

|->

Title 22@ Social Security

|->

Division 3@ Health Care Services

|->

Subdivision 1@ California Medical Assistance Program

|->

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

|->

Article 16@ OVERPAYMENTS, FRAUD AND IMPROPER UTILIZATION

|->

Section 50783@ County Action on Potential Overpayment

50783 County Action on Potential Overpayment

(a)

The county department shall take the following action when it appears that there may be a potential overpayment: (1) Determine the correct eligibility status and share of cost based on the correct income, property and other circumstances. (2) Determine whether a potential overpayment exists in accordance with Section 50781. (3) If a potential overpayment exists, refer it to the Department or to the county unit contracting with the Department to collect overpayments in accordance with the procedures established by the Department. (4) In those instances where the potential overpayment is due to the willful failure to report facts and there was a person acting on behalf of the beneficiary: (A) Determine whether the beneficiary is competent to handle his/her own affairs. (B) If the beneficiary is competent, require that the beneficiary act on his/her own behalf in the future. (C) If the beneficiary is not competent, refer the case to Social Services and/or the public guardian or conservator to ensure that the beneficiary's interests are protected.

(1)

Determine the correct eligibility status and share of cost based on the correct income, property and other circumstances.

(2)

Determine whether a potential overpayment exists in accordance with Section 50781.

(3)

If a potential overpayment exists, refer it to the Department or to the county unit contracting with the Department to collect overpayments in accordance with the procedures established by the Department.

(4)

In those instances where the potential overpayment is due to the willful failure to report facts and there was a person acting on behalf of the beneficiary: (A) Determine whether the beneficiary is competent to handle his/her own affairs. (B) If the beneficiary is competent, require that the beneficiary act on his/her own behalf in the future. (C) If the beneficiary is not competent, refer the case to Social Services and/or the public guardian or conservator to ensure that the beneficiary's interests are protected.

(A)

Determine whether the beneficiary is competent to handle his/her own affairs.

(B)

If the beneficiary is competent, require that the beneficiary act on his/her own behalf in the future.

(C)

If the beneficiary is not competent, refer the case to Social Services and/or the public guardian or conservator to ensure that the beneficiary's interests are protected.