



State of California—Health and Human Services Agency
Department of Health Care Services



GAVIN NEWSOM
GOVERNOR

November 25, 2020

TO: ALL COUNTY WELFARE DIRECTORS Letter No.: 20-25
ALL COUNTY WELFARE ADMINISTRATIVE OFFICERS
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS
ALL COUNTY HEALTH EXECUTIVES

SUBJECT: TEMPORARY INCOME FROM THE CENSUS BUREAU

The purpose of this All County Welfare Directors Letter (ACWDL) is to remind counties how income from temporary employment with the United States Census Bureau is considered for Modified Adjusted Gross Income (MAGI) Medi-Cal and provide updated guidance for Non-MAGI Medi-Cal.

Background

The Centers for Medicare and Medicaid Services approved California's State Plan Amendment on November 19, 2020, granting federal approval under section 1902(r)(2) of the Social Security Act to apply an income disregard of all temporary census income for Non-MAGI coverage groups.

The following guidance provides counties with reminders on current flexibilities allowed for MAGI groups and updated guidance for Non-MAGI groups.

MAGI Medi-Cal

The taxable portion of income received for temporary employment with the United States Census Bureau is treated like all other earned income and the federal taxable portion is considered countable in the MAGI Medi-Cal eligibility determination. Counties should reference Medi-Cal Eligibility Division Information Letter [I 19-03](#) for the latest version of the MAGI Income and Deductions Types chart for treatment of earned income.

As a reminder, if an individual reports income that will fluctuate throughout the year, such as temporary Census income, the County Eligibility Worker shall follow the guidance in ACWDL [15-06](#) to determine the applicant's/beneficiary's MAGI Medi-Cal eligibility based on a 12 month budget period.

Applicants and beneficiaries must provide adequate evidence of their change in income, such as a signed employment contract, proof of past income fluctuations, or any other clear indicia of such future changes in income, including a signed affidavit.

Individuals who become ineligible for MAGI Medi-Cal need to be evaluated for Consumer Protection Programs and Non-MAGI Medi-Cal programs before being discontinued.

Non-MAGI Medi-Cal

Effective January 1, 2020, as permitted under Section 1902(r)(2) of the Social Security Act, all wages paid to an individual by the Census Bureau for temporary employment related to current or future census activities shall be exempt as income for the following Non-MAGI Medi-Cal programs:

- Aged, Blind, and Disabled Federal Poverty Level
- Medically Needy (all categories)
- 250 Percent Working Disabled Program
- Medicare Savings Programs

The income exemption extends to all temporary employment income from the Census Bureau beginning January 1, 2020.

Implementation

The Statewide Automated Welfare Systems (SAWS) shall make programming changes to automate the new income exemption during the next available SAWS release. Until SAWS has automated the exemption, counties shall manually exempt the income from the Non-MAGI Medi-Cal individual's budget. Counties will need to reevaluate individuals with temporary census income back to January 1, 2020. DHCS will provide additional instructions to counties regarding this requirement at a later date.

If you have any questions or require additional information regarding this letter, please contact Derek Soiu at (916) 345-8193 or by email at Derek.Soiu@dhcs.ca.gov.

Original Signed By

Sandra Williams, Chief
Medi-Cal Eligibility Division