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Title 22@ Social Security

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Division 3@ Health Care Services

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Subdivision 1@ California Medical Assistance Program

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Chapter 2@ Determination of Medi-Cal Eligibility and Share of Cost

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Article 4@ Beneficiary Application Process

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Section 50167@ Verification-Prior to Approval

50167 Verification-Prior to Approval

(a)

With regard to information on the Statement of Facts, the county department shall obtain verification of the following items in the manner specified below, prior to approval of eligibility: (1) Blindness, as determined in accordance with Section 50219, and federal disability, as determined in accordance with Section 50223(a)(1) or (b), shall be verified by any of the following methods: (A) By determining that the person was eligible as an MN person on the basis of blindness or disability in December 1973, and that there has been continuing eligibility since that time. (B) By obtaining verification that a prior determination of blindness or disability is still valid. Verification shall be documented by viewing any of the following or similar items and noting in the case record the date of the award letter or notification and the disability onset and reexamination dates: 1. A Social Security Administration Title II award letter indicating receipt of disability benefits provided the reexamination date has not passed or a reexamination date is not indicated and the applicant is still receiving those benefits. 2. A Social Security Administration notification that Title II disability benefits have been increased or decreased provided the applicant is still receiving those benefits. 3. A Railroad Retirement Board notification of a total and permanent disability award provided the applicant is still receiving those benefits. 4. A signed statement from the Social Security Administration that states that the person is eligible for Title II

benefits on the basis of a disability. 5. Documentation of a prior determination of disability under the MN program, if the determination was performed within the last 12 months unless: a. The reexamination date has passed. b. The applicant indicates his/her physical or mental condition has improved. 6. Data on the SDX or a signed statement from the Social Security Administration indicating that a person was discontinued from SSI/SSP for reasons other than cessation of disability provided the procedures specified in (D) are followed within twelve months of the SSI/SSP discontinuance date. (C) By obtaining a letter from a physician verifying any of the physical or mental impairments meeting the federal definition of presumptive disability or blindness contained in Title 20, Code of Federal Regulations, Section 416.934, provided the procedures specified in (D) are followed after eligibility is determined. (D) By following procedures established by the California Department of Social Services, Disability Evaluation Division. All necessary information shall be submitted to that division not later than 10 days after the receipt of the Statement of Facts by the county, except in the event of a delay due to circumstances beyond the control of the county. (2) Incapacity, as defined in Section 50211, shall be verified by viewing one of the following: (A) A current Medical Report form or written statement signed by a physician, licensed or certified psychologist or authorized member of their staff which documents that incapacity exists and gives the expected duration of the condition. (B) A current Certificate of Disability form. (C) Documentation of current receipt of Title II or Railroad Retirement disability benefits. (D) Documentation of current receipt of SSI/SSP benefits based on disability or blindness. (E) Documentation of current receipt of State Disability Insurance (SDI) or Worker's Compensation. (F) If a current Medical Report form or a written statement cannot be obtained without delay, and no other verification of incapacity exists, a verbal statement from one

of the persons specified in (A) shall be accepted as verification for up to 60 days pending receipt of written verification. (3) Alien status shall be verified in accordance with the alienage verification and documentation procedures described in Article 7. (4) The fact that the parents and a public or private agency will not accept legal responsibility for a child shall be verified by documented verbal or written communication with the parents and agencies, if the child is applying alone on the basis that neither the parents nor an agency will accept legal responsibility. (5) SGA disability, as determined in accordance with Section 50223(a) (2), shall be verified by following procedures established by the Department of Social Services, Disability Evaluation Division. All necessary information shall be submitted to the Department of Social Services by the county not later than 10 days after the receipt of the Statement of Facts by the county, except in the event of a delay due to circumstances beyond the control of the county. (6) Identity of all persons other than those listed in (D). Identity shall be verified by viewing one of the following: (A) California driver's license. (B) Identification card issued by the Department of Motor Vehicles. (C) Any other document which appears to be valid and establishes identity. (D) Persons who are:

1. In an institution and contact is made with the facility to verify presence in the institution.
2. Receiving Medi-Cal through the Aid for Adoption of Children program.
3. Children in a family, if identity of one parent has been verified
4. Children requesting Medi-Cal for minor consent services in accordance with Section 50147.1.
5. MI children who are not living with a parent or relative and for whom a public agency is assuming financial responsibility in whole or in part.
6. Not acting on their own behalf and a government representative, such as a public guardian, is acting for them.
7. The spouse of a person whose identity has been verified.

