

Article 8, Section 1 – Medi-Cal Family Budget Unit (MFBU)

Table of Contents

TITLE	MPG CITE
General	08.01.01
Responsible Relatives	08.01.02
Medi-Cal Family Budget Unit (MFBU)	08.01.03
Status of Family Members	08.01.04
MFBU Composition	Appendix A
Treatment of MFBU Members	Appendix B
Questions and Answers Regarding Responsible Relatives	Appendix C

08.01.01 - General

ACA Information

For information about determining household composition for Modified Adjusted Gross Income based Medi-Cal and Advanced Premium Tax Credits, please see [Special Notice 13-09 Addendum A](#).

A General

This section:

- contains regulations for determining the Medi-Cal Family Budget Unit (MFBU);
- describes responsible relative criteria;
- identifies eligible and ineligible members of the MFBU; and
- specifies who may be excluded from the MFBU.

MPG LTR 16 (4/88)

08.01.02 – Responsible Relatives

A. Introduction

The responsibility of a relative to contribute to the cost of health care services of a Medi-Cal applicant or beneficiary shall be limited to spouse for spouse and parent for child. A caretaker relative as defined in [Article 8, Section 5](#) is not considered to be a responsible relative.

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MPG LTR 16 (4/88)

B. Spouse for Spouse

Spouses are responsible for each other when:

- Both spouses live together in the home; or
- One or both spouses are in LTC/B&C and both are MI or AFDC-MN.

Spouse for spouse responsibility is for the month of admission to LTC/B&C only, when one or both spouses are in LTC/B&C and one or both are ABD. In this situation, spouse for spouse responsibility ends on the last day of the month of admission.

MPG LTR 16 (4/88)

C. Parent for Child

A parent is responsible for a child when the child:

- Lives in the parent's home
- Lives out of the parent's home and the child is:
 - A tax dependent of the parent
 - 18 to 21 years old
 - 14 to 18 years old and the parent is handling some or all of his/her financial affairs
 - under 14 years old
- Is married even if the child is a parent and the child is both:
 - A tax dependent of the parent
 - 18 to 21 years old

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EXCEPTION: Parents of a child have no responsibility when the child is applying for Minor Consent services.

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08.01.03 – Medi-Cal Family Budget Unit (MFBU)

A. Introduction

The MFBU is the basic unit of persons considered in determining a person's or family's Medi-Cal eligibility and share of cost (SOC).

MPG LTR 241 (3/94)

B. Family Members

Family members for Medi-Cal purposes are:

- A child or sibling children, including an unborn. (Verification of pregnancy must be on file for full-scope coverage. See [MPG 04.07.08.](#))
- The parents, married or unmarried, of the sibling child(ren).
- The stepparents of the sibling child(ren).
- The separate child(ren) of either unmarried parent or the parent or stepparent.
- If there are no children, family members mean a single person or a married couple.

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C. Persons Temporarily Absent from the Home

People temporarily absent from the home because of hospitalization, visiting, vacation, trips in connection with work, or for similar reasons, are considered living in the home.

MPG LTR 241 (3/94)

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D. Public Assistance (PA) Recipients

Family members who are PA or Other PA recipients are eligible to receive Medi-Cal benefits under the PA or Other PA program. Therefore, they will not be part of the Medically Needy Only (MNO) MFBU. Family members who are eligible for Four-Month Continuing, TMC, or Edwards shall be included in the MFBU.

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08.01.04 – Status of Family Members

A. Introduction

Family members may be eligible or ineligible members of the MFBU or may be excluded from the MFBU per [E](#), below.

MPG LTR 411 (3/01)

B. Eligible MFBU Members

Eligible MFBU members are entitled to receive Medi-Cal benefits. Their income and property are included for eligibility and SOC determinations.

MPG LTR 411 (3/01)

C. Reasons for Ineligibility

People are considered ineligible members of the MFBU when they:

- Refuse to apply for a Social Security number.
- Refuse to apply for Medicare.
- Refuse to apply for and accept unconditionally available income.
- Are unable to meet the basic eligibility criteria for any of the Medi-Cal programs.
- Refuse to cooperate with the Medical Support Enforcement Program without good cause.

