

DEPARTMENT OF HEALTH SERVICES

714/744 P STREET

ACRAMENTO, CA 95814

(916) 445-1912

January 17, 1983



To: All County Welfare Directors

Letter No. 83-6

SINGLE MAINTENANCE NEED LEVEL FOR ALL MEDICALLY NEEDY GROUPS

The purpose of this letter is to advise you of the changes to the Medically Needy (MN) maintenance need levels.

The Department has amended regulations in Sections 50603 and 50605 of Title 22, California Administrative Code to establish a single maintenance need level. We have increased the AFDC-MN maintenance need to 133 1/3 percent of the AFDC payment level. This means that the maintenance need for both AFDC-MN and the ABD-MN will be identical as reflected in the following amounts.

MEDICALLY NEEDY MAINTENANCE NEED LEVEL

<u>Number of Persons in MFBU</u>	<u>Maintenance Need</u>
1 Person**	\$ 331
2 Persons	544
3 Persons	675
4 Persons	801
5 Persons	915
6 Persons	1,028
7 Persons	1,128
8 Persons	1,230
9 Persons	1,328
10 Persons*	\$1,428

* For each additional person + \$7.

** For one person when all other family members are PA or Other PA, the maintenance need level is \$272.

These same maintenance need levels are applicable to persons covered under the state Medically Indigent (MI) programs, such as pregnant women.

All County Welfare Directors

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January 17, 1983

The Office of Administrative Law will file these amended emergency regulations in January, 1983. The regulations are effective upon filing with the Secretary of State and counties should implement February 1, 1983.

A copy of the amended regulations is attached.

If you have any questions please contact Pat Morrison at (916) 445-1797.

Sincerely,

ORIGINAL SIGNED BY

Madalyn M Martinez, Chief
Eligibility Branch

Attachment

cc: Medi-Cal Liaisons
Medi-Cal Program Consultants

50603. Maintenance Need -- Persons Living in the Home. (a) The maintenance need for members of the MFBU living in the home where no member is aged, blind, or disabled shall be determined in the following manner with amounts of 1 cent or more rounded to the next highest dollar:

(1) The maintenance need for an MFBU consisting of one through ten persons shall equal 133 1/3 percent of the AFDC payment level for a family group of corresponding size, except as specified in (2).

(2) The maintenance need for one person when all other members are PA or other PA shall equal one-half of the AFDC-payment maintenance need level for two persons established in accordance with (1).

(3) The maintenance need for an MFBU consisting of 11 or more persons shall equal the AFDC-payment maintenance need level for a family group of 10 established in accordance with (1) plus an amount equal to the AFDC MBSAC increase level for additional persons in excess of 10 for each MFBU member in excess of 10.

~~(b) -- The maintenance need for an MFBU consisting only of aged, blind or disabled persons shall equal 133-1/3 percent of the maintenance need determined in accordance with (a) (1) or (2) for an MFBU of corresponding size, with the amounts of 1 cent or more rounded to the next highest dollar.~~

(c) The maintenance need for an MFBU which includes both ABD-MN and other persons living in the home shall be determined in the following manner:

(1) Determine the maintenance need for the ABD-MN persons in accordance with (b).

(2) For the other members of the MFBU:

(A) Determine the maintenance need in accordance with (a) for all MFBU members living in the home, including the ABD-MN persons.

(B) Determine the maintenance need level in accordance with (a) for only the number of ABD-MN persons living in the home.

(C) Subtract the amount determined in (B) from the amount determined in (A). This is the maintenance need amount for the non-ABD-MN persons in the MFBU.

(3) Combine the amounts determined in (1) and (2)(C). This is the maintenance need for the entire MFBU.

Note: Authority cited: Sections 10725 and 14124.5, Welfare and Institutions Code, Section 57(c), Chapter 328, Statutes of 1982.

Reference: 14005.12. Welfare and Institutions Code.

50605. Maintenance Need -- Persons in Long-Term Care.

(a) The maintenance need for a member of the MFBU in long-term care shall be either of the following:

(1) Twenty-five dollars for personal and incidental needs, when the beneficiary will remain in long-term care for the entire calendar month.

(2) The appropriate maintenance need determined in accordance with Section 50603, if the person will be in long-term care for only a portion of the month.

(b) An LTC patient shall retain an amount of income for upkeep of a home in addition to the amount specified for personal and incidental needs in (a) (1) if all of the following conditions are met:

(1) The spouse or family of the LTC patient is not living in the home.

(2) The home, whether rented or owned by the LTC patient, is actually being maintained for the return of the LTC patient.

(3) There is a verified medical determination that the LTC patient will return home within six months of the date LTC patient status was established.

(c) The amount allowed for upkeep of the home, if the conditions specified in (b) are met, shall be:

(1) One-hundred ~~twenty eight~~ forty-eight dollars per month, if the applicant or beneficiary has been living alone at home.

(2) ~~Eighty-six~~ One hundred dollars per month for each spouse, if the beneficiary and spouse have been living together and both have become LTC patients and will return home within 6 months.

(d) The LTC patient shall also retain an amount of income to pay for the support of a disabled relative if all the following conditions are met:

(1) The disabled relative is not the LTC patient's:

(A) Spouse.

(B) Child, as defined in Section 50030.

(2) The LTC patient has contributed and will continue to contribute to the support of the disabled relative on a regular basis.

(e) The amount allowed for the support of a disabled relative, if the conditions specified in (d) are met, shall be the lesser of the actual amount contributed or:

(1) ~~Three-hundred-nine-dollars-~~ For the disabled relative who is living alone or with persons who have no legal responsibility for the support of the disabled relative, the amount allowed shall be the ~~AFDC-payment-level-for-one-person~~ maintenance need level for one person established in accordance with Section 50603(a)(1) minus the disabled relative's net income.

Note: Authority cited: Sections 10725 and 14124.5, Welfare and Institutions Code. Section 57(c), Chapter 328, Statutes of 1982.

Reference: 14005.12, Welfare and Institutions Code.