(7) The following income and resources: (A) Unearned income, which shall be verified

by viewing any of the following: 1. Data from the IEVS which confirms information on the Statement of Facts. 2. Checks or copies of checks. County departments shall not require copies of checks issued by the United States Government. 3. Award letters. 4. Signed statements from persons or organizations providing the income. 5. Check stubs. 6. Statements from checking, savings or trust fund accounts which indicate that the income is directly deposited for the applicant or beneficiary by the persons or organizations providing the income. 7. The statement of the person completing the Statement of Facts, for income received from the United States Government. This statement shall constitute verification pending receipt by the county department of verification from appropriate government agency, when the verification in 1 through 6 cannot be provided. (B) Income in kind, which shall be verified by a written statement from the provider of the items of need. Verification shall be limited to those items which the applicant is claiming have a lower value than the values established in accordance with Section 50511(b). (C) Earned income, which shall be verified by viewing paycheck stubs. If paycheck stubs are not available, a signed statement from the employer verifying the amount and frequency of the payments shall be obtained. If an individual is self-employed, records kept by such individual for tax purposes shall be viewed. 1. Therapeutic Wages as defined in Section 50095.5 shall be verified by obtaining all of the following: a. A statement from the individual's physician which provides that he/she has no financial interest in the LTC facility in which the individual resides and that the work has been prescribed as therapy for the individual. b. A statement from the facility in which the individual resides verifying the individual's employment by that facility and that such employment does not displace any existing employees. c. A statement(s) from the facility(ies) verifying that the individual has been an LTC resident for a continuous period commencing at least

five years prior to September, 1984. d. The provisions of this regulation also apply to eligibility determination or redeterminations made retroactively to October 1, 1984. (D) Fluctuating income, which shall be verified by viewing check stubs or a copy of the checks that show the amount of income. If these are not available a signed statement from the person or organization making the payments verifying the amount and frequency of the payments shall be obtained. (E) Child care costs, which shall be verified by viewing receipts and/or canceled checks. (F) Cost of care for an incapacitated person while someone else is employed, which shall be verified by viewing receipts and/or canceled checks. (G) Deductible expenses for maintenance or improvement of income-producing property, as defined in Section 50508, which shall be verified by viewing actual receipts for such services or a signed statement from the person providing the service or goods verifying the nature and cost of the service or goods. (H) The market value of real property, other than the principal residence, which shall be verified by viewing any of the following: 1. A current incorporated tax statement from the county Tax Assessor's Office. 2. Records maintained by the County Tax Assessor. 3. A written statement from a qualified real estate appraiser which gives the appraisal value of the property, when the applicant chooses to meet the conditions of Section 50412(a)(3). (I) Checking or savings account balances, which shall be verified by viewing either of the following: 1. A current account statement from the institutions holding the funds. 2. Signed correspondence from the institution holding the funds. (J) The value of stocks, bonds and mutual funds, which shall be verified by both: 1. Viewing the certificate or a signed statement from the issuing institution stating a description of the investment, including the number of shares owned. 2. Taking one of the following actions: a. Telephone contact with a recognized stock exchange broker to establish at the current selling price of the

property. b. Establishment of the current selling price of the property through listings in a current newspaper. (K) U.S. Savings Bonds values, which shall be verified by viewing the bond and by contacting any bank or institution where such bonds may be liquidated. (L) The value of deeds of trusts, mortgages and other promissory notes, which shall be verified by both: 1. Viewing documents which state a description of the item. 2. Taking one of the following actions: a. Viewing documents from the lender which establish the principal amount remaining on the note. b. Viewing an appraisal obtained from a party qualified to appraise mortgages and notes as described in Section 50441(c)(2). c. Making a telephone contact with a recognized broker who buys, sells or appraises such items. (M) The value of nonexempt motor vehicles, boats, campers or trailers, which shall be verified by viewing the appropriate document as follows: 1. Vehicle registration. 2. Appraisal statements when obtained pursuant to Sections 50461 and 50463. (N) The cash surrender value of nonexempt life insurance policies, which shall be verified by viewing either of the following: 1. The value tables included in the policy. 2. Signed correspondence from the carrier indicating the current value. (O) The value of nonexempt jewelry, which shall be verified by reviewing the appraisal statements. (P) The value of burial trusts or prepaid burial contracts, which shall be verified by viewing the actual trust or contract or by viewing signed correspondence from the trustor or contractor which details its value. (Q) The value of nonexempt property held in trust, which shall be verified by viewing either of the following: 1. A document indicating the trust's current value, executed by the trustor or executor. 2. An appraisal of the property obtained by the applicant from an agent qualified to appraise such property. (R) Encumbrances of record on any item of property subject to verification, which shall be verified by either of the following: 1. A payment book issued by the institution or person holding the

