

DEPARTMENT OF HEALTH SERVICES

714/744 P Street
P.O. Box 942732
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May 8, 2000

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

No. 99-56E

ERRATA TO 99-56: CORRECTIONS, CLARIFICATIONS, RULES, AND MEDICAL FAMILY BUDGET UNIT (MFBU) EXAMPLES OF PREGNANT WOMEN, CARETAKER RELATIVES, AND MINOR PARENTS IN THE SECTION 1931(b) PROGRAM

The purpose of this letter is to correct several statements and examples that were contained in ACWDL 99-56. Please replace the existing pages with the enclosed pages 1 through 4.

The following questions and examples are corrected on the enclosed pages 1 through 4:

1. Page 2, Question 3 states that a Medically Needy (MN) aged, blind, or disabled person may choose those programs even if he or she is eligible for Section 1931(b). This is incorrect. Persons who are eligible for federally mandated categorical programs as designated under federal law such as Section 1931(b) or Pickle as well as other programs under different federal designations, such as the optional Medically Needy category, may only choose another program within the same category. Most MN programs are optional programs. If an MN is eligible for Section 1931(b), he/she may not choose eligibility as an MN.

This issue has come up because persons who have been in aged, blind, or disabled aid codes who are now eligible for Section 1931(b) may not wish to be enrolled in a managed care plan as required for Section 1931(b) persons. Beneficiaries in Section 1931(b) who do not wish to enroll in a Medi-Cal managed care plan may request an exemption from plan enrollment. The Medi-Cal Choice Booklet (in the enrollment package) contains information about requesting an exemption from plan enrollment. To qualify for a medical exemption, the person must be under treatment for a complex medical condition (including pregnancy) by a Medi-Cal provider who does not participate with any managed care plan in the county. Medical exemptions are only available at the time the beneficiary first becomes eligible for plan enrollment and are granted for up to 12 months at a time. Medical exemption request forms are available from Health Care Options at 1-800-430-4263.

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2. Page 3, Question 2 states that a pregnant woman must be in her last trimester if she has no other deprived child in the household. California Work Opportunity and Responsibility to Kids regulations (Department of Social Services Manual – Eligibility and Assistance Standards 82-836.13) actually states that “the pregnancy has reached the three-month period before the month of anticipated birth” which is interpreted by that program to mean that a woman with no other deprived children in the household may be aided if otherwise eligible if she is in her last four months of pregnancy. If there are other deprived children in the home, the unborn may be counted in the family size prior to the last four months of pregnancy.

NOTE: The other parent of an unborn with no other deprived children in the household may not be aided under the Section 1931(b) program until the child is born although his income and property are counted. He may be eligible for the MN program. If he is a spouse and his income made his wife eligible under the Section 1931(b) determination, none of his income will be considered for the MN program.

3. Page 4, Example B has some mathematical errors. This example has already been corrected in the Medi-Cal Eligibility Procures Manual, Article 8G, Page 13, Example K which counties should be receiving in the next few weeks.

If you have any further questions, please contact Margie Buzdas at (916) 657-0726 or Erin Lynch at (916) 654-5769.

Sincerely,

ORIGINAL SIGNED BY
GLENDA ARELLANO for
Angeline Mrva, Chief
Medi-Cal Eligibility Branch

Enclosure

DEPARTMENT OF HEALTH SERVICES

714/744 P Street
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November 11, 1999

TO: All County Welfare Directors
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Letter No.: 99-56

CORRECTIONS, CLARIFICATIONS, RULES, AND MEDICAL FAMILY BUDGET UNIT (MFBU) EXAMPLES OF PREGNANT WOMEN, CARETAKER RELATIVES, AND MINOR PARENTS IN THE SECTION 1931(b) PROGRAM

Ref.: All County Welfare Directors Letter (ACWDL) Nos. 99-20 and 99-42

The purpose of this letter is to make corrections and clarifications in previous ACWDLs and to provide clarification and specific MFBU examples about pregnant women, caretaker relatives, and minor mothers in the Section 1931(b) program.

We have met with staff of the California Work Opportunity for Kids (CALWORKs) program to discuss their budget rules concerning the minor parents living with senior parents. Since CalWORKs rules are quite similar to how MFBUs are treated under Medi-Cal's Aid to Families with Dependent Children Medically Needy (AFDC-MN) program for the most of the scenarios, we have decided for simplification purposes that we will continue to use the Medi-Cal MFBU rules for when determining eligibility for minor mothers under the Section 1931(b) program.

CORRECTIONS and CLARIFICATIONS

Please correct the following:

1. Page 4 of ACWDL 99-20, Answer No. 2 should be corrected to read "NOTE: Changing from unemployment to incapacity and back to unemployment is different. The 100-hour rule is waived. See Question 1 under Deprivation."
2. Page 4 of ACWDL 99-20, Question No. 6 should be corrected to read "can they have TMC based on receiving CalWORKs or Section 1931(b) for three of the last six months?"

