



TOBY DOUGLAS  
*Director*

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



EDMUND G. BROWN JR.  
*Governor*

January 17, 2014

Medi-Cal Eligibility Division Information Letter No.: I 14-06

TO: ALL COUNTY WELFARE DIRECTORS  
ALL COUNTY ADMINISTRATIVE OFFICERS  
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS

SUBJECT: Long-Term Care Services and Supports (LTCSS) For Individuals With Eligibility Based Upon Modified Adjusted Gross Income (MAGI) or Mixed With Non-MAGI

This letter provides interim guidance to counties that they should not calculate shares-of-cost (SOC) or move individuals who are eligible in MAGI full scope aid codes to other aid codes for purposes of receiving LTCSS. Individuals who are eligible under MAGI continue to receive LTCSS under their MAGI full scope aid codes without an SOC. Therefore, since the spousal income allocation is a part of the share of cost calculation, it will not be part of the MAGI eligibility determination either.

If you have one spouse in LTC on a non-MAGI basis and the other spouse applies for MAGI Medi-Cal, then counties need to determine eligibility with and without the spousal income allocation, provide that information to the couple or their representative and ask the couple whether or not they wish to continue with the allocation. Should the couple still wish to continue the spousal income allocations and the couple was expecting to file taxes jointly, then the county would not include the spousal income allocation as income to the community spouse because when entering the information into the California Health Eligibility, Enrollment and Retention System all of the income of both spouses would be entered. If the community spouse was filing separately, then the income allocation from the institutionalized spouse would be included, just as we would if the community spouse were attempting to establish eligibility for the Aged Blind Disabled Federal Poverty Level or Medically Needy programs previously.

As a reminder, property is not a part of the MAGI eligibility determinations, so the spousal impoverishment Community Spouse Resource Allowance will not be applicable.

Medi-Cal Eligibility Division Information Letter No.: I-14-06

Page 2

January 17, 2014

If you have any questions, or if we can provide further information, please contact Ms. Sharyl Shanen-Raya at (916) 552-9449 or by email at [Sharyl.Shanen-Raya@dhcs.ca.gov](mailto:Sharyl.Shanen-Raya@dhcs.ca.gov).

Tara Naisbitt, Chief  
Medi-Cal Eligibility Division