

DEPARTMENT OF HEALTH SERVICES

714/744 P STREET
CRAMENTO, CA 95814

November 17, 1983

To: All County Welfare Directors

Letter No. 83-73

EDWARDS V. MYERS

Re: All County Welfare Directors (ACWD) Letters 82-25 and 82-65

The preliminary injunction in Edwards v. Myers provides for Medi-Cal eligibility to continue for one month following the termination of AFDC benefits. For recipients whose possible eligibility or ineligibility cannot be immediately determined, the county is required to notify the recipients of the right to continuing Medi-Cal benefits and enclose a form to be completed if the beneficiary elects to continue to receive Medi-Cal. The county must provide uninterrupted Medi-Cal coverage with no share of cost for families discontinued from AFDC until a reevaluation of the family's eligibility or ineligibility for Medi-Cal only is completed and a timely and adequate notice is issued. However, if the Medi-Cal only eligibility determination can be completed at the same time the AFDC determination of ineligibility is made and appropriate notice can be issued regarding eligibility or ineligibility for Medi-Cal, continued Medi-Cal benefits are not required.

ACWD Letter 82-65 instructed counties to discontinue Medi-Cal (not just cash-based Medi-Cal) at the same time AFDC is discontinued if the reason for the AFDC discontinuance is failure to return the Income Report Form (CA-7).

We have reevaluated these previous instructions and have decided to alter them. Effective immediately, counties must not discontinue Medi-Cal when AFDC is discontinued for failure to return the CA-7. Instead, continued uninterrupted Medi-Cal with no share of cost must be provided until a separate determination of Medi-Cal only eligibility is made in accordance with Title 22, California Administrative Code, Section 50179.5, if the application has been returned timely.

If you have any questions regarding this matter, please contact Vivian Gannon at (916) 324-4956.

Sincerely,

ORIGINAL SIGNED BY

Caroline Cabias, Chief
Eligibility Branchcc: Medi-Cal Liaison
Medi-Cal Program Consultants