

DEPARTMENT OF HEALTH SERVICES

714/744 P Street
P.O. Box 942732
Sacramento, CA 94234-7320
(916) 657-2941



October 30, 1997

TO: All County Welfare Directors
All County Medi-Cal Specialists/Liaisons
All County RAMOS Coordinators

Letter No.: 97-43

VARIOUS ISSUES RELATED TO SUPPLEMENTAL SECURITY INCOME (SSI) NO LONGER DISABLED/BLIND CASES

Ref.: All County Welfare Directors Letter (ACWDL) No. 97-28 and E-Mail No. 97114, Dated August 15, 1997

The purposes of this letter are to respond to processing problems and county questions regarding the treatment of SSI No Longer Disabled/Blind cases, and to present new information and instructions. These issues were brought to the Department of Health Services' (Department's) attention by individual county telephone calls and by comments at the County Medi-Cal Eligibility Data System (MEDS) Advisory Group meetings.

New Informational Notice for No Longer Disabled Cases

The Department has developed a new Notice Type 26 (see Enclosure 1) for future SSI No Longer Disabled cases. The Department will automatically send this notice as soon as the State Data Exchange information indicates that an individual was terminated from SSI for being no longer disabled. This notice will provide information about continued Medi-Cal eligibility throughout the SSI disability appeals process if an appeal is filed timely with Social Security Administration (SSA). The notice will also inform the recipient of potential Aid to Families with Dependent Children (AFDC) eligibility. The purpose of this new notice is to minimize the number of these individuals who contact the counties and erroneously apply for Medi-Cal. This new notice will be personalized and will automatically be sent to all SSI No Longer Disabled/Blind cases starting September 1997. Notice Type ND will be replaced by Notice Type 26 on the INQP screen on MEDS and the Notice of Action (NOA)—Date shows September 18, 1997 for the notices mailed in September. Cases in which Notice Type 26 was not sent (i.e. prior to October 1, 1997) will continue to show Notice Type ND on MEDS. Notice Type 26 will function the same as Notice Type ND.

All County Welfare Directors
All County Medi-cal Specialists/Liaisons
All County RAMOS Coordinators
Page 2

No SSI Appeals Data on MEDS

Some Social Security Administration field office staff have not been consistent in entering SSI disability appeals information to their system which eventually updates MEDS. This means that SSI appeals information on some cases will not be accurately reflected on MEDS to ensure Medi-Cal eligibility continuance throughout the SSI appeals process.

As described in ACWDL No. 97-28, Notice Type 22 A (which has been renumbered to Notice Type 22), along with redetermination forms packets are mailed to former SSI recipients when they have not pursued or cannot pursue the SSI disability appeals process any further. The Notice Type 22 A (sent in June 1997) informs the beneficiaries that no action needs to be taken if they had filed an SSI appeal with SSA. However, since some SSI appeals information was not updated on MEDS, some beneficiaries with pending SSI appeals may take no action and MEDS will erroneously discontinue Medi-Cal eligibility automatically. (As stated in E-Mail No. 97114, termination by the Department will start at September renewal for October month of eligibility. Please note the change in effective date.)

The Department conducted a one-time computer file match with the SSA auxiliary computer system that contains information on second level (hearings) appeals. This information was used by the Data Systems Branch to update and correct MEDS SSI disability appeals information. To identify if a particular case's appeal information was corrected on MEDS, look at the INQO screen. The FILE-FIX-DATE will have September 14, 1997 if it was one of the cases that was updated with the one-time computer file match. The appeal date on MEDS may differ slightly from the actual appeal request date, but this difference is immaterial.

Despite the one-time computer match with SSA appeals information, there may be cases where recipients may come in or telephone the county welfare department if their Medi-Cal eligibility prematurely ends because current SSI appeals information was not posted to MEDS. Some of these recipients may also try to file a Medi-Cal application. If the counties receive information that the application is from a former SSI No Longer Disabled/Blind recipient, and the recipient states that he/she has an appeal pending with SSA which does not agree with the appeals information on MEDS, counties are directed to verify the recipient's SSI appeals status through their SSA liaison. Counties should ask specifically for an SSI Data query and an Office of Hearings and Appeals query. Counties should then obtain the following information:

- Whether the recipient has filed a timely appeal with SSA on the **cessation of their SSI disability**;

All County Welfare Directors
All County Medi-cal Specialists/Liaisons
All County RAMOS Coordinators
Page 3

- What level the appeal is currently at; and
- What date the appeal was filed with SSA.

