



TOBY DOUGLAS
Director

State of California—Health and Human Services Agency
Department of Health Care Services



EDMUND G. BROWN JR.
Governor

September 4, 2012

TO: ALL COUNTY WELFARE DIRECTORS Letter No.: 12-22
ALL COUNTY WELFARE ADMINISTRATIVE OFFICERS
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS
ALL COUNTY HEALTH EXECUTIVES
ALL COUNTY MENTAL HEALTH DIRECTORS
ALL COUNTY MEDS LIAISONS

SUBJECT: MEDI-CAL ELIGIBILITY FOR JUVENILES PLACED TEMPORARILY IN
JUVENILE DETENTION CENTERS

The purpose of this All County Welfare Director's Letter (ACWDL) is to provide County Welfare Departments (CWDs) with clarification of Medi-Cal Eligibility Procedural Manual (MEPM) Article 6 (Institutional Status) with respect to the Medi-Cal eligibility of juveniles awaiting placement.

Eligibility of Juveniles Awaiting Placement

Current MEPM guidelines indicate that, for Medi-Cal purposes, a juvenile who is

"in a detention center due to care, protection, or in the best interest of the child is not an 'inmate of a public institution' if there is a specific plan for him/her that makes the stay temporary (one to two months). He/She may be eligible for Medi-Cal."

The reference to "one to two months" in current MEPM guidelines must not be interpreted as a limitation of Medi-Cal eligibility for eligible juveniles. Current Medi-Cal regulations do not place any time limits on Medi-Cal eligibility for eligible juveniles who reside in a juvenile detention center for care, protection, or in the best interest of the juvenile.

Specifically, Title 22, California Code of Regulations (CCR), Section 50273(c)(5) provides that a juvenile shall not, for Medi-Cal purposes, be considered an inmate of a public institution when:

“A minor [is] in a juvenile detention center prior to disposition (judgment) due to care, protection or in the best interest of the child (e.g., Child Protective Services) if there is a specific plan for that person that makes the stay at the detention center temporary. This would include those juveniles awaiting placement but still physically present in juvenile hall.”

The Department of Health Care Services (DHCS) will update MEPM Article 6 to reflect this clarification via a separate letter. In general terms, a juvenile who is incarcerated due to criminal activity, including but not limited to a juvenile being held or awaiting adjudication due to criminal activity, is not eligible for Medi-Cal. Therefore, his or her benefits must be suspended as required by ACWDL 10-06. However, a juvenile who is awaiting placement or residing in a juvenile detention center for his or her protection is eligible for Medi-Cal if all eligibility requirements are met.

NOTE: This letter does not address the coverage of inpatient services provided off of the grounds to eligible incarcerated juveniles. DHCS will provide instructions on implementation of that Medi-Cal coverage in a subsequent ACWDL.

Instructions to Counties

Effective immediately, counties must not limit the duration of Medi-Cal for eligible juveniles who are temporarily residing in a juvenile detention center due to care, protection, or in the best interest of the juvenile in accordance with 22 CCR Section 50273(c)(5).

If you have any questions regarding this letter please contact Mr. Thomas (Antonio) Weary at (916) 552-9496 by phone or by email at twear@dhcs.ca.gov

Original signed by

Azadeh Fares, Acting Chief
Medi-Cal Eligibility Division