

Association and Administrators of the Interstate Compact on the Placement of Children

Securing Medical and Education Services in Interstate Placements



The Texas Perspective

ICPC AND OUT-OF-STATE FOSTER/SUBSTITUTE CARE PLACEMENTS



ICPC AND OUT-OF-STATE FOSTER/SUBSTITUTE CARE PLACEMENTS

I. TEXAS PLACES A CHILD IN ITS CVS OUT OF STATE:

A. Title IV-E:

If Texas is making Title IV-E foster care payments to the caregiver then the child automatically qualifies for Medicaid in the receiving state. This is because under Federal law all children who receive a Title IV-E foster care maintenance payment are automatically entitled to receive Medicaid. The state where the child is living provides the Medicaid.

**ICPC AND OUT-OF-STATE
FOSTER/SUBSTITUTE CARE PLACEMENTS**

I. TEXAS PLACES A CHILD IN ITS CVS OUT OF STATE:

B. State-paid foster care:

1. If Texas is making State-paid foster care payments to the caregiver the child may qualify for the receiving state's Medicaid program.
2. The caregiver should be encouraged to apply for Medicaid on behalf of the child in the state they reside.
3. Texas is responsible for providing MAO Medicaid until that child qualifies for Medicaid in the other state or our legal responsibility ends.
4. *Note – Out of state Medicaid providers can only be reimbursed if they get certified as a Texas Medicaid provider.

**ICPC AND OUT-OF-STATE
FOSTER/SUBSTITUTE CARE PLACEMENTS**

I. TEXAS PLACES A CHILD IN ITS CVS OUT OF STATE:

C. Unlicensed placement out-of-state:

1. Child is placed out-of-state in an unlicensed placement:
 - a. Texas does not make foster payments to unlicensed caregivers.
 - b. Texas is responsible for providing MAO Medicaid until that child qualifies for Medicaid in the other state or our legal responsibility ends.
 - c. The caregiver should be encouraged to apply for Medicaid on behalf of the child in the state they reside.
 - d. *Note – Out of state Medicaid providers for Texas Medicaid can only be reimbursed if they get certified as a Texas Medicaid provider.

**ICPC AND OUT-OF-STATE
FOSTER/SUBSTITUTE CARE PLACEMENTS**

I. TEXAS PLACES A CHILD IN ITS CVS OUT OF STATE:

D. Temporary Placement in a non-Title IV-E institution:

1. The child is placed in a non-title IV-E institution and this is a temporary placement:
 - a. The eligibility staff will need to change the child's foster care eligibility in IMPACT to State-paid foster care.
 - b. The child's Medicaid eligibility may be impacted depending on the other state's Medicaid rules and policies.
 - c. *Note – Out of state Medicaid providers can only be reimbursed if they get certified as a Texas Medicaid provider

**ICPC AND OUT-OF-STATE
FOSTER/SUBSTITUTE CARE PLACEMENTS**

I. TEXAS PLACES A CHILD IN ITS CVS OUT OF STATE:

D. Temporary Placement in a non-Title IV-E institution: (cont'd)

2. After the child is placed back into a Title IV-E setting, re-certify as title IV-E
 - a. The eligibility staff will need to change the child's foster care eligibility in IIMPACT to Title IV-E foster care
 - b. The other state automatically certifies the child for Medicaid because child is Title IV-E.

**ICPC AND OUT-OF-STATE
FOSTER/SUBSTITUTE CARE PLACEMENTS**

I. TEXAS PLACES A CHILD IN ITS CVS OUT OF STATE:

E. Child is placed in non-title IV-E institution and this is a permanent placement:

- a. The eligibility staff will need to change the child's foster care eligibility in IIMPACT to State-paid foster care.
- b. The child's Medicaid eligibility may be impacted depending on the other state's Medicaid rules and policies
- c. The institutional caregivers should be encouraged to apply for Medicaid in behalf of the child in the state they reside.
- d. *Note – Out of state Medicaid providers can only be reimbursed if they get certified as a Texas Medicaid provider

