

DEPARTMENT OF HEALTH SERVICES

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TO: All County Welfare Directors
All County Administrative Officers
All County Medi-Cal Program Specialist/Liaisons
All County Public Health Directors
All County Mental Health Directors

Letter No.: 99-56

CORRECTIONS, CLARIFICATIONS, RULES, AND MEDICAL FAMILY BUDGET UNIT (MFBU) EXAMPLES OF PREGNANT WOMEN, CARETAKER RELATIVES, AND MINOR PARENTS IN THE SECTION 1931(b) PROGRAM

Ref.: All County Welfare Directors Letter (ACWDL) Nos. 99-20 and 99-42

The purpose of this letter is to make corrections and clarifications in previous ACWDLs and to provide clarification and specific MFBU examples about pregnant women, caretaker relatives, and minor mothers in the Section 1931(b) program.

We have met with staff of the California Work Opportunity for Kids (CALWORKs) program to discuss their budget rules concerning the minor parents living with senior parents. Since CalWORKs rules are quite similar to how MFBUs are treated under Medi-Cal's Aid to Families with Dependent Children Medically Needy (AFDC-MN) program for the most of the scenarios, we have decided for simplification purposes that we will continue to use the Medi-Cal MFBU rules for when determining eligibility for minor mothers under the Section 1931(b) program.

CORRECTIONS and CLARIFICATIONS

Please correct the following:

1. Page 4 of ACWDL 99-20, Answer No. 2 should be corrected to read "NOTE: Changing from unemployment to incapacity and back to unemployment is different. The 100-hour rule is waived. See Question 1 under Deprivation."
2. Page 4 of ACWDL 99-20, Question No. 6 should be corrected to read "can they have TMC based on receiving CalWORKs or Section 1931(b) for three of the last six months?"

All County Welfare Directors
All County Administrative Officers
All County Medi-Cal Program Specialist/Liaisons
All County Public Health Directors
All County Mental Health Directors
Page 2

3. Page 6 of ACWDL 99-20, Question and Answer No. 5 should be corrected to read "Can applicants for Medi-Cal choose to be evaluated for the AFDC-MN program instead of the Section 1931(b) program? No. Section 1931(b) eligibility is determined before the AFDC-MN program eligibility is evaluated; however, persons eligible for other federal mandatory programs such as Pickle may choose the program is most beneficial to them. This does not include the aged, blind, or disabled who are in federal optional programs.
4. Page 3 of ACWDL 99-42 shows an example with an eight-year-old child who is eligible for the 133 Percent program. Please change the age of the child to five, which is the maximum age for a child in that program.
5. Page 4 of ACWDL 92-42 states that a stepparent may be aided as an essential person regardless of whether or not he/she has his/her own children living in the home who are not deprived. However, he/she must be included in the MFBU with the entire family (since he/she is responsible for his/her spouse) when determining the Section 1931(b) eligibility for the other family member regardless of whether he/she wishes to be aided or not. Sneece rules would apply. This change affects all previous ACWDLs which contain an example with an stepparent. The only exception would be when only the separate children of his/her spouse wish to aided, which is similar to the MN program.
6. Page 5 Scenario IV of ACWDL 99-42 states that the MFBU should consist of only the minor mother and her child because the minor mother is the caretaker of her child; however, the senior mother is still financially responsible for the minor mother; therefore, the MFBUs should be similar to the MFBUs in the regular MN program where the senior mother and the minor mother are in the same MFBU and the minor mother is an ineligible member with her child in the second MFBU.
7. Page 8 of ACWDL 99-42 states that the father has no linkage and is not eligible. Since he is a stepparent and may be an essential person under Section 1931(b) rules, please correct that example so that the father is eligible for Section 1931(b) along with the mother and remove him from the MN/MI MFBU.

