

DEPARTMENT OF HEALTH SERVICES

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SACRAMENTO, CA 94234-7320



June 9, 1992

TO: All County Welfare Directors
All County Administrative Officers
All County Medi-Cal Program Specialists/Liaisons

Letter No.: 92-35

SUBJECT: PAYMENTS TO VICTIMS OF CRIMES

The provisions contained in the enclosed draft regulations are the result of changes made to the Supplemental Security Income (SSI) program by the Omnibus Budget Reconciliation Act of 1990. Since federal law requires that Medi-Cal be no more restrictive than the cash programs, these provisions shall be effective for the Medi-Cal program on May 1, 1991. Therefore, beginning no later than September 1, 1992, whenever:

- o A case is known to the county to have such excess property, or
- o As soon as a case with such exempt property is brought to the county's attention, or
- o When reopening a case which was closed since May 1, 1991 due to excess property,

the county shall, if applicable, rescind any discontinuance or denial due to excess property resulting from such payment and, if applicable issue retroactive Medi-Cal cards.

If you have any questions, please feel free to call Sharyl Shanen-Raya at (916) 657-2942 with regard to the property portions or Dave Rappolee at (916) 657-0163 with regard to the income portions.

Sincerely,
ORIGINAL SIGNED BY

Frank S. Martucci, Chief
Medi-Cal Eligibility Branch

Enclosures

DRAFT

Add Section 50448 to read:

50448. Payments to Victims of Crimes.

Payments made under the California Victims of Crimes program, which are exempt as income in the month of receipt in accordance with Section 50534, shall be exempt as property for the 9-month period beginning after the month in which the payment was received.

NOTE: Authority cited: Sections 10725 and 14124.5, Welfare and Institutions Code; Sections 1383(a), 1396(r) and 1396b(a), Title 42, United States Code. Reference: Section 13959, Government Code; Section 14006, Welfare and Institutions Code.

DRAFT

Amend Section 50534 to read:

50534. Payments to Victims of Crimes.

Payments made under the California Victims of Crimes program shall be exempt as income in the month of receipt and thereafter as property in accordance with Section 50448, and shall not be considered to be unconditionally available income pursuant to Section 50186.

NOTE: Authority cited: Sections 10725 and 14124.5, Welfare and Institutions Code; and Sections 1382a(b), 1382b(a), 1396a(r) and 1396(a), Title 42, United States Code. Reference: Sections 14005.4 and 14005.7, Welfare and Institutions Code, and Section 13959 et seq., Government Code.