

# CHANGE NOTICE FOR MANUAL NO. 16-07, EXPANDED FOSTER CARE PROGRAM

DATE: SEPTEMBER 28, 2007

Manual: Family and Children's Medicaid

Change No: 16-07

To: County Directors of Social Services

Effective: 10-01-07

## I. BACKGROUND

The Foster Care Independence Act of 1999 allows states to extend Medicaid coverage for older youth who have aged out of foster care.

Older foster care youth are more likely to stay in group home settings, have multiple foster care placements and are less likely to be reunited with their biological families. As a result, many of these youth are at high risk for health and mental health problems due to the added trauma from being separated from their families.

The 2007 Appropriations Act allows foster care adolescents, ages 18, 19, and 20 to continue to receive Medicaid if they were in foster care on their 18<sup>th</sup> birthday. The Expanded Foster Care Program (EFCP) for IAS and HSF adolescents ages 18, 19, and 20 will disregard the adolescent's assets or income levels through the month they turn age 21. These children will remain under the IAS or HSF aid program/category.

Effective October 1, 2007, upon turning 18 years old, those children who are foster care or IAS must be **automatically enrolled** into the Expanded Foster Care Program without regard to assets or income through the month they turn age 21. However, the foster care children receiving under MIC should remain in MIC if they continue to be eligible for MIC. At the point they lose eligibility under MIC, evaluate them for EFCP.

For those former foster care children receiving under MAF categorically needy, they can remain MAF categorically needy. If their income or assets causes them to lose MAF categorically needy, evaluate them for EFCP.

Adolescents ages 18, 19, and 20 who had aged out of foster care at age 18 may now qualify for the Expanded Foster Care Program without regard to assets or income through the month they turn age 21. They must apply and if eligible, place the adolescent into EFCP rather than MAF, including a deductible, or FPW.

If a former foster care child is pregnant or became pregnant while on EFCP, the child born to the mother receiving EFCP will not qualify for auto newborn coverage. See MA-3230, Eligibility of Individuals Under 21, III. A. 4.

In order for the child to receive auto newborn coverage, the pregnant woman must be evaluated under one of the coverage groups listed in MA-3230, Eligibility of Individuals Under 21, III. A. 3. b.

Adolescents must apply in their county of residence for EFCP. This may not have been the county of residence when they were in foster care.

Recipients in EFCP may have their case transferred from county to county. EIS will allow for HSF and IAS county transfers to be keyed November 5<sup>th</sup>, 2007. Prior to November 5<sup>th</sup>, 2007, caseworkers must terminate the case in the first county and complete an administrative application in the second county.

The foster care workers at the county department of social services must verify citizenship/identity and also verify that all youth were in foster care on their 18<sup>th</sup> birthday. The recipient in the EFCP is required to undergo a recertification every twelve months.

Retroactive coverage is not allowable for any month prior to October 1, 2007, if eligible for the Expanded Foster Care Program (EFCP).

Eligibility coverage requirements for adolescents age 18, 19, and 20 in the Expanded Foster Care Program (EFCP) are:

- A. Were in foster care on their 18th birthday.
- B. Continues to be a resident of North Carolina.
- C. Must not be receiving Medicaid from another county or state.
- D. Must not be an inmate of a public institution.
- E. Must furnish their social security number, provide third party information, and apply for all benefits to which they may be entitled.

## ii. CONTENT OF CHANGE

### A. [MA-3230](#), Eligibility of Individuals Under 21

#### 1. Expanded Foster Care Program (EFCP)

a. HSF and IAS children are eligible for EFCP. They are exempt from the assets and income limits through the month the child turns age 21 if in foster care on 18th birthday.

b. Excludes the IAS and HSF children from citizenship and identity documentation requirements. They are exempt as the social worker must verify citizenship/identity. For Title IV-E (IAS) and Title IV-B (HSF) children receiving Medicaid, follow procedures in [MA-3420](#), Re-Enrollment, to obtain the necessary documentation verification of Title IV-B or Title IV-E status. Entering citizenship/identity codes into EIS is not required.

c. The Medicaid caseworker must complete a redetermination every 12 months to determine continuation for Medicaid services in the Expanded Foster Care Program through the month the child turns age 21. The redetermination is without regard to assets or income of the child.

d. IAS and HSF adolescents in the Expanded Foster Care Program as a caretaker relative are exempt from cooperating with Child Support.

