



## Former Foster Care Youth Medicaid Eligibility Frequently Asked Questions

### **What is Former Foster Care Medicaid?**

Former Foster Care Medicaid extends Medicaid benefits for youth formerly in Colorado foster care that received Medicaid at certain ages. Medicaid benefits will be re-established for such youth as long as they continue to meet the criteria described in this document.

### **Who does this extension of Medicaid coverage apply to?**

Youth in foster care under the state's or tribes' responsibility and also enrolled in Medicaid. Former Foster Care Medicaid extends medical assistance to age 26 for former foster care youth that were in Colorado foster care at ages 18, 19, 20 or 21 and enrolled in Medicaid.

### **Under what authority will Former Foster Care Youth be allowed to receive Medicaid between the ages of 21-26?**

The Affordable Care Act Public Law 111-148, amended Section 1902 (a)(10)(A)(i)(IX)(aa)-(dd) of the Social Security Act to include coverage for young adults up to age 26 who have aged out of foster care and were enrolled in and receiving Medicaid when they turned 18.

Former Foster Care Medicaid seeks to provide coverage consistent with peers who have access to health insurance until age 26 through family coverage.

### **What categories of Former Foster Care are included?**

The following have been identified by the Colorado Department of Human Services, Child Welfare Division, in compliance with the Affordable Care Act as eligible categories for Former Foster Care Medicaid Coverage:

- Certified kinship care
- Non-Certified kinship care (when the county has custody, due to a removal)
- Foster home care
- Group home care
- Group center care
- Children's Habilitation Residential Program (CHRP)
- Residential Child Care Facilities (RCCF) programs
- Psychiatric Residential Treatment Facilities (PRTF) programs
- Independent living programs
- Youth committed to the Division of Youth Corrections, living in one of the above, non-secure placements

### **Will youth that were in foster care and receiving Medicaid that left foster care prior to age 18, be eligible for the extension?**

No. Former Foster Care youth must have been in Colorado foster care at ages 18, 19, 20 or 21 to be eligible for the extension of Medicaid coverage to 26.

**Are youth for whom federal guardianship payments are made under section 473(d) of Title IV-E of the Social Security Act and who were receiving Medicaid when they turned 18-21, eligible for coverage under the Former Foster Care youth Medicaid extension?**

No. Federal guardianship assistance payments provided under section 473(d) of Title IV-E of the Social Security Act are not considered federal foster care maintenance payments. Because the Title IV-E agency no longer has placement and care responsibility for youth receiving such payments, these youth are not considered to be in foster care and are not eligible for coverage under the Former Foster Care youth Medicaid extension.

**Does the Former Foster Care youth Medicaid extension cover individuals who turned 18 or aged out of foster care prior to January 1, 2014?**

Yes. Effective as of January 1, 2014, coverage is available to individuals under age 26 who meet the eligibility requirements. For example, a youth who is 23 years old in January 2014 and who was in foster care and receiving Medicaid at the time he or she turned 18 (in 2009) will be eligible for Former Foster Care Medicaid coverage.

**Will Medicaid be available for Former Foster Care youth from other states?**

No. Colorado Medicaid will not provide Medicaid coverage to Former Foster Care youth from other states. Former Foster Care Youth from other states that become Colorado residents can apply for Medical Assistance.

**Will Colorado provide Medicaid for Former Foster Care youth that are temporarily out of state?**

If a Colorado Former Foster Care youth retains residency in Colorado, but is temporarily out of state (such as attending school), Colorado Medicaid will be allowed for services provided by out-of-state providers that become Colorado Medicaid providers.

**When does the Former Foster Care youth Medicaid extension take effect?**

The Former Foster Care youth Medicaid extension takes effect as of January 1, 2014. Once system changes are implemented, eligibility for youth qualifying for former foster care will be back-dated to the date that they left foster care but no earlier than January 1, 2014.

**Will an application be required?**

No. An application is not required.

**Will eligibility for Former Foster Care youth be redetermined annually?**

Only if the youth takes residency in another state or turns 26, he or she will go through a redetermination process. Otherwise, a certification will be sent to the youth's last known address annually to determine if there are any other changes that Medicaid needs to document such as address.



### **What happens to youth that are 21-26, currently receiving Medicaid services in another category?**

Youth receiving Long Term Care or on Supplemental Security Income (SSI) Benefits will remain in those programs as long as they maintain eligibility for those categories. If a youth has not been initially identified as Former Foster Care and is placed in a different adult group other than Long Term Care or SSI, once they are verified as Former Foster Care they will be transitioned to the Former Foster Care Category. Youth that receive adoption subsidy and are adopted will not be eligible for Former Foster Care youth Medicaid Extension.

### **Can a Former Foster Care youth become ineligible for the Medicaid extension?**

Yes. If a Former Foster Care youth becomes a resident of another state, becomes incarcerated, deceased or they cannot be located, the Former Foster Care youth will not be eligible for the Medicaid extension. These youth can be reactivated at any time until their 26<sup>th</sup> birthday, if they return to Colorado as residents, once they are no longer incarcerated or they are located.

### **Will an eligible Former Foster Care youth get Medicaid Coverage if they already have private insurance coverage?**

Medicaid will provide wrap around coverage. It is important to note that Medicaid is always the payer of last resort, thus private insurance will be billed first.

### **Will Former Foster Care youth have access to Early Periodic Screen Diagnosis and Treatment (EPSDT) services as part of the Medicaid extension?**

Once a youth reaches age 21, Early Periodic Screening Diagnosis and Treatment services are no longer provided. Adult services are provided and are not subject to co-pays.

### **Can Former Foster Care youth get retroactive Medicaid?**

Former Foster Care youth can get retroactive Medicaid no earlier than January 1, 2014 as long as they meet the extension criteria.

### **Will Former Foster Care youth covered by the Medicaid extension be required to pay co-payments?**

No. Medicaid benefits for Former Foster Care youth are not subject to co-payments.

### **Do MAGI-based methodologies apply to determining eligibility for Former Foster Care youth?**

There is no income test for eligibility for Former Foster Care youth. Therefore, MAGI-based methodologies are not relevant and states do not need to consider the parents' (or the individual youth's own) income for purposes of Medicaid eligibility.

### **Will there be an interim process prior to implementation?**

Proof of Medicaid Eligibility have been sent to Former Foster Care youth that meet the requirements of the Medicaid extension as identified by the Child Welfare TRAILS system. Proof of Medicaid Eligibility includes information to providers on billing procedures. Benefit dates will typically show as January 1, 2014 through April 30, 2014. These letters have been sent out the second week of February.

### **How will counties be informed of this process?**

We want to engage all stakeholders on the best ways to do this. The Department will use its normal communication channels including CBMS communications and ACA Implementation Newsletter.



**How will youth be informed of this process?**

The Department plans to conduct outreach to stakeholders and community organizations. Additional information will be provided in the future regarding stakeholder involvement in the formation of an outreach strategy.

**Will this document be updated?**

Yes, this document will be updated as new information becomes available.

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