

DEPARTMENT OF HEALTH SERVICES

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December 8, 1997

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

Letter No.: 97-57

REDETERMINATION OF BENEFITS

Ref.: Article 24 of the Medi-Cal Eligibility Procedures Manual

The purpose of this letter is to clarify that refugees in Aid Codes 01, 02, and 08 are to have their eligibility for benefits redetermined prior to termination of benefits. Federal regulations provide that, in determining eligibility for the Refugee Medical Assistance program, the State agency must comply with the Medicaid regulations.

Redetermination should be initiated by an examination of the file to see if there is any indication that another basis for eligibility might exist. If there is not enough information in the file to make a determination, additional information can then be requested from the recipient. If the recipient fails to provide the requested information within a reasonable time, benefits can then be terminated without completing the redetermination.

Several court cases are controlling on these issues for all Medi-Cal recipients. When one basis for eligibility disappears, the Department of Health Services must make a prompt determination of eligibility on other possible bases before the termination of benefits. Refugees are eligible for Edwards transitional benefits when terminated from Refugee Cash Assistance or Entrant Cash Assistance until the Medi-Cal redetermination is completed. (Mass. Assoc. of Older Americans (1st Cir. 1986) 803 F.2d 35; Crippen v. Kheder (6th Cir. 1984) 741 F.2d 102; and Edwards v. Kizer (1985) 167 Cal. App.3d 1071).

Article 24 of the Medi-Cal Eligibility Procedures Manual and this letter both supersede All County Letter No. 90-95 dated November 13, 1990. If you have any questions, please contact Ms. Elena Lara of my staff at (916) 657-0712.

Sincerely,

ORIGINAL SIGNED BY

FRANK S. MARTUCCI, Chief
Medi-Cal Eligibility Branch