



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



SANDRA SHEWRY
Director

ARNOLD SCHWARZENEGGER
Governor

January 2, 2008

TO: ALL COUNTY WELFARE DIRECTORS Letter No.: 07-34
ALL COUNTY WELFARE ADMINISTRATIVE OFFICERS
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS
ALL COUNTY HEALTH EXECUTIVES
ALL COUNTY MENTAL HEALTH DIRECTORS
ALL COUNTY MEDS LIAISONS

SUBJECT: MEDI-CAL PRE-RELEASE APPLICATION PROCESS
FOR WARDS IN COUNTY JUVENILE FACILITIES
RE: Senate Bill (SB) 1469, Chapter 657, Statutes of 2006
Welfare & Institutions (W&I) Code Section §14029.5

The purpose of this letter is to provide county welfare departments (CWDs) with the instructions needed to implement SB 1469 (Ch. 657; Stats. 2006). This bill requires all county juvenile detention facilities, by January 1, 2008, to provide specific information to the appropriate CWD for a ward who is to be released so that the county can determine the Medi-Cal eligibility of the ward. This enables the ward to receive medical care upon his or her release. A ward is a youth who has been committed to a county juvenile hall, camp, or ranch, for 30 days or longer by a juvenile court.

OVERVIEW:

The purpose of this bill is to ensure that the Medi-Cal application process is initiated before juvenile wards are released from incarceration so Medi-Cal eligibility can be established immediately upon the ward's release whenever possible. In general, SB 1469 requires:

- County juvenile detention facilities, immediately following the issuance of an order scheduling the release date of a ward from their facility, to provide the appropriate CWD with the ward's name, his or her scheduled or actual release date, and sufficient information, when available, for the CWD to begin the process of determining the ward's Medi-Cal eligibility for benefits.
- County welfare departments to use the information provided by the juvenile facility to process a Medi-Cal application, as explained below. This process may require the county to request additional information to complete the eligibility determination. This bill does not change existing eligibility procedures or requirements. Medi-Cal applications submitted on behalf of juvenile inmates in accordance with this letter are processed in the same manner as all other Medi-Cal applications.

HOW DOES THIS WORK?

The juvenile facility notifies the ward's parent or guardian that they intend to obtain Medi-Cal benefits for the ward. If the parent or guardian does not respond to this notification, the juvenile facility and the CWD continue the Medi-Cal application process. The juvenile facility completes an information worksheet and sends it to the CWD. The CWD works with the juvenile facility, the ward or the ward's parents or guardian to complete a Medi-Cal application. Once the CWD contacts the child's representative to request additional information, all Medi-Cal application requirements apply. This means that an application can be denied if the responsible individual does not cooperate with the request for additional information. Counties must only request the minimum information needed to determine or restore eligibility under current Medi-Cal policy. The CWD then determines whether the ward is eligible for benefits and notifies the juvenile facility of the outcome of their determination. The county must issue an immediate need paper Medi-Cal card for the juvenile as soon as eligibility is established.

WHO DOES THIS BILL COVER?

The bill requires that; "commencing January 1, 2008, immediately following the issuance of an order of the juvenile court, pertaining to the disposition of a ward of the county, committing that ward to a juvenile hall, camp or ranch for 30 days or longer, the

county juvenile detention facility shall provide the appropriate CWD with the ward's name, his or her actual release date, any known information regarding the ward's Medi-Cal status prior to disposition, and sufficient information, when available, for the CWD to begin the process of determining the ward's eligibility for benefits under this chapter, including, if the ward is a minor, contact information for the ward's parent or guardian, if available." (SB 1469, Welfare and Institutions Code Sec.14029.5(a)(1))

Under Article 6 of the Medi-Cal Eligibility Procedures Manual, a juvenile loses Medi-Cal eligibility if he or she is:

- In a detention center due to criminal activity and is a resident of a public institution.
- On intensive probation with a plan of release which includes residence in a detention center.

A ward that would have had to apply for Medi-Cal after his or her release from incarceration under Article 6 of the Medi-Cal Eligibility Procedures Manual can, under SB 1469, apply for Medi-Cal prior to his or her release. The eligibility that is established as a result of the pre-release application takes effect as soon as the ward is released from incarceration.