encumbrance which indicates the current amount of the encumbrance. 2. Written correspondence stating the amount of the encumbrance obtained by the applicant from the institution or person holding the encumbrance. (S) The value of oil leases or mineral rights which shall be verified by one of the following: 1. Written or telephone contact with a member of a recognized professional appraisal society which establishes the current market value of the lease or right. 2. Viewing records maintained by the county tax assessor where the lease or right is located. 3. Written or telephone contact with the company/organization developing the natural resource which establishes the current market value. (T) Health care benefits available through employment, retirement or military service which shall be verified by viewing those insurance policies which specifically name the applicant, health benefit identification cards, or letters from health care benefit providers. Health care benefits available through work related injuries or settlements from prior injuries shall be verified by viewing letters from the Workmen's Compensation Board, employers, or insurance companies. (U) Application for unconditionally available income as determined in accordance with Section 50186, which shall be verified by viewing: 1. A Veterans Benefit Referral form, referral for veterans benefits. 2. Application printouts for disability insurance benefits. 3. Application printouts for unemployment insurance benefits. 4. Application receipts for OASDI benefits. 5. Application receipts for any other unconditionally available income source. (V) Employee retirement contributions and other employee benefit contributions which shall be verified by viewing a statement from the employer. (8) Except for women applying for minor consent services under Section 50147.1, a woman whose eligibility or share of cost is based on pregnancy shall provide a letter of verification from either a physician or a person certified as a nurse practitioner, midwife or physician's assistant. (9)

Property as defined in Section 50425(a)(7) is listed for sale with a licensed real estate broker at its fair market value and a bona fide attempt is being made to sell such property. This shall be verified by viewing a listing contract and appraisal from a qualified real estate appraiser. (10) California residency shall be verified in accordance with Sections 50320.1 and 50320.2.

(1)

Blindness, as determined in accordance with Section 50219, and federal disability, as determined in accordance with Section 50223(a)(1) or (b), shall be verified by any of the following methods: (A) By determining that the person was eligible as an MN person on the basis of blindness or disability in December 1973, and that there has been continuing eligibility since that time. (B) By obtaining verification that a prior determination of blindness or disability is still valid. Verification shall be documented by viewing any of the following or similar items and noting in the case record the date of the award letter or notification and the disability onset and reexamination dates: 1. A Social Security Administration Title II award letter indicating receipt of disability benefits provided the reexamination date has not passed or a reexamination date is not indicated and the applicant is still receiving those benefits. 2. A Social Security Administration notification that Title II disability benefits have been increased or decreased provided the applicant is still receiving those benefits. 3. A Railroad Retirement Board notification of a total and permanent disability award provided the applicant is still receiving those benefits. 4. A signed statement from the Social Security Administration that states that the person is eligible for Title II benefits on the basis of a disability. 5. Documentation of a prior determination of disability under the MN program, if the determination was performed within the last 12 months unless: a. The reexamination date has passed. b. The applicant indicates his/her physical or mental condition has improved. 6. Data on the SDX or a signed statement from the

Social Security Administration indicating that a person was discontinued from SSI/SSP for reasons other than cessation of disability provided the procedures specified in (D) are followed within twelve months of the SSI/SSP discontinuance date. (C) By obtaining a letter from a physician verifying any of the physical or mental impairments meeting the federal definition of presumptive disability or blindness contained in Title 20, Code of Federal Regulations, Section 416.934, provided the procedures specified in (D) are followed after eligibility is determined. (D) By following procedures established by the California Department of Social Services, Disability Evaluation Division. All necessary information shall be submitted to that division not later than 10 days after the receipt of the Statement of Facts by the county, except in the event of a delay due to circumstances beyond the control of the county.

(A)

By determining that the person was eligible as an MN person on the basis of blindness or disability in December 1973, and that there has been continuing eligibility since that time.

(B)

By obtaining verification that a prior determination of blindness or disability is still valid. Verification shall be documented by viewing any of the following or similar items and noting in the case record the date of the award letter or notification and the disability onset and reexamination dates: 1. A Social Security Administration Title II award letter indicating receipt of disability benefits provided the reexamination date has not passed or a reexamination date is not indicated and the applicant is still receiving those benefits. 2. A Social Security Administration notification that Title II disability benefits have been increased or decreased provided the applicant is still receiving those benefits. 3. A Railroad Retirement Board notification of a total and permanent disability award provided the applicant is still receiving those benefits. 4. A signed statement from the Social Security Administration that states that the person is eligible for Title II benefits on the basis of a disability. 5.

Documentation of a prior determination of disability under the MN program, if the determination was performed within the last 12 months unless: a. The reexamination date has passed. b. The applicant indicates his/her physical or mental condition has improved. 6. Data on the SDX or a signed statement from the Social Security Administration indicating that a person was discontinued from SSI/SSP for reasons other than cessation of disability provided the procedures specified in (D) are followed within twelve months of the SSI/SSP discontinuance date.

1.

A Social Security Administration Title II award letter indicating receipt of disability benefits provided the reexamination date has not passed or a reexamination date is not indicated and the applicant is still receiving those benefits.

