

General Relief (GR) Program Guide Letter #46

January 25, 2008

Subject COUNTY MEDICAL SERVICES (CMS) LIEN PROCESS

Effective Date Upon receipt.

Reference County Board Letter 10/24/2007

Purpose The purpose of this letter is to inform GR staff of the additional CMS lien requirements.

Background Currently, GR applicants/recipients are not required to sign lien forms for CMS eligibility. Most GR recipients are categorically eligible for CMS at no cost.

Changes Effective with CMS Expansion, all CMS and CMS Expansion applicants are required to complete and sign the CMS Grant of Lien (CMS-122) and CMS Lien Information (CMS-123) forms as a condition of eligibility for CMS. Since GR recipients are categorically eligible for CMS, they must also sign the CMS lien forms.

These forms will be used to apply a lien towards the applicant's/recipient's current or future real property to recover the cost of claims paid by CMS on the applicant's/beneficiary's behalf. Liens are not initiated until the beneficiary is no longer active to CMS and CMS has paid claims of \$5,000 or more on the beneficiary's behalf.

Failure to complete the CMS Lien does not affect GR eligibility.

Required Action The table below shows the actions that the worker must take for the CMS Lien process.

Step	Action
1	Require the applicant/recipient to complete and sign the CMS Lien and Lien Information forms at the same time that they are completing and signing the GR Lien and Lien Information Forms

Continued on next page

General Relief (GR) Program Guide Letter #46, Continued

Required Action (continued)

Step	Action
2	Provide the Lien Acknowledgement Statement (CMS-123A) to all Spanish-speaking applicants.
3	Ensure that English speaking applicants sign the CMS-122 and CMS-123 in English. Spanish speaking applicants must sign the CMS-122 and CMS-123 in English and Spanish in addition to the CMS-123A.
4	Send the original signed CMS Lien forms to central files (MS O-557A) where they will be held until the CMS case closes and total cumulative paid claims total \$5,000 or more.

Failure to Complete CMS Lien

If the applicant/recipient fails to complete and/or sign the CMS Lien, then eligibility for CMS will be denied/discontinued. This does not affect GR eligibility. The \$40 Medical Expense Deduction will continue to be counted against the GR grant for these individuals.

Automation Impact

No impact.

Forms Impact

The CMS-122, CMS-123, and CMS-123A are uploaded into iWay and are to be ordered.

Quality Assurance Impact

Effective with the February 2008 review month, Quality Assurance will cite with the appropriate error any case that does not follow the requirements of this letter.

Summary of Change

The table below shows the changes in the Program Guide.

Article/Section	Changes
GRPG 90-256	CMS Lien information added.

Continued on next page

General Relief (GR) Program Guide Letter #46, Continued

**Filing
Instructions**

The table below shows how to file the Program Guide material.

Action	Pages
Remove	GRPG 90-250-13 through 90-250-14
Replace	GRPG 90-250-13 through 90-250-15

**Manager
Approval**

ORIGINAL SIGNED BY:

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