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Director

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



ARNOLD SCHWARZENEGGER
Governor

November 24, 2009

TO: ALL COUNTY WELFARE DIRECTORS Letter No.: 09-56
ALL COUNTY ADMINISTRATIVE OFFICERS
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS
ALL COUNTY HEALTH EXECUTIVES
ALL COUNTY MENTAL HEALTH DIRECTORS
ALL COUNTY QMB/SLMB/QI COORDINATORS

SUBJECT: INCREASE IN SUBSTANTIAL GAINFUL ACTIVITY FROM \$980 PER
MONTH TO \$1000 PER MONTH EFFECTIVE JANUARY 1, 2010, FOR
NON-BLIND INDIVIDUALS

The purpose of this letter is to notify counties that the federal Substantial Gainful Activity (SGA) amount will increase to \$1000 for non-blind individuals effective January 1, 2010. The monthly SGA amount for statutorily blind individuals remains unchanged at \$1640 for 2010. All SGA determinations made on or after January 1, 2010, should utilize the new amount. Counties are instructed to retroactively redetermine Medi-Cal eligibility based on disability if a case has been denied erroneously due to a delay in implementing the new SGA amount.

As a reminder, SGA rules do not apply to legally blind individuals who meet the federal Supplemental Security Income criteria, Medi-Cal beneficiaries who return to work after disability has been approved, or to persons applying for Medi-Cal under the 250 Percent Working Disabled Program.

Further, for work activity to be considered substantial, it need not necessarily be performed on a full-time (eight hours per day) basis. SGA is the first consideration in determining whether an applicant will be disabled under federal disability guidelines. If an applicant has average monthly earnings at the SGA level, they cannot be considered disabled, even if a severe physical or mental medical condition exists.

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Sincerely,

Original signed by

Vivian Auble, Chief
Medi-Cal Eligibility Division