

## DEPARTMENT OF HEALTH SERVICES

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June 15, 1992

TO: All County Welfare Directors  
All County Administrative Officers  
All County Medi-Cal Program Specialists/Liaisons Letter No.: 92-39

SUBJECT: OVERPAYMENT DEDUCTIONS FROM BENEFIT PAYMENTS

REFERENCE: DHS E-MAIL 92070, DATED MAY 27, 1992

Per an agreement between the Department of Health Services and the plaintiffs in Vadon v. Coye, this All County Welfare Directors Letter (ACWDL) is to inform counties to deem as unavailable income under Title 22 California Code of Regulations, Sections 50513 and 50515, amounts which are deducted, for purposes of collecting previous overpayments, from benefit payments made by a public or private organization to a Medi-Cal beneficiary. Amounts deemed unavailable income must be excluded from the beneficiary's countable income when determining the beneficiary's Share of Cost.

Benefit payments made to a beneficiary include entitlement payments, payments made due to a beneficiary's impairment, disability, or unemployment, and payments received by a beneficiary due to his/her rights to a retirement plan, pension or annuity.

Counties not already operating under this policy should conform to this policy upon receipt of this ACWDL.

Please direct questions to Dave Rappolee of my staff at (916) 657-0163.

Sincerely,  
ORIGINAL SIGNED BY

Frank S. Martucci, Chief  
Medi-Cal Eligibility Branch