

California Advocates for Nursing Home Reform

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Hierarchy of Medi-Cal Eligibility Determinations

Medi-Cal Based Programs

1. PICKLE

Provides free Medi-Cal to individuals who became ineligible for SSI due to COLAs for Social Security. Individuals are eligible for PICKLE if they would have been eligible for SSI in the past even if they never actually received SSI. Under this program all Social Security COLAs are disregarded from income from the point in time when the individual would have become ineligible for SSI. This program follows the SSI rules including parent/spouse deeming.

2. 1931(b)

This program provides free Medi-Cal. The determination includes a \$240 disregard of disability income with any remaining amount of the \$240 disregarded from earnings. Then 1/2 of the earned income is disregarded. This program requires all family members living in the home to be included in the budget unit.

3. Aged & Disabled Federal Poverty Level Program

This program provides no share-of-cost (free) Medi-Cal and permits any individual with countable income at or below \$1,081 (2008) or a couple with income at or below \$1,524 (1/2008) to establish eligibility. This program follows the rules of the Medically Needy program.

4. 250% Working Disabled Program

This program permits aged or disabled individuals to purchase Medi-Cal through payment of a monthly premium. Eligibility is limited to individuals with incomes under 250% of federal poverty level and disability income is exempt as well as a second motor vehicle if it has been modified to accommodate a handicapped individual.

5. Medically Needy/Medically Indigent Without SOC

This program provides free Medi-Cal based upon linkage based upon being aged, blind or disabled or being a deprived child up to 21 years of age. Caretaker relatives of deprived children are also eligible. The first \$65 plus 1/2 of the remaining earned income is disregarded in households including an ABD person. The first \$33 plus 1/3 of the earned income is disregarded in households including a deprived child person.

6. Pregnant Women and Children's Federal Poverty Level Programs

These programs permit children to establish eligibility for free Medi-Cal without regard to resources at all.

- o Pregnant Women (pregnancy-related, labor and delivery only) and children under 1 (full-scope Medi-Cal) with family incomes up to 200% FPL
- o Children 1 - 6 with family income up to 133% FPL
- o Children 6-19 with family income up to 100% FPL

7. Healthy Families Program

Provides health care coverage through managed care only to children who are ineligible for Medi-Cal without a share-of-cost. This program disregards resources but charges a monthly premium.

8. NF A/B Waiver & DDS Waiver

These two waivers provide in-home care services to individuals who would otherwise require nursing facility care. These programs also provide Medi-Cal with much higher income and resource for spouses and disregards income and resources of parents since the individual participants are considered to be institutionalized. The income and resource limits for spousal situations in 2008 are: \$2,601 per month (or more if the well-spouse receives more than the \$2,601 in his/her name), plus \$600 for the participant; \$104,400 in CSRA nonexempt resources, plus \$2,000 for the participant.

9. Medically Needy/Medically Indigent With Share Of Cost

This program provides full-scope Medi-Cal to the same individuals as indicated in number 5 above. Individuals in this group must pay or obligate to pay for a certain amount of medical expenses each month before Medi-Cal will pay for the remainder of their Medi-Cal covered expenses. The share of cost is equal to the amount of their income that is in excess of the maintenance need level (\$600 for a single person) based upon the family size.

10. Long Term Care Medi-Cal

Persons who apply for Medi-Cal to pay for long term care would be considered Medically Needy. Individuals with income and Medically Needy QMBs would be obligated to pay a share of cost each month and can retain a Personal Needs Allowance of \$35. Persons on SSI would be provided with a monthly income of \$49.

Source: DHS, Medi-Cal Eligibility Branch

See also www.dhs.ca.gov/mcs/medi-calhome/default.htm

11. In Home Supportive Services (IHSS)

Includes the Personal Care Services Program (PCSP), IHSS Residual Program and IHSS Federal Waiver. Since August 1, 2004 when CMS approved California's IHSS Federal Plus Waiver program, most IHSS recipients are paid under matching state and federal Medicaid dollars under the PCSP program, so Medi-Cal rules (including transfer rules) apply. The IHSS Residual Program - which has different and more restrictive rules - is now limited to a few individuals with immigrant status (at least according to DSS). However, since many IHSS recipients are also on SSI/SSP, transfers that are permissible under the Medi-Cal and IHSS programs could impact SSI/SSP eligibility.

Source: California Department of Social Services

For information on the IHSS Personal Care Services Program (PCSP) and the IHSS

Residual Program see the Department of Social Services web site on IHSS:

www.dss.cahwnet.gov/cdssweb/In-HomeSup_173.htm