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3. Page 6 of ACWDL 99-20, Question and Answer No. 5 should be corrected to read "Can applicants for Medi-Cal choose to be evaluated for the AFDC-MN program instead of the Section 1931(b) program? No. Section 1931(b) eligibility is determined before the AFDC-MN program eligibility is evaluated; however, persons eligible for other federal mandatory programs such as Pickle may choose the program is most beneficial to them. This does not include the aged, blind, or disabled who are in federal optional programs.
4. Page 3 of ACWDL 99-42 shows an example with an eight-year-old child who is eligible for the 133 Percent program. Please change the age of the child to five, which is the maximum age for a child in that program.
5. Page 4 of ACWDL 92-42 states that a stepparent may be aided as an essential person regardless of whether or not he/she has his/her own children living in the home who are not deprived. However, he/she must be included in the MFBU with the entire family (since he/she is responsible for his/her spouse) when determining the Section 1931(b) eligibility for the other family member regardless of whether he/she wishes to be aided or not. Snee rules would apply. This change affects all previous ACWDLs which contain an example with an stepparent. The only exception would be when only the separate children of his/her spouse wish to be aided, which is similar to the MN program.
6. Page 5 Scenario IV of ACWDL 99-42 states that the MFBU should consist of only the minor mother and her child because the minor mother is the caretaker of her child; however, the senior mother is still financially responsible for the minor mother; therefore, the MFBUs should be similar to the MFBUs in the regular MN program where the senior mother and the minor mother are in the same MFBU and the minor mother is an ineligible member with her child in the second MFBU.
7. Page 8 of ACWDL 99-42 states that the father has no linkage and is not eligible. Since he is a stepparent and may be an essential person under Section 1931(b) rules, please correct that example so that the father is eligible for Section 1931(b) along with the mother and remove him from the MN/MI MFBU.

SECTION 1931(B) RULES MFBU RULES AND EXAMPLES FOR PREGNANT WOMEN

1. A pregnant women must have a deprived child or an unborn who if born would be deprived.

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2. A pregnant woman must be in her last trimester if she has no other deprived children in the household. The birth month is included; therefore, she may be aided in the last 4 months.
3. The spouse or unmarried parent is not eligible if the only deprived child is an unborn; however, he may be eligible for Medi-Cal under the MN program.
4. The spouse or unmarried parent's income/property is counted and he is included in the MFBU as an ineligible member with the pregnant woman and unborn until the child is born. Sneede rules apply if he is unmarried.
5. The unborn is counted in the family size at the onset of pregnancy in the event the pregnant woman is aided on the basis of other deprived children earlier than the third trimester.

Example A: (First month of Application)

A married pregnant woman with no other children in her last trimester and the unemployed father of the unborn are applying for Medi-Cal. Dad has \$700 in net non-exempt income.

Section 1931(b) MFBU		MN Program	
Mom	\$ 0	Dad	\$ 0
Unborn	\$ 0	Total	\$ 0
<Dad>	\$700	MNL Limit	\$600
Total	\$700		
Limit for 3	\$793		

Mom is eligible for 1931(b). Dad is only eligible for the MN program. His income is not carried over to the MN program because he is a financially responsible relative to Mom and his income was used to make Mom eligible. Once the baby is born, he may be added to the Section 1931(b) program with no determination if there is no change in the family income. If the family income increases, a new determination is required. If the parents of the unborn were unmarried, Sneede would apply if Mom were ineligible for Section 1931(b). If Mom were then eligible, Dad could not deduct his income in the MN determination because unmarried parents are not responsible for one another. NOTE: The baby is protected from income increases until age one because of the Continued Eligibility program.

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Example B: (First Month of Application)

A married pregnant woman lives with her separate child, her employed spouse and their mutual child. All are requesting Medi-Cal. The spouse may be aided as an essential person (EP); however, his income is counted regardless of whether or not he wishes to be aided unless only his wife's separate child wishes to be aided.

Section 1931(b) MFBU

Mom	\$ 0
Unborn	\$ 0
Mom's Child	\$ 300
<Mutual Child>	\$ 0
Dad (EP)	\$ 800
Total	\$1,100
Limit for 5	\$1,074

Section 1931(b) Sneede Determination

MBU #1		MBU #2	
Mom	\$205.50	Mom's Child	\$300
Dad (EP)	\$389.00	Total	\$300
<Mutual Child>	\$205.50	Limit	\$320
Unborn	\$ 0		
Total	\$800.00		
Limit for 4	\$942.00		

Sneede Rules Apply. Dad keeps \$389 and allocates the remainder to Mom and his mutual child. Mom has no income of her own; therefore, Mom's child only has his or her own income. All are eligible for Section 1931(b). NOTE: If Mom's separate child were not eligible for Section 1931(b) after the Sneede process, he or she would be evaluated for the MN program using only his or her income. If there were a parental allocation under Sneede, it is NOT carried over. If the child is still ineligible, then he or she should be evaluated for the poverty level programs, using only Mom's full net non-exempt income and his or her own. Compare this amount to the full family size of five.

SECTION 1931(B) RULES MFBU RULES AND EXAMPLES FOR MINOR PARENTS AND SENIOR PARENTS/CARETAKER RELATIVES

The rules for establishing these MFBUs follow the MN MFBU composition rules.

- If the caretaker relative is not the parent of the child, he or she is not required to be in the MFBU unless he or she wishes to be aided.