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WELFARE AND INSTITUTIONS CODE - WIC

DIVISION 9. PUBLIC SOCIAL SERVICES [10000 - 18999.98] (*Division 9 added by Stats. 1965, Ch. 1784.*)

PART 3. AID AND MEDICAL ASSISTANCE [11000 - 15771] (*Part 3 added by Stats. 1965, Ch. 1784.*)

CHAPTER 7. Basic Health Care [14000 - 14199.87] (*Chapter 7 added by Stats. 1965, 2nd Ex. Sess., Ch. 4.*)

ARTICLE 4.4. Dialysis, Parenteral Hyperalimentation, and Related Services [14140 - 14144.5] (*Heading of Article 4.4 amended by Stats. 1980, Ch. 1240, Sec. 1.*)

14140. The following definitions shall apply to the provisions of this article:

(a) "Net worth" means:

(1) Personal property, which consists of cash, savings accounts, securities, and similar items; notes, mortgages, and deeds of trust; the cash surrender value of life insurance on the life of the applicant or beneficiary, on the life of the spouse, or any member of the family, except as provided in Section 11158; motor vehicles, except one which meets the transportation needs of the person or family; any other property or equity other than real estate, except that property specified in subdivisions (1), (2), and (3) of Section 11155.

(2) Real property, including any interest in land of more than nominal interest which does not constitute the home of the applicant for aid under this chapter. The home of the applicant shall be exempt from consideration as net worth under this section to the extent of ten thousand dollars (\$10,000) in assessed valuation, as assessed by the county assessor.

(3) "Income" which consists of the sum of adjusted gross income as used for purposes of the Federal Income Tax Law.

(b) "Family unit" means:

(1) In the case of a patient who is not married or in a registered domestic partnership and is under 21 years of age living with his or her parent or parents, the patient and his or her parents.

(2) In the case of a patient who is married or in a registered domestic partnership and is under 21 years of age, the patient and his or her spouse.

(3) In the case of a patient over 21 years of age, the patient, and if married or in a registered domestic partnership, the patient's spouse.

(Amended by Stats. 2016, Ch. 50, Sec. 123. (SB 1005) Effective January 1, 2017.)

14141. Net worth liability shall be determined as of the time of the initial dialysis or parenteral hyperalimentation treatment and shall be reevaluated each year by the department.

(Amended by Stats. 1980, Ch. 1240, Sec. 2.)

14142. Notwithstanding Section 14005.4 or 14005.7, a person who is otherwise eligible for dialysis and related services under Section 14005.4 or 14005.7, except for his or her income and resource eligibility, is eligible for dialysis and related services under Medi-Cal pursuant to this article, as follows:

(a) A person in a family unit with a net worth of less than five thousand dollars (\$5,000) shall not be liable to pay for dialysis and related services.

(b) A person in a family unit with a net worth of five thousand dollars (\$5,000) or above shall pay 2 percent of the cost of dialysis and related services for each five thousand dollars (\$5,000) of net worth, up to a maximum net worth of two hundred fifty thousand

dollars (\$250,000). Persons in a family unit with a net worth above two hundred fifty thousand dollars (\$250,000) shall not be eligible to receive dialysis under Medi-Cal.

(Amended by Stats. 1990, Ch. 833, Sec. 1. Effective September 14, 1990.)

14142.5. Notwithstanding Section 14005.4 or 14005.7, a person requiring parenteral hyperalimentation and related services is eligible for these services under Medi-Cal pursuant to this section, as follows:

(a) A person in a family unit with a net worth of less than five thousand dollars (\$5,000) shall not be liable to pay for parenteral hyperalimentation and related services.

(b) A person in a family unit with a net worth of five thousand dollars (\$5,000) or above shall pay 2 percent of the cost of parenteral hyperalimentation and related services for each five thousand dollars (\$5,000) of net worth, up to a maximum net worth of two hundred fifty thousand dollars (\$250,000). Persons in a family unit with a net worth above two hundred fifty thousand dollars (\$250,000) shall not be eligible to receive parenteral hyperalimentation under Medi-Cal.

(Added by Stats. 1990, Ch. 833, Sec. 2. Effective September 14, 1990.)

14143. The health care benefits and services specified in this article, to the extent that such benefits and services are neither provided under any other federal or state law nor provided nor available under other contractual or legal entitlements of the person, shall be provided to any dialysis or parenteral hyperalimentation patient who is a resident of this state and is made eligible by the provisions of this article. After such dialysis or parenteral hyperalimentation patient has utilized such contractual or legal entitlements, the percentages of payment liability under Section 14142 shall then be applied to the remaining cost of dialysis or parenteral hyperalimentation.

(Amended by Stats. 1980, Ch. 1240, Sec. 4.)

14144. The provisions of this article do not apply to indigent dialysis or parenteral hyperalimentation patients who are otherwise eligible for Medi-Cal or to any person eligible for renal dialysis under the provisions of Public Law 92-603 (H.R. 1).

(Amended by Stats. 1980, Ch. 1240, Sec. 5.)

14144.5. Notwithstanding any provision of this article or of any other statute to the contrary, any person who is eligible under Section 14005.4 or 14005.7 for dialysis, parenteral hyperalimentation, and related services and who is employed and individually earning an amount which exceeds the minimum needs standard, and who receives dialysis services either through a self-dialysis unit of a dialysis clinic or through home dialysis or who receives parenteral hyperalimentation services through self-parenteral hyperalimentation, shall be eligible for dialysis, parenteral hyperalimentation, and related services under Medi-Cal pursuant to this article and shall, after utilizing other contractual or legal entitlements pursuant to Section 14143, be liable to pay only the amounts specified in subdivision (b) of Section 14142, except that such percentage obligations shall be 1 percent for each five thousand dollars (\$5,000) of family unit net worth up to a maximum net worth of five hundred thousand dollars (\$500,000). Persons eligible for services under this section shall not be subject to Section 14144.

(Added by renumbering Section 14145 (as amended by Stats. 1980, Ch. 1240) by Stats. 1981, Ch. 714, Sec. 474.)