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MPG LTR 411 (3/01)

D. Circumstances of Ineligibility

People in the following circumstances are ineligible members of the MFBU.

- People receiving Medi-Cal as Four-Month Continuing, Edwards, or TMC eligible.
- People 21 or over and under 65 who are not blind, disabled, pregnant, and are not linked to AFDC.
- Minor parents living with their parents are ineligible members of the MFBU that includes the minor parent's child(ren) (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.
- Parents who reside outside the state and who claim their child(ren) residing in the state as dependent(s) in order to receive a tax credit or deduction for state or federal income tax purposes are ineligible members of their child(ren)'s MFBU.
- The following people shall be ineligible members of the MFBU when a person 18 to 21 years old is claimed by his/her parent as a dependent in order to receive a tax credit or deduction for state or

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federal income tax:

- The spouse, child(ren) and parent(s) of the married child claimed as a tax dependent are ineligible members of the MFBU which includes the tax dependent.
- The person 18 to 21 years old claimed as a tax dependent is an ineligible member of the MFBU which include either his/her parent(s) or his/her spouse and child(ren).
- An infant under age of one year receiving benefits through the Income Disregard or Asset Waiver programs (see [MPG Article 5, Section 12](#)). These infants are treated as ineligible members of the M/MN MFBU. Although treated as ineligible members of the MFBU, they are able to link parents to Medi-Cal as AFDC-MN.
- Children age one up to age six receiving benefits through the 133% federal poverty level (FPL) Program. These children are treated as ineligible members of the M/MN MFBU. They are able to link parents to Medi-Cal as AFDC-MN.
- Children age six up to age 19 receiving benefits through the 100% FPL Program. These children are treated as ineligible members of the M/MN MFBU. They are able to link parents to Medi-Cal as AFDC-MN.
- Children receiving State-only AAP-AAC are ineligible members of the MFBU. They are considered to be medically indigent; not medically needy.

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**E.
Special
Consideration
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A child who is otherwise eligible or ineligible for any of the reasons listed in [C](#) or [D](#), above, may be treated as an ineligible member of the MFBU or may be excluded from the MFBU. This choice is the option of the person who has legal responsibility for the child. In either case, the child may not link parents to Medi-Cal as AFDC-MN. To treat an otherwise eligible person as ineligible, obtain all forms and verifications as required for an eligible person, but select 'Y' in the "Ignore Eligibility Determination" on the Collect **Case Individual Detail** window.

Ineligible members will:

- Have their income included in eligibility and SOC determinations
- Have their property counted in eligibility computations
- Have their medical expenses used to meet the SOC for the MFBU;
- Not be considered in determining the program for which persons included in the MFBU are eligible

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**F.
Excluded
MFBU
Members**

The only family members that may be excluded from the MFBU are:

- A child of any age (for example, from one day old to 21 years old) who either:
 - Refuses to provide information about his/her own income or property
 - Chooses not to receive Medi-Cal. Whenever a child is excluded from the MFBU, the parent or caretaker relative must be provided the excluded child statement, form MC 239 SN-3. The worker is required to provide the form to the parent or caretaker relative; however, if the form is not returned, notate in the Case Comments that the form was provided and not returned. Continue to exclude the child from the MFBU as requested, but do not deny or discontinue other family members based on non-receipt of the MC 239 SN-3. Send informing notice MC 239 SN-2 to the applicant.
- Members of a stepparent unit other than the parent of the child requesting Medi-Cal shall be excluded from the MFBU.
- The unmarried father of an unborn when the unmarried father lives with the pregnant woman and she wants Medi-Cal only for herself and/or her separate children.
- Children receiving federal AAP with or without a cash grant are excluded from the MFBU because they are receiving PA or Other PA.

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**G.
Excluded
Members
Restrictions**

Excluded members are not eligible to Medi-Cal benefits. Excluded members may not:

- Apply separately, except for Minor Consent services, for which they may receive benefits
- Be included in the MFBU for eligibility or SOC determinations
- Have their medical expenses used to meet the MFBU's SOC
- Be considered in determining the program for which persons included in the MFBU are eligible.

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MPG LTR 471 (11/01)

**H.
Property of
Excluded
Members**

The property of excluded family members will not be counted in determining the eligibility of the MFBU.

