



State of California—Health and Human Services Agency  
Department of Health Care Services



EDMUND G. BROWN JR.  
Governor

September 14, 2018

TO: ALL COUNTY WELFARE DIRECTORS Letter No.: 97-05E  
ALL COUNTY ADMINISTRATIVE OFFICERS  
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS  
ALL COUNTY PUBLIC HEALTH DIRECTORS  
ALL COUNTY MENTAL HEALTH DIRECTORS

SUBJECT: Errata to All County Welfare Directors' Letter No. 97-05

The purpose of this All County Welfare Directors Letter (ACWDL) erratum is to remove the requirement for counties to send the MC 176 PI, and a county contact name and phone number, to the Department of Health Care Services for review. This is in regards to cases where, on or after January 1, 1997, an institutionalized individual, or any other person who assists that institutionalized individual, made a disqualifying transfer before or after being admitted to long-term care.

Corrections to ACWDL 97-05 are recorded using the following:

- strike-through for deleted language
- underline and bolding for adding new language

~~\*The federal government will decide whether or not to press charges and to prosecute specific individuals. Therefore, in order to ensure that only absolutely accurate cases are forwarded to the federal authorities,\*~~ **Effective January 1, 1997, counties are instructed to gather all the necessary information as usual, determine whether or not the transfer was made on or after January 1, 1997, and whether or not it is potentially disqualifying in accordance with ACWDL No. 90-01, Section 50408 – 50411.5.\* If the transfer still appears to be a disqualifying transfer, counties shall complete the MC 176 PI. If in completing the MC 176 PI, any months remain for which a period of ineligibility would be imposed resulting in restrictive services eligibility for the institutionalized individual, then the counties shall copy and send or fax all pertinent case record documentation including a county contact name and phone number to the address below for review and possible referral to the federal government.\* If yes, the county shall issue Notices of Action granting restricted services or reducing services for the institutionalized individual. The county is not required to forward case record documentation or county contact information for referral to federal authorities.**

\* denotes crossed-out words

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**Disqualified transfers may result in overpayment. Counties shall continue to submit overpayment referrals to DHCS' Audits & Investigations Division. Guidance will be released in a forthcoming letter. If the applicant/beneficiary requests a fair hearing or rehearing, the county shall not process the case until the results of the administrative appeals are known, and the imposition of the period of ineligibility was upheld.**

If you have any questions or if we can provide further information, please contact Bonnie Tran at (916) 327-0410 or by email at [Bonnie.Tran@dhcs.ca.gov](mailto:Bonnie.Tran@dhcs.ca.gov).

Original Signed By

Sandra Williams, Chief  
Medi-Cal Eligibility Division