



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



ARNOLD SCHWARZENEGGER  
Governor

November 18, 2008

TO: ALL COUNTY WELFARE DIRECTORS Letter No.: 08-51  
ALL COUNTY ADMINISTRATIVE OFFICERS  
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS  
ALL COUNTY HEALTH EXECUTIVES  
ALL COUNTY MENTAL HEALTH DIRECTORS  
ALL COUNTY PICKLE COORDINATORS

SUBJECT: JANUARY 2009 SOCIAL SECURITY TITLE II AND TITLE XVI COST OF  
LIVING ADJUSTMENTS AND RELATED ISSUES

This letter is to provide all counties with the following information:

- Instructions for computing the January 2009 Cost of Living Adjustments (COLA) for Title II Retirement, Survivor's and Disability Insurance (RSDI) benefits.
- The 2009 Medicare Part B Premium of \$96.40.
- The 2009 Federal Benefits Rate (FBR).
- The 2009 In-Kind Support and Maintenance Values for computing Pickle Eligibility. (Enclosure 1)
- The 2009 Supplemental Security Income/State Supplementary Payment (SSI/SSP) cash grant levels for January 1, 2009, through December 31, 2009. (Enclosure 2)
- The 2009 Resource Limit for both Medi-Cal and Pickle cases. (Enclosure 3)
- The 2009 Pickle Disregard Computation Chart. (Enclosure 4)

## **I. TITLE II RSDI COLA**

The Social Security Administration (SSA) has advised us that effective January 1, 2009, the Title II COLA increase is 5.8 percent. This percentage increase applies to all Title II beneficiaries.

### **Category A - 2009 Title II Benefits Amount – No Payment for Medicare Part B by Applicant/Beneficiaries**

For Medi-Cal-only individuals who do not pay Medicare Part B premiums either because they are not eligible for Medicare or they are entitled to Buy-In (in which case the State pays the Medicare Part B premium), the current 2008 gross benefit amount should be multiplied by 1.058 to compute the 2009 benefit amount.

The new 2009 gross benefit amount is rounded down to the next lower dollar. This computation will produce the Title II benefit amount to be used in computing the Medi-Cal share-of-cost (SOC) for January 2009 and subsequent months. (Example: The current benefit amount is \$210; multiplying by 1.058 equals \$222.18, rounding down to the next lower dollar equals \$222). This process is the same for Pickle eligibles who do not have a Medicare Part B premium deduction from their Title II benefit check.

### **Category B - 2009 Title II Benefit Amount When a Medicare Part B Premium is Paid by the Applicant**

The 2009 Medicare Part B premium is \$96.40. There has been no increase from the 2008 Medicare Part B premium of \$96.40

For individuals who have this premium deducted from their Title II benefit check, a two-step rounding down process must be followed to accurately determine the new benefit amount. For example:

#### **Step 1 For Category B**

Add the 2008 Medicare Part B premium (\$96.40) to the net 2008 Title II benefit check to obtain the 2008 gross benefit amount. Multiply this 2008 gross amount by the 2009 cost of living increase (1.058) and round the remaining cents down to the next lower \$0.10 to obtain the 2009 gross benefit amount.

**Step 2 For Category B**

Subtract the 2009 Medicare Part B premium (\$96.40) from 2009 gross benefit amount and round down to the next lower dollar. The remainder will be the January 2009 net benefit amount used to compute the SOC.

**Example For Category B**

**Step 1**

2008 net Title II benefit check	\$660.00
Plus 2008 Medicare Part B premium	<u>+96.40</u>
2008 gross Title II benefit amount	\$756.40
Multiply by COLA	<u>x 1.058</u>
Total	\$800.27

Round down total to next lower \$0.10	\$800.27
2009 gross Title II benefits amount	\$800.20

**Step 2**

2009 gross Title II benefit amount	\$800.20
Subtract 2009 Medicare Part B premium	<u>-96.40</u>
Total	\$703.80

Round down total to next lower dollar	\$703.80
January 2009 net Title II benefit amount	\$703.00

**Category C -**      2009 Title II Benefit Amount – Pickle Applicant Pays Medicare Part B Premium

To determine the countable Title II income for a Pickle applicant who has the Medicare Part B premium deducted, the following computation must be followed:

**Step 1 For Category C**

Determine the 2009 gross Title II benefit amount in the same manner as all other Medi-Cal beneficiaries with Title II income (same as Step 1 in Category B above).

