

DATE: November 25, 2024

Medi-Cal Eligibility Division Information Letter No.: I 24-30

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

SUBJECT: NEW CALSAWS SPOUSAL IMPOVERISHMENT CASE FLAG AND  
TASK FOR THE HOME AND COMMUNITY-BASED SERVICES  
POPULATION

## **Purpose**

The purpose of this Medi-Cal Eligibility Division Information Letter (MEDIL) is to inform counties about the implementation of the CalSAWS case flag and case task for the Home and Community-Based Services (HCBS) population. This change is designed to provide counties with access to HCBS waiver and program participant information, which they would not otherwise have access to. These new tools will assist County Eligibility Workers (CEWs) in identifying Medi-Cal members who are participating in HCBS waivers and programs, and for whom additional screening is required to determine if Spousal Impoverishment (SI) provisions may apply.

## **Background**

The SI provisions are financial methodologies that allow the community spouse to retain more income and property upon submission of a Medi-Cal application for the institutionalized spouse.

Under the Affordable Care Act (ACA), effective January 1, 2014, the definition of an “institutionalized spouse” was expanded to include HCBS spouses. This new definition allows for a broader and more immediate application of the SI provisions to HCBS spouses. HCBS spouses are applicants or members who have community spouses or registered domestic partnerships (RDPs) and:

- Are enrolled in an HCBS waiver or program; or
- Have requested HCBS waivers or programs and provided verification that they would require a nursing facility level of care (NFLOC).

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The SI provisions allow the community spouse/RDP to retain more income and resources upon submission of a Medi-Cal application for an institutionalized spouse/RDP or a spouse/RDP who requests HCBS.

### **Case Flag**

In an ongoing effort to provide counties with comprehensive support and training regarding the SI provisions, DHCS has worked with CalSAWS to develop a flag that will be added to cases containing HCBS participants. This “HCBS Spousal Impoverishment Screening” flag is designed as a tool to assist counties in identifying cases that require additional screening to determine if SI provisions may apply.

This new flag will be applied to cases containing individuals who have a spouse or RDP, are granted Medi-Cal with a share of cost and are enrolled in one of the HCBS waivers and/or programs. Since HCBS waiver and program participation data is not readily available to counties, this tool will alert and help counties identify additional individuals requiring SI screening, without the Medi-Cal member needing to contact the county first. The flag will be added to cases that include participants in the following HCBS waivers and programs:

- Human Immunodeficiency Virus/ Acquired Immunodeficiency Syndrome (HIV/AIDS) Waiver
- Assisted Living Waiver (ALW)
- Home and Community-Based Alternatives (HCBA) Waiver
- Home and Community-Based Service Developmentally Disabled (HCBS-DD) Waiver
- Multipurpose Senior Services Program (MSSP)
- Self-Determined Program (SDP)
- In-Home Supportive Services/Community First Choice Option (IHSS/CFCO)

When CEWs observe the new case flag on a Medi-Cal case, and the case has not previously been screened for SI, the CEWs shall contact the members to determine to whom the flag applies and continue with the application of HCBS SI provisions.

CalSAWS will implement the HCBS SI case flag in the month of December 2024. Once the flag is implemented in the system, a monthly process will add flags to Medi-Cal cases with new HCBS participants who meet the flag criteria.

### **Case Task**

In addition to the case flag, DHCS has worked with CalSAWS to develop an automated HCBS SI task that will trigger at the start of the annual renewal process for HCBS participants and be used to remind CEWs to review for SI provisions. This task will apply to the same demographics as the HCBS SI case flag, while further focusing on cases with upcoming annual renewals. The case task may be utilized as verification of continued participation in HCBS waivers and/or programs when processing annual renewals.

Counties will also receive this information in the form of a monthly list to allow flexibility between different county business processes.

CalSAWS will implement the HCBS SI automated task in the month of January 2025 or upon system readiness.

If you have any questions, or if we can provide further information, please contact Andrey Bodrov at (916) 345-8675 or by email at [Andrey.Bodrov@dhcs.ca.gov](mailto:Andrey.Bodrov@dhcs.ca.gov).

Sincerely,

Theresa Hasbrouck  
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Medi-Cal Eligibility Division  
Department of Health Care Services