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Bulletin No. 88-6

P-2412

P-2412 Committed Children and Children in Voluntary Placement

SRS is responsible for initiating and completing the Title IV-E/Medicaid Eligibility Form (SRS/DSW 201 FC/M) and obtaining Social Security numbers, if needed, for children placed in their care and custody by the courts or by voluntary placement by a parent or other guardian. Eligibility is to be determined on the basis of the information provided by SRS. If the SRS/DSW 201 FC/M appears incomplete or inconsistent, it must be returned to SRS with a memo requesting clarification.

NOTE: In situations where a child is awaiting adoption, the application for the Social Security number should be made using the birth certificate with the biological parents. After adoption, the adoptive parents should apply for a different SS# for the child, using the new birth certificate. (The adoption agency will keep the first Social Security card.) This will not cause a problem for the Social Security Administration, and it will maintain the confidentiality of the biological parents. If the child is eligible for Medicaid after being adopted, a new case file will be established (along with new ACCESS information) to correspond with the child's new identity.

A. Applications

The IMS processes the SRS/DSW 201 FC/M on receipt, according to the following procedures and

- Check to ensure that the SRS/DSW 201 FC/M is complete. Checks Section VIII to see if the child is eligible for Title IV-E. If eligible, the child is deemed Medicaid-eligible and IMS proceeds to next step. If not eligible for IV-E, computes income, resources, and need based on Medicaid income and resources, and need based on Medicaid income and resource standards for one person. (Use the DSW 203B if needed to compute applied income.)
- Checks for health insurance coverage. (See P-2440)
- Submits a DSW 248 to the Medicaid Division if there is potential third party liability.
- Completes bottom half of the DSW 201C and send a copy to SRS, retaining a copy in the case record.

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(Cont'd)B. Reviews

When the review date comes up, IMS initiates the eligibility review by sending to the SRS District Director the top copy of a DSW 201C with the top half completed. Second and third copies must be held in suspense.

If an SRS/DSW 201 FC/M is not returned within 20 days, the IMS shall close Medicaid on the basis of "insufficient information to determine eligibility" by updating the Medicaid Eligibility panels using ELIG/C. Complete the bottom half of the DSW 201C and send the second copy to SRS, retaining the third copy in the case record.

If an SRS/DSW 201 FC/M is received, process as in "A. Applications" above, including review and update of health insurance coverage (see P-2440), or according to any applicable change in status (see P-2412 C).

C. Change in Status

Adoptive Placements - A child placed in an adoptive home with an Adoption Assistance Agreement (whether or not there is a maintenance payment) will continue to be eligible for Medicaid if he or she was IV-E eligible at the time of the adoption and the Adoption Assistance Agreement remains in effect. Children eligible for Medicaid because of the Adoption Assistance Agreement should continue to be coded FC on the Medicaid Eligibility Panel, and the address should be that of the adoptive parent so that the parent receives the monthly Medicaid card.

Committed children who are placed in adoption without an Adoption Assistance Agreement or who are not IV-E eligible at the time of adoption will no longer be eligible for Medicaid. SRS will send DSW information about placement via the SRS-201M. The adoptive parents may apply on behalf of an adoptive child like any other family, and the regular Medicaid policies and procedures for determining eligibility will apply.

Returned to own home - Medicaid for a committed child will be continued during the initial 60 day evaluation

period when the child is returned to the parents' home.
For Medicaid to continue beyond this initial 60 day period, the family must apply for Medicaid and be found eligible on the basis of the regular Medicaid policies and procedures.

The worker should send the parent an application for Medicaid 30 days before the end of the 60 day period and a letter explaining that if

- Enters the required information on the APPL and STAT.
- Completes the Medicaid Eligibility panels using ELIG/C (effective date is the first day of the month in which the child was placed in the custody of SRS unless the date is more than three calendar months prior to the date of application; then an Island of Eligibility will need to be entered). NOTE: The child must be placed/living outside the parents' home to qualify for committed child Medicaid.

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(Cont'd)C. Change in Status (Continued)Returned to own home (Continued)

the parent does not apply for Medicaid for the committed child, or applies and the child is not eligible, Medicaid will terminate at the end of the calendar month in which the 60th day following placement falls. The worker should give the date of closure but this letter should not be considered the termination notice.

CC becomes SSI/AABD recipient - If a CC becomes an SSI/AABD recipient, eligibility is to be determined on the basis of SSI/AABD Medicaid policies and procedures (P-2414).

CC is no longer IV-E eligible - If the IMS is notified via SRS-201M that the child is no longer IV-E eligible, but is still in the custody of SRS, a determination of Medicaid eligibility will have to be made based on ANFC-related Medicaid policies (M 300). In this situation, which the IMS should handle as a review, the SRS worker must attach a completed SRS/DSW 201 FC/M to the SRS-201M.

If at any point the IMS receives information that could affect a CC's eligibility for IV-E, he/she should notify SRS.

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(Cont'd)D. Closures

A committed child's eligibility ends only in the following situations:

- Failure of SRS to provide information necessary to determine eligibility.
- Return to own parents' home.
- Commitment to SRS terminated by court (this includes adoption).
- Child is no longer IV-E eligible.

For the last three situations, redetermine eligibility for regular Medicaid. Upon determination of ineligibility:

- Complete the bottom half of the DSW 201C (Medicaid Review Notice).
 Send a copy to SRS and retain a copy in the case record.
- Update Medicaid Eligibility panels using ELIG/C to show closure code and closure effective date, allowing for a 10-day adverse action notice.