Multiply the 2009 gross benefit amount by the January 2008 through December 2008 disregard multiplier. Round to the nearest dollar to determine the 2009 disregard amount.

**Step 2 For Category C**

Subtract the computed disregard amount from the 2009 gross Title II benefit amount. Then round down the total to the next lower dollar.

**Example For Category C**

**Step 1**

2009 gross Title II benefit amount	\$770.80
2008 Disregard multiplier	x 0.0548
(Raw Disregard Amount)	42.24

Disregard Rounded to the nearest dollar	\$ 42.00
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**Step 2**

2009 gross Title II benefit amount	\$800.20
Subtract Disregard (rounded amount)	<u>-42.00</u>
Total	\$758.20

Round down total to next lower dollar	\$758.00
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Total countable income	\$758.00
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It should be noted, as in previous years, the SSA applies the COLA to the actual, rather than the rounded benefit amount. This may result in a \$1 discrepancy in the Title II benefits for some beneficiaries and a \$1 understated SOC. In order to avoid the unnecessary expense of re-computing every Title II case subsequently identified as having an incorrect SOC solely due to the COLA, counties are authorized instead to correct the SOC the next time the budget is re-computed when an income change is reported, or at the annual redetermination. Quality Control (QC) errors are not cited when the discrepancy between the budgeted income amount and the actual income received by the beneficiary is less than \$400.

All cases with Title II income, including Aid to Families with Dependent Children-Medically Needy cases, which contain Social Security Survivor's Benefits, must have the SOC adjusted effective January 1, 2009. In the past, the incorrect computation of Title II COLAs has been the source of federal QC errors.

**II. SSI/SSP PAYMENT LEVELS**

The SSI/SSP payment levels in effect from January 1, 2009, through December 31, 2009, are provided on the enclosed chart (Enclosure 2 – page 16-1a to be added to your Pickle Manual). The county should use these figures in allocating income to or from the SSI/SSP recipient and the Medi-Cal Family Budget Unit effective January 1, 2009. These budget computations should be performed at the same time the Title II COLAs are being processed. These payment levels are also to be used effective January 1, 2009, for all Pickle eligibility determinations and redeterminations.

**III. 2009 RESOURCE LIMITS**

Effective January 2009 the resource limit for both Medi-Cal only and Pickle eligible will remain the same - \$2,000 for one person and \$3,000 for two. Add the 2008 Resource Limit in the Pickle Handbook, Procedures Section 15, page 15-12 (Enclosure 3).

**IV. 2009 FBR**

Individual	\$ 674
Couple	\$1,011

**V. 2008 PICKLE DISREGARD COMPUTATION CHART**

Effective January 1, 2009, the enclosed chart (Enclosure 4) is to be used when computing a Title II disregard amount for Pickle eligibles and applicants.

If you have any questions concerning the Pickle program, please contact Ms. Cecilia Kelley at (916) 552-9485. Any questions concerning SOC issues should be directed to Mr. Craig Yagi at (916) 552-9522.

Original Signed By

Vivian Auble, Chief  
Medi-Cal Eligibility Division

Enclosures

is not contributed, add PMV.

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|---|--|
| 8. One member of an eligible couple lives in the household of another and receives both food and shelter from the householder while the second member lives in his/her home or a non-medical institution. | One-sixth of the FBR for a couple for the person living in the household of another. (VTR-not rebuttable.) |
| 9. If the non-institutionalized spouse lives in any other situation.  | One-sixth of the FBR for a couple for the person living in his/her own household. (VTR-not rebuttable.)    |
| 10. Paying less than Current Market Rental Value (CMRV) for shelter. (See page 1-2.)  | One-sixth of the FBR for a couple plus \$10.   |
|   | Add PMV unless criteria for earned/unearned income are met (see ISM).                                      |

2009 ISM VALUES FOR  
COMPUTING PICKLE ELIGIBILITY

	<u>Individual</u>	<u>Couple</u>
VTR (not rebuttable)**	\$224.66	\$337.00
PMV (rebuttable)***	\$244.66	\$357.00

The VTR is the payment level to be used in situations 1, 2, and 3 below. The PMV is the unearned income amount to be added in other situations. The following chart provides the method that must be used for determining Pickle eligibility for individuals and couples in various living arrangements.

