best Practices for Completing a Diligent Search**

The diligent search process may include, but is not limited to the following steps:

1. Determine and document the applicant's competency.
2. Refer the applicant to the Disability Determination Service Division (DDSD) for a disability determination, excluding applicants who appear to be under 21 years old or over 64 years old.
3. Conduct a reasonable search to gather information when the applicant is unable to provide it themselves. A reasonable search may consist of the following actions:

For individuals *with* identification:

- Search and review records for previous or current contacts with the applicant.

- Search for available income, such as disability insurance, retirement, unemployment benefits, or Veterans benefits.
- Interview friends, family, or acquaintances regarding the applicant's financial situation.

For individuals *without* identification:

- Search and review records for any previous or current contacts with and or for the applicant, such as hospital referrals.

4. Determine eligibility based on the results of the diligent search.

If no information establishing the applicant's identity is discovered upon conducting a reasonable search, the county must thoroughly document in the case record that a reasonable search was conducted and proceed in making an appropriate eligibility determination. Refer to [MEDIL I 20-33](#) for determinations of eligibility for unknown individuals based on presumed age.

In accordance with the [MEPM, Article 4 Section I](#), if at any time during the application process the applicant's condition changes or a qualified representative is identified, allowing the county to obtain the required information be in the usual manner, the diligent search efforts shall cease and eligibility must be redetermined using the updated information.

If you have questions regarding the diligent search process, please contact the Medi-Cal Eligibility Division (MCED) Policy inbox at [MCED-Policy@dhcs.ca.gov](mailto:MCED-Policy@dhcs.ca.gov).

Sincerely,

Sarah Crow, Chief  
Medi-Cal Eligibility Division

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Department of Health Care Services

Enclosure (If applicable)