If the beneficiary has a copy of the SSI appeal form showing this information, this will suffice.

Once this information is obtained, the county must telephone or FAX this information to Ms. Lea Shalabi of my staff at (916) 654-5689 or FAX (916) 657-3224. The Department will then restore Medi-Cal eligibility if benefits were erroneously terminated, post the SSI appeals information to MEDS and reset the Notice Type to ND. The Department will notify the county to send a recision notice to the recipient. Counties should not restore Medi-Cal eligibility for these records because these records must be controlled and tracked by the Department and MEDS will not allow the counties to enter the correct codes in the appeals field.

Checking MEDS Before Entering Data on SSI No Longer Disabled Recipients

Counties are reminded that they are required to file clear **all** applications on MEDS. Particular care **must** be taken when reviewing MEDS records on former SSI beneficiaries. Counties must **not** take action to report county determined eligibility on cases where the following current eligibility appears on MEDS (except for the situations listed below): the aid code is 64, the Eligibility Status Code has 6 in the last digit (e.g., 006), the Government Responsibility Code is a 3, and the Notice Type is ND or 26.

Important Change:

ACWDL 97-28 stated that the county could take responsibility for cases where the county received information about a change in income information that resulted in a share of cost for the recipient. The Department has since decided that for ease of administration, counties will leave these records in state control (i.e. counties will not report eligibility or apply a share of cost to these records). This is because the Department cannot track an SSI appeal when the county takes over the MEDS record. The **only** situations when the county would discontinue an SSI No Longer Disabled/Blind case with an SSA appeal pending are if the county receives information that the recipient has property in excess of the Medi-Cal property limits; or has died, moved out of state, or become a resident of a public institution. In these cases, counties may take the appropriate action to send a notice advising the recipient that their SSI based Medi-Cal eligibility will be discontinued and to report the discontinuance to MEDS.

All County Welfare Directors
All County Medi-cal Specialists/Liaisons
All County RAMOS Coordinators
Page 4

Counties may report this information with the following discontinuance codes:

- ▶ Death - A,
- ▶ Moved out of state - C,
- ▶ Excess resources - G, and
- ▶ All family members live in a public non-medical institution - K.

A discontinuance date must be reported with the discontinuance reason.

AFDC or Long-Term Care (LTC) Eligibility:

Counties may also report a change to MEDS and send a notice to the recipient if they have been determined eligible for AFDC or if they enter LTC. However, if an SSI No Longer Disabled recipient is determined eligible for AFDC or enters LTC, counties must manually track the case and ensure that the recipient is still continuing the SSI appeals process. Appeal level and appeal date information will continue to update the INQP screen on MEDS, however the Notice Type will not update. This is because the Department is unable to automatically continue Medi-Cal through the SSI appeals process whenever the county takes control of the MEDS record. When the No Longer Disabled recipient loses AFDC or LTC eligibility and the county is determining whether eligibility exists under any other Medi-Cal program, counties will also determine whether the recipient is continuing the SSI appeals process. If counties are unable to determine a recipient's appeal status, they must either ask the recipient for the information or contact their SSA liaison. If the recipient is still involved in the SSI appeals process, counties must call the Department so that SSA appeal pending status can be restored on MEDS [contact Ms. Marie Taketa at (916) 657-1250]. Counties are requested to continue the Edwards case until the Department takes over control of the record for recipients losing AFDC eligibility. For recipients losing LTC eligibility, please restore Aid Code 64 until the Department takes over the record and send a notice to the recipient telling them that their Medi-Cal will continue. If the recipient is no longer involved in the SSI appeals process, then the county must properly notice the recipient before discontinuing eligibility or reducing benefits. See Enclosure 2 for suggested wording to include on the NOA.

Checking the SSI Appeal Data and Payment Status Code on MEDS:

Counties are also cautioned to carefully review the SSI appeal date on MEDS. For Drug Addiction and Alcoholic (DA and A) cases, the first level appeal (reconsideration) cannot be earlier than July 1, 1996. If this date is earlier than July 1, 1996, this is a prior SSI appeal issue and the county must begin the Medi-Cal redetermination process. Likewise, if the current payment status code on the INQX screen on MEDS is not NO7 or NO8, this may indicate that

All County Welfare Directors
All County Medi-cal Specialists/Liaisons
All County RAMOS Coordinators
Page 5

either a new SSI application has been filed and acted on by SSA or that the SSI payment status code has been overlaid by new payment status information. Counties are cautioned not to solely rely on the NO7 or NO8 payment status as an indicator for SSI no longer disabled cases. If there is some question about the current appeals status on the record, counties are encouraged to contact their SSA liaisons for correct status.

