



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



GAVIN NEWSOM
Governor

April 11, 2019

TO: ALL COUNTY WELFARE DIRECTORS Letter No.: 19-06E
ALL COUNTY WELFARE ADMINISTRATIVE OFFICERS
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS
ALL COUNTY HEALTH EXECUTIVES
ALL COUNTY MENTAL HEALTH DIRECTORS

SUBJECT: ERRATA TO ALL COUNTY WELFARE DIRECTORS LETTER No. 19-06,
2019 FEDERAL POVERTY LEVELS

The purpose of this All County Welfare Directors Letter (ACWDL) erratum is to provide clarification to earlier guidance provided to the county welfare departments in ACWDL 19-06, regarding premium reimbursement for Optional Targeted Low-Income Children's Program (OTLICP) and individuals with Medi-Cal with a Share-of-Cost (SOC).

The Department of Health Care Services (DHCS) has clarified the information under the "Please note" section on page 2 of ACWDL 19-06 to provide counties with a better understanding of when County Eligibility Workers can redetermine Medi-Cal eligibility retroactively. The clarifications are specific to populations who have paid OTLICP premiums and populations with SOC Medi-Cal who paid out-of-pocket for covered services.

Corrections to the ACWDL are recorded using the following:

- strike-through for deleted language
- underline and bolding for adding new language

The updated language starting on page 2 of ACWDL 19-06 will be:

Please note: DHCS is coordinating implementation of the 2019 FPLs in the California Healthcare Eligibility Enrollment and Retention System (CalHEERS). DHCS anticipates the CalHEERS system will be updated with the annual 2019 Federal Poverty Level (FPL) amounts in March of 2019.

DHCS will send a notice to the beneficiaries potentially impacted by the change to inform them of the FPL increase to allow them an opportunity to request a re-evaluation ****from the county.**

Upon request from the beneficiary, counties shall retroactively change eligibility for the following circumstances:

- **OTLICP eligible children**
 - **OTLICP children who are redetermined eligible for free, non-premium OTLICP using the 2019 Federal Poverty Limits (FPL) may be eligible for premium reimbursements. Please refer to [ACWDL 14-43](#) for guidance on OTLICP premium reimbursements for premiums paid during any months retroactively redetermined eligible for non-premium OTLICP.**

- **Advance Premium Tax Credit (APTC) individuals**
 - **APTC eligible individuals who are redetermined eligible for Medi-Cal using the 2019 FPLs may be eligible for retroactive Medi-Cal. The county shall only retroactively change eligibility for APTC individuals that did not enroll in a Qualified Health Plan (QHP), did not pay a premium, or who have Medi-Cal covered medical or dental expenses that were not paid by their QHP during the retroactive period.**

 - **APTC eligible individuals, described above, may be eligible for retroactive Medi-Cal out-of-pocket expense reimbursements (Conlan). Please see Medi-Cal Eligibility Division Information Letter ([MEDIL I 07-02](#)) for additional information about the Conlan process.**

 - **Note: The Centers for Medicare and Medicaid Services (CMS) has decided that there will be no reimbursement for premiums paid to Covered California QHPs. The notice sent by DHCS will state that no Covered California QHP premium reimbursements will be available. Please see [ACWDL 16-08](#) for more information on the CMS guidance.**

- **Individuals with a SOC**
 - **Individuals who are redetermined eligible to zero SOC or lower SOC Medi-Cal, when using the 2019 FPLs, who had out of pocket expenses for covered medical or dental services may be eligible for retroactive Medi-Cal out-of-pocket expense reimbursements (Conlan). Please see [MEDIL I 07-02](#) for additional information about the Conlan process.****

~~*The Centers for Medicare and Medicaid Services has decided that there will be no reimbursement for premiums paid. The notice will state that no premium reimbursements will be available.~~

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~~Therefore, counties shall retroactively change eligibility only for Optional Targeted Low-Income Children's Program (OTLIGP) eligible children, Advance Premium Tax Credit eligible individuals who did not enroll in a plan or did not pay a premium, and individuals who are eligible only for the Medi-Cal programs with a Share-of-Cost in the same month.*~~

If you have questions on the annual FPL process, please contact Juan Dennys at (916) 345-8501 or by email at juan.dennys@dhcs.ca.gov

Original Signed By

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Medi-Cal Eligibility Division

* denotes crossed-out words

** denotes underlined words