

**County of San Diego, Health and Human Services Agency (HHSA)
Medi-Cal Program Guide (MPG) Letter**

Out-Of-Pocket Personal Care Services Costs Used to Meet the Medi-Cal Share-Of-Cost (SOC) for In-Home Supportive Services (IHSS) Recipients

Number

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Issue Date:

5/13/2015

Effective Date:

Upon Receipt

Purpose:

To provide staff clarification for applying out-of-pocket personal care services expenses to the Medi-Cal share-of-cost (SOC) for In-Home Supportive Services (IHSS) recipients.

Background:

IHSS provides homemaker and personal care assistance to low income recipients who need assistance in the home to remain independent. These in-home services are provided by independent providers/IHSS providers/homemakers. Limitations were set in place for the use of out-of-pocket costs for personal care services to lower income in determining the Medi-Cal SOC.

Policy Change:

Out-of-pocket expenses for personal care services assessed and approved by county IHSS programs are no longer allowed as an income deduction to lower income in determining the Medi-Cal SOC. These services are provided as a Medi-Cal benefit and out-of-pocket costs for personal care services can be used to meet the Medi-Cal Share of Cost (SOC). Refer to [MPG 5.21](#).

Summary of Changes:

[MPG 5.21](#):

- Reformatted section using new template and removed obsolete and unnecessary information
- Added section to inform staff that out-of-pocket personal care services expenses can be used to meet the Medi-Cal SOC

Changes to the MPG are noted with **highlighted** text within the Article/Section.

Impact:

Automation:

No impact.

Forms and Document Capture:

No impact.

Programs Affected:

No impact to other program(s)

Quality Control:

QC will cite the appropriate error on any case that does not comply with the requirements outlined in this letter.

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(IHSS) Recipients**

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References:

[ACWDL 15-02](#)

Sunset Date:

This policy will be reviewed for continuance by 5/31/2018.

Approval for Release:



Rick Wanne, Director
Eligibility Operations

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In-Home Supportive Services (IHSS)

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Background:

In-Home Supportive Services (IHSS) provides homemaker and personal care assistance to low income individuals who need assistance in the home to remain independent. These in-home services are provided by independent providers/IHSS providers/homemakers.

Individuals applying for or receiving IHSS must have a Medi-Cal eligibility determination completed **before** in-home services are authorized.

IHSS Programs

The following programs provide in-home services:

- IHSS Plus Option (Aid Code 2L)
- Personal Care Services Program (PCSP) (Aid Code 2M)
- IHSS Residual (Aid Code 2N)

The above aid codes will be reported to MEDS via CMIPS and NOT entered by the Medi-Cal worker into CalWIN.

Policy:

5.21.1A: IHSS Programs

1. IHSS Plus Option (Aid Code 2L)

To qualify for IHSS Plus Option, Medi-Cal eligibility is required. Individuals not receiving Supplemental Security Income/State Supplemental Program (SSI/SSP) or other Medi-Cal linked cash-based programs (i.e. CalWORKs, Refugee Cash Assistance [RCA], Foster Care, or Adoptions Assistance Program [AAP]) must be determined eligible for federally funded full-scope Medi-Cal and qualify for in-home services through a needs assessment completed by an IHSS Social Worker (SW).

2. Personal Care Services Program (PCSP) (Aid Code 2M)

To qualify for PCSP, individuals not receiving SSI/SSP or Medi-Cal linked to a cash-based program must be determined eligible for federally funded full-scope Medi-Cal and be found in need of personal care services through a needs assessment completed by an IHSS SW.

3. IHSS Residual (Aid Code 2N)

IHSS Residual Program services will be available to individuals who are eligible under current IHSS regulations but are not eligible for federally funded full-scope Medi-Cal.

5.21.1B: Case Processing

1. Application

The MC 210 application or authorized substitutes and related forms are used to complete the Medi-Cal determination. Note: The Medi-Cal application packet must contain a DDS packet for cases where the applicant's disability has not already been determined.

2. Redetermination

The MC 210RV and related forms are used to complete the annual redetermination.