There is no child or medical referral requirement for a foster care adolescent who now has a child, as long as the individual remains covered in the Expanded

Foster Care Program. However, if the individual's category of coverage is changed to a family group where child support requirements must be met as a condition of eligibility for the caretaker relative, then a referral must be made to Child Support.

e. Coverage in the Expanded Foster Care Program cannot begin prior to October 1, 2007. Do not allow retroactive coverage for any month prior to October 1, 2007, for adolescents eligible for the Expanded Foster Care Program (EFCP). Evaluate any retroactive coverage under another coverage group.

## 2. Other Changes

a. Expands the definition of factors considered as special needs to include:

(1) Ethnic background.

(2) Age.

(3) Membership in a minority race.

b. Provides other reasons for adoption assistance terminations such as the:

(1) State determines that the adoptive parents are no longer providing any support to the child,

(2) Child dies or,

(3) Death of both adoptive parents.

c. Adds that if the child is not from an ICAMA state he cannot be evaluated as a "special needs" adoptive child. Evaluate eligibility for all other programs including North Carolina Health Choice (NCHC), counting financial responsibility of the adoptive parents.

d. Instructs that the adoptive parent (s), not the child, must provide a certified copy of the adoption agreement, Decree of Adoption/Order of Adoption, from the adoption state that verifies special needs adoption assistance. The child normally does not have this information.

e. Changes the name of Compact Administrator to ICAMA Coordinator.

f. Instructs the Medicaid caseworker to request the State Division of Social Services ICAMA Coordinator to forward the ICAMA packet including the ICAMA form 6.01, Notice of Medicaid Case Eligibility/Case Activation and adoption assistance agreement to the appropriate Medicaid unit.

g. Deletes MA-3230, figures 1-3 that are obsolete. The

website, <http://info.dhhs.state.nc.us/olm/forms/forms.aspx?dc=dss>, contains links and definitions of Interstate Compact on Adoption and Medical Assistance (ICAMA) forms that are used primarily by the adoption assistance worker or the county designated person and coordinated through the state Division of Social Services office with the ICAMA Coordinator.

h. Deletes reference to sample form, DSS-5095, Child Placement Information and Tracking System.

i. Clarifies that only one special use code for a foster care child only case can be entered on the DSS-8125 at one time. The second special use code and data must be entered on a subsequent DSS-8125 on another day.

j. Instructs the Medicaid caseworker that when a IV-E child loses IV-E status in the other state, the Medicaid caseworker must complete a redetermination every 12 months to determine the continuation of Medicaid through the month the child turns age 21 without regard to assets or income of the child, if the child was in foster care at age 18.

k. Changes name from Department of Human Resources (DHR) to Department of Health and Human Services (DHHS).

l. Adds the Division of Social Services website at [www.ncdhhs.gov/dss/licensing](http://www.ncdhhs.gov/dss/licensing), for current listings of adoption and foster care agencies including private adoption agencies and the National Child Welfare Gate Way to Information website at [www.childwelfare.gov/nfcad](http://www.childwelfare.gov/nfcad). Caseworkers can use this website to verify the status of the facilities and confirm whether or not the facilities are licensed.

m. Deletes MA-3230-Figure 4, Private Adoption Agencies, as this information is found on the website for licensing at [www.ncdhhs.gov/dss/licensing](http://www.ncdhhs.gov/dss/licensing).

n. Changes section reference to [MA-3355](#), Enumeration Procedures, for Children in Foster Care or Adoptive Placement for enumeration of the adopted child.

o. Adds policy rules for transferring IAS and HSF to MAD.

If the child is SSI, a transfer is allowed from HSF to MAD or from MAD to HSF.

(1) You cannot transfer into or out of IAS. You must terminate the case and complete a new application.

(2) You cannot transfer into or out of HSF if the case is non-SSI. You must terminate the case and complete a new application.

p. Includes that EIS will display the following special message reports for the HSF and IAS Expanded Foster Care Program (EFCP) on the Case Management Report.

