

DEPARTMENT OF HEALTH SERVICES

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June 10, 1994

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

Letter No.: 94-45

CERTAIN IN-HOME SUPPORTIVE SERVICE (IHSS) RECIPIENTS WHO SHOULD BE GRANDFATHERED IN UNDER WELFARE AND INSTITUTIONS (W&I) CODE SECTION 14005.21 WHEN EVALUATED FOR PICKLE ELIGIBILITY

Ref.: E-Mail No. 93164

As you are aware, W&I Code Section 14005.21 provides that certain individuals who were affected by the 2.7 percent reduction in the Supplemental Security Income/State Supplementary Program (SSI/SSP) income levels on September 1, 1993 are to be treated for Medi-Cal purposes as if the reduction had not occurred. That is, certain individuals are grandfathered for Medi-Cal purposes under the unreduced SSI/SSP levels.

The purpose of this letter is to revise the policy listed in E-Mail No. 93164 regarding IHSS recipients who were eligible for IHSS in August 1993 before the 2.7 percent SSI/SSP reduction. That E-Mail stated that if IHSS is discontinued for these individuals and they are applying for Medi-Cal-only, they are considered "new" Pickle applicants and not grandfathered for purposes of determining their Pickle eligibility. That is incorrect.

Many of the individuals who were on IHSS in August 1993 also would have been Pickle eligible as well. If these individuals are discontinued from IHSS and apply for Medi-Cal-only, they should be considered "old" Pickle eligibles and, by extension, grandfathered in under W&I Code Section 14005.21. That is, they will be subject to all regular Pickle requirements except for the income standard which remains at the SSI/SSP income levels which were in effect before the 2.7 percent SSI/SSP reduction on September 1, 1993. These individuals must be redetermined under Pickle eligibility rules (e.g., property at \$2,000 for a single person and \$3,000 for a couple). Also, if their income rises above the SSI/SSP income levels which were in effect on August 31, 1993 (e.g., \$620 for a single person after all disregards were applied including the disregard of all cost of living adjustments), they will no longer be eligible for the Pickle program.

The IHSS/Pickle individuals discussed above will continue in aid codes 14, 24, or 64 until they go into the new aid code(s) sometime in the near future.

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

Sincerely,

ORIGINAL SIGNED BY

Frank S. Martucci, Chief
Medi-Cal Eligibility Branch