

DATE: November 20, 2023

TO: ALL COUNTY WELFARE DIRECTORS Letter No.: 23-24
ALL COUNTY WELFARE ADMINISTRATIVE OFFICERS
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS
ALL COUNTY HEALTH EXECUTIVES
ALL COUNTY MENTAL HEALTH DIRECTORS

SUBJECT: 2024 MEDICARE CATASTROPHIC COVERAGE ACT SPOUSAL
IMPOVERISHMENT CAPS
(Reference: ACWDLs 90-01, 90-03, 91-84, 17-25, 18-19, 22-25 and
MEDILs I 21-07 and I 22-35)

The purpose of this All County Welfare Directors Letter (ACWDL) is to inform counties of an increase to the maximum income under the Medicare Catastrophic Coverage Act, and provide information on how to apply the Spousal Impoverishment (SI) provisions for Non-MAGI Medi-Cal.

Effective January 1, 2024, the Minimum Monthly Maintenance Needs Allowance (MMMNA) is \$3,854 per month.

Important: DHCS will not be publishing the Community Spouse Resource Allowance (CSRA) amount in an annual ACWDL because assets will not be a factor for eligibility purposes, as of January 1, 2024. When determining eligibility for the institutionalized or HCBS spouse, county eligibility workers will no longer determine the CSRA when the initial month of eligibility is on or after January 1, 2024.

Income Eligibility

The MMMNA¹ applies to the determination of the spousal income allocation from the institutionalized/HCBS spouse's income to the community spouse at application, renewal and change in circumstances (ACWDLs [90-03](#), [17-25](#), [18-19](#) and Medi-Cal Eligibility Division Information Letters (MEDILs) I [21-07](#) and I [22-35](#)). As long as there is the expectation that nursing facility level of care would be required for 30 consecutive days (Section 50033.5 and Questions 26, 27 and 29 in ACWDL [90-01](#), and ACWDLs [17-25](#) and [18-19](#)), according to ACWDL [91-84](#), the spousal income allocation applies in the month:

- Of application for an institutionalized/HCBS spouse.

¹ Pursuant to Section 50603(f) in ACWDL [90-03](#), a higher monthly spousal income allocation amount may be used in place of the calculated maximum based on the MMMNA if ordered by the court or through fair hearing.

Letter No.: 23-24
Page 2
November 20, 2023

- Of admission for an institutionalized spouse who is a Medi-Cal member
- A request for HCBS is made by an HCBS spouse who is a Medi-Cal member.

Please Note: When determining whether the gross income of the community spouse is below the MMMNA, remember to deduct amounts paid by the community spouse for Medicare or other health insurance premiums (ACWDL [90-03](#), Question 22).

Effective April 1, 2023, the Continuous Coverage Unwinding began and counties are instructed to follow the policy guidance outlined in ACWDL [22-18](#) and [MEDIL I 23-02](#) regarding the unwinding process and resumption of redeterminations.

If you have any questions regarding this issue, please contact Andrey Bodrov at (916) 345-8675 or by email at Andrey.Bodrov@dhcs.ca.gov.

Original Signed By

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