**ICPC AND OUT-OF-STATE
FOSTER/SUBSTITUTE CARE PLACEMENTS**

II. TEXAS RECEIVES A PLACEMENT FROM OUT OF STATE:

A. Title IV-E Providers:

1. If the sending state is making a Title IV-E foster care payment to a provider in Texas then that child automatically qualifies for DFPS MAO Medicaid coverage in Texas. This is because under Federal law all children who receive a Title IV-E foster care maintenance payment are automatically entitled to receive Medicaid. The state where the child is living provides the Medicaid.
2. ICPC will make a referral to the CPS eligibility unit in the region where the child will reside so that Medicaid coverage for that child can be processed

**ICPC AND OUT-OF-STATE
FOSTER/SUBSTITUTE CARE PLACEMENTS**

II. TEXAS RECEIVES A PLACEMENT FROM OUT OF STATE:

B. Non-title IV-E Providers:

1. The sending state may or may not be making a foster care payment to the provider.
2. There is no obligation for Texas CPS to provide DFPS MAO Medicaid, because the sending state has the conservatorship and is responsible for the child, not Texas.
3. If the sending state is not providing for the medical needs of the child, the caregiver should submit a Medicaid application to HHSC on behalf of the child to see if the child will qualify for Medicaid.

**ICPC AND OUT-OF-STATE
FOSTER/SUBSTITUTE CARE PLACEMENTS**

II. TEXAS RECEIVES A PLACEMENT FROM OUT OF STATE:

C. Title IV-E out of state and placed with relative in Texas:

1. Medicaid is not automatic if the caregiver is not receiving a Title IV-E foster care payment.
2. There is no obligation for Texas CPS to provide DFPS MAO Medicaid coverage because this is not a Texas CPS child.
3. If the sending state is not providing for the medical needs of the child, the caregiver should submit a Medicaid application to HHSC on behalf of the child to see if the child will qualify for Medicaid.

**ICPC AND OUT-OF-STATE
FOSTER/SUBSTITUTE CARE PLACEMENTS**

II. TEXAS RECEIVES A PLACEMENT FROM OUT OF STATE:

D. Title IV-E and then changed to non-title IV-E while the child is in Texas:

1. Child is placed in a non-title IV-E institution and this is a temporary placement
 - a. The sending state may or may not be making foster care payments.
 - b. There is no obligation for Texas CPS to provide DFPS MAO Medicaid because this child is the responsibility of the sending state.
 - c. If the sending state is not providing for the medical needs of the child, the caregiver should submit a Medicaid application to HHSC on behalf of the child to see if the child will qualify for Medicaid.
 - d. If the sending state recertifies the child as Title IV-E after the child's temporary stay and the child is still living in Texas, Texas is to provide DFPS MAO Medicaid because the child is certified as Title IV-E.

**ICPC AND OUT-OF-STATE
FOSTER/SUBSTITUTE CARE PLACEMENTS**

II. TEXAS RECEIVES A PLACEMENT FROM OUT OF STATE:

D. Title IV-E and then changed to non-title IV-E while the child is in Texas: (cont'd)

- 2. Child is placed in a non-title IV-E institution and this is a permanent placement.
 - a. The sending state may or may not be making foster care payments.
 - b. There is no obligation for Texas CPS to provide DFPS MAO Medicaid.
 - c. If the sending state is not providing for the medical needs of the child, the child's caregivers will need to make a Medicaid application made to HHSC by caregiver on behalf of the child.

**ICPC AND OUT-OF-STATE
ADOPTIVE
PLACEMENTS**



**ICPC AND OUT-OF-STATE ADOPTIVE
PLACEMENTS**

I. A CHILD THAT IS THE SUBJECT OF A TEXAS ADOPTIVE ASSISTANCE AGREEMENT MOVES OUT OF STATE:

A. Title IV-E Adoption Assistance (AA) agreement:

If child is eligible for Title IV-E medical assistance and subsidy that child is automatically entitled to receive Medicaid in the receiving state. The state where the child is living provides the Medicaid. The adoptive worker would send an Interstate Compact on Adoption and Medical Assistance (ICAMA) Form 601 - Notice of Medicaid Eligibility/Case Activation and a copy of the Adoption Assistance agreement to the CPS state office adoption liaison for processing.