(1) "Age 18 in MMM" (e.g. "Age 18 in JAN")

Appears on the Case Management Report two months prior to the birth month, one month prior to the birth month, and in the birth month. This message is displayed only for HSF non-SSI cases, not for HSF SSI cases.

(2) "Age 21 in MMM"

Appears on the Case Management Report two months prior to the birth month and one month prior to the birth month.

(3) "Age 21 or Over"

Appears on the Case Management Report in the birth month and ongoing until the caseworker terminates the HSF or IAS for that child.

#### B. [MA-3305](#), MAF, MIC, HSF Budgeting

**1. Includes that an HSF child is eligible for the Expanded Foster Care Program (EFCP), and is exempt from the assets and income limits through the month the child turns age 21 if in foster care on his 18th birthday.**

**2. Instructs the caseworker that at the end of the 12 month certification period, to complete a review and continue eligibility. Repeat this process until the HSF child is age 21.**

**3. Instructs the caseworker to complete a review prior to terminating an HSF case. Determine eligibility without regard to assets or income (through the month the child turns age 21) for ongoing Medicaid if he was in foster care on his 18th birthday. If ineligible for MIC or MAF, continue in HSF.**

**4. Instructs the caseworker that if there is a pregnant woman in the home, evaluate for MAF-Pregnant Woman. If eligible, for MAF-PW categorically needy, approve her under MAF-PW. If ineligible or is only eligible with a deductible, evaluate for MPW. If the pregnant woman is already part of an assistance unit, do not include the newborn in the needs unit. The unborn is only included in determining eligibility for MAF-PW or MPW.**

#### C. [MA-3365](#), Child Support

**1. Clarifies that IAS and HSF adolescents in the Expanded Foster Care Program who are caretaker relatives are exempt from cooperating with Child Support.**

There is no child or medical referral requirement for a foster adolescent who now has a child, as long as the individual remains covered in the Expanded Foster Care Program. However, if the individual's category of coverage is changed to a family group where child support requirements must be met as a condition of eligibility for the caretaker relative, then a referral must be made to Child Support.

**2. Changes from 12 to 20 days the length of time needed when requesting evidence for good cause. Instructs the caseworker to set a date of twenty calendar days and offer assistance if needed when requesting evidence necessary to determine if good cause exists.**

**3. Clarifies that the caretaker receiving SSI is exempt from cooperating with Child Support.**

**4. Instructs the caseworker not to complete a referral for any child receiving under the Expanded Foster Care Program (EFCP).**

D. [MA-3410](#), Terminations and Deletions, adds the Expanded Foster Care Program (EFCP), as one of the possible aid program/categories for individuals who are ineligible for Medicaid in other categories but meet the requirements for EFCP.

### **III. Effective date**

This policy is effective October 1, 2007. Apply this policy for youth that were in foster care on their 18<sup>th</sup> birthday. For applications taken on or after October 1, 2007, do not allow retroactive coverage for any month prior to October 1, 2007, if eligible for the Expanded Foster Care Program (EFCP). For reviews with an effective date of October 1, evaluate for eligibility under EFCP.

### **IV. MAInteNanCE OF MANUAL**

A. Remove: MA-3230, Eligibility of Individuals Under 21, pages 3-4, and pages 9-27, and Figures 1-4.

Insert: [MA-3230](#), Eligibility of Individuals Under 21, pages 3-4, and pages 9-30, effective 10-01-07.

B. Remove: MA-3305, MAF, MIC, HSF Budgeting, pages 1-25.

Insert: [MA-3305](#), MAF, MIC, HSF Budgeting, pages 1-27 effective 10-01-07.

C. Remove: MA-3365, Child Support, pages 1-10.

Insert: [MA-3365](#), Child Support, pages 1-10 effective 10-01-07.

D. Remove: MA-3410, Terminations and Deletions, pages 1-16.

Insert: [MA-3410](#), Terminations and Deletions, pages 1-17 effective 10-01-07.

If you have any questions, please contact your Medicaid Program Representative.

William W. Lawrence, Jr., M.D.,

Acting Director

(This material was researched and written by Sandi Morrow, Medicaid Policy Consultant, Medicaid Eligibility Unit.)