MPG LTR 471 (11/01)

**I.
Income of**

The income of excluded MFBU members will be treated as follows:

**Excluded
Members**

- The income of an excluded child(ren) will not be counted in determining the SOC for the MFBU. An allocation of income may be made to an excluded child(ren), but not when the child is excluded because the parents refuse to provide information. See [MPG Article 10, Section 5](#) for instructions on calculating the allocation to an excluded child.
- The income of the members of a stepparent unit will be treated in accordance with the Sneede v. Kizer lawsuit described in [MPG Article 5, Section 14](#).

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MPG LTR 471 (11/01)

**J.
Changes in
the MFBU**

Changes in the MFBU may be made at the request of the applicant/beneficiary. Changes may be reflected in the month the changes are reported if it is to the beneficiary's advantage. Any advantage shall be explained to the beneficiary. The beneficiary shall determine whether the change shall be reflected in the month it is reported. [MPG Article 12, Section 1](#) describes how to make changes and adjustments.

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MPG LTR 562 (9/04)

Appendix A. MFBU Composition

MFBU Composition Once the potential members of the MFBU have been identified, the MFBU may be determined in accordance with the following:

Family members living in the home who are not PA or Other PA recipients:	MFBU:
Individual adult	Individual adult
<ul style="list-style-type: none"> • Individual • Spouse 	<ul style="list-style-type: none"> • Individual • Spouse
<ul style="list-style-type: none"> • Parent • Children 	<ul style="list-style-type: none"> • Parent • Children
<ul style="list-style-type: none"> • Both unmarried parents • Mutual children 	<ul style="list-style-type: none"> • Both unmarried parents • Mutual children
<ul style="list-style-type: none"> • Both unmarried parents • Mutual children • Separate children of either or both parents 	<ul style="list-style-type: none"> • Both unmarried parents • Mutual children • Separate children, except that when all the mutual children are excluded, each unmarried parent and parent's separate children shall be in a separate MFBU.
<ul style="list-style-type: none"> • Parent • Spouse • Mutual children 	<ul style="list-style-type: none"> • Parent • Spouse • Mutual children
<ul style="list-style-type: none"> • Parent • Spouse • Mutual children, and/or • Separate child of either or both parents 	<ul style="list-style-type: none"> • Parent • Spouse • Mutual children • Separate children or • Parent and the separate children of that parent
<ul style="list-style-type: none"> • Minor parent • Minor parent's children, • Minor parent's parent and • That person's spouse and/or children 	<p>Two MFBUs:</p> <ul style="list-style-type: none"> • One <ul style="list-style-type: none"> – Minor parent as an ineligible member – Minor parent's children • Two <ul style="list-style-type: none"> – Minor parent – Minor parent's parent and – That person's spouse and/or children
<ul style="list-style-type: none"> • Unmarried minor parent • Second unmarried parent • Mutual children 	<p>Two MFBUs:</p> <ul style="list-style-type: none"> • One <ul style="list-style-type: none"> – Unmarried minor parent as an

<ul style="list-style-type: none"> • Separate children of either or both • Unmarried minor parent's parent and • That person's spouse and/or children 	<p>ineligible member</p> <ul style="list-style-type: none"> – Second unmarried parent – Separate children of either unmarried parent – Mutual children <ul style="list-style-type: none"> • Two <ul style="list-style-type: none"> – Unmarried minor parent – Unmarried minor parent's parent(s) and – His/her spouse and/or children
<ul style="list-style-type: none"> • Married minor parent • Minor parent's spouse • Mutual children • Separate children of either or both • Minor parent's parent and • That person's spouse and/or children 	<p>Three MFBUs:</p> <ul style="list-style-type: none"> • One <ul style="list-style-type: none"> – Married minor parent – Married minor parent's spouse and children as ineligible members, and – Married minor parent's parent and that person's spouse as ineligible members • Two <ul style="list-style-type: none"> – Married minor parent as an ineligible member – Married minor parent's spouse – Children • Three <ul style="list-style-type: none"> – Married minor parent as an ineligible member – Married minor parent's parent and – That person's spouse and/or children
<ul style="list-style-type: none"> • Child living with the child's parents requesting Medi-Cal for Minor Consent services • Child's children 	<ul style="list-style-type: none"> • Child • Child's children
<p>Sibling children if all other family members are PA or Other PA</p>	<p>Sibling children</p>
<ul style="list-style-type: none"> • Parent • Spouse if all children are PA or Other PA 	<ul style="list-style-type: none"> • Parent • Spouse
<ul style="list-style-type: none"> • Sibling children • Caretaker relative 	<ul style="list-style-type: none"> • Sibling children • Caretaker relative, when the caretaker relative chooses to be included
<ul style="list-style-type: none"> • Caretaker relative if all children are PA or Other PA 	<p>Caretaker relative</p>
<ul style="list-style-type: none"> • Sibling children • Caretaker relative 	<p>Two MFBUs</p> <ul style="list-style-type: none"> • One

