

UPDATED INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Title XIX of the Social Security Act is a federal/state entitlement program that pays for medical assistance for certain individuals and families with low incomes and resources. This program, known as Medicaid, became law in 1965 as a cooperative venture jointly funded by the federal and state governments to assist states in furnishing medical assistance to eligible needy persons. Medi-Cal is California's Medicaid program. It provides vital health and long-term care coverage to low-income children, their parents, elderly and disabled Californians. Medi-Cal is administered by the Department of Health Care Services (Department).

A Medi-Cal eligibility determination is made based on program rules, as to whether an individual qualifies for benefits under the program. An individual must not exceed the established property/assets limits in order to become Medi-Cal eligible. Income deductions are applied to an individual's gross income. The remainder, after deductions are subtracted, is the net nonexempt income. The deduction for home upkeep and repair is one of the deductions for long-term care patients. The appropriate maintenance need level is then subtracted from the net nonexempt income to determine whether an individual has a share of cost or not. The maintenance need level is the amount of monthly income, based upon federal law, that a person or family is deemed to need for food, clothing, housing, etc.

Title 42, Code of Federal Regulations (C.F.R.) Section 435.725(d), sets forth an allowance for home maintenance (the individual can retain more countable income) if the amount is deducted for six months or less and a physician has certified the individual is likely to return home within this period.

This proposed regulatory action amends Title 22, California Code of Regulations Section 50605 that pertains to home upkeep needs for persons in long-term care, specifically the allowance for home maintenance under Subsections (b) and (c). Non-substantial grammatical changes are also proposed through this action.