2.

A Social Security Administration notification that Title II disability benefits have been increased or decreased provided the applicant is still receiving those benefits.

3.

A Railroad Retirement Board notification of a total and permanent disability award provided the applicant is still receiving those benefits.

4.

A signed statement from the Social Security Administration that states that the person is eligible for Title II benefits on the basis of a disability.

5.

Documentation of a prior determination of disability under the MN program, if the determination was performed within the last 12 months unless: a. The reexamination date has passed. b. The applicant indicates his/her physical or mental condition has improved.

a.

The reexamination date has passed.

b.

The applicant indicates his/her physical or mental condition has improved.

6.

Data on the SDX or a signed statement from the Social Security Administration indicating that a person was discontinued from SSI/SSP for reasons other than cessation of disability provided the procedures specified in (D) are followed within twelve months of the SSI/SSP discontinuance date.

(C)

By obtaining a letter from a physician verifying any of the physical or mental impairments meeting the federal definition of presumptive disability or blindness contained in Title 20, Code of Federal Regulations, Section 416.934, provided the procedures specified in (D) are followed after eligibility is determined.

(D)

By following procedures established by the California Department of Social Services, Disability Evaluation Division. All necessary information shall be submitted to that division not later than 10 days after the receipt of the Statement of Facts by the county, except in the event of a delay due to circumstances beyond the control of the county.

(2)

Incapacity, as defined in Section 50211, shall be verified by viewing one of the following: (A) A current Medical Report form or written statement signed by a physician, licensed or certified psychologist or authorized member of their staff which documents that incapacity exists and gives the expected duration of the condition. (B) A current Certificate of Disability form. (C) Documentation of current receipt of Title II or Railroad Retirement disability benefits. (D) Documentation of current receipt of SSI/SSP benefits based on disability or blindness. (E) Documentation of current receipt of State Disability Insurance (SDI) or Worker's Compensation. (F) If a current Medical Report form or a written statement cannot be obtained without delay, and no other verification of

incapacity exists, a verbal statement from one of the persons specified in (A) shall be accepted as verification for up to 60 days pending receipt of written verification.

(A)

A current Medical Report form or written statement signed by a physician, licensed or certified psychologist or authorized member of their staff which documents that incapacity exists and gives the expected duration of the condition.

(B)

A current Certificate of Disability form.

(C)

Documentation of current receipt of Title II or Railroad Retirement disability benefits.

(D)

Documentation of current receipt of SSI/SSP benefits based on disability or blindness.

(E)

Documentation of current receipt of State Disability Insurance (SDI) or Worker's Compensation.

(F)

If a current Medical Report form or a written statement cannot be obtained without delay, and no other verification of incapacity exists, a verbal statement from one of the persons specified in (A) shall be accepted as verification for up to 60 days pending receipt of written verification.

(3)

Alien status shall be verified in accordance with the alienage verification and documentation procedures described in Article 7.

(4)

The fact that the parents and a public or private agency will not accept legal responsibility for a child shall be verified by documented verbal or written

communication with the parents and agencies, if the child is applying alone on the basis that neither the parents nor an agency will accept legal responsibility.

(5)

SGA disability, as determined in accordance with Section 50223(a) (2), shall be verified by following procedures established by the Department of Social Services, Disability Evaluation Division. All necessary information shall be submitted to the Department of Social Services by the county not later than 10 days after the receipt of the Statement of Facts by the county, except in the event of a delay due to circumstances beyond the control of the county.

(6)

Identity of all persons other than those listed in (D). Identity shall be verified by viewing one of the following: (A) California driver's license. (B) Identification card issued by the Department of Motor Vehicles. (C) Any other document which appears to be valid and establishes identity. (D) Persons who are: 1. In an institution and contact is made with the facility to verify presence in the institution. 2. Receiving Medi-Cal through the Aid for Adoption of Children program. 3. Children in a family, if identity of one parent has been verified 4. Children requesting Medi-Cal for minor consent services in accordance with Section 50147.1. 5. MI children who are not living with a parent or relative and for whom a public agency is assuming financial responsibility in whole or in part. 6. Not acting on their own behalf and a government representative, such as a public guardian, is acting for them. 7. The spouse of a person whose identity has been verified.

(A)

California driver's license.

(B)

Identification card issued by the Department of Motor Vehicles.

(C)

Any other document which appears to be valid and establishes identity.

(D)

Persons who are: 1. In an institution and contact is made with the facility to verify presence in the institution. 2. Receiving Medi-Cal through the Aid for Adoption of Children program. 3. Children in a family, if identity of one parent has been verified 4. Children requesting Medi-Cal for minor consent services in accordance with Section 50147.1. 5. MI children who are not living with a parent or relative and for whom a public agency is assuming financial responsibility in whole or in part. 6. Not acting on their own behalf and a government representative, such as a public guardian, is acting for them. 7. The spouse of a person whose identity has been verified.

