

# Medi-Cal for Children Turning Age 18 while in Foster Care

<b>Overview</b>	California has adopted the state option created by the federal Foster Care Independence Act of 1999, P.L. No. 106-169. As of October 1, 2000, children who are transitioning out of foster care at age 18 can continue their Medi-Cal coverage under the Former Foster Care Children (FFCC) program.
<b>Eligibility</b>	A child must be in foster care under the responsibility of the state on his or her 18th birthday. Coverage continues automatically until age 21. Children who leave foster care before age 18 are not eligible.
<b>Special Circumstances</b>	<ul style="list-style-type: none"> <li>• Children in the Kin-Guardian Assistance Program (<b>Kin-GAP</b>) are not eligible, because they are no longer under state control.</li> <li>• Children who are <b>undocumented</b> are not eligible.</li> <li>• Children who are in <b>residential treatment facilities or incarcerated</b> are not eligible, but they can receive FCCP coverage once released from these institutions.</li> <li>• Children who are in <b>foster care placement at 100% county expense</b> also are not eligible.</li> </ul> <p>However, the county should redetermine eligibility to see whether the child is eligible for Medi-Cal another way including continuous eligibility for children. Medi-Cal eligibility under the foster care category should remain until the county does this redetermination. See <i>SB87 Guide: Changes in the Medi-Cal Eligibility Determination Process</i> at <a href="http://www.healthconsumer.org">www.healthconsumer.org</a>.</p>
<b>Income &amp; Assets</b>	There are no income or assets/resource requirements. Coverage continues regardless of income or assets.
<b>Application</b>	There is no need to apply. Children should be transferred to the new program automatically upon turning 18 years-old. <sup>1</sup>
<b>FFCC v. CEC</b>	A child under age 19 who loses foster care eligibility and does not qualify for FFCC (e.g., because the child returns home before her 18 <sup>th</sup> birthday), the child must be transitioned to the continuous eligibility for children (CEC) program without requiring a new application. The child is entitled to CEC until the next annual redetermination, which is 12 months from the last foster care redetermination. The FFCC program takes priority over CEC for youth turning 18 while in foster care.
<b>Annual Redetermination</b>	Since there are no income or asset requirements, annual redetermination is limited to verification of any remaining factors, such as state residency.

<sup>1</sup> While eligibility should be automatic, DHS has issued a simple, one-page form in ACWDL No. 01-60 to use when a youth under age 21 who turned 18 while in foster care has experienced a break in coverage. This is the same form used for annual redetermination. However, because there should be automatic and continuous Medi-Cal eligibility as of the child's 18<sup>th</sup> birthday, any health care costs incurred during a break in coverage should be covered by Medi-Cal. In such a situation, a fair hearing request should be filed in order to obtain retroactive coverage for the child.

<b>Managed Care</b>	Managed care enrollment is voluntary, except in County Organized Health System (COHS) counties where enrollment is mandatory.
<b>Scope of Benefits</b>	Children under this program are eligible for full scope Medi-Cal benefits, including Early and Periodic Screening, Diagnosis and Treatment (EPSDT), during the coverage period.
<b>Aid Codes</b>	Children who are in foster care and in aid codes 40, 42, 45, 4C, or 5K are to be moved into aid code 4M on their 18 <sup>th</sup> birthday.
<b>Authority</b>	42 U.S.C. §§ 1396a(a)(10)(A)(ii)(XVII), 1396d(w)(1); HCFA, Letter to Medicaid Directors (Dec. 14, 1999); HCFA, Letter to Medicaid Directors (Dec. 1, 2000); Welf. & Inst. Code § 14005.28; ACWDL Nos. 00-41 (Aug. 14, 2000), 00-61 (Nov. 22, 2000), 01-40 (July 20, 2001), 01-60 (Nov. 2, 2001), 02-20 (April 5, 2002).