



## OPERATIONAL MEMO

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<b>TITLE:</b>	<b>OUT OF STATE FORMER FOSTER CARE YOUTH GUIDANCE</b>
<b>SUPERSEDES NUMBER:</b>	N/A
<b>EFFECTIVE DATE:</b>	<b>JANUARY 1, 2023</b>
<b>DIVISION AND OFFICE:</b>	<b>MEDICAID OFFICE OPERATIONS</b>
<b>PROGRAM AREA:</b>	<b>ELIGIBILITY POLICY</b>
<b>KEY WORDS:</b>	<b>OUT OF STATE, FORMER FOSTER CARE YOUTH, MAGI, SUPPORT ACT, VERIFICATION</b>
<b>OPERATIONAL MEMO NUMBER: HCPF OM 23-010</b>	
<b>ISSUE DATE: FEBRUARY 10, 2023</b>	
<b>APPROVED BY: RALPH CHOATE</b>	

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### **Purpose and Audience:**

The purpose of this Operational Memo is to provide all Eligibility Sites (County Departments of Human/Social services, Medical Assistance (MA) Sites, and Eligibility Application Partners (EAP), herein referenced as "Eligibility Sites") with information about regulations 42 C.F.R. §435.150 on requirements to expand Health First Colorado Former Foster Care services to youth who were in foster care at the age of 18 on or after January 1, 2023, were on Medicaid, and who have become residents of Colorado from another state. This guidance is intended for all Eligibility Workers and Supervisors. Please share this memo with anyone who works with Health First Colorado/CHP+ applicants and members.

### **Information:**

Per Federal requirements described at 42 CFR § 435.150, which codify statutory provisions in section 1002(a) of the Substance Use Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act ("the SUPPORT Act"), expands Medicaid Former Foster Care eligibility to youth who aged out of foster care in another state. The Department has adopted this option under 10 CCR 2505-10 8.100.4.H.2.a, effective January 1, 2023. The Former Foster Care expansion to youth

who aged out of foster care in another state will now allow services to youth who were in foster care and turned 18 years of age on or after January 1, 2023, were on Medicaid, and have become residents of Colorado from another state.

Current Former Foster Care Youth (FFCY) Health First Colorado eligibility criteria will remain the same for youth who were in former foster care in Colorado. The new provisions will expand the eligibility criteria to FFCY, who self-attest they were in foster care and turned 18 years of age on or after January 1, 2023, were on Medicaid, and have become residents of Colorado from another state. FFCY that self-attested they meet the new eligibility criteria are automatically deemed eligible until age 26 or until they no longer meet eligibility criteria.

#### Simplified enrollment form

FFCY who aged out of foster care in another state are not required to complete a full Medicaid application to apply for FFCY Health First Colorado coverage. FFCY may now complete a separate, simplified form (see attachments) to enroll in Former Foster Care Health First Colorado coverage. The simplified form will solicit only information necessary to determine the eligibility criteria to enroll youth in coverage.

The Colorado's online PEAK system will also be updated to ask individuals who meet the out of state FFCY age criteria if they received "Former Foster Care Medical Assistance on their 18th birthday while living in a state other than Colorado and turned 18 on or after January 1, 2023?" Individuals who answer "Yes" to this question will be taken from the standard application flow and be asked only a few additional questions.

#### Self-attestation

The out of state FFCY coverage does not need to be verified after the individual declares they meet the eligibility criteria for out of state FFCY coverage. The individual's self-attestation is sufficient to continue coverage unless the Department later receives verification that the individual does not meet the eligibility criteria. While documentation is not required and self-attestation is acceptable, if documentation is received, eligibility workers are encouraged to update the Colorado Benefits Management System (CBMS) to record the information received. If the verification is sufficient to determine the individual's status for out of state FFCY coverage, the radio button "Was this information confirmed by the other state?" needs to be updated to "yes." Examples of documentation include but are not limited to collateral contact with the other state or child welfare agency, legal papers, court papers, or other information issued by the child welfare agency documenting their status as formerly in foster care. If the

individual no longer has documentation, then a statement from a former foster parent or a caseworker could suffice.

Termination after approval

If an Eligibility Site later receives verification that the member did not meet the Former Foster Care requirements while in another state, then the member's case will need to be updated with two steps. First, the effective begin date needs to be updated under the case special indicator screen. The second, in the "out of state former foster care questions" tab and the selection for the question "Was this information confirmed by the other state" will need to be updated to "no" in CBMS. The member will then go through the Medical Assistance hierarchy to determine if they qualify for other eligibility programs. Case comments in CBMS are always required documenting the purpose for case changes or updates.

The new out of state Former Foster Care expansion will be updated in CBMS and this policy will be effective January 1, 2023.

**Attachment(s):**

Health First Colorado Out of State Former Foster Care Youth Form

**Department Contact:**

Please contact the Medicaid Inbox with the email listed below if you have any questions. [hcpf\\_medicaid.eligibility@state.co.us](mailto:hcpf_medicaid.eligibility@state.co.us)