



California  
Department of  
Health Services

**SANDRA SHEWRY**  
Director

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



**ARNOLD SCHWARZENEGGER**  
Governor

May 26, 2006

TO: ALL COUNTY WELFARE DIRECTORS Letter No.: 06-19  
ALL COUNTY ADMINISTRATIVE OFFICERS  
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS  
ALL COUNTY HEALTH DIRECTORS  
ALL COUNTY MENTAL HEALTH DIRECTORS

SUBJECT: INCOME AND PROPERTY EXEMPTION FOR ADVANCE PAYMENTS  
UNDER THE IN-HOME SUPPORTIVE SERVICES INDEPENDENCE  
PLUS 1115 DEMONSTRATION PROJECT AND IN-HOME SUPPORTIVE  
SERVICE RESIDUAL PROGRAM  
(Reference: 05-21, 05-26, 05-29, and 06-04)

The purpose of this letter is to remind counties that the advance payments and restaurant meal allowances received by In-Home Supportive Services (IHSS) recipients under the In-Home Supportive Services Independence Plus 1115 Demonstration Project (IHSS Waiver) are considered exempt income and property.

**BACKGROUND**

The IHSS Plus Waiver was implemented August 1, 2004. It is a federal waiver that provides in-home services to federally funded Medi-Cal recipients. In its approval letter to the California Department of Health Services (CDHS), the Centers for Medicare and Medicaid Services provided the authority for CDHS to exempt from income and property, advance IHSS payments made under the IHSS Waiver. However, pursuant to the California Code of Regulations, Section 50527, and All County Welfare Directors' Letter 90-01, draft regulations, Section 50455.5, this income and property exemption further extends to include payments received for social services. This exemption

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applies to advance payments for IHSS and restaurant meal allowances under the IHSS Waiver.

If you have questions regarding this letter, please contact Ms. Vicki Partington at (916) 552-9496 or VParting@dhs.ca.gov.

**Original Signed by**

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Medi-Cal Eligibility Branch