

DATE: May 17, 2023

Medi-Cal Eligibility Division Information Letter No.: I 23-37

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

SUBJECT: CLARIFICATION FOR REDETERMINATIONS OF INCARCERATED INDIVIDUALS DURING THE CONTINUOUS COVERAGE UNWINDING PERIOD (REFERENCE ALL COUNTY WELFARE DIRECTORS LETTERS [11-27](#), [13-18](#), [22-18](#), [22-33](#), [22-26](#), AND MEDI-CAL ELIGIBILITY DIVISION INFORMATION LETTERS I, [20-14](#), [22-40](#), [23-02](#)).

The purpose of this Medi-Cal Eligibility Division Information Letter (MEDIL) is to provide instructions to counties on resuming normal case processing actions for incarcerated individuals during the Continuous Coverage Unwinding period.

## BACKGROUND

[MEDIL 20-14](#) instructed counties to delay processing Medi-Cal annual redeterminations, discontinuances, and negative actions for Medi-Cal through the end of the Public Health Emergency (PHE). [ACWDL 22-18](#) advised counties that if an adult inmate reaches one year of incarceration, but remains incarcerated, then their Medi-Cal must be discontinued at the end of the month with proper notice, which ends their suspension. In circumstances where the one year of incarceration occurred during the PHE, and the adult remains incarcerated after the PHE, counties were instructed to process the Medi-Cal discontinuance and end the suspension at the next scheduled annual renewal date.

However, as outlined in [ACWDL 22-26](#), effective January 1, 2023, Medi-Cal benefits for incarcerated adults and juveniles shall be suspended for the duration of their incarceration. Notwithstanding the Medi-Cal Inmate Eligibility Program (MCIEP), if an individual is a Medi-Cal beneficiary on the date they become an inmate of a public institution, their benefits shall be suspended.

Effective January 1, 2023, [ACWDL 22-26](#) annual renewals are not required while the individual is incarcerated. Under the SUPPORT Act, a change in circumstance redetermination is no longer required for eligible juveniles. However, for an eligible juvenile that no longer meets program requirements for the Medi-Cal eligibility group they are enrolled in (e.g., aging out of Kinship Guardianship Assistance Payment (Kin-GAP)), a redetermination is required per federal and state requirements

associated with that specific program.

Lastly, [MEDIL 23-02](#) instructed counties that effective April 1, 2023, the Continuous Coverage Unwinding period will begin and counties shall follow the policy guidance outlined in [ACWDL 22-18](#) regarding the unwinding process and resumption of annual redeterminations.

## **RESTORING NORMAL BUSINESS PROCESSES**

This section will provide counties with instructions on how to restore normal business processes considering current policy for incarcerated individuals.

### **Annual Redeterminations**

Annual redeterminations are no longer required for incarcerated individuals with suspended Medi-Cal benefits (non-MCIEP). However, DHCS acknowledges the Statewide Automated Welfare System (SAWS) does not currently have the functionality to support the no annual renewal policy with mixed incarcerated and non-incarcerated household members. Counties should proceed with the renewal process for households that contain an incarcerated individual and other active members who require an annual renewal until DHCS issues further policy guidance regarding redeterminations for mixed households with incarcerated and non-incarcerated members. For incarcerated individuals, if the household is determined to be no longer eligible and the incarcerated individual is not eligible under another program, the county will discontinue the household and the incarcerated individual with a proper 10-day notice. Additional information can be found in [ACWDL 21-22](#), [22-26](#), and [MEDIL 22-40](#).

Note: A beneficiary may have a suspended Medi-Cal aid code in the primary segment along with an active MCIEP aid code in the special segment and both aid codes can function at the same time. The guidance provided in [ACWDL 22-18](#) applies to MCIEP applicants and beneficiaries. As directed, counties are expected to resume normal business processes related to MCIEP applications, annual redeterminations, and changes in circumstances, as described within the letter.