<ul style="list-style-type: none"> • Caretaker relative's spouse and/or • Caretaker relative's children 	<ul style="list-style-type: none"> – Sibling children • Two <ul style="list-style-type: none"> – Caretaker relative – His/her spouse and/or children
<ul style="list-style-type: none"> • Caretaker relative • Sibling children • Caretaker's spouse (spouse does not want Medi-Cal or is not eligible) 	<ul style="list-style-type: none"> • Caretaker relative • Sibling children
<ul style="list-style-type: none"> • Caretaker relative (caretaker has linkage only as a caretaker relative) • Sibling children • Caretaker's spouse (spouse has no linkage) • Caretaker's children 	<p>Two MFBUs</p> <ul style="list-style-type: none"> • One <ul style="list-style-type: none"> – Caretaker relative – Sibling children • Two <ul style="list-style-type: none"> – Caretaker relative and his/her spouse as ineligible members – Caretaker's children
<ul style="list-style-type: none"> • Caretaker relative • Sibling children, • Other related sibling children 	<p>Two MFBUs (Option 1)</p> <ul style="list-style-type: none"> • One <ul style="list-style-type: none"> – Sibling children • Two <ul style="list-style-type: none"> – Other sibling children – Caretaker relative <p>Two MFBUs (Option 2)</p> <ul style="list-style-type: none"> • One <ul style="list-style-type: none"> – Sibling children – Caretaker relative • Two <ul style="list-style-type: none"> – Other sibling children
<ul style="list-style-type: none"> • Caretaker relative (caretaker has linkage only as a caretaker relative) • Sibling children • Caretaker's spouse (spouse is PA) 	<ul style="list-style-type: none"> • Caretaker relative • Sibling children
<ul style="list-style-type: none"> • Caretaker relative (caretaker has linkage only as a caretaker relative or chooses to be linked to related children other than his/her own) • Sibling children are PA • Caretaker's spouse • Caretaker's own children 	<p>Two MFBUs</p> <ul style="list-style-type: none"> • One <ul style="list-style-type: none"> – Caretaker relative • Two <ul style="list-style-type: none"> – Caretaker relative as ineligible – Spouse – His/her own children
<ul style="list-style-type: none"> • Caretaker relative (caretaker has linkage only as a caretaker relative or chooses to be linked to related children other than his/her own) • Sibling children 	<p>Two MFBUs</p> <ul style="list-style-type: none"> • One <ul style="list-style-type: none"> – Caretaker relative – Sibling children • Two

<ul style="list-style-type: none"> • Caretaker's spouse is PA • Caretaker's own children 	<ul style="list-style-type: none"> – Caretaker relative as ineligible – His/her own children
Family members not living in the home:	MFBU:
<ul style="list-style-type: none"> • Person 18 to 21 when the person is claimed by his/her parent(s) as a dependent in order to receive a tax credit or deduction for state or federal income tax 	<ul style="list-style-type: none"> • Person • Parents
<ul style="list-style-type: none"> • Person 18 to 21 • Person's spouse • Children • Person's parent(s) when the person is claimed by his/her parent(s) as a dependent in order to receive a tax credit or deduction for state or federal income tax 	<p>Three MFBUs:</p> <ul style="list-style-type: none"> • One <ul style="list-style-type: none"> – Person claimed as a tax dependent – Person's spouse and children as ineligible members – Person's parent(s) as ineligible member(s) • Two <ul style="list-style-type: none"> – Person claimed as a tax dependent as an ineligible member – Person's spouse – Person's children • Three <ul style="list-style-type: none"> – Person claimed as a tax dependent as an ineligible member – Person's parent(s)
Child in foster care	Child
Sibling children in foster care	Each sibling in his/her own MFBU even if placed in the same foster home
Child detained or placed by a court or court designated agency under Welfare and Institutions Code Sections 300 or 601	Child
Child not living with a parent or relative for whom a public agency is assuming financial responsibility in whole or in part	Child
Child not living with a parent or caretaker relative when the parents or public agencies have been contacted to determine whether they will accept legal responsibility for the child	Child