Because of the time that has elapsed between the cessation of disability appeals date and the redetermination date for DA and A cases, some cases may have a payment status code that is not NO7, and an appeal level and date that indicate a recent appeal that may be related to a new SSI application or may be unrelated to the cessation of disability. If the county discovers cases that meet the above description and the Notice Type is ND or 26, counties need take no action, as this information will be corrected at MEDS renewal to reflect Notice Type 22. If the Notice Type is 22, counties may begin the redetermination process if the recipient has returned their forms.

In addition, counties may want to recheck MEDS just prior to taking action on the case to ensure that the appeals status has not changed. If these precautions are not taken, manual workloads are created for both the counties and the Department, as well as disruption of services to recipients or erroneous continuation of services, and unnecessary county hearings requests.

NOTE: For County Medical Services Program (CMSP) counties: In circumstances where the former SSI recipient is entitled to extended Medi-Cal due to a pending SSI appeal and the county erroneously takes action on a case and changes the eligibility to less than full scope Medi-Cal, such as CMSP, the county must send a rescission notice and must contact Ms. Shalabi at (916) 654-5689 to manually restore Medi-Cal eligibility on MEDS. As mentioned earlier, as long as the recipient is eligible for extended Medi-Cal, the Department must control and track the case with the correct codes. Counties must **not** attempt to correct the MEDS record themselves.

Discontinuing for Noncooperation

When completing the redetermination of eligibility, counties may terminate a case for noncooperation. When discontinuing for noncooperation, counties should follow Section 50175 of Title 22, California Code of Regulations. Suggested wording for the notice of action has been included in Enclosure 3.

Timely Reporting of Medi-Cal Redetermination Information to MEDS on SSI No Longer Disabled Cases

Counties are reminded to report the receipt of Medi-Cal redetermination forms to MEDS on a flow basis to ensure that the Department does not issue erroneous Notice Type 23s (timely ten-day notice to terminate Medi-Cal at the end of the month when no redetermination forms are received by the county). These actions **must** be reported to MEDS prior to the RAMOS NOA

All County Welfare Directors
All County Medi-cal Specialists/Liaisons
All County RAMOS Coordinators
Page 6

run date each month (the reporting procedure is described in the next paragraph). For the first set of Notice Type 22s dated June 10, 1997, redeterminations were to be reported prior to September 15, 1997. For the second Notice Type 22 mailing dated September 19, 1997, the cut off for the RAMOS run date is November 14, 1997. If the county fails to report this information timely to MEDS, the county must issue a recision notice, manually track the case, and report month-to-month eligibility to MEDS using Aid Code 64 until the county completes the redetermination and either approves ongoing Medi-Cal eligibility or discontinues the case.

Counties may choose to report redetermination information to MEDS for SSI no longer disabled cases using either an EW34 or an EW20 with an Eligibility Status Action Code (ESAC) of P as a batch transaction, except for Interim Statewide Automated Welfare System (ISAWS) counties (ISAWS counties see note below). The EW20 with an ESAC of P functions as a batch transaction but cannot be used as an online transaction. For online reporting of receipt of Medi-Cal redetermination forms or discontinuance of Medi-Cal eligibility, counties must use the EW34 transaction. An EW34 transaction must always be used to report discontinuances.

NOTE: For ISAWS counties: ISAWS has not yet been changed to report discontinuances to MEDS and some ISAWS counties have reported problems with ISAWS generating updates to MEDS on receipt of redetermination forms. Until such time as ISAWS is properly reporting this information to MEDS, ISAWS counties must use the online EW34 transaction to update MEDS for these recipients.

New Department Contact for Problems on N07 Cases

Counties are requested to contact Ms. Leanna Pierson at the number below instead of Marie Taketa.

Thank you for your attention to these matters. If you have questions about this letter, please contact Ms. Pierson at (916) 654-0630.

Sincerely,

ORIGINAL SIGNED BY

Frank S. Martucci, Chief
Medi-Cal Eligibility Branch

Enclosures

**INFORMACION IMPORTANTE ACERCA DE SU MEDI-CAL
ANTERIORMENTE SSI/SSP "YA NO SIGUE INCAPACITADO(A)/CIEGO(A)"**

La Administración del Seguro Social (SSA) nos informó que usted ya no es elegible para recibir pagos basados sobre incapacidad de Seguridad de Ingreso Suplemental/Programa Suplemental del Estado (SSI/SSP). Esto es por que SSA decidió que usted ya no está incapacitado(a) o ciego(a).

