

## **Follow-Up Item from January 30, 2020, MCHAP Meeting**

### **California Advancing and Innovating Medi-Cal (CalAIM) Discussion and Member Feedback**

*Alison Beier:* When you do benefits, alimony is taken off the table and doesn't affect financial qualification of benefits. However, if you have a child and there is a divorced couple and there is child support that comes in, the child is pulled off of the waiver so they don't need to be matched financially to their family, and they have their own income which is \$0. When that child starts to receive child support that counts as their income and their families that are afraid to have child support or go through anything because they don't want their child to lose the waiver because financially they may not qualify anymore. It's a difficult thing for many families who go through divorce.

**DHCS Response:** *Jacey Cooper, DHCS:* I can't speak to those requirements, so we'll need to flag this for our Health Care and Eligibility team.

**DHCS Follow-Up:** The county would first evaluate the child for eligibility using the Modified Adjusted Gross Income (MAGI methodology). The income limits under MAGI for children go up to 266% of the Federal Poverty Level which would be at or below \$3,822 per month for a family size of 2 (child and one parent). Child support payments do not count as income under MAGI. If after a preliminary screening the child would be ineligible with parental income, the child would be treated as if they were institutionalized and evaluated using the special waiver rules where parental income and resources are not counted.

The special waiver (Home and Community-Based Services for the Developmentally Disabled (HCBS-DD) waiver) rules use Non-MAGI methodology and evaluate individuals for eligibility for Non-MAGI programs. For Non-MAGI programs child support is counted as income. The child would be evaluated for the Aged, Blind and Disabled Federal Poverty Level Program if they have had a disability determination by the Social Security Administration (SSA). The program income limit is currently \$1,314 for an individual. As of August 1, 2020, the program limit will increase to \$1,488 for an individual. If the child has not had a disability determination by the SSA, the county will refer them for a disability determination with Disability Determination Services Division. While the disability determination is pending, the child would be evaluated under the Medically Needy program where any income over \$600 for an individual would be a share of cost.