

## DEPARTMENT OF HEALTH SERVICES

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November 4, 1992

TO: All County Welfare Directors  
All County Administrative Officers  
All County Medi-Cal Program Specialist/Liaisons

Letter No: 92-65

SUBJECT: PERSONS RECEIVING MEDI-CAL UNDER EDWARDS V. KIZER.

The purpose of this letter is to inform you of a change in the treatment of persons receiving Medi-Cal under aid code 38 (Edwards v. Kizer lawsuit) when determining the Medi-Cal family budget unit (MFBU) for other family members.

Procedures Manual Section 40-4 states that persons receiving Medi-Cal under aid code 38 should be treated as ineligible members of the MFBU when other family members living in the home request Medi-Cal; however, their uncovered medical expenses may not be used towards meeting the share of cost for the other family members. Although 38 is a no share of cost aid code, there are some medical expenses which are not covered by Medi-Cal. Under the current procedures, these are not allowed to be used to offset other family members share of cost even though their income is considered to determine the family's share of cost.

Since this is inconsistent with Section 50379(g), Title 22, California Code of Regulations, which allows ineligible members to be listed on the MC 177 and have their health care costs used to meet the share of cost of the other family members, we are changing the procedures to allow Edwards persons to also use their medical expenses which are not covered by Medi-Cal to reduce the share of cost for other family members. This change is effective no later than January 1, 1993. Section 40 of the Medi-Cal Eligibility Procedures Manual will be revised accordingly.

For questions regarding persons receiving Medi-Cal under the Edwards v. Kizer lawsuit, contact Bonnie Kinkade at (916) 657-1469. For questions regarding MFBU, contact Marge Buzdas at (916) 657-0726. For questions regarding income, contact Dave Rappolee at (916) 657-0163.

Sincerely,  
ORIGINAL SIGNED BY

Frank S. Martucci, Chief  
Medi-Cal Eligibility Branch