1.

In an institution and contact is made with the facility to verify presence in the institution.

2.

Receiving Medi-Cal through the Aid for Adoption of Children program.

3.

Children in a family, if identity of one parent has been verified

4.

Children requesting Medi-Cal for minor consent services in accordance with Section 50147.1.

5.

MI children who are not living with a parent or relative and for whom a public agency is assuming financial responsibility in whole or in part.

6.

Not acting on their own behalf and a government representative, such as a public guardian, is acting for them.

7.

The spouse of a person whose identity has been verified.

(7)

The following income and resources: (A) Unearned income, which shall be verified by viewing any of the following: 1. Data from the IEVS which confirms information on the Statement of Facts. 2. Checks or copies of checks. County departments shall not require copies of checks issued by the United States Government. 3. Award letters. 4. Signed statements from persons or organizations providing the income. 5. Check stubs. 6. Statements from checking, savings or trust fund accounts which indicate that the income is directly deposited for the applicant or beneficiary by the persons or organizations providing the income. 7. The statement of the person completing the Statement of Facts, for income received from the United States Government. This statement shall constitute verification pending receipt by the county department of verification from appropriate government agency, when the verification in 1 through 6 cannot be provided. (B) Income in kind, which shall be verified by a written statement from the provider of the items of need. Verification shall be limited to those items which the applicant is claiming have a lower value than the values established in accordance with Section 50511(b). (C) Earned income, which shall be verified by viewing paycheck stubs. If paycheck stubs are not available, a signed statement from the employer verifying the amount and frequency of the payments shall be obtained. If an individual is self-employed, records kept by such individual for tax purposes shall be viewed. 1. Therapeutic Wages as defined in Section 50095.5 shall be verified by obtaining all of the following: a. A statement from the individual's physician which provides that he/she has no financial interest in the LTC facility in which the individual resides and that the work has been prescribed as therapy for the individual. b. A statement from the facility in which the individual resides verifying the individual's employment by that facility and that such employment does not displace any existing employees. c. A statement(s) from the facility(ies) verifying that the individual has been an LTC resident for a

continuous period commencing at least five years prior to September, 1984. d. The provisions of this regulation also apply to eligibility determination or redeterminations made retroactively to October 1, 1984. (D) Fluctuating income, which shall be verified by viewing check stubs or a copy of the checks that show the amount of income. If these are not available a signed statement from the person or organization making the payments verifying the amount and frequency of the payments shall be obtained. (E) Child care costs, which shall be verified by viewing receipts and/or canceled checks. (F) Cost of care for an incapacitated person while someone else is employed, which shall be verified by viewing receipts and/or canceled checks. (G) Deductible expenses for maintenance or improvement of income-producing property, as defined in Section 50508, which shall be verified by viewing actual receipts for such services or a signed statement from the person providing the service or goods verifying the nature and cost of the service or goods. (H) The market value of real property, other than the principal residence, which shall be verified by viewing any of the following: 1. A current incorporated tax statement from the county Tax Assessor's Office. 2. Records maintained by the County Tax Assessor. 3. A written statement from a qualified real estate appraiser which gives the appraisal value of the property, when the applicant chooses to meet the conditions of Section 50412(a)(3). (I) Checking or savings account balances, which shall be verified by viewing either of the following: 1. A current account statement from the institutions holding the funds. 2. Signed correspondence from the institution holding the funds. (J) The value of stocks, bonds and mutual funds, which shall be verified by both: 1. Viewing the certificate or a signed statement from the issuing institution stating a description of the investment, including the number of shares owned. 2. Taking one of the following actions: a. Telephone contact with a recognized stock exchange broker to establish at the current selling price of the property. b. Establishment of the current selling price of the property through listings in

a current newspaper. (K) U.S. Savings Bonds values, which shall be verified by viewing the bond and by contacting any bank or institution where such bonds may be liquidated. (L) The value of deeds of trusts, mortgages and other promissory notes, which shall be verified by both: 1. Viewing documents which state a description of the item. 2. Taking one of the following actions: a. Viewing documents from the lender which establish the principal amount remaining on the note. b. Viewing an appraisal obtained from a party qualified to appraise mortgages and notes as described in Section 50441(c)(2). c. Making a telephone contact with a recognized broker who buys, sells or appraises such items. (M) The value of nonexempt motor vehicles, boats, campers or trailers, which shall be verified by viewing the appropriate document as follows: 1. Vehicle registration. 2. Appraisal statements when obtained pursuant to Sections 50461 and 50463. (N) The cash surrender value of nonexempt life insurance policies, which shall be verified by viewing either of the following: 1. The value tables included in the policy. 2. Signed correspondence from the carrier indicating the current value. (O) The value of nonexempt jewelry, which shall be verified by reviewing the appraisal statements. (P) The value of burial trusts or prepaid burial contracts, which shall be verified by viewing the actual trust or contract or by viewing signed correspondence from the trustor or contractor which details its value. (Q) The value of nonexempt property held in trust, which shall be verified by viewing either of the following: 1. A document indicating the trust's current value, executed by the trustor or executor. 2. An appraisal of the property obtained by the applicant from an agent qualified to appraise such property. (R) Encumbrances of record on any item of property subject to verification, which shall be verified by either of the following: 1. A payment book issued by the institution or person holding the encumbrance which indicates the current amount of the encumbrance. 2. Written correspondence stating the amount of the encumbrance obtained by the applicant from the institution or person holding the

