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CalABLE Account Impacts on Medi-Cal 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 \$15,000 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

Income received is counted as income. Income deposited into a CalABLE account as a contribution is not counted as income when deposited for Medi-Cal eligibility purposes. Directly depositing income into a CalABLE account does not avoid income counting.

Interests and Earnings

CalABLE account earnings, including interest and dividends, are excluded from income for Medi-Cal eligibility.

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 \$150,000 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.

Where can I get more information?

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

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 Ms. Phoua Moua at the Department of Health Care Services at (916) 345-8064 or Phoua.Moua@dhcs.ca.gov.

For questions or information regarding Medi-Cal recovery rules related to ABLE accounts, please contact Ms. Lindsey Wilson at the Department of Health Care Services at (916) 750-2596 or Lindsey.Wilson@dhcs.ca.gov.