



Medi-Cal Eligibility for Former Foster Youth Under the Affordable Care Act¹

The Affordable Care Act (ACA) recognizes that young adults may have difficulty obtaining affordable, comprehensive health care coverage on their own. As a result, the ACA permits young adults to remain on their parents' health insurance until the age of 26. For youth who emancipate from foster care and do not have access to health insurance through their parents, the ACA provides continued coverage through Medicaid.² The Medicaid program in California is known as Medi-Cal.

Who is eligible?

Beginning January 1, 2014, youth who were in foster care on their 18th birthday are eligible for Medi-Cal coverage up to the age of 26 regardless of income.³ California law provides this coverage to youth who were in foster care in another state.⁴

How does a youth apply for coverage?

Medi-Cal coverage for youth in foster care in California on their 18th birthday will continue without any interruption in coverage and without requiring a new application.⁵

Youth who are not already enrolled can apply through the county social services department using a simplified one page Medi-Cal application called an MC 250A. Note: This form is different from MC 250, which is used for children living apart from their parents.

The MC 250A can be found at:

<http://www.dhcs.ca.gov/formsandpubs/forms/Forms/mc250a.pdf>

To find out who to contact in the county, here is a listing of county offices:

<http://www.dhcs.ca.gov/services/medi-cal/Pages/CountyOffices2.aspx>

¹ Federal and state guidance on some issues is forthcoming. Be sure to check for updates.

² 42 U.S.C. §1396a(a)(10)(A)(i)(IX); 42 CFR §435.150.

³ Welf. & Inst. Code (WIC) 14005.28(a), effective 1/1/14 (SBx1-1, available at: http://www.leginfo.ca.gov/pub/13-14/bill/sen/sb_0001-0050/sbx1_1_bill_20130627_chaptered.pdf).

⁴ *Id.*

⁵ WIC §14005.28(a)(1).

How is eligibility determined?

Former foster youth will not have to provide information about their income in order to qualify. Youth who have aged out of foster care in California or any other state and who are not already enrolled in Medi-Cal will be assessed for eligibility as former foster youth first.⁶

Once the youth's age is known and the youth indicates on the application, or otherwise attests to being in foster care at age 18, there will be no income test. The Department of Health Care Services (DHCS) or the county will enroll the youth in Medi-Cal and then obtain verification of their foster care status. DHCS is working on written policy for post eligibility verification that will allow a reasonable period of time for verification for youth who were in foster care in another state.⁷

How does this impact youth covered under the current FFCC program?

The current Former Foster Care Children (FFCC) program provides Medi-Cal coverage for former foster youth up to age 21.⁸ Youth in the FFCC program will have continued coverage to age 26 beginning on January 1, 2014. The new law continues this coverage for youth who turn 21 between July 1, 2013 and January 1, 2014.⁹ Therefore, these youth should not lose Medi-Cal or have to be assessed for eligibility in another category. The coverage should continue in the program when the youth turns age 21.¹⁰

What can be done for youth who were disenrolled when they turned 21?

There will be youth who lost coverage upon turning age 21 who will once again be eligible for the program. DHCS must work with counties to identify and conduct outreach to former foster care adolescents who lost Medi-Cal coverage during the 2013 calendar year as a result of attaining 21 years of age, to ensure they are aware of the ability to reenroll under the coverage provided pursuant to this new law.¹¹

There may also be young adults who are eligible because they were in foster care on their 18th birthday but were not enrolled in this program because they were not identified as being in foster care. This may include youth placed with relatives, youth in probation supervised foster care placements as a result of a delinquency adjudication, or youth who were not in a specified placement on their 18th birthday because of a temporary absence, a trial home visit, or leaving a placement without approval. These youth could all be eligible for this Medi-Cal program.

⁶ Email from Rene Mollow, 9/27/13; policy letter forthcoming.

⁷ Policy Letter forthcoming.

⁸ All County Welfare Director's Letter (ACWDL) 0-41 and 00-61.

⁹ WIC §14005.281(a) (AB 82, available at: http://www.leginfo.ca.gov/pub/13-14/bill/asm/ab_0051-0100/ab_82_bill_20130627_chaptered.pdf).

¹⁰ *Id.*

¹¹ WIC §14005.28(a)(2).

How does someone find out if a youth was in foster care on their 18th birthday?

The office of the Foster Care Ombudsman can check the state child welfare services database (called CWS/CMS) to see whether a youth was in foster care on the day he or she turned 18. The Ombudsman's office can also help youth who are having difficulty enrolling in Medi-Cal or have been dropped from coverage.

Toll-free telephone: 1-877-846-1602

E-mail Address: fosteryouthhelp@dss.ca.gov

Complaints: [Complaints Page](#)

Website: <http://www.fosteryouthhelp.ca.gov/>

What will be required to remain on the program?

DHCS is required to develop and implement a simplified redetermination form for this program.¹² A young adult enrolled in this program will be required to fill out and return the simplified form only if information known to the department (DHCS or the county) is no longer accurate or is materially incomplete.¹³

DHCS is required to seek federal approval to institute a renewal process that allows a young adult in this program to remain on Medi-Cal after a redetermination form is returned as undeliverable and the county is otherwise unable to establish contact.¹⁴ If federal approval is granted, the recipient shall remain eligible for services under the Medi-Cal fee-for-service program until the time contact is reestablished or ineligibility is established.¹⁵ DHCS or the county can terminate eligibility only after it determines that the recipient is no longer eligible and all due process requirements are met in accordance with state and federal law.¹⁶

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¹² WIC §14005.28(a)(3)(A).

¹³ *Id.*

¹⁴ WIC §14005.28(a)(3)(B).

¹⁵ *Id.*

¹⁶ WIC §14005.28(a)(3)(C).