encumbrance. (S) The value of oil leases or mineral rights which shall be verified by one of the following: 1. Written or telephone contact with a member of a recognized professional appraisal society which establishes the current market value of the lease or right. 2. Viewing records maintained by the county tax assessor where the lease or right is located. 3. Written or telephone contact with the company/organization developing the natural resource which establishes the current market value. (T) Health care benefits available through employment, retirement or military service which shall be verified by viewing those insurance policies which specifically name the applicant, health benefit identification cards, or letters from health care benefit providers. Health care benefits available through work related injuries or settlements from prior injuries shall be verified by viewing letters from the Workmen's Compensation Board, employers, or insurance companies. (U) Application for unconditionally available income as determined in accordance with Section 50186, which shall be verified by viewing: 1. A Veterans Benefit Referral form, referral for veterans benefits. 2. Application printouts for disability insurance benefits. 3. Application printouts for unemployment insurance benefits. 4. Application receipts for OASDI benefits. 5. Application receipts for any other unconditionally available income source. (V) Employee retirement contributions and other employee benefit contributions which shall be verified by viewing a statement from the employer.

(A)

Unearned income, which shall be verified by viewing any of the following: 1. Data from the IEVS which confirms information on the Statement of Facts. 2. Checks or copies of checks. County departments shall not require copies of checks issued by the United States Government. 3. Award letters. 4. Signed statements from persons or organizations providing the income. 5. Check stubs. 6. Statements from checking, savings or trust fund accounts which indicate that the income is directly deposited for the applicant or beneficiary by the

persons or organizations providing the income. 7. The statement of the person completing the Statement of Facts, for income received from the United States Government. This statement shall constitute verification pending receipt by the county department of verification from appropriate government agency, when the verification in 1 through 6 cannot be provided.

1.

Data from the IEVS which confirms information on the Statement of Facts.

2.

Checks or copies of checks. County departments shall not require copies of checks issued by the United States Government.

3.

Award letters.

4.

Signed statements from persons or organizations providing the income.

5.

Check stubs.

6.

Statements from checking, savings or trust fund accounts which indicate that the income is directly deposited for the applicant or beneficiary by the persons or organizations providing the income.

7.

The statement of the person completing the Statement of Facts, for income received from the United States Government. This statement shall constitute verification pending receipt by the county department of verification from appropriate government agency, when the verification in 1 through 6 cannot be provided.

(B)

Income in kind, which shall be verified by a written statement from the provider of the items

of need. Verification shall be limited to those items which the applicant is claiming have a lower value than the values established in accordance with Section 50511(b).

(C)

Earned income, which shall be verified by viewing paycheck stubs. If paycheck stubs are not available, a signed statement from the employer verifying the amount and frequency of the payments shall be obtained. If an individual is self-employed, records kept by such individual for tax purposes shall be viewed. 1. Therapeutic Wages as defined in Section 50095.5 shall be verified by obtaining all of the following: a. A statement from the individual's physician which provides that he/she has no financial interest in the LTC facility in which the individual resides and that the work has been prescribed as therapy for the individual. b. A statement from the facility in which the individual resides verifying the individual's employment by that facility and that such employment does not displace any existing employees. c. A statement(s) from the facility(ies) verifying that the individual has been an LTC resident for a continuous period commencing at least five years prior to September, 1984. d. The provisions of this regulation also apply to eligibility determination or redeterminations made retroactively to October 1, 1984.

1.

Therapeutic Wages as defined in Section 50095.5 shall be verified by obtaining all of the following: a. A statement from the individual's physician which provides that he/she has no financial interest in the LTC facility in which the individual resides and that the work has been prescribed as therapy for the individual. b. A statement from the facility in which the individual resides verifying the individual's employment by that facility and that such employment does not displace any existing employees. c. A statement(s) from the facility(ies) verifying that the individual has been an LTC resident for a continuous period commencing at least five years prior to September, 1984. d. The provisions of this regulation also apply to eligibility determination or redeterminations made retroactively to October 1, 1984.

a.

