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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 8@ RESPONSIBLE RELATIVES AND UNIT DETERMINATION

|-&gt;

Section 50379@ Ineligible Members of the Medi-Cal Family Budget Unit

## **50379 Ineligible Members of the Medi-Cal Family Budget Unit**

### **(a)**

Persons who are ineligible for Medi-Cal for any of the following reasons shall be ineligible members of the MFBU, as limited by (b). (1) Refusal to apply for a Social Security number except as specified in Section 50302(c). (2) Refusal to apply for a Medicare health insurance claim number. (3) Refusal to apply for and accept unconditionally available income. (4) Inability to meet the basic eligibility criteria for any of the Medi-Cal programs. (5) Parents who reside outside the state and who claim their children residing in the state as dependents in order to receive a tax credit or deduction for state or federal income tax purposes. (6) Refusal by a parent or caretaker relative to assign to the state all rights to medical support and payments for medical care from any third party. (7) Refusal by a parent or caretaker relative, without good cause as specified in Section 50771.5, to cooperate in establishing paternity for a child under eighteen years of age born out of wedlock for whom Medi-Cal is requested and in obtaining medical support and payments, and in identifying and providing information concerning any third party who is or may be liable to pay for medical care or support.

### **(1)**

Refusal to apply for a Social Security number except as specified in Section 50302(c).

### **(2)**

Refusal to apply for a Medicare health insurance claim number.

**(3)**

Refusal to apply for and accept unconditionally available income.

**(4)**

Inability to meet the basic eligibility criteria for any of the Medi-Cal programs.

**(5)**

Parents who reside outside the state and who claim their children residing in the state as dependents in order to receive a tax credit or deduction for state or federal income tax purposes.

**(6)**

Refusal by a parent or caretaker relative to assign to the state all rights to medical support and payments for medical care from any third party.

**(7)**

Refusal by a parent or caretaker relative, without good cause as specified in Section 50771.5, to cooperate in establishing paternity for a child under eighteen years of age born out of wedlock for whom Medi-Cal is requested and in obtaining medical support and payments, and in identifying and providing information concerning any third party who is or may be liable to pay for medical care or support.

**(b)**

A child ineligible for Medi-Cal for any of the reasons listed in (a) who has separate income or property may be treated as an ineligible member of the MFBU or be excluded from the MFBU in accordance with Section 50381. This choice is the option of the person who has legal responsibility for the child.

**(c)**

Persons who are eligible for four month continuing eligibility or Transitional Medi-Cal shall be ineligible members of the MFBU.

**(d)**

Minor parents living with their parents shall be ineligible members of the MFBU that includes the minor parent's children except when the minor parent wishes to receive only minor consent services. Minor parents who wish to receive Medi-Cal, other than minor consent services, shall be included in the MFBU with their parents.

**(e)**

The parent of the separate children in a stepparent case who are the only family members who wish to receive Medi-Cal in accordance with Section 50375 shall be an ineligible member of the separate children's MFBU.

**(f)**

The following persons shall be ineligible members of the MFBU when a person 18 to 21 is claimed by his/her parent as a dependent in order to receive a tax credit or deduction for state or federal income taxation: (1) The spouse, children, and parent(s) of the person 18 to 21 claimed as a tax dependent shall be ineligible members of the MFBU which includes the tax dependent. (2) The person 18 to 21 claimed as a tax dependent shall be an ineligible member of the MFBUs which include either: (A) His/her parent(s). (B) His/her spouse and children.

**(1)**

The spouse, children, and parent(s) of the person 18 to 21 claimed as a tax dependent shall be ineligible members of the MFBU which includes the tax dependent.

**(2)**

The person 18 to 21 claimed as a tax dependent shall be an ineligible member of the MFBUs which include either: (A) His/her parent(s). (B) His/her spouse and children.

**(A)**

His/her parent(s).

**(B)**

His/her spouse and children.

**(g)**

Ineligible members of a MFBU shall: (1) Be included in the MFBU for the purpose of determining eligibility based on property and share of cost. (2) Have their health care costs used to meet the share of cost. (3) Not be issued a Medi-Cal card.

**(1)**

Be included in the MFBU for the purpose of determining eligibility based on property and share of cost.

**(2)**

Have their health care costs used to meet the share of cost.

**(3)**

Not be issued a Medi-Cal card.