Appendix B. Treatment of MFBU Members

Treatment of MFBU Members

	Eligible	Ineligible	Excluded
MFBU Member?	Yes	Yes	No
Income counted?	Yes	Yes	No
MFBU Person count for Maintenance Need?	Yes	Yes	No
Property counted?	Yes	Yes	No
MFBU Person count for Property Limit?	Yes	Yes	No
Medical Bill count for SOC?	Yes	Yes	No
If a child, used for linkage to AFDC?	Yes	No	No
Apply separately?	No*	No*	No*
Receive Medi-Cal benefits?	Yes	No	No

*Except Minor Consent

MPG LTR 16(4/88)

Appendix C. Questions and Answers Regarding Responsible Relatives

Question 1 Is a legally separated couple living in the same home in the same MFBU?

Answer:

Yes. Couples who are legally separated continue to remain married under California law. If a legally separated couple is living together in the same home, which contains common facilities (for example, eating, bathing, etc.), the couple would be in the same MFBU. This answer does not apply to cases where one spouse is institutionalized. If a couple is divorced, living together and have children in the home, they are treated as unmarried parents.

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MPG LTR 509 (9/02)

Question 2 If an emancipated 19-year-old child living with his/her parents is self-supporting and not claimed by his/her parents as a tax dependent, is he/she in the same MFBU with the parents?

Answer:

Yes. The use of the term “emancipated” has no bearing on any Medi-Cal determination. A 19 to 21 year old “child” living with his/her senior parents is in the MFBU with the senior parents and any siblings whether or not he/she is a tax dependent. He/she is an ineligible member of the Section 1931(b) program since he/she is over the age limit for that program. He/she may be eligible for the Medically Needy (MN) or Medically Indigent (MI) programs until age 21. If he/she has a deprived child of his/her own, he/she may be eligible for Section 1931(b) as an adult with his spouse or second parent (if applicable) and the senior parents are not in the MFBU.

MPG LTR 509 (9/02)

Question 3 Can a grandmother who is the legal guardian of a child living in her home be linked to Medi-Cal if the parent of the child is also living in the home?

Answer:

Yes. The Section 1931(b) program allows a caretaker relative or senior parent who has care and control of an adult parent’s child to be aided regardless of whether or not the parent lives in the home. The

MN, MI, and Percent programs do not allow the caretaker to be aided if the parent is in the home unless the parent is a minor. In this case, the caretaker may be linked to the minor parent, but is not responsible for the minor parent's child. Note: A parent who is only temporarily visiting the home is not considered living in the home.

MPG LTR 509 (9/02)

Question 4

Must an unmarried father of an unborn who lives in the home with the mother of his unborn be included in the MFBU if he does not wish to be aided?

Answer:

No. If the father has not other mutual children living in the home who are requesting Medi-Cal, he does not have to be included in the MFBU with the mother and his unborn until the child is age one. Since the implementation of Sneede v. Kizer would require that the unmarried parents be in separate MFBUs if there were a SOC or excess property and the father's income and property would not affect the child under age one (Deemed Eligibility), workers are not required to include the father in the MFBU. However, if the father is unemployed or incapacitated and the mother wishes to be aided past the 60-day postpartum period and has no other basis for deprivation, the father may be included in the MFBU.

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MPG LTR 509 (9/02)

Question 5

A pregnant mother receiving Supplemental Security Income (SSI) is living in the home with the unborn's father and their mutual two-year-old. The father and the two-year-old apply for Medi-Cal. What is the MFBU composition?