A statement from the individual's physician which provides that he/she has no financial interest in the LTC facility in which the individual resides and that the work has been prescribed as therapy for the individual.

b.

A statement from the facility in which the individual resides verifying the individual's employment by that facility and that such employment does not displace any existing employees.

c.

A statement(s) from the facility(ies) verifying that the individual has been an LTC resident for a continuous period commencing at least five years prior to September, 1984.

d.

The provisions of this regulation also apply to eligibility determination or redeterminations made retroactively to October 1, 1984.

(D)

Fluctuating income, which shall be verified by viewing check stubs or a copy of the checks that show the amount of income. If these are not available a signed statement from the person or organization making the payments verifying the amount and frequency of the payments shall be obtained.

(E)

Child care costs, which shall be verified by viewing receipts and/or canceled checks.

(F)

Cost of care for an incapacitated person while someone else is employed, which shall be verified by viewing receipts and/or canceled checks.

(G)

Deductible expenses for maintenance or improvement of income-producing property, as defined in Section 50508, which shall be verified by viewing actual receipts for such services or a signed statement from the person providing the service or goods verifying the nature and

cost of the service or goods.

(H)

The market value of real property, other than the principal residence, which shall be verified by viewing any of the following: 1. A current incorporated tax statement from the county Tax Assessor's Office. 2. Records maintained by the County Tax Assessor. 3. A written statement from a qualified real estate appraiser which gives the appraisal value of the property, when the applicant chooses to meet the conditions of Section 50412(a)(3).

1.

A current incorporated tax statement from the county Tax Assessor's Office.

2.

Records maintained by the County Tax Assessor.

3.

A written statement from a qualified real estate appraiser which gives the appraisal value of the property, when the applicant chooses to meet the conditions of Section 50412(a)(3).

(I)

Checking or savings account balances, which shall be verified by viewing either of the following: 1. A current account statement from the institutions holding the funds. 2. Signed correspondence from the institution holding the funds.

1.

A current account statement from the institutions holding the funds.

2.

Signed correspondence from the institution holding the funds.

(J)

The value of stocks, bonds and mutual funds, which shall be verified by both: 1. Viewing the certificate or a signed statement from the issuing institution stating a description of the investment, including the number of shares owned. 2. Taking one of the following actions: a.

Telephone contact with a recognized stock exchange broker to establish at the current selling price of the property. b. Establishment of the current selling price of the property through listings in a current newspaper.

1.

Viewing the certificate or a signed statement from the issuing institution stating a description of the investment, including the number of shares owned.

2.

Taking one of the following actions: a. Telephone contact with a recognized stock exchange broker to establish at the current selling price of the property. b. Establishment of the current selling price of the property through listings in a current newspaper.

a.

Telephone contact with a recognized stock exchange broker to establish at the current selling price of the property.

b.

Establishment of the current selling price of the property through listings in a current newspaper.

(K)

U.S. Savings Bonds values, which shall be verified by viewing the bond and by contacting any bank or institution where such bonds may be liquidated.

(L)

The value of deeds of trusts, mortgages and other promissory notes, which shall be verified by both: 1. Viewing documents which state a description of the item. 2. Taking one of the following actions: a. Viewing documents from the lender which establish the principal amount remaining on the note. b. Viewing an appraisal obtained from a party qualified to appraise mortgages and notes as described in Section 50441(c)(2). c. Making a telephone contact with a recognized broker who buys, sells or appraises such items.

1.

Viewing documents which state a description of the item.

2.

Taking one of the following actions: a. Viewing documents from the lender which establish the principal amount remaining on the note. b. Viewing an appraisal obtained from a party qualified to appraise mortgages and notes as described in Section 50441(c)(2). c. Making a telephone contact with a recognized broker who buys, sells or appraises such items.

a.

Viewing documents from the lender which establish the principal amount remaining on the note.

b.

Viewing an appraisal obtained from a party qualified to appraise mortgages and notes as described in Section 50441(c)(2).

c.

Making a telephone contact with a recognized broker who buys, sells or appraises such items.

(M)

The value of nonexempt motor vehicles, boats, campers or trailers, which shall be verified by viewing the appropriate document as follows: 1. Vehicle registration. 2. Appraisal statements when obtained pursuant to Sections 50461 and 50463.

1.

Vehicle registration.

2.

Appraisal statements when obtained pursuant to Sections 50461 and 50463.

(N)

The cash surrender value of nonexempt life insurance policies, which shall be verified by viewing either of the following: 1. The value tables included in the policy. 2. Signed correspondence from the carrier indicating the current value.

1.

The value tables included in the policy.

2.

Signed correspondence from the carrier indicating the current value.

(O)

The value of nonexempt jewelry, which shall be verified by reviewing the appraisal statements.

