

# CMSP

GOVERNING BOARD

CMSP Letter No.: 09-12  
Issue Date: September 22, 2009

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: CMSP ELIGIBILITY MANUAL REVISIONS

On September 21, 2009 the CMSP Eligibility Committee approved non-substantive, clarifying changes to the CMSP Eligibility Manual. The manual sections revised are:

- Section 7-038 which was revised to specify Native American property which is considered exempt for CMSP eligibility determinations. This section was revised to coordinate with property exemptions in the Medi-Cal program as transmitted in Medi-Cal All County Letter 09-26 as required by the American Recovery and Reinvestment Act of 2009.
- Section 7-044 was revised to add clarification that State Disability Insurance Benefits lump sum payments are included in the CMSP property reserve.

The revised sections are attached to this letter and will be incorporated in the September 30, 2009 CMSP Manual update. If you have any questions in regard to this letter please contact Mr. Gary Varner, CMSP Eligibility Specialist, at (916) 649-2631 x 11 or at [gvarner@cmspcounties.org](mailto:gvarner@cmspcounties.org).

Thank you,



Lee D. Kemper  
Administrative Officer

Enclosure

#### 7-044. Lump Sum Payments

Nonrecurring lump sum social insurance payments, such as Nonrecurring Lump Sum Payments for State Disability Insurance Benefits (SDI) and any of the items specified in Section 8-014 (A) through (I) shall be included in the property reserve, except for:

Retroactive SSI and Title II benefit payments, which shall be exempt for six months after the month in which they were received.

#### 7-045. Stocks, Bonds, Mutual Funds, Money Market Accounts

Stocks, bonds, mutual funds, and money market accounts shall be included in the property reserve. The value of these items shall be the closing price on the date the property is evaluated. The value may be verified by:

- A. Contacting a licensed stockbroker.
- B. Checking the stock or mutual fund listings in the business section of the newspaper for the date that the valuation is made.
- C. Other credible sources which list the item and the closing price, including, but not limited to, a stock exchange web page on the Internet.

#### 7-046. United States Savings Bonds and Treasury Bills

United States Savings Bonds and Treasury Bills shall be included in the property reserve. The value of these bonds shall be the amount for which they can be sold.

#### 7-047. Motor Vehicles

Motor vehicles shall be considered as property.

- A. One motor or other vehicle shall be exempt.
  - 1) The Applicant or Beneficiary shall be allowed to choose which vehicle shall be exempt, except that recreational vehicles and vehicles used for business shall be considered exempt under this section only if other motor vehicles are not available to provide transportation for the Applicant or Beneficiary.
- B. The net market value of all nonexempt motor vehicles shall be included in the property reserve.

Counties have the responsibility to determine a reasonable value for motor vehicles. The Applicant does not need to obtain three appraisals by auto dealers, insurance adjusters, or personal property appraisers. Some of the

7-038. American Indian's Interest in Land Held in Trust by the United States Government

The entire market value of an American Indian's interest in land held in trust by the United States Government shall be exempt.

- A. For purposes of this section exempt property includes
  - 1. Property, including real property and improvements, that is held in trust, subject to Federal restrictions, or otherwise under the supervision of the Secretary of the Interior, located on a reservation, colony or pueblo.
  - 2. Ownership interests in rents, leases, royalties, or useage rights related to natural resources (including extraction of natural resources or harvesting of timber, other plants and plant products, animals, fish, and shellfish) resulting from the exercise of federally protected rights.
  - 3. Ownership interest in or useage rights not covered in paragraphs (1) or (2) that have unique religious, spiritual, traditional, or cultural significance or rights that support subsistence or a traditional lifestyle according to applicable tribal law or custom.