

## DEPARTMENT OF HEALTH SERVICES

714/744 P STREET  
SACRAMENTO, CA 95814

May 4, 1989

Letter No.: 89-35

TO: All County Welfare Directors  
All County Administrative OfficersSUBJECT: TREATMENT OF RETROACTIVE IHSS PAYMENTS DUE TO MILLER V. WOODS COURT  
ORDER

As a result of the Miller v. Woods court case, retroactive IHSS payments are being made to relatives who provided care to IHSS recipients. Should a Medi-Cal applicant/beneficiary receive a retroactive IHSS payment because he/she provided IHSS to a relative, this payment shall be exempt income in the month of receipt and treated as exempt property in the month following the month of receipt. If retained beyond these two months, it will then be countable property.

If you have any questions in this regard, please call Sharyl Shanen at (916) 324-4956 or ATSS 8-454-4956.

Sincerely,

Original signed by

Sandra Duveneck, for  
Frank Martucci, Chiefcc: Medi-Cal Liaisons  
Medi-Cal Program Consultants

Expiration Date: May 1, 1990