(P)

The value of burial trusts or prepaid burial contracts, which shall be verified by viewing the actual trust or contract or by viewing signed correspondence from the trustor or contractor which details its value.

(Q)

The value of nonexempt property held in trust, which shall be verified by viewing either of the following: 1. A document indicating the trust's current value, executed by the trustor or executor. 2. An appraisal of the property obtained by the applicant from an agent qualified to appraise such property.

1.

A document indicating the trust's current value, executed by the trustor or executor.

2.

An appraisal of the property obtained by the applicant from an agent qualified to appraise such property.

(R)

Encumbrances of record on any item of property subject to verification, which shall be verified by either of the following: 1. A payment book issued by the institution or person holding the encumbrance which indicates the current amount of the encumbrance. 2. Written correspondence stating the amount of the encumbrance obtained by the applicant from the institution or person holding the encumbrance.

1.

A payment book issued by the institution or person holding the encumbrance which indicates the current amount of the encumbrance.

2.

Written correspondence stating the amount of the encumbrance obtained by the applicant from the institution or person holding the encumbrance.

(S)

The value of oil leases or mineral rights which shall be verified by one of the following: 1. Written or telephone contact with a member of a recognized professional appraisal society which establishes the current market value of the lease or right. 2. Viewing records maintained by the county tax assessor where the lease or right is located. 3. Written or telephone contact with the company/organization developing the natural resource which establishes the current market value.

1.

Written or telephone contact with a member of a recognized professional appraisal society which establishes the current market value of the lease or right.

2.

Viewing records maintained by the county tax assessor where the lease or right is located.

3.

Written or telephone contact with the company/organization developing the natural resource which establishes the current market value.

(T)

Health care benefits available through employment, retirement or military service which shall be verified by viewing those insurance policies which specifically name the applicant, health benefit identification cards, or letters from health care benefit providers. Health care benefits available through work related injuries or settlements from prior injuries shall be verified by

viewing letters from the Workmen's Compensation Board, employers, or insurance companies.

(U)

Application for unconditionally available income as determined in accordance with Section 50186, which shall be verified by viewing: 1. A Veterans Benefit Referral form, referral for veterans benefits. 2. Application printouts for disability insurance benefits. 3. Application printouts for unemployment insurance benefits. 4. Application receipts for OASDI benefits. 5. Application receipts for any other unconditionally available income source.

1.

A Veterans Benefit Referral form, referral for veterans benefits.

2.

Application printouts for disability insurance benefits.

3.

Application printouts for unemployment insurance benefits.

4.

Application receipts for OASDI benefits.

5.

Application receipts for any other unconditionally available income source.

(V)

Employee retirement contributions and other employee benefit contributions which shall be verified by viewing a statement from the employer.

(8)

Except for women applying for minor consent services under Section 50147.1, a woman whose eligibility or share of cost is based on pregnancy shall provide a letter of verification from either a physician or a person certified as a nurse practitioner, midwife or physician's assistant.

(9)

Property as defined in Section 50425(a)(7) is listed for sale with a licensed real estate broker at its fair market value and a bona fide attempt is being made to sell such property. This shall be verified by viewing a listing contract and appraisal from a qualified real estate appraiser.

(10)

California residency shall be verified in accordance with Sections 50320.1 and 50320.2.

(b)

The provisions of this section apply to all items listed in (a) at: (1) Initial application and reapplication. (2) The time a change is reported or at redetermination for items not previously verified. (3) Redetermination for items which the county determines could have appreciated in value since the last verification.

(1)

Initial application and reapplication.

(2)

The time a change is reported or at redetermination for items not previously verified.

(3)

Redetermination for items which the county determines could have appreciated in value since the last verification.

(c)

The applicant or the county shall make a diligent search to obtain documentation necessary to verify items (a)(7)(A) through (a)(7)(V) and (a)(9) above. Such a search shall include at a minimum, one contact with the appropriate person/organization from which this documentation could be obtained. When the county determines that such documentation cannot be obtained either by the applicant or by county within the promptness requirements listed in Section

50177, the county shall: (1) List and retain in the case record all actions taken to obtain documentation required for verification. (2) Obtain from the applicant, and retain in the case record, an affidavit dated and signed by the applicant under penalty of perjury which lists a description and value of any item for which documentation for verification purposes was determined not available. (3) Obtain a signed and dated affidavit from the applicant under penalty of perjury which lists the amounts of any earned or unearned income received and retain this document in the case record.

(1)

List and retain in the case record all actions taken to obtain documentation required for verification.

(2)

Obtain from the applicant, and retain in the case record, an affidavit dated and signed by the applicant under penalty of perjury which lists a description and value of any item for which documentation for verification purposes was determined not available.

(3)

Obtain a signed and dated affidavit from the applicant under penalty of perjury which lists the amounts of any earned or unearned income received and retain this document in the case record.