



RICHARD FIGUEROA
ACTING DIRECTOR

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



GAVIN NEWSOM
GOVERNOR

DATE: November, 27 2019

Medi-Cal Eligibility Division Information Letter No.: I 19-24

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY WELFARE ADMINISTRATIVE OFFICERS
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS
ALL COUNTY HEALTH EXECUTIVES
ALL COUNTY MEDS LIASONS
ALL SAWS ADMINISTRATORS

SUBJECT: UNMARRIED COUPLES WHO STATE THAT THEY ARE FILING TAXES AS MARRIED FILING JOINTLY (All County Welfare Directors Letter [17-16](#))

Purpose

The purpose of this Medi-Cal Eligibility Information Letter (MEDIL) is to provide counties with guidance on how to construct the Modified Adjusted Gross Income (MAGI) household compositions for unmarried individuals who self-attest to filing taxes as married filing jointly.

MAGI Medi-Cal Household Composition

Counties are to follow guidance outlined in All County Welfare Directors Letter (ACWDL) [17-16](#) regarding the requirement to accept an individuals self-attested tax filing status. However, the county eligibility worker (CEW) shall follow the MAGI Medi-Cal rules when constructing the household composition, which may differ from the self-attested tax filing status. In some circumstances, counties may receive self-attested tax filing information from an individual that conflicts with other information reported such as unmarried individuals who self-attest to expecting to file taxes as married filing jointly. When conflicting self-attested tax filing status information is received, the CEW shall follow the flexibilities allowed in 42 Code of Federal Regulations Section 435.603(f)(5) to construct the MAGI household composition based on non-tax filer rules.

The application of non-filer rules for individuals who claim to be unmarried but filing taxes as married filing jointly is only for MAGI Medi-Cal eligibility determinations and not for individuals entitled to Advanced Premium Tax Credits (APTC).

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Advanced Premium Tax Credits (APTC) Household Composition

When an unmarried individual is over income for MAGI Medi-Cal but meets the eligibility criteria for APTC and self-attests to expecting to file taxes as married filing jointly, only one primary tax filer and their dependent(s) would be eligible to APTC on the case. A separate case would be required for the other unmarried tax filer who self-attests to expecting to file taxes as married filing jointly in order to potentially receive APTC.

If you have any questions on this letter, please contact Eric Sweeney at 916-345-8065 or by email at Eric.Sweeney@dhcs.ca.gov.

Original Signed By

Sandra Williams, Chief
Medi-Cal Eligibility Division