

**County of San Diego, Health and Human Services Agency (HHSA)
Medi-Cal Program Guide**

Diligent Search

Number

04.09.01

Page

1 of 4

Revision Date:

11/01/2020

Background:

The diligent search process involves the "search" for an applicant's identity, available income and available resources when the applicant is unable to assist in the application process.

Purpose:

This section provides criteria for processing an application using a diligent search. It has been updated to provide additional ways to verify income, property, and updated presumed age aid codes.

Policy:

Diligent search is completed on all Medi-Cal applicants who are deceased, comatose, amnesiac, or otherwise mentally incompetent and no one else is authorized to complete the Statement of Facts as specified in MPG 04.02. No action is taken on the application until a determination of ineligibility has been established, or the diligent search and a referral to the State Programs-Disability Determination Services Division (SP-DDSD), if appropriate, have been completed.

04.09.01A Diligent Search Overview

The diligent search process requires the following actions:

1. Determine and document the applicant's competence
2. Refer to the SP-DDSD for a disability determination, excluding applicants who appear to be under age 21 or over 64
3. Conduct reasonable search
4. Determine eligibility based on diligent search findings
5. Refer applicants to the Public Administrator/Public Guardian, if appropriate

04.09.01B Determine and document applicant's competency

Medi-Cal applicants who, in the judgment of the Human Services Specialist (HSS), are unable to adequately respond to routine questions asked as part of the eligibility determination process should be considered incompetent. The determination of "incompetence" is based on the HSS's judgment. A determination of "incompetence" is not a legal or medical determination. See MPG 04.02.05B for steps to take when conducting a determination of incompetence.

Most referrals from a hospital, which will require a diligent search process, involve persons who are deceased, comatose or have amnesia. The determination of "incompetence" is noted in case comments. The confirmation of the HSS's determination of "incompetence" is stated in writing by the confirming person and stored in the case file.

04.09.01C Refer for a Disability Determination

A referral to the SP-DDSD is required for all applicants who have been determined "incompetent" except for persons who appear to be under age 21, or over age 64. The HSS making the referral will sign Form MC 220, Authorization for Release of Information, and write "person is comatose" or "person is deceased" as applicable on the face of the form. Forms MC 221, Disability Determination and Transmittal, and MC 223, Statement of Facts for Medi-Cal Regarding Disability, are completed with all available information.

**County of San Diego, Health and Human Services Agency (HHSA)
Medi-Cal Program Guide**

Diligent Search

Number

04.09.01

Page

2 of 4

04.09.01D Diligent Search - Identity

When a member of the hospital staff has attempted to establish the identity of a person who is comatose, amnesiac, or mentally incompetent and the person's identity remains unknown, HSS's are to document in the case comments that reasonable efforts were made by hospital staff to establish the identity of the person. If the person is deceased and law enforcement officials are involved, information on identity should be requested from the appropriate agency.

04.09.01E Diligent Search – Income and Property

For applicants whose identity is known, conduct a diligent search to include the following:

- Medi-Cal Eligibility Data System (MEDS) search by Social Security Number (SSN) or, if the SSN is not available, by name and county
- Verification of Social Security benefits via Income and Eligibility Verification System (IEVS) abstract or by calling 1-800-772-1213
- Verification of Veteran's Administration benefits via form MC-05
- Verification of wage, Unemployment Insurance/Disability Insurance (UI/DI) information via the IEVS abstract
- Bank statements which show an automatic deposit which identifies the source of the income
- Additional third-party contacts (must be fully documented in case comments)
- Verification of vehicle registration through written request to the Department of Motor Vehicles
- Property search via County Assessor's Office website or by calling the County Assessor's Office to determine if the applicant has any real property in San Diego County
- If the personal effects of the individual indicate an account at a specific banking institution, use form CW 60 Release of Information-Financial Institution, to request information from the banking institution to search for all accounts belonging to the person. If the banking institution confirms that the customer owns stocks, bonds, or mutual funds, contact a recognized stock exchange broker to determine their current sales value or establish the current selling price through listings in a current newspaper. If information contained in the personal effects, for example, a passbook or check register, provides an account balance, use this information in determining eligibility. If the bank refuses to provide the requested information, document the effort in the case comments
- Identify the existence of any interest-bearing accounts via IEVS abstract

When requesting any of the above information, include a cover letter indicating the circumstances, detailing, that the person is comatose or deceased, and therefore cannot sign a release of information form. Also include that, there is no person authorized to act on behalf of the customer, and the County is trying to establish the individual's Medi-Cal eligibility.