SI USTED ES MENOR DE 18 AÑOS:

Si usted es menor de 18 años, Medi-Cal continuará hasta que le den otra información.

SI USTED ES MAYOR DE 18 AÑOS:

Si usted es mayor de 18 años y si presenta una apelación de SSI/SSP basado en incapacidad a tiempo, su Medi-Cal continuará durante el proceso de su apeleación de SSI.

Si usted tiene una apelación de SSI pendiente, esté seguro(a) de reportar cualquier cambio de su dirección a la oficina del Seguro Social. Esto es por que Medi-Cal manda todas las notificaciones acerca de sus beneficios de Medi-Cal a la dirección que tiene la oficina de Seguro Social. Si SSA tiene una dirección vieja o incorrecta, Medi-Cal no tiene ninguna manera de comunicarse con usted. Asegúrese de informarle a la oficina del Seguro Social que tiene una apelación pendiente con SSI.

Si SSA luego le dice que usted es elegible para recibir beneficios de dinero de SSI/SSP otra vez, esta notificación no tiene que ver con usted. Usted recibirá Medi-Cal automaticamente a través de SSI/SSP.

Si no tiene una apelación de SSI pendiente o si ya terminó su apelación, usted recibirá otra notificación con mas instrucciones. **NO TIENE QUE HACER NADA AHORA MISMO PARA QUE SU MEDI-CAL CONTINÚE.**

MAS INFORMACIÓN PARA TODOS:

Si usted vive con miembros de su familia que reciben Asistencia para Familias con Niños Necesitados (AFDC), póngase en contacto con el/la trabajador(a) de AFDC de su familia inmediatamente. Asegúrese de decirle al trabajador(a) que usted ya no está recibiendo beneficios por incapacidad de SSI/SSP. Si usted vive con miembros de su familia que no reciben AFDC pero usted quiere recibir AFDC, póngase en contacto con la oficina local de bienestar pronto.

NO TIRE SU TARJETA DE IDENTIFICACION DE BENEFICIÓS DE MEDI-CAL (BIC). Usted continuará usando la misma tarjeta.

Esté seguro(a) de quedarse con esta notificación. Si tiene cualquier problema con su elegibilidad de Medi-Cal, póngase en contacto con la oficina de bienestar y mencione esta notificación.

NOA LANGUAGE FOR SSI NO LONGER DISABLED TERMINATIONS AFTER
DISCONTINUANCE FROM EDWARDS OR LTC

Discontinuance due to no linkage, add the following language:

- [] When we looked at your Medi-Cal status, we also looked at your Supplemental Security Income, No Longer Disabled Status. You did not or cannot go any farther in appealing your no longer disabled status with the Social Security Administration (SSA). Because of this, your Medi-Cal, which you got during your appeal process with SSA, has also been stopped. If our information is wrong and you still have an appeal pending with SSA for your no longer disabled status, please contact your worker right away. You may be asked to give proof, such as your appeal letter from SSA that shows your level of appeal and your appeal date.

Add the following to the regulation sites: California Code of Regulations (CCR), Title 22, Section 50223 and Section 223(d) (2) of the Social Security Act

Increase in share of cost, add the following language:

- [] You were found no longer disabled for Supplemental Security Income (SSI) by the Social Security Administration (SSA). You did not or cannot go any farther in appealing your no longer disabled status with the SSA. Your Medi-Cal will not stop because you are still able to get it for another reason. But you will not be able to get any type of special income exemptions which are given to the SSI recipients's family. If our information is wrong and you still have an appeal pending with SSA for your no longer disabled status, please contact your worker right away. You may be asked to give proof, such as your appeal letter from SSA that shows your level of appeal and your appeal date.

Add the following to the regulation sites: CCR, Title 22 section 50223 and Section 223(d) (2) of the Social Security Act

SUGGESTED NOA LANGUAGE FOR SSI NO LONGER DISABLED TERMINATIONS
FOR FAILURE TO COOPERATE

Discontinuance due to failure to cooperate:

- [] Your Medi-Cal will stop on the last day of _____ (month) _____ because you did not give us the information we asked for. We need this information to complete the redetermination of your Medi-Cal status. On ___/___/___, we contacted you and asked you to give us the following: _____

If our information is wrong and you still have an appeal pending with the Social Security Administration for no longer disabled status, please contact the worker listed on this notice right away.

Use the standard failure to cooperate regulation sites.