SECTION 1931(B) RULES MFBU RULES AND EXAMPLES FOR PREGNANT WOMEN

1. A pregnant women must have a deprived child or an unborn who if born would be deprived.

All County Welfare Directors
 All County Administrative Officers
 All County Medi-Cal Program Specialist/Liaisons
 All County Public Health Directors
 All County Mental Health Directors
 Page 3

2. A pregnant woman must be in her last trimester if she has no other deprived children in the household. The birth month is included; therefore, she may be aided in the last 4 months.
3. The spouse or unmarried parent is not eligible if the only deprived child is an unborn; however, he may be eligible for Medi-Cal under the MN program.
4. The spouse or unmarried parent's income/property is counted and he is included in the MFBU as an ineligible member with the pregnant woman and unborn until the child is born. Sneede rules apply if he is unmarried.
5. The unborn is counted in the family size at the onset of pregnancy in the event the pregnant woman is aided on the basis of other deprived children earlier than the third trimester.

Example A: (First month of Application)

A married pregnant woman with no other children in her last trimester and the unemployed father of the unborn are applying for Medi-Cal. Dad has \$700 in net non-exempt income.

Section 1931(b) MFBU		MN Program	
Mom	\$ 0	Dad	\$ 0
Unborn	\$ 0	Total	<u>\$ 0</u>
<Dad>	<u>\$700</u>	MNL Limit	\$600
Total	\$700		
Limit for 3	\$793		

Mom is eligible for 1931(b). Dad is only eligible for the MN program. His income is not carried over to the MN program because he is a financially responsible relative to Mom and his income was used to make Mom eligible. Once the baby is born, he may be added to the Section 1931(b) program with no determination if there is no change in the family income. If the family income increases, a new determination is required. If the parents of the unborn were unmarried, Sneede would apply if Mom were ineligible for Section 1931(b). If Mom were then eligible, Dad could not deduct his income in the MN determination because unmarried parents are not responsible for one another. NOTE: The baby is protected from income increases until age one because of the Continued Eligibility program.

All County Welfare Directors
 All County Administrative Officers
 All County Medi-Cal Program Specialist/Liaisons
 All County Public Health Directors
 All County Mental Health Directors
 Page 4

Example B: (First Month of Application)

A married pregnant woman lives with her separate child, her employed spouse and their mutual child. All are requesting Medi-Cal. The spouse may be aided as an essential person (EP); however, his income is counted regardless of whether or not he wishes to be aided unless only his wife's separate child wishes to be aided.

Section 1931(b) MFBU		Section 1931(b) <u>Sneede</u> Determination			
Mom	\$ 0	MBU #1		MBU #2	
Unborn	\$ 0				
Mom's Child	\$ 300	Mom	\$205.50	Mom's Child	\$300
<Mutual Child>	\$ 0	Dad (EP)	\$389.00	Total	\$300
Dad (EP)	\$ 800	<Mutual Child>	\$205.50	Limit	\$320
Total	\$1,100	Unborn	\$ 0		
Limit for 5	\$1,074	Total	\$800.00		
		Limit for 4	\$942.00		

Sneede Rules Apply. Dad keeps \$389 and allocates the remainder to Mom and his mutual child. Mom has no income of her own; therefore, Mom's child only has his or her own income. All are eligible for Section 1931(b). NOTE: If Mom's separate child were not eligible for Section 1931(b) after the Sneede process, he or she would be evaluated for the MN program using only his or her income. If there were a parental allocation under Sneede, it is NOT carried over. If the child is still ineligible, then he or she should be evaluated for the poverty level programs, using only Mom's full net non-exempt income and his or her own. Compare this amount to the full family size of five.

SECTION 1931(B) RULES MFBU RULES AND EXAMPLES FOR MINOR PARENTS AND SENIOR PARENTS/CARETAKER RELATIVES

The rules for establishing these MFBUs follow the MN MFBU composition rules.

- If the caretaker relative is not the parent of the child, he or she is not required to be in the MFBU unless he or she wishes to be aided.