Answer:

The father, the unborn, and the two-year-old are in the same MFBU. The mother is not included because she is receiving PA. Note: When the pregnant mother is receiving cash benefits, the unborn is in the same MFBU with the father.

MPG LTR 509 (9/02)

Question 6

If a Foster Care (FC) or County Foster Care child is living with a caretaker relative, may that relative be linked for Medi-Cal benefits?

Answer:

Yes. The CalWORKs program allows caretaker relatives of children receiving FC grants to receive CalWORKs, thus automatic Medi-Cal; therefore, a caretaker relative of these children may also apply for Medi-Cal only benefits, if otherwise eligible. This would be similar to parents or caretaker relatives that are linked to children who receive PA (for example CalWORKs or SSI). NOTE: Children who are receiving PA are not in the same MFBU with the caretaker relative.

MPG LTR 509 (9/02)

Question 7

If the stepparent refuses to cooperate, can the separate child of the spouse receive Medi-Cal?

Answer:

Yes. Under Sneede v. Kizer procedures, the mother would be an ineligible member in the MFBU with her child regardless of whether the stepparent has sufficient income to meet the needs of the stepparent unit. If the mother, mutual children, or his children wish to be aided, the father is required to be in the MFBU.

MPG LTR 509 (9/02)

Question 8

If a child is receiving SSI/SSP or CalWORKs, may the parents be linked? If so, what is the MFBU composition?

Answer:

Yes. The parents are alone in the same MFBU. The child who is receiving SSI/SSP or CalWORKs will not be included in the MFBU.

MPG LTR 509 (9/02)

Question 9

Can a senior mother living in the home with her daughter and the daughter's baby be linked to her 19-year-old daughter if the daughter and her baby receive CalWORKs or Section 1931(b)?

Answer:

Yes. The senior mother is eligible for the MN Program if her 19-year-old daughter is receiving CalWORKs or Section 1931(b) and is deprived because the MN Program defines a child as a person under 21. The senior mother would be in her own MFBU. Care and control is not an issue for the MN Program if the "children" are under 21 and living with the senior parent.

MPG LTR 509 (9/02)

Question 10 A mother living in the home with only one disabled MN child, age 18 and not enrolled in school requests Medi-Cal. May she use this child for linkage?

Answer:

No. The child is defined in [MPG Article 1](#) as an adult.

MPG LTR 509 (9/02)

Question 11 A couple has started adoption proceedings for an unrelated child with whom they are living. May this couple apply for Medi-Cal using the child for linkage?

Answer:

No. The couple cannot apply until the adoption is final.

MPG LTR 509 (9/02)

Question 12 Would two persons of the same sex, who live together are registered as domestic partners, be financially responsible for each other if one or both apply for Medi-Cal?

Answer:

No. Domestic partners are not financially responsible for each other except for any income that they may contribute to the household in excess of their share of the expenses.

MPG LTR 509 (9/02)

Question 13 A child between 18 and 21 is away at college and is claimed as a tax dependent. He/She is considered a child for the MN/MI programs and is included in the MFBU with his/her parents. May the parents use him/her for linkage if the child is deprived?

Answer:

Yes.

MPG LTR 509 (9/02)

Question 14 If a deprived child age 19 who is claimed as a tax dependent by his/her parents is living out of state and does not plan to return, may the parents use him/her for linkage?

Answer:

No. This child is not considered to be temporarily absent from the home.

MPG LTR 509 (9/02)

Question 15

What are the consequences of excluding a child from the MFBU?

Answer:

Although a parent may allocate some of his/her income to the excluded child, the family size is reduced, which affects the income/property limits for the family. Since Sneed rules would apply if the child has income/property, it may be more beneficial to not exclude the child unless there are other issues such as not wanting to pursue medical support. Note: Workers must inform parents about the consequences of excluding a child from the MFBU.

MPG LTR 509 (9/02)

Question 16

If a relative of a child had his/her marriage annulled, may the former spouse of the relative be considered a caretaker relative?

Answer:

No. An annulment means that the marriage was invalid and did not exist.

MPG LTR 509 (9/02)
