

**County of San Diego, Health and Human Services Agency (HHSA)
County Medical Services (CMS) Program Guide**

Sneede and Gamma FBU

Number

04.03

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Background:

Federal law limits financial responsibility for medical care to parent-for-child and spouse-for-spouse. This means that the income and property of a parent or spouse may only be used in determining program eligibility and share of cost for himself/herself, his/her spouse, and/or natural or adopted child(ren).

Policy:

A: General Rule

Since CMS was not a party to the lawsuit, CMS will partially adopt the Sneede V. Kizer and Gamma V. Belshe court order regulations set forth in Medi-Cal. The procedure will only apply to CMS/Medi-Cal combination cases where the applicant has applied for CMS and Medi-Cal, and the Medi-Cal eligibility determination requires the use of these regulations. These procedures are not applicable and must not be used in CMS only cases where the applicant has only applied for CMS.

B: CMS/Medi-Cal Combination Cases

Answer the Sneede income screening questions on the Medi-Cal form to determine when to use Sneede regulations. Procedures for determining income and/or property according to Sneede and Gamma rules are located in MPG 5.14.

- All income and/or property are allocated to a CMS applicant and to his/her spouse, if applicable, from a Sneede and Gamma for CMS.
- The number of persons in the CFBU will consist of only the CMS applicant and his/her spouse, if applicable.

C: CMS Only

There is **no** allocation of income and property between spouses and from parent to child.

Impact:

No impact to other program(s)

Reference(s):

None

Sunset Date:

This policy will be reviewed for continuance by 05/31/2019.

Release Date:

05/03/2016