

DEPARTMENT OF HEALTH SERVICES

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June 30, 1994



TO: All County Welfare Directors
All County Administrative Officers
All County Medi-Cal Program Specialists/Liaisons

Letter No.: 94-55

MEDICAL SUPPORT--AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC)/EDWARDS CASES

Ref.: E-MAIL No. 94067

The purpose of this letter is to more fully explain the information contained in E-Mail No. 94067 which was sent on May 3, 1994.

As a result of a lawsuit entitled Edwards v. Myers (1985) 167 Cal.App.3d 1070, 213 Cal.App.3d 1070, 213 Cal.Rptr. 737, counties place most AFDC-cash beneficiaries who have been discontinued from assistance into a special temporary continuing Medi-Cal aid code. This is an automatic process wherein, upon discontinuance from cash aid, the Medi-Cal Eligibility Data System places beneficiaries in aid code 38 status until a determination of Medi-Cal eligibility is made and a notice of action sent to the beneficiary.

In the Medical Support Program, Medi-Cal applicants are required, as a condition of eligibility, to cooperate in providing information to establish paternity, obtaining medical support and payments, and in identifying and providing information to assist the state in pursuing any third party who is or may be liable to pay for medical care, services, or support.

An AFDC applicant is referred to the Family Support Division/District Attorney (FSD/DA) for child support and medical support enforcement as a condition of eligibility for the AFDC program. The question asked by counties was whether there was authority to automatically discontinue beneficiaries from Medi-Cal at the same time the AFDC program discontinues cash aid for noncooperation if the beneficiary refuses to cooperate in providing or obtaining paternity, child support, medical support, and/or third party liability information. The answer to the question is No. Counties cannot automatically terminate Medi-Cal benefits for individuals whose AFDC assistance has ended. Counties must determine whether those individuals are eligible for Medi-Cal under other nonautomatic Medi-Cal categories. A concurrent determination of Medi-Cal eligibility by the county meets the requirements of Edwards as long as the county fully documents that it is a separate Medi-Cal determination and not part of the AFDC denial of benefits.

If you have any questions about Edwards, please contact David Badal at (916) 654-5579. If you have questions about medical support, please contact Elena Lara at (916) 657-0712.

Sincerely,

ORIGINAL SIGNED BY

Frank S. Martucci, Chief
Medi-Cal Eligibility Branch