



## Consortium Request for Policy Clarification (CRPC) to DHCS

### DHCS Tracking # 2075

<b>1. Requester Name and Consortium:</b> Elisa Miller/CalSAWS	<b>2. Subject:</b> Child/Medical Support Enforcement Non-Cooperation
<b>3. Phone No:</b> 562-651-2796	<b>4. Reference(s) :</b> ( ACWDL, MEDIL, etc.) ACWDL 02-37 ACWDL 02-59, MEPM 23B-3-4, ACWDL 20-04
<b>5. Date of Request: 5/17/2021</b>  <b>Response Due Date: 6/1/2021</b>	<b>6. Date closed:</b>

**1) What is the Consortium question?**

Per MEPM 23B-3-4:

When an Applicant or Recipient parent or caretaker relative of a child for whom aid is sought refuses or fails to cooperate with the DA in paternity establishment or child support enforcement this individual remains a member of the assistant unit (AU), the AU cash grant is reduced by 25 percent, and this individual will be denied Medi-Cal. If otherwise eligible, the members of the AU are granted or continue to receive Medi-Cal benefits. The Notice of Action will need to state that the AU cash grant will be reduced and the custodial parent will be ineligible for Medi-Cal. There will be no Edwards for these cases because the custodial parent will not be discontinued or denied CaWORKs. The AU will receive a cash grant. Can Medi-Cal benefits be denied by the CalWORKs county staff? Yes, because medical support is part of the definition of Child Support under federal law as defined above, and the county staff must deny or discontinue Medi-Cal if there is a determination of noncooperation by the FSD/DA and the cash grant is reduced by 25 percent.

**Question 1:** Is the 970 MEDS restriction code sent to MEDS simultaneous with the 25% grant reduction action?

- a. If no, what additional actions should take place and at what point should the restriction code be sent?

**Question 2:** ACWDL 02-59-Enclosure 1 states that If the parent or caretaker relative is discontinued from CalWORKs for failure to cooperate with child/medical support, there is no aid code 38 eligibility. Is the discontinued parent/caretaker relative evaluated for any other Medi-Cal programs?

a. If yes, what is the process?

2) DHCS response:

Date: 5/24/2021

**Question 1--DHCS Response:** Yes, the restriction code is applied the same month as the grant reduction. Per ACWDL 02-37, counties must use the appropriate restriction code (970 or 971) for applicants or recipients who become ineligible for Medi-Cal because they do not cooperate with medical support enforcement. Please note that counties must not discontinue Medi-Cal benefits for failure to cooperate with Medical Support Enforcement as long as the Public Health Emergency remains in effect (See MEDIL I 20-25).

**Question 2--DHCS Response:** No. The parent or caretaker relative is not evaluated for any other Medi-Cal program in this situation. Per ACWDL 02-37, when an applicant, custodial parent, or caretaker relative of a child for whom CalWORKs aid is sought refuses or fails to cooperate in paternity establishment or medical support enforcement, this individual is ineligible for Medi-Cal benefits. No redetermination is necessary. And, the case shall be discontinued. Please note that counties must not discontinue Medi-Cal benefits for failure to cooperate with Medical Support Enforcement as long as the Public Health Emergency remains in effect.