PRE-RELEASE APPLICATION PROCESS:

The following pre-release application policy and procedures will be followed by county juvenile facilities and CWDs to ensure that eligible youth have Medi-Cal coverage or other medical assistance upon discharge from a county juvenile detention facility such as a juvenile hall, camp, or ranch.

COUNTY JUVENILE FACILITIES:

- When a ward has been issued an order committing that ward to a juvenile hall, camp, or ranch for 30 days or longer, the facility will provide to the CWD:
 1. The name of the ward.
 2. The scheduled or actual release date, or, if applicable, notify the CWD about placement into a medical/mental health care facility. It is important that the facility keep the CWD informed of any changes in release date.
 3. The ward's Medi-Cal status prior to disposition.
 4. Sufficient information, if available, to begin determining Medi-Cal eligibility. (See Sample Medi-Cal Transmittal Form enclosed.)

5. If the ward is under 21, contact information for the ward's parent or guardian, if available.
- The facility shall notify the parent or guardian, in writing, of its intention to obtain Medi-Cal benefits for the ward and will give reasonable time for a response (30 days). If the parent or guardian informs the facility that they do not want an application to be submitted on behalf of their child, there will be no application and the facility and the CWD will end this process. If the parent or guardian does not respond, the juvenile facility and the CWD will continue with the process. However, because this process does not change Medi-Cal eligibility rules, the application or restoration of benefits can be denied if the parent or guardian fails to cooperate or does not respond to request for information that is needed to determine eligibility.
 - The facility shall submit all information and supporting documentation with a cover letter at least 90 days prior to release to the designated CWD within the county where the ward is scheduled to be released. Documentation can be submitted at less than 90 days prior to release, when necessary, but information worksheets should be submitted to the CWD no less than 90 days prior to release for individuals with disabilities and no less than 45 days prior to release for non-disabled individuals. Late information worksheets will be processed as they are submitted.
 - Medi-Cal applications include confidential (and sometimes medical) information. Therefore, Medi-Cal applications sent from juvenile facilities to CWDs in accordance with this letter and the requirements of SB 1469 should be handled by individuals within the juvenile facility (or in some instances a medical facility) who are authorized to handle medical and other confidential information related to the juvenile for whom Medi-Cal is being requested.
 - If disability is claimed for a ward at a juvenile facility, the facility shall provide all medical information for the county to request a disability evaluation. If the ward is over 21, he/she may sign the MC 220 Medical Authorization of Release.
 - All information and documentation can be sent via mail, fax or E-mail with appropriate information security measures to protect confidential information. County juvenile facilities and CWDs will both provide contact person information so that the information needed to complete this process can be exchanged effectively and expeditiously.

COUNTY WELFARE DEPARTMENTS:

County juvenile facilities will send the CWD documentation on a ward via a coversheet and an information worksheet (enclosed). The facility will not send a Medi-Cal application. The CWD is to process an application based on the ward's information to determine Medi-Cal eligibility, and, for wards under 21, will contact the parent/guardian for further information as necessary. The CWD must review this information to determine whether the ward will be eligible for Medi-Cal and may request additional information as needed. The CWD will then inform the facility of its determination. If the ward is eligible, an application will be processed 45 days before release whenever possible. The application may be signed by the person or agency responsible for the ward's affairs in accordance with current Medi-Cal application policy.

All Medi-Cal applications, policies and procedures apply for incarcerated youth who are reviewed for eligibility based on this letter. For example:

- Eligibility cannot be established prior to release unless all required information is provided in accordance with current Medi-Cal policy.
- Failure to cooperate is grounds for denial of eligibility in accordance with current Medi-Cal policy.
- All Notice of Action requirements apply.

In compliance with SB 1469 the CWD will:

- Accept information from facilities to begin the Medi-Cal eligibility determination for wards prior to their release. All current procedures used to process Medi-Cal applications apply. This is not a new Medi-Cal program.
- Use the date of release as the date of Medi-Cal eligibility. The ward will be eligible in the month of release. Use date and month of release on MEDS and Consortia systems.
- Acknowledge receipt of the ward's informal application via a cover letter to designated staff within ten days of the information.
- Work with the juvenile facility staff, the ward and with the ward's parent or guardian as appropriate to complete the application and notify the facility.
- Expedite the pre-release application process if the ward is scheduled for release in fewer than 45 days. Late applications will be processed when the documentation is submitted.

