



MICHELLE BAAS
DIRECTOR

State of California—Health and Human Services Agency
Department of Health Care Services



GAVIN NEWSOM
GOVERNOR

CalABLE Account Impacts on Medi-Cal Eligibility Fact Sheet

What is Medi-Cal?

Medi-Cal, California's Medicaid Program, provides health care services including medical, dental, mental health, substance use treatment, long-term care services and support for low-income adults, children, seniors, pregnant women, and persons with disabilities.

What is a CalABLE account?

A CalABLE account, California's ABL program, is a tax-advantaged savings account that allows people with disabilities to save up to \$16,000 per year and up to the lifetime maximum of \$529,000 without losing their Medi-Cal benefits

An individual is eligible for a CalABLE account if the individual is disabled or blind with onset prior to age 26 and meets certain criteria.

How is a CalABLE account treated for Medi-Cal eligibility?

ABLE accounts are treated the same for Medi-Cal eligibility purposes no matter in which state the account was opened.

Property

Funds in a CalABLE account are not counted as property for Medi-Cal eligibility purposes.

Contributions

Any person, including an individual, trust, estate, partnership, association, company, or corporation can contribute funds to an ABL account. Third party contributions (made by persons other than the designated beneficiary) to an ABL account are disregarded in determining Medi-Cal eligibility.

The gross monthly income of the designated beneficiary is counted for Medi-Cal eligibility purposes even if all or a portion is automatically directed to their ABL account or contributed to their ABL account after receipt. Some types of income are excluded and certain deductions are allowed under the Medi-Cal eligibility rules.

Interests and Earnings

CalABLE account earnings, including interest and dividends, are not counted as income for Medi-Cal eligibility purposes.

Distributions

Distributions from a CalABLE account are not counted as income for Medi-Cal eligibility purposes if used for a "qualified disability expense" (QDE). Retained distributions are not counted as property for Medi-Cal eligibility purposes if retained for a future QDE.

What information will the county Medi-Cal office need to verify an ABLE/CalABLE Account?

A statement or document with information that identifies the ABLE program with the following:

- account number
- account open and closed dates
- name of person with signature authority
- current account balance

What happens to the account when I die? Can Medi-Cal seek recovery on the remaining assets in the ABLE Account?

Medi-Cal will not file a claim directly on the ABLE account. However, the state may recover on assets that have transferred from an ABLE account to an estate. In these cases, Medi-Cal will recover only if ALL of the following apply:

- The deceased Medi-Cal member was aged 55 or older
- The member leaves an estate that is subject to formal probate. Under current law, only estates that exceed \$166,250 in value are subject to formal probate.
- The member received nursing facility services or home and community-based services, including related hospital and prescription drug services.
- The member is not survived by a spouse or registered domestic partner, child under 21 years of age, or disabled child of any age.

Recipients of the estate may also apply for a hardship waiver against recovery on all or part of the estate. Recovery is limited to the amount of payments made for the services listed above (including managed care premiums) or the value of the estate, whichever is less.

For more information about establishing a CalABLE account, please see the enrollment website: <https://www.calable.org>

For more information on your Medi-Cal case or to apply for Medi-Cal, please contact your local County Medi-Cal Office. See link to the County Medi-Cal Offices in your county: <https://www.dhcs.ca.gov/services/medi-cal/Pages/CountyOffices.aspx>

For questions or information regarding Medi-Cal eligibility rules related to ABLE accounts, please contact the Meuy Saeteune at the Department of Health Care Services, at (916) 345-8064 or Meuy.Saeteune@dhcs.ca.gov.

For questions or information regarding Medi-Cal recovery rules related to ABLE accounts, please contact Jonathan Kennedy at the Department of Health Care Services, at (279) 600-1772 or Jonathan.Kennedy@dhcs.ca.gov.