

Pennsylvania FAQ for Youth: Medical Assistance to 26 for Former Foster Youth

Thanks to the Affordable Care Act, you may be eligible for free health insurance in Pennsylvania if you were in foster care when you were age 18 or older!

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How does the Affordable Care Act (ACA) help former foster youth?

The ACA provides young adults under 26 with free health insurance through the Medicaid program if they were in foster care on or after their 18th birthday and enrolled in Medicaid. In Pennsylvania, many people call Medicaid Medical Assistance or MA.

Who is eligible for Medicaid until age 26 as a former foster youth in Pennsylvania?

You qualify for Medicaid until age 26 in Pennsylvania if you:

- Were in foster care in Pennsylvania or ANY state on or after your 18th birthday and were receiving Medicaid,
- Live in Pennsylvania now, and
- Are younger than 26.

What if I move to another state after I age out of foster care in Pennsylvania?

Currently, states are only required to give coverage under Medicaid to 26 to young adults who were in foster care in that state. However, some states have decided that they will cover former foster youth from any state. This means if you move to one of those states, were in foster care at age 18 or older, and were enrolled in Medicaid at that time, you can be covered under the former foster youth category until age 26. Below is a list of states that cover former foster youth no matter what state they were in foster care¹:

- California
- Georgia
- Kentucky
- Louisiana
- Massachusetts
- Michigan
- Montana
- New Mexico
- New York
- Pennsylvania
- South Dakota
- Wisconsin
- Virginia

¹ This list is accurate as the time of posting of this fact sheet in March 2015.

Questions About General Eligibility

What does it mean to be in “foster care” at age 18? What kind of placements are “foster care”?

For the purposes of eligibility, to be in “foster care” at age 18, you must be placed by the child welfare agency in one of a number of placements that are defined as “foster care” under the federal regulations.

The federal regulation defines “foster care” as “24-hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and preadoptive homes.” 45 C.F.R. § 1355.20. “Foster care” also includes supervised independent living placements² if the young adult remains in the placement and care of the child welfare agency.

Does “foster care” include kinship care, foster family care, group homes, residential treatment centers, transitional living placement, and supervised independent living placements?

Yes. If you were placed in any of these living arrangements and in the care and responsibility of the child welfare agency, you were in “foster care” as defined above. If you were age 18 or older while in “foster care” and getting MA at that time, you qualify for MA coverage as a former foster youth until age 26.

Are young adults who were adopted or entered into permanent legal custodianship (PLC) arrangements eligible for MA coverage as a former foster youth?

It depends. PLC or an adoptive placement is not considered “foster care.”³ However, if you were in a placement that was considered “foster care” and enrolled in MA at age 18 or older before being adopted or entering a PLC arrangement you may be eligible for the former foster youth coverage. For example, if you were in extended foster care, placed in a supervised independent placement at age 18 and then adopted at age 19, you are likely eligible for Medicaid until 26 under the former foster youth category. Because Pennsylvania has extended foster care, it is possible

²In 2008, a federal law called the Fostering Connections to Success and Increasing Adoptions Act amended the definition of “child care institution” to include “a supervised setting in which the individual is living independently.” 42 U.S.C.A. 671 (c)(2).

³ Medicaid and CHIP FAQs: Funding for the New Adult Group, Coverage of Former Foster Care Children and CHIP Financing (December 2013)(Eligibility for Former Foster Children , Q 9), available at <http://www.medicare.gov/Federal-Policy-Guidance/downloads/FAQ-12-27-13-FMAP-Foster-Care-CHIP.pdf>.

that youth may be in “foster care” and then adopted or enter a PLC arrangement at age 18 or older.

Do young adults who were adjudicated delinquent qualify for MA coverage for former foster youth?

Maybe. If you were adjudicated delinquent and in the juvenile justice system, but placed in a placement defined as “foster care” at age 18 or older and enrolled in MA at that time, you may be eligible under the former foster youth category. You should apply and see if you are eligible.

Do foster youth who are not U.S. citizens qualify for MA until age 26 under the former foster youth status?

For a young adult who was in foster care and enrolled in MA at age 18 to be eligible, they must have U.S. citizenship status or one of the immigration statuses required under federal law for full Medicaid coverage.⁴ The list below is not exhaustive, but provides examples of some of the immigrations statuses that former foster youth may have, and for which they would be eligible for MA as a former foster youth:

- U.S. citizenship
- Refugee status
- Lawful permanent resident (“green card” holder)
- Granted asylum
- Certain victims of human trafficking
- Certain battered spouses and children
- Cuban or Haitian entrants

Youth who have or had Special Immigrant Juvenile Status (SIJ) usually also have lawful permanent resident status (a “green card”) and are therefore eligible for MA in the former foster youth category if they were in foster care at age 18.

Does eligibility depend on how much money I make?

NO. As a former foster youth, you are eligible for free MA coverage until age 26 no matter how much money you make.

This is free health insurance. Do I have to pay *anything* to receive care?

You do not have to pay anything to become eligible for coverage in the former foster youth category. That means you do not have to pay anything to purchase this health insurance coverage. However, if you are out of care and over age 18, you may be asked to pay copays for certain treatments. Copayments are an amount of money you

⁴ For more detail and information on these requirements see 55 Pa. Code § 150.1, 42 CFR § 435.406. See also For more information, see Chapter 322 of the MA Manual, at <http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/ma/whnjs.htm>

are charged to help pay for the cost of the service or treatment. Here are some examples of copays: \$1.00 generic prescriptions; \$1.00 for outpatient psychotherapy; \$3.00 a day for hospital stays with a maximum of \$21.00 for a hospital stay.⁵

You cannot be denied a service or treatment because you cannot afford a copay. You will receive the service or treatment, but will be billed for the copay.

