

DEPARTMENT OF HEALTH SERVICES

714/744 P STREET
SACRAMENTO, CA 95814

May 26, 1983

To: All County Welfare Directors

Letter No. 83-38

TITLE II DISREGARD LAWSUIT (LYNCH V. DAWSON)

Reference: All County Welfare Directors Letter No. 83-16

A temporary restraining order in the case of Lynch v. Dawson was issued on April 28, 1983. The issue in this case is whether California has properly implemented the Pickle Amendment to the Social Security Act which provides that certain Title II recipients who are also former SSI recipients are entitled to Medi-Cal benefits as categorically needy persons.

The order required that both DHS and county welfare departments retain any and all records which may be used to identify persons with potential Title II Disregard eligibility. Specifically, the counties and the State must preserve all computer records (including MEDS), SDX microfiches, MC 177s, MC 176Ms and MC 176Ws, BENDEX and RSDI reports, case files and any other documents containing information concerning any person potentially entitled to Medi-Cal benefits under the Pickle Amendment. The potentially eligible persons identified by this order are those currently receiving Title II (OASDI) social security benefits and those who received Title XVI (SSI/SSP) benefits concurrently with Title II benefits at any time after April 1977.

We anticipate that further court proceedings may result in an order to search all such records and identify all potentially eligible persons. Therefore, in addition to preserving the records for this group of people, all cases that fit the above description of potential eligibles should be flagged.

New procedures for determining the eligibility of the Pickle people (formerly Title II Disregard persons) will be developed as soon as possible after the court hearing in mid-June. Until that time, the instructions issued in All County Welfare Directors Letter No. 83-16 should be used.

The attached charts update those in Medi-Cal Eligibility Manual Procedures Section 10I and should be used until further notice.

If you have questions concerning this letter, contact Kristi Banion at (916) 445-1797.

Sincerely,

ORIGINAL SIGNED BY

Jo Ann Wray
Acting Deputy Director
Health Care Policy and
Standards Division

Attachment

Last SSI/SSP Check Received Between ...	<u>7/81</u> and <u>6/82</u>	<u>7/80</u> and <u>6/81</u>	<u>7/79</u> and <u>6/80</u>	<u>7/78</u> and <u>6/79</u>	<u>7/77</u> and <u>6/78</u>	<u>4/77</u> and <u>6/77</u>
\$730-734	680	611	535	487	454	425
\$735-739	684	615	538	490	457	428
\$740-744	689	620	542	493	460	431
\$745-749	694	624	546	497	463	434
\$750	698	628	549	500	466	436

Attachment

Last SSI/SSP Check Received Between ...	<u>7/81</u> and <u>6/82</u>	<u>7/80</u> and <u>6/81</u>	<u>7/79</u> and <u>6/80</u>	<u>7/78</u> and <u>6/79</u>	<u>7/77</u> and <u>6/78</u>	<u>4/77</u> and <u>6/77</u>
\$500-504	466	419	366	333	311	291
\$505-509	470	423	370	337	314	294
\$510-514	475	427	374	340	317	297
\$515-519	480	431	377	343	320	300
\$520-524	484	435	381	347	323	303
\$525-529	489	440	385	350	326	305
\$530-534	493	444	388	353	330	308
\$535-539	498	448	392	357	333	311
\$540-544	503	452	396	360	336	314
\$545-549	507	456	399	363	339	317
\$550-554	512	461	403	367	342	320
\$555-559	517	465	407	370	345	323
\$560-564	521	469	410	373	348	326
\$565-569	526	473	414	377	351	329
\$570-574	531	477	418	380	354	332
\$575-579	535	481	421	383	358	335
\$580-584	540	486	425	387	361	337
\$585-589	545	490	429	390	364	340
\$590-594	549	494	432	393	367	343
\$595-599	554	498	436	397	370	346
\$600-604	559	502	440	400	373	349
\$605-609	563	507	443	403	376	352
\$610-614	568	511	447	407	379	355
\$615-619	573	515	451	410	382	358
\$620-624	577	519	454	413	386	361
\$625-629	582	523	458	417	389	364
\$630-634	587	528	462	420	392	367
\$635-639	591	532	465	423	395	369
\$640-644	596	536	469	427	398	372
\$645-649	601	540	473	430	401	375
\$650-654	605	544	476	433	404	378
\$655-659	610	548	480	437	407	381
\$660-664	615	553	483	440	410	384
\$665-669	619	557	487	443	413	387
\$670-674	624	561	491	447	417	390
\$675-679	628	565	494	450	420	393
\$680-684	633	569	498	453	423	396
\$685-689	638	574	502	457	426	399
\$690-694	642	578	505	460	429	402
\$695-699	647	582	509	463	432	404
\$700-704	652	586	513	467	435	407
\$705-709	656	590	516	470	438	410
\$710-714	661	594	520	473	441	413
\$715-719	666	599	524	477	445	416
\$720-724	670	603	527	480	448	419
\$725-729	675	607	531	483	451	422