

DEPARTMENT OF HEALTH SERVICES

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October 7, 1993

TO: All County Welfare Directors
All County Administrative Officers
All County Medi-Cal Program Specialists/Liaisons
All County Pickle Coordinators

Letter No.: 93-73

**TREATMENT OF SOCIAL SECURITY (SSA) (TITLE II) AND SUPPLEMENTAL SECURITY INCOME/STATE
SUPPLEMENTAL PROGRAM (SSI/SSP) (TITLE XVI) OVERLAPPING PAYMENTS WHEN DETERMINING
PICKLE ELIGIBILITY**

Ref.: ACWDL 87-70

This letter supersedes All County Welfare Directors Letter (ACWDL) 87-70. Although the policy stated in ACWDL 87-70 remains unchanged, this updates sections of the letter which were unclear.

As in ACWDL 87-70, the following policy is effective December 1, 1987. The policy relates to a person who applies for SSA and SSI/SSP simultaneously. If the person is granted SSI/SSP first, and the SSA is then approved several months later retroactively to the date of application, that person is still potentially Pickle eligible.

In these instances the Pickle applicant may have been required to reimburse the SSI/SSP program for any benefits received. However, he/she is still to be considered to have been eligible for and entitled to receive both SSA and SSI/SSP in the same month. He/she thereby fulfills the Pickle eligibility criteria.

This provision does not apply to persons who are determined ineligible for SSI/SSP for reasons other than receipt of SSA benefits.

Example: Jack Overlap applied for SSI/SSP and SSA disability on June 19, 1990. The Social Security Administration computed and approved the SSI/SSP grant before computing the SSA payments. Consequently, Jack began receiving SSI/SSP benefits effective June 19, 1990. His SSA benefits were approved in October 1992 with an effective date of June 1990. It was determined that his SSA payments were marginally more than his SSI/SSP payments. As a result his SSI/SSP benefits were discontinued effective October 31, 1992, and he was required to pay back the SSI/SSP received.

In November, Jack contacts the county for a Medi-Cal only determination. At this time, Jack is not eligible for the Pickle Program because there is no Title II cost of living adjustment (COLA) to disregard and his SSA benefits exceed the SSI/SSP payment standard used for Pickle determinations. In January 1993, Jack is also evaluated. He is considered to be potentially Pickle eligible at the time of the January 1993 SSA cost of living increase and a Pickle eligibility determination must be completed by the county welfare department.

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If you have any questions, please contact Sylvia Finberg of my staff at (916) 657-0080.

Sincerely,

ORIGINAL SIGNED BY

Frank S. Martucci, Chief
Medi-Cal Eligibility Branch