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DATE: June 8, 2022 PPL No. 22-014

TO: Local Governmental Agency (LGA) Coordinators for the Targeted Case Management (TCM) Program

SUBJECT: Representation During a TCM Encounter

PURPOSE: To provide guidance concerning who may represent a beneficiary during a TCM encounter when beneficiaries are unable to speak for themselves.

REFERENCE: Cal. Welf. & Inst. Code § 14132.44(e), 22 C.C.R. §§ 51185, 51365

BACKGROUND:

Most often, TCM services are provided directly to the client, a qualified Medi-Cal beneficiary. (Cal. Welf. & Inst. Code § 14132.44(e).)

However, state regulations specifically allow TCM services to be delivered directly to persons acting on behalf of an adult TCM client who has exhibited an inability to handle personal affairs, is under a legally recognized conservatorship, or has been assigned a representative payee by the Social Security Administration (SSA). (22 C.C.R. §§ 51185, 51365 (formerly section 50262.7).) A representative payee is appointed by the SSA to receive and manage a person's government benefits because the beneficiary is unable to do so themselves. (20 C.F.R. § 404.2001.)

Alternatively, any individual may be legally authorized to represent minor or adult client. As such, TCM services may be provided to anyone legally authorized to represent a client, including:

- A parent, guardian or caregiver of minors
- A conservator
- A representative payee
- Designated agent in a healthcare power of attorney
- A surrogate

(See, Cal. Prob. Code § 4600, et seq. See also, Cal. Prob. Code §§ 1801, 4600, 4665, 4680, 4682, 4711. Cal. Fam. Code §§ 3003, 3006, 3010, 6910, 7002, 7050.)

LGA TCM Coordinators
Page 2
June xx, 2022

Please email DHCS-TCM@dhcs.ca.gov for any questions regarding this PPL.

Sincerely,

ORIGINAL SIGNED BY

Brian Fitzgerald, Chief
Local Governmental Financing Division
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