

Section 1115 Demonstration Project Waiver Former Foster Care Youth

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Wisconsin Department of Health Services
Division of Medicaid Services

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Background

- Since January 1, 2009, Wisconsin Medicaid has covered youth who were in foster care when they turned 18 years old, until they turned age 21. This is part of an optional foster care adolescents group described in Sections 1905(w)(1) and 1902(a)(10)(A)(ii)(XVII) of the Social Security Act.
- Eligibility coverage for these individuals includes:
 - No income or resource tests
 - No regard for what state they were residing in when they turned age 18.

Background

- The Affordable Care Act (ACA) created a new mandatory coverage group under Section 1902(a)(10)(A)(i)(IX) of the Social Security Act.
 - Youth who were in foster care, under the responsibility of the state or tribe, and receiving Medicaid when they turned 18 years old.
 - This group is referred to as former foster care youth.
- Under this category, individuals can obtain coverage until age 26 and are not subject to income limits.

Background

- In January 2013, the Centers for Medicare and Medicaid Services (CMS) issued proposed regulations that offered states the option to provide Medicaid to former foster care youth who were in foster care in another state when they turned age 18.
- Wisconsin elected this option beginning January 1, 2014.

Federal Regulations

- On November 21, 2016, CMS published final regulations that no longer allow states under the State Plan authority to cover youth who were in foster care in another state when they turned age 18.
- States that want to provide Medicaid coverage for former foster care youth who were in foster care in another state when they turned 18 years old must submit a Medicaid Demonstration Waiver application under authority of Section 1115 of the Social Security Act.

Waiver

- Wisconsin is choosing to continue providing Medicaid coverage to former foster care youth from another state under the Section 1115 Demonstration Waiver.
- The waiver would provide statewide Medicaid coverage to former foster care youth who resided in a state other than Wisconsin when they were in foster care as of age 18.
 - The duration of the waiver is three years.

Waiver

- By providing coverage to former foster care youth who were in foster care in another state when they turned age 18, Wisconsin will benefit by:
 - Increasing and strengthening overall access to health care coverage for former foster care youth.
 - Improving health outcomes for former foster care youth.

Eligibility Impact

- Wisconsin is already providing coverage to former foster care youth who are from a different state under BadgerCare Plus.
- If this demonstration application is approved, there will be no gap in coverage and no changes to the benefits provided as part of this demonstration.
- Currently, there are three former foster care youth enrolled in BadgerCare Plus who were in foster care in another state when they turned age 18.

Operational Impact

- There are no changes to the application or renewal process for former foster care youth.
- At initial application, the Income Maintenance (IM) agency must continue to verify and document the individual's foster care status when he or she turned 18 in CARES.
 - IM agencies and child welfare agencies should use the BadgerCare Plus Former Foster Care Youth form (F-10184) to assist in verifying the youth's status.
- Individuals must complete an annual renewal to continue eligibility.
 - If the foster care status on the youth's 18th birthday has already been verified and documented, there is no need to request verification at renewal.

Proposed Timeline

Milestone	Date
Public Notice Issued	April 3, 2017
Public Hearing #1 (Milwaukee)	April 18, 2017
Public Hearing #2 (Madison)	April 21, 2017
Comment Period Closes	May 2, 2017
Waiver Submission	May 19, 2017
CMS Approval	August 2017

Comments and Testimonials

Comments and testimonials will be accepted through May 2, 2017, and may be submitted using any of the following methods:

- Email: Alfred.Matano@dhs.wisconsin.gov
- Fax: 608-267-3205
- Phone: 608-267-6848
- Mail:

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This information is also online at
dhs.wisconsin.gov/badgercareplus/waivers.htm.