<u>HOUSEHOLD SITUATION (LIVING ARRANGEMENT)</u>	<u>PRINCIPLE</u>
1. Living in household of another throughout a month and receiving both food and shelter from someone in the household.	Reduce the applicable payment level by one-third the Federal Benefit Rate (FBR). Use the VTR.
2. Living in household of another who is providing both food and shelter and also receiving ISM from a third party.	Reduce the FBR payment level by one-third (VTR). Exclude third party ISM.
3. Living with a responsible relative (deemor) who lives in the household of another and the householder is not a responsible relative but is supplying both food and shelter.	Add VTR from the householder to deemed income from the responsible relative and add to other unearned income.
4. Living in own household (ownership or rental liability) and receiving ISM from someone outside the household.	Add PMV to other unearned income.
5. Living in non-institutional care* situation or group home and receiving ISM from someone outside the household.	Add PMV to other unearned income.
6. Living with a responsible relative (deemor) who lives in the household of another and the householder is not a responsible relative but is supplying food or shelter.	Add PMV from the householder to deemed income from the responsible relative and add to other unearned income.
7. Living in household of another and sharing partial or total household expenses.	If pro rata share is contributed, we use the SSI/SSP payment level for a person in an "independent living arrangement." If pro rata share

Continued on next page



## PICKLE HANDBOOK

## SSI/SSP

SECTION 16--PAYMENT STANDARDS  
JANUARY 1, THROUGH DECEMBER 31, 2009

	Independent Living			Household of Another with In-Kind Room and Board			Independent Living Arrangement Without Cooking Facilities (RMA) <sup>1/</sup>			Nonmedical Board and Care Licensed Facility/Household of Relative Without In-Kind Room & Board		
	Total	SSI (FBR)	SSP	Total	SSI (FBR)	SSP	Total	SSI (FBR)	SSP	Total	SSI (FBR)	SSP
<b>INDIVIDUAL:</b>												
Aged or Disabled	907.00	674.00	233.00	683.30	449.30	234.00	991.00	674.00	317.00	1,086.00	674.00	412.00
Blind	972.00	674.00	298.00	764.30	449.30	315.00				1,086.00	674.00	412.00
Disabled Minor*	793.00	674.00	119.00	557.30	449.30	108.00				1,086.00	674.00	412.00
NMOHC <sup>2/</sup>				856.30	449.30	407.00						
<b>COUPLE:</b>												
Both are: Aged or Disabled												
Per Couple	1,579.00	1,011.00	568.00	1,269.97	674.31	595.66	1,747.00	1,011.00	736.00	2,172.00	1,011.00	1,142.00
<b>BLIND:</b>												
Couple-Both Are Blind												
Per couple	1,806.00	1,011.00	795.00	1,496.97	674.31	822.66				2,172.00	1,011.00	1,142.00
<b>BLIND/AGED OR DISABLED:</b>												
Couple One is Blind, the other is Aged or disabled												
Per couple	1,721.00	1,011.00	710.00	1,410.97	674.31	736.66				2,172.00	1,011.00	1,142.00
<b>NMOHC<sup>2/</sup></b>												
Per Couple				1,719.97	674.31	1,045.66						
<b>NONMEDICAL BOARD AND CARE</b>						<b>FEDERAL BENEFIT RATE (FBR)</b>						
		Minimum			Maximum							
<b>TOTAL:</b>		\$1,087.00			\$1,087.00		<b>INDIVIDUAL:</b>			\$674.00		
Board and Room		\$ 466.00			\$ 466.00		Aged, Blind, or Disabled					
Care and Supervision		\$ 400.00			\$ 495.00							
Personal and Incidental Needs		\$ 221.00max			\$ 126.00min		<b>COUPLE:</b>			\$1,011.00		
							Aged, Blind, or Disabled					
Title XIX Medical Facility - Individual \$52.00 Couple \$104.00												
* Independent living arrangement for a disabled minor means living in the home of his/her parents. Household of another is used if both the disabled minor and his/her parents live in the household of someone else, i.e., grandparents, etc.												
<sup>1/</sup>	RMA – Restaurant Meals Allowance - \$86 Individual; \$168 Couple											
<sup>2/</sup>	NMOHC <sup>2/</sup> – Nonmedical out-of-home care living in household of relative or guarding with In-Kind Room and Board.											

