

## DEPARTMENT OF HEALTH SERVICES

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*Per Email  
6/24/91  
These are new  
final procedures*

TO: All County Welfare Directors  
All County Administrative Officers

March 13, 1991  
Letter No.: 91-23

SUBJECT: DRAFT REVISIONS TO SECTION 3 OF THE MEDI-CAL ELIGIBILITY MANUAL  
(MEM)

The purpose of this All County Welfare Directors' letter is to provide you with "Draft" revisions to Article 3 of the MEM. Please note that only numbers 1., 2., 3., 8., and 11. were updated, which begins on page 3A-1 of the MEM. These changes will update the MEM to be in compliance with our regulations. The final MEM procedures will be forthcoming.

If you have any questions, please contact RaNae Dunne at (916) 324-4955/ATSS 454-4955.

Sincerely,

ORIGINAL SIGNED BY

Frank S. Martucci, Chief  
Medi-Cal Eligibility Branch

Enclosure

cc: Medi-Cal Liaisons  
Medi-Cal Program Consultants

ENCLOSURE

3A -- SUMMARY  
COUNTY OF RESPONSIBILITY

<u>Situation</u>	<u>County of Responsibility</u>
1. Person maintains a home in accordance with Section 5004.	County where person lives.
2. Number 1 <u>and</u> person works out of town seasonally.	Person is temporarily absent from home in accordance with Section 50071. County where person maintains his/her home.
3. Number 1 <u>and</u> person is vacationing in another county.	Person is temporarily absent from home in accordance with Section 50071. County where person maintains his/her home.
4. Persons claimed as tax dependents or as a deduction for tax purposes.	
a. Person is under age 21 but 18 years of age or older, living away from home, and is claimed by his/her parent as a dependent for state or federal income tax purposes.	a. County in which the claiming parent lives.
b. Number 4a <u>and</u> whose parent lives out of state.	b. County in which the child lives; however, the parents complete the application process.
c. Person is under age 18, living away from home, may or may not be claimed by his/her parent as a dependent for state or federal income tax purposes.	c. County in which under 18-year-old lives.
5. Family lives in home but beneficiary is elsewhere <u>and</u> beneficiary's eligibility is determined as part of family or based on family income. This includes Aged, Blind, or Disabled/Long Term Care (ABD/LTC) persons involuntarily separated from a spouse and/or children, even if in separate Medi-Cal Family Budget Unit.	<p><del>County where family lives.</del> <u>NOTE:</u> If this situation applies, it supersedes all other situations in determining county of responsibility.</p>

<u>Situation</u>	<u>County of Responsibility</u>
6. Persons with no home as defined in Section 50044.	County of physical presence at time of application.
7. Person is placed in county or private facility in another county by <u>a county agency</u> .	County that made placement, unless counties and beneficiary agree otherwise.
8. Person is placed in county or private facility in another county by <u>a private party</u> .	County in which the facility is located unless person's family lives in another county. <u>NOTE</u> : This does not apply to persons who are in separate MFBUs from their families, e.g., LTC persons.
9. Person is placed in state hospital by <u>county mental health agency</u> or Regional Center for the Developmentally Disabled.	County in which state hospital is located. <u>NOTE</u> : This situation supersedes all other situations except situations where MFBU includes other family members.
10. Person is placed in county or private facility in another county after county after release from a state hospital.	County in which the facility is located. <u>NOTE</u> : This situation supersedes all other situations except situations where MFBU includes other family members.
11. Person entering LTC without placement.	
a. Is temporarily absent from home in accordance with Section 50071 (a)(2) and has a home and a former home.	a. County which contains the home from which the client is temporarily absent.
b. Is not temporarily absent and has one residence exempt as the principle residence.	b. County in which the person is physically present.
c. Is not temporarily absent and has one home that is not exempt as the principle residence.	c. County in which person is physically present.
12. Foster children and children eligible for Aid to Adoptions.	County in which the placing agency is located.

<u>Situation</u>	<u>County of Responsibility</u>
13. Person with a guardian.	<p>a. Private guardian has no effect on county of responsibility. Determine as if there were no private guardian.</p> <p>b. Public guardian is county agency. County in which public guardian is located is county of responsibility.</p>
14. Intercounty transfers.	
a. Medically needy (MN and medically indigent (MI) persons whose eligibility is approved in County B during transfer procedure.	a. County A until the last day of the month following the month in which County A sends the notification of transfer.
b. MN and MI person determined to be ineligible during transfer procedure.	b. County A until the last day of the month in which determination of ineligibility was made, if ten-day notice is given or waived. Otherwise, last day of month in which ten-day notice is given. No eligibility in County B unless reapplication is made and eligibility approved.
c. Four month/nine month continuing eligibles.	c. County A until the last day of the final month in which four month/nine month continuing eligibility exists. Then County B.
d. Blindness or disability determination pending.	d. Same as a. or b. above. County A to forward blindness or disability determination to County B upon receipt.