

## DEPARTMENT OF HEALTH SERVICES

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November 21, 1989

To: All County Welfare Directors  
All County Administrative Officers  
All County MEDS Coordinators

Letter No.: 89-105

Subject: 185 Percent Program: Follow-up to ACWDL 89-50

Reference: ACWDL 89-50

The purpose of this ACWDL is to provide additional information, clarify previous instructions, and correct a minor error in ACWDL 89-50. We apologize for the delay in sending out this follow-up ACWDL.

1. Definition of Inpatient Services

Infants who began a continuous period of inpatient medical services prior to the month of attainment of age one year and which continues beyond the infant's first birthday, may continue to be eligible for Medi-Cal under the 185 Percent program until the end of the continuous period. "Inpatient services" would be defined as any medical facility in which the infant stayed over 24 hours. This includes long term and acute care facilities.

2. Impact of the Definition of Inpatient Services on the MFBU's Share of Cost

The 185 Percent program provides, at no share of cost, full scope benefits to the infant up to one year old (except for undocumented/temporary visa infants who receive emergency services only). Infants over one year old may continue to be eligible under the 185 Percent program if they are receiving continuous inpatient services which began before the age of one year.

Since the definition of inpatient services includes long term care (LTC) services, Section 50659 of Title 22, CCR (Long-Term Care Patients with a Share of Cost) is now inconsistent with the 185 Percent program when the infant LTC patient is not disabled. Currently, Section 50659 provides that the LTC patient in the MFBU shall have the SOC listed, which conflicts with the 185 Percent program's zero SOC requirement for the LTC infant. Therefore, Section 50659 will be revised to allow the MFBU's SOC to be assigned to the non-LTC members of the MFBU.

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The new revised instructions would also apply to a pregnant woman in LTC who is not disabled and is eligible under the 185 Percent program. Her nonpregnancy-related services received in the LTC facility may be applied towards the MFBU's share of cost. Her pregnancy-related services would be provided at zero SOC by the 185 Percent program.

The counties shall implement these instructions immediately; changes to the regulations will be forthcoming at a later date.

3. Allowable Deductions

The 185 Percent program worksheet states that aged, blind, disabled (ABD) deductions may not be applied to the 185 Percent program. However, counties are reminded they need to substitute AFDC-MN deductions, when applicable, in place of the ABD deductions when computing net nonexempt family income for the 185 Percent program.

4. Intercounty Transfers

Intercounty transfers (ICTs) for the 185 Percent program are handled in the same manner as ICTs for the regular MI/MN program.

5. New Applications for Newborns

New applications for infants under one year old are not required unless that infant is the only remaining eligible family member on Medi-Cal. If this is the case, the county needs to obtain a CA 1 and MC 210 as soon as possible to continue the infant on Medi-Cal.

In the case of a medically indigent mother who is discontinued from the 185 Percent program at the end of the 60-day postpartum period, the county has until the end of the 60-day postpartum period to obtain the CA 1 and MC 210 or MC 210A for the infant.

Furthermore, the EW must obtain a MC 13 and issue the newborn's own Medi-Cal card as quickly as possible. To facilitate these requirements, the EW may wish to complete the CA 1 and MC 210 at the same time the MC 13 is requested, if needed. The simultaneous action will reduce the need to handle the case at a later time for the CA 1 and MC 210.

6. Minor Correction to Example B on Attachment A of ACWDL 89-50

As some of you may have noticed, the share of cost computation under the regular MN program incorrectly deducted the \$20 any income deduction from John's earned income. It should have first been deducted from Jane's unearned income. Therefore, the computation should have been as follows:

MN SOC

\$1500	Jane's gross unearned income
<u>- 20</u>	any income deduction
\$1480	Jane's net unearned income
\$ 200	John's gross earned income
<u>- 65</u>	earned income deduction
\$ 135	
<u>- 67.50</u>	one-half deduction
\$ 67.50	John's net earned income
\$1480	Jane's net unearned income
<u>+ 67.50</u>	John's net earned income
\$1547.50	combined countable income
<u>- 40.00</u>	health insurance premium
\$1507.00	net nonexempt income
<u>- 1200.00</u>	maintenance need level for 5 (prior to 7/1/89)
\$ 307.00	share of cost

7. Case Counts

Numerous counties are not clear about when to take a case count for infants eligible under the 185 Percent program. There is one rule to bear in mind when deciding whether to report intake activity for the pregnant women and/or infants: Case counts are reported based on the number of MFBU's established, regardless of the number of eligibles in the MFBU.

Therefore, case activity for the 185 Percent infant would be reported under the 185 Percent MFBU only. If there were a pregnant woman and/or other 185 Percent infant(s), there would still be only one case count under the 185 Percent MFBU even though the EW had to first determine that they were otherwise eligible and had a share of cost under the regular MI/MN program. In addition, the pregnant woman would be dually eligible to the 185 percent program and the regular MI/MN program. Therefore, in addition to the one case count for the 185 Percent MFBU, one case count would also be reported

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for the regular MI/MN MFBU. This regular MI/MN MFBU case count would include the pregnant woman and/or any other members of the regular MI/MN MFBU (remember that 185 Percent infants are not counted in the regular MI/MN MFBU).

Examples:

a.	<u>185% MFBU</u>	<u>Regular MI/MN MFBU</u>
	infant under one	no other persons

A case count is reported for the 185 Percent MFBU only even though the infant must first be determined to be otherwise eligible and have a share of cost under the regular MI/MN program.

b.	<u>185% MFBU</u>	<u>Regular MI/MN MFBU</u>
	infant under one	2-year old child mother

A case count is reported for the 185 Percent MFBU for the infant under one and a case count is reported for the regular MI/MN MFBU for the 2-year old child and the mother.

c.	<u>185% MFBU</u>	<u>Regular MI/MN MFBU</u>
	pregnant mom infant under one (twin) infant under one (twin)	pregnant mom

A case count is reported for the 185 Percent MFBU and a case count is reported for the regular MI/MN MFBU.

If there are any questions, please call Yvonne Lee at (916) 323-4954 or ATSS 454-4954.

Sincerely,

Original signed by

Frank S. Martucci, Chief  
Medi-Cal Eligibility Branch

cc: Medi-Cal Liaisons  
Medi-Cal Consultants

Expiration Date: 6/30/91