11/4/08

HANDBOOK LETTER NO.:

16-1a

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P I C K L E H A N D B O O K  
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RESOURCE ELIGIBILITY  
2009 Resource Limits  
\$2,000--Individual  
\$3,000--Couple

Pickle persons must be within the resource limit at 12:01 a.m. on the FIRST DAY OF THE MONTH for which eligibility is being determined. If a person is not eligible on the first, he/she is not eligible for the ENTIRE MONTH.

Using information from the MC 210, SAWS 2 or MC 210B, complete the Pickle Resource Worksheet (DHS 7037) to determine resource eligibility. Instructions for completion of the DHS 7037 are attached to the form.

Refer to the following for determining resource eligibility.

- Resource charts.
- Life estate and remainder interest tables.

Clarification

1. Possible Pickle Person Living With a Spouse

If both members of the couple are eligible, apply the resource limit for two persons and consider the resources of BOTH spouses (whether owned separately or jointly).

2. Possible Pickle Child

Allow the parents all of the resource exclusions for which they would be eligible if they were the applicants. Consider only the resources of the parent and his/her spouse. This includes, but is not limited to home, household goods, personal effects, automobile, etc.

After the exclusions are applied, the remaining countable resources are deemed to the possible Pickle child. Where there is more than one possible Pickle child, the resources are deemed among those children:

Example

There are two possible Pickle children and \$500 in parental resources must be deemed to them. Deem \$250 to each child.

3. If applicant is ineligible as a possible Pickle person due to excess resources:

(Continued next page.)

11/18/2008

Enclosure 4

October 27, 2008

## **2009 Pickle Multipliers**

	<b>Cost of Living Amount</b>	<b>Multiplier</b>
<b>1/08 through 12/08</b>	<b>1.058</b>	<b>0.0548</b>
1/07 through 12/07	1.023	0.0761
1/06 through 12/06	1.033	0.1056
1/05 through 12/05	1.041	0.1408
1/04 through 12/04	1.027	0.1634
1/03 through 12/03	1.021	0.1806
1/02 through 12/02	1.014	0.1919
1/01 through 12/01	1.026	0.2124
1/00 through 12/00	1.035	0.2390
1/99 through 12/99	1.024	0.2569
1/98 through 12/98	1.013	0.2664
1/97 through 12/97	1.021	0.2815
1/96 through 12/96	1.029	0.3017
1/95 through 12/95	1.026	0.3194
1/94 through 12/94	1.028	0.3380
1/93 through 12/93	1.026	0.3548
1/92 through 12/92	1.03	0.3735
1/91 through 12/91	1.037	0.3959
1/90 through 12/90	1.054	0.4268
1/89 through 12/89	1.047	0.4526
1/88 through 12/88	1.04	0.4736
1/87 through 12/87	1.042	0.4948
1/86 through 12/86	1.013	0.5013
1/85 through 12/85	1.031	0.5163
1/84 through 12/84	1.035	0.5327
7/82 through 12/83	1.035	0.5485
7/81 through 6/82	1.074	0.5796
7/80 through 6/81	1.112	0.6219
7/79 through 6/80	1.143	0.6692
7/78 through 6/79	1.099	0.6990
7/77 through 6/78	1.065	0.7174
4/77 through 6/77	1.059	0.7331