- Forward the ward's information to the Healthy Families Program or another appropriate health coverage program if the ward is not eligible for Medi-Cal. (With the permission of the ward's parent or guardian as required by State law.)
- Notify the designated worker at the county juvenile facility in writing on the outcome of the eligibility determination or if additional information is required.
- Notify the county juvenile facility at least ten days prior to the expected release date if the Medi-Cal determination is not completed.
- Provide a Temporary Paper Card using immediate need procedures to enable an eligible ward to access Medi-Cal benefits immediately upon release if the county determines that the ward or inmate is Medi-Cal eligible. The temporary card must be sent to the facility prior to the release date to be given to the ward upon release. A permanent Benefit Identification Card will be mailed to the ward soon thereafter.

EVIDENCE OF CITIZENSHIP AND IDENTIFICATION REQUIREMENTS:

All federal Deficit Reduction Act of 2005 (DRA) requirements specified in All County Welfare Directors Letter (ACWDL) 07-12 apply. This includes the requirement that evidence of citizenship and identity must be provided (when required) before eligibility begins for wards applying for Medi-Cal in accordance with this letter. For example, if the family or facility is making a good faith effort to provide citizenship information for an applicant but it has not already been provided on the date of release, eligibility cannot be established upon release. In these cases, counties should work with the family or guardian of the ward to obtain the required citizenship information as soon as possible. For those wards who are making a good faith effort to provide citizenship information, but who are unable to provide it by the date of release, counties should grant restricted eligibility as specified in ACWDL 07-12 if the good faith effort ends (if otherwise eligible). Wards that have already provided evidence of citizenship and identity do not have to produce original or certified copies of their documents again.

EFFECTIVE DATE:

This pre-release application process is effective January 1, 2008. Effective with the issuance of this letter, juveniles who are released from a juvenile facility before the requirements of this letter are in place should have an expedited review of any Medi-Cal applications received, including issuance of immediate need Medi-Cal if eligible.

REQUIRED CONTACT INFORMATION:

Within 30 days of the date of this letter, county juvenile facilities must provide the Medi-Cal Eligibility Division with a contact person and a designated back-up who will work with the CWDs in determining Medi-Cal eligibility for wards. Likewise, CWDs must provide the Medi-Cal Eligibility Division with a contact person and a designated back-up who will work with the county juvenile facilities in accordance with this letter. Please include name, address, phone number, fax number, and E-mail address. This letter will be followed by an information letter to provide counties with a list of the CWD and county juvenile facility contacts in each county. Please send CWD contact information to Mr. Jeffery Baca at the following address:

Mr. Jeffery Baca
California Department of Health Care Services
Medi-Cal Eligibility Division
1501 Capitol Avenue, Suite 71.4063
MS 4607
P.O. Box 997417
Sacramento, CA 95899-7417

If there are any questions, please contact Mr. Jeffery Baca at (916) 552-9523.

Original signed by Vivian Auble

Vivian Auble, Chief
Medi-Cal Eligibility Division

Attachment

**MEDI-CAL APPLICATION TRANSMITTAL
INFORMATION FORM**

1. NAME OF WARD: _____

2. RELEASE DATE: _____

3. FACILITY CASE NUMBER: _____

4. MEDICAL STATUS PRE-INCARCERATION:

MEDI-CAL ELIGIBILITY / NO / / YES

OTHER HEALTH COVERAGE: / / NO / / YES

DISABILITY: / NO / / YES

5. SOCIAL SECURITY NUMBER: _____

6. DATE OF BIRTH: _____

7. RESIDENCE ADDRESS UPON RELEASE (include county):

8. PARENT OR GUARDIAN CONTACT INFORMATION:
(Name, address and phone number)

FATHER: _____

MOTHER: _____

GUARDIAN: _____

9. REFERRING PARTY (facility contact):

NAME: _____
FACILITY: _____
PHONE #: _____
FAX#: _____