04.09.01F Determine Eligibility Based on Findings

Eligibility determinations based on the results of diligent search procedures will be completed in the same manner as any other determination. Consider residency requirements to be met in the absence of information to the contrary. Only the income and resources discovered through the diligent search will be considered available. If the individual deemed incompetent is the only person who has access to the income or resources, then these accounts should be considered as unavailable until the HSS is notified otherwise. Restricted/limited scope benefits will be granted if unable to obtain acceptable citizenship/identity documents and prove Satisfactory Immigration Status (SIS) or citizenship status at the end of the diligent search process.

**County of San Diego, Health and Human Services Agency (HHSA)
Medi-Cal Program Guide**

Diligent Search

Number

04.09.01

Page

3 of 4

Upon completion of the Medi-Cal eligibility determination resulting from the diligent search process, the Supervising Human Services Specialist (SHSS) approves the HSS's determination by countersigning the Statement of Facts.

04.09.01G Refer to Public Administrator/Public Guardian

A referral to the Public Administrator/Public Guardian is made when the diligent search results in:

- A denial of Medi-Cal benefits because the applicant was found to have excess property
- The applicant was found to have real property which must be utilized
- No individual is authorized to act on behalf of the applicant

Refer to Health and Human Services Agency (HHSA) Public Guardian website to submit online investigation referrals. If deceased, submit an online investigation referral to HHSA Public Administrator.

04.09.01H Acting on Changes

At any time during the application process, if the person's condition changes or a friend or relative is found so that Medi-Cal eligibility information can be obtained in the usual manner, then the diligent search efforts stop. The case record is updated to reflect the person's verified identity and eligibility status. Also, previously disregarded income and property will need to be reviewed for availability.

If the Person ...	Then ...
Remains eligible and a Medi-Cal Client Index Number (CIN) has been assigned,	Retain the CIN and update the aid code if there is a change in eligibility status
Is found to be ineligible,	Discontinue the case with timely and adequate notice.

Note: If the friend or relative is unable to supply the information or is non-cooperative, then they do not meet the representative criteria, and the diligent search effort continues. Refer to MPG 04.02.05.

Procedure:

04.09.01I Processing Diligent Search Cases

For cases where the identity of the applicant remains unknown, CalWIN entries are completed in the same manner as any other cases with the following exceptions:

1. Name – if the person's name is unknown, use either John C. Doe or Jane C. Doe for the case name.
2. Aid Codes – if the age is unknown, use the following to determine the Medi-Cal aid code.

If the individual's age appears to be ...	Then use aid code ...
Under 21,	82
Over 21-64,	38
Over 21-64 and in an Intermediate Care Facility/Skilled Nursing Facility (ICF/SNF).	53
65 or over	14, 17 or 13 when in ICF/SNF

3. Birth Date – if unknown use "01" for the month and "01" for the day: use the following for the year of birth.

**County of San Diego, Health and Human Services Agency (HHSA)
Medi-Cal Program Guide**

Diligent Search

Number

04.09.01

Page

4 of 4

If the estimated age is ...	Then use ...
Under 21,	Current year minus 10 years.
Between 21 and 64,	Current year minus 40 years.
65 or over,	Current year minus 70 years.

4. Social Security Number – if unknown, leave blank. A pseudo number is assigned by MEDS.
5. Health Insurance Claim Number – if unknown, leave blank.
6. Address – since MEDS will produce a reject message if the address field is blank, use the address of the Family Resource Center (FRC) in which the case is being processed.

Program Impacts:

None

References:

ACWDLs 94-62, 02-28, 11-11, 12-17

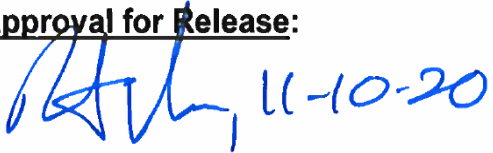
MEPM 4I, 22C, 22C-1, 22C-7

MEDILs 20-33, 20-33E

Sunset Date:

This policy will be reviewed for continuance by 11/30/2023

Approval for Release:



Rick Wanne, Director
Eligibility Operations