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3. Share-of-Cost (SOC)

Individuals with a SOC are treated as Medically Needy individuals with a SOC. The SOC may be met with any medical service (including payments to the IHSS provider) and out-of-pocket expenses for personal services.

4. IHSS Plus Option Income

Payments made under the IHSS Plus Option are exempt as income and property. These exempt payments include:

- Caregiver wages that are paid to a parent of an IHSS Plus Option minor child recipient for services provided to that child
- Caregiver wages that are paid to a spouse of an IHSS Plus Option recipient for services provided to that recipient
- Restaurant meal allowances from IHSS for the IHSS Plus Option recipient
- The advance payments made to IHSS Plus Option recipients to pay their caregivers directly for services provided under the IHSS Plus Option

5. In-Home Caregiver Wages

In-home caregiver wages received by a spouse or parent for the care of their spouse or minor child in receipt of federal, state or local government in-home services program shall be exempt as income and property for Medi-Cal purposes. This exemption includes payments received by a parent or spouse of an IHSS Residual recipient.

6. In-Home Care Services Payments

Payments made by Department of Health Care Services (DHCS) to an in-home care recipient for the purpose of purchasing in-home care services, including restaurant meals, shall be exempt as income and property for Medi-Cal purposes.

7. Out-of-Pocket Personal Care Expenses

Personal care services are services required to perform the activities of daily living. These services are assessed and approved by IHSS. These services are provided as a Medi-Cal benefit and the out-of-pocket expenses for such services may be used towards meeting the Medi-Cal SOC. Because the personal care services can be used to meet the Medi-Cal SOC, they may not be used as an income deduction.

Procedure:

05.21.2 Medi-Cal Application and Redetermination Processing

A. Application

Complete a Medi-Cal eligibility determination using Medi-Cal rules, forms, and Notices of Actions (NOAs) for all applicants or recipients of IHSS. Note: The IHSS Needs Assessment can be completed by the IHSS SW at any time during this process.

B. Out-stationed Workers

Process IHSS related Medi-Cal referrals according to the procedures outlined in [MPG Article 4, Section 2](#), [MPG Article 4, Section 3](#), and [Medi-Cal Processing Guide CMIPS II Interface Activities](#).

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C. A&D FPL Program

The Medi-Cal determination is separate from the IHSS determination. Determine potential eligibility to the A&D FPL according to the procedures outlined in [MPG Article 5, Section 19](#).

D. DDSD

For cases which require a disability determination, follow the DDSD requirements outlined in [MPG Article 5, Section 4](#) with the following exception:

- These pending cases will not be forwarded to the Continuing Banks until final approval of DDSD has been received by the FRC of record.

E. CalWORKs Discontinuance

When a CalWORKs recipient who is also receiving IHSS is discontinued and there is no other Medi-Cal eligibility (i.e. Transitional Medi-Cal [TMC] or 1931[b]), contact the IHSS SW to request a copy of the DDSD determination. An indication of IHSS services will be the 2L, 2M or 2N Aid Code on the Special Programs (INQ1) screen on MEDS. If the DDSD determination shows that the recipient is disabled and the reexamination date has not passed, use that determination for Medi-Cal eligibility.

05.21.3 Redetermination

Each FRC is responsible for completing the annual redetermination of these cases according to the procedures outlined in [MPG Article 4, Section 15](#) and [Medi-Cal Processing Guide CMIPS II Interface Activities](#).

05.21.4 Case Location

The Medi-Cal case with an associated IHSS case will be located at respective FRC based on zip code.

References:

- ACL 05-05
- ACL 05-05 Errata
- [ACWDL 05-21](#)
- [ACWDL 05-26](#)
- [ACWDL 05-29](#)
- [ACWDL 07-02](#)
- [ACWDL 15-02](#)
- MPG Letter 580
- [MPG Letter 616](#)
- [MPG Letter 739](#)
- County Policy

Release Date:

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Sunset Date:

This policy will be reviewed for continuance by May 31, 2018.