ICPC AND OUT-OF-STATE ADOPTIVE PLACEMENTS

I. A CHILD THAT IS THE SUBJECT OF A TEXAS ADOPTIVE ASSISTANCE AGREEMENT MOVES OUT OF STATE:

B. State-paid Assistance (AA) agreement:

If child is eligible for State-paid medical assistance and subsidy that child may be eligible to receive Medicaid in the receiving state. The eligibility is on a state by state basis and depends on reciprocal agreements. For a child who is in another state and who is covered by an adoption assistance agreement made by the Department of Protective and Regulatory Services Texas shall provide coverage and benefits if they are not provided by the residence state. The adoptive worker would send an ICAMA (Interstate Compact on Adoption and Medical Assistance) Form 601 and a copy of the Adoption Assistance agreement to the CPS state office adoption liaison for processing.

ICPC AND OUT-OF-STATE ADOPTIVE PLACEMENTS

II. A CHILD THAT IS THE SUBJECT OF AN OUT OF STATE ADOPTIVE ASSISTANCE AGREEMENT MOVES TO TEXAS*:

A. Title IV-E Adoption Assistance (AA) agreement:

If child is eligible for Title IV-E medical assistance and/or subsidy that child is automatically entitled to receive medical assistance (MAO) in Texas. The state where the child was adopted will provide the required ICAMA documentation in order for Texas adoption eligibility staff to certify the child for Texas Medicaid.

*Texas Family Code SUBCHAPTER C. Section 162.201 - INTERSTATE COMPACT ON ADOPTION AND MEDICAL ASSISTANCE

ICPC AND OUT-OF-STATE ADOPTIVE PLACEMENTS

II. A CHILD THAT IS THE SUBJECT OF AN OUT OF STATE ADOPTIVE ASSISTANCE AGREEMENT MOVES TO TEXAS*:

B. State-paid Assistance (AA) agreement:

If child is eligible for non IV-E medical assistance and/or subsidy per an adoption assistance agreement in another state, that child is automatically entitled to receive medical assistance (MAO) in Texas. The state where the child was adopted will provide the required ICAMA documentation in order for Texas adoption eligibility staff to certify the child for Texas Medicaid.

*Texas Family Code SUBCHAPTER C. Section 162.201 - INTERSTATE COMPACT ON ADOPTION AND MEDICAL ASSISTANCE

MEDICAID ELIGIBILITY OVERVIEW



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I. Mandatory Eligibility:

1. Limited income families with children who meet AFDC requirements of the state's plan as of July 16, 1996. States have their own income and assets limits.
2. Supplemental Security Income (SSI) recipients or states using more restrictive criteria—aged, blind, and disabled individuals who meet criteria which are more restrictive than those of the SSI program and which were in place in the State's approved Medicaid plan January 1, 1972.
Medicaid is automatic once SSI is approved
3. Infants born to Medicaid eligible pregnant women. Medicaid eligibility must continue throughout the first year of life so long as the infant remains in the mother's household and she remains eligible, or would be eligible if she were still pregnant.

MEDICAID ELIGIBILITY OVERVIEW

I. Mandatory Eligibility: (cont'd)

4. Children under age 6 whose family income is at or below 133% of the Federal poverty level. States are required to extend Medicaid eligibility until age 19 to all children born after 9-30-83.
5. Recipients of adoption assistance and foster care until title IV-E of the Social Security Act.
6. Certain people with Medicare

MEDICAID ELIGIBILITY OVERVIEW

II. Optional Groups—categorically needy:

(State's can decide whether or not to provide the following groups Medicaid)

1. Infants up to age one whose family income is below 184% of the Federal poverty level.
2. Optional targeted low-income children.
3. Certain, aged, blind, or disabled adults whose income are above mandatory level but below the federal poverty line.
4. Institutionalized individuals with limited income and resources.
5. Recipients of state supplementary payments.
6. Tuberculosis-infected persons with limitations.
7. Low-income, uninsured women for screening certain diseases

The End