### **SAWS Functionality for Redeterminations**

To assist counties with renewal prioritization efforts during the continuous coverage unwinding period, DHCS and SAWS are planning a one-time adjustment to redetermination dates for cases in which only a single individual is on the case and the individual is incarcerated. This adjustment will prevent redetermination packets from being mailed and/or prevent discontinuances if the redetermination is not completed and returned. A long-term solution to suppress renewals in cases where only the individual on the case is incarcerated is expected to be implemented by the end of 2023.

DHCS is collaborating with our SAWS partners, County Welfare Directors Association (CWDA), and County Welfare Departments (CWDs) to determine the feasibility and timeline for programming this function within SAWS. Until then, DHCS defers to the counties for identifying best practices and workarounds in cases where the only individuals on the case are incarcerated. These workarounds should accommodate situations where the individual is released early or later than the expected release date, and whenever possible, ensure the individuals' benefits are suspended for the duration of their incarceration and activated with proper notice upon release, if they are otherwise eligible.

### **Change in Circumstances during the PHE**

All change in circumstances redeterminations for incarcerated individuals that were not processed due to the PHE shall be processed by the county as part of the annual redetermination processes which have resumed beginning in April 2023. With annual redeterminations not required for incarcerated individuals, counties should ensure pending change of circumstance redeterminations are processed for individuals who will not be subject to an annual redetermination. If the individual is subject to an annual redetermination, the change of circumstance can be addressed at that time.

Counties shall comply with all applicable eligibility and change-in circumstance redetermination requirements to ensure that the incarcerated individual is in the appropriate program, if otherwise eligible. If the individual does not meet the requirements for the current, or a new program, then their eligibility shall be discontinued with proper notice.

While an individual is incarcerated and Medi-Cal benefits are suspended, if the basis for the beneficiary's eligibility changes, the eligibility determination shall be updated as appropriate in the Medi-Cal Eligibility Data System (MEDS). Medi-Cal suspension of benefits does not prevent a redetermination into a different Medi-Cal program while under suspension. Instead, the benefits under the new aid code remain under suspension.

If the incarcerated individual, during the course of a change of circumstance redetermination impacting their household, is determined not otherwise eligible or the county is unable to determine ongoing eligibility due to a lack of necessary information, the counties should explore other options to keep the individual on aid while under suspension, such as moving them to their own case as a system workaround.

### **Release from Incarceration**

Upon an individual's release from incarceration, a redetermination is only required if one has not been completed within 12 months prior to the release date, barring any other known changes in circumstance affecting eligibility. Their eligibility must be activated,

without submitting a new application, if the information available to the County is sufficient to determine that the newly released individual is still eligible. If eligible, the individual must be notified that their Medi-Cal benefits are no longer suspended, and the benefits are activated on the day of release from incarceration. If a redetermination is needed, counties shall perform an ex parte review using available information to conduct the change in circumstance redetermination, including the information available in the inmate's case record and through electronic data sources. Counties may contact the beneficiary once they have been released if they are unable to complete the redetermination via ex parte review.

Note: CWDs must work with correctional facilities to exchange updated information on incarcerated individuals and expected release dates. If the county is not made aware of a release, newly released individuals can report this change via phone, online, or in person. If the individual is unable to provide any specific release documents from the jail/prison, a self-attestation is sufficient to lift the suspension and reactivate benefits.

### **Medi-Cal Inmate Eligibility Program**

In general, incarcerated individuals are unable to access Medi-Cal benefits during their incarceration, notwithstanding the MCIEP. MCIEP is only available to eligible county or state incarcerated individuals who receive inpatient hospital services provided in a medical facility off the correctional facility grounds. Incarcerated individuals enrolled in the MCIEP, follow the standard Medi-Cal rules for redeterminations. Counties shall refer to [ACWDL11-27](#), and [13-18](#) for additional information related to the MCIEP.

If you have any questions, or if we can provide further information, please contact Angelo Vitale, by phone at (916) 345-8197 or by email at [MCIEPSupportAct@dhcs.ca.gov](mailto:MCIEPSupportAct@dhcs.ca.gov).

Sincerely,

William White  
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Policy Operations Branch  
Medi-Cal Eligibility Division