I was in foster care in another state, but I live in Pennsylvania now. Do I qualify for MA coverage as a former foster youth?

YES. It doesn't matter which state you were in foster care. If you were in foster care in ANY state on or after your 18th birthday and receiving Medicaid, currently live in Pennsylvania, and are younger than 26 then you qualify for MA coverage in the former foster youth category.

I was in foster care in Pennsylvania at age 18 and may move to another state after I leave care, can I get MA as a former foster youth in another state?

Not necessarily. The ACA does not require states to cover former foster youth from other states. Some states, like Pennsylvania, have decided that they will cover youth who were in foster care in other states, but not all have decided to do so. Before you move to another state you should find out if that state is covering out of state former foster youth so you know if you will have access to this coverage if you move. *For a full list, see [the list of states](#) under the second question in this FAQ.*

Many states have expanded their Medicaid program, so if you move to a state that is not covering former foster youth from other states, you should still apply for Medicaid because you may be eligible for coverage under another category.

Questions for Youth Who Are Still in Foster Care and Age Out at Age 18 or Older

⁵ For more information on copays and some limitations and exceptions see <http://www.dpw.state.pa.us/foradults/healthcaremedicalassistance/copaymentinformationformedicalassistancerecipients/>.

If I am about to discharge from foster care at age 18 or older, do I have to fill out a new application to get MA coverage as a former foster youth?

No. If you are currently in foster care and will be discharging when you are age 18 or older, you will be enrolled in MA under the former foster care category when you are discharged. Here is how it happens:

- Your caseworker or someone at the county child welfare agency completes a form called the “CY60” that shows that your case is being closed with the child welfare agency and that you are eligible for the former foster youth MA coverage.
- The child welfare agency submits the form to the County Assistance Office (CAO), which is the office that processes MA applications. A staff person at the CAO changes your new eligibility code to “PC 40,” which is the former foster youth code.
- If you are in foster care in Philadelphia, the child welfare agency will close your case electronically and will not use the CY 60 form. The child welfare agency will let the county assistance office know electronically that you are leaving the child welfare system and that you should be placed in the new former foster youth eligibility category.

What can I do to make sure everything is done so that I am covered when I leave care?

Your county child welfare worker should do the work to make sure you are covered automatically under the former foster youth category, but there are a few things you can do to help make sure your health insurance is in place when you leave care. *Make sure your transition plan states* that the child welfare worker will close your case and complete the CY60 and submit it to the county assistance office on a particular date.

- Ask for a copy of the CY60 so you have proof that the case was closed and documentation of former foster care status if needed in the future.
- Ask the court to put in your last court order at your transition hearing that you were in foster care at age 18 and enrolled in MA for additional proof of your former foster care status.

Do I get to keep my same insurance card when I leave care?

Yes. You should keep your same Access card and the card that says the name of your health plan. Only your eligibility code will change.

After I leave care what actions do I have to take to make sure I keep my insurance coverage as a former foster youth until age 26?

Each year you will have to complete a renewal application. You will be sent a letter in the mail to remind you that you need to complete the renewal form so you need to make sure that you let the County Assistance Office know if you move and change your address. You can complete the renewal application and send it in, or you can complete it online to www.compass.state.pa.us.

Questions for Young Adults Who Were in Foster Care in Another State

I was in foster care in another state at age 18 and now I live in PA. Where do I go to apply for MA coverage as a former foster youth?

You can apply online at www.compass.state.pa.us. If you need help completing the application online, you can get help by calling 1-866-550-4355. You can go in-person to the local county assistance office where you are living.

Will I need proof that I was in foster care at age 18?

Yes.

How do I prove that I was in foster care in another state at age 18?

If you have a copy of a court order or information on child welfare agency letterhead that states that you were in foster care at age 18 and enrolled in Medicaid at that time, you will be in great shape. If you do not have those documents, here are a few things you can do:

- Call the child welfare agency you were in care with to ask for help in providing documentation. Here is a link to the state child welfare agencies: https://www.childwelfare.gov/pubs/reslist/rl_dsp_website.cfm?rs_ID=16&rate_chno=AZ-0004E
- Call the Independent Living Coordinator for the state you were in care with and ask if he or she can help you with documentation.
- Ask a worker at the county assistance office in which you live and are applying for MA to help you get verification.

If you are still having trouble verifying your former foster youth status, you can contact the following people:

- Ms. Lauren Cummings, State Foster Care Manager for Pennsylvania
717-787-7759
- Dave Derbes, Independent Living Coordinator
717-705-2911

Questions for Youth Who Were Delinquent

Do young adults who have been adjudicated delinquent qualify for MA coverage for former foster youth?

If you were adjudicated delinquent and in a placement defined as “foster care” at age 18 or older and enrolled in MA at that time, you may be eligible under the former foster youth category. You should apply and see if you are eligible.

Questions for Former Foster Youth Who Were in Foster Care at Age 18 and are Under Age 26

I have been out of care for a while and just found out about this new opportunity for health insurance for former foster youth. How do I apply?

You can go into your local county assistance office and apply. You can also apply online at www.compass.com. When you apply online, you will be asked to provide your age. If you say that your age is between 18 and 25, you will then be asked if you were in foster care at age 18. If you were, answer “Yes.”

If you go and apply in person, make sure you say you were in foster care on your 18th birthday. You should also mention that the category and program status code for former foster youth is “PC 40.”

You can print out a copy of the following document and take it to the county assistance office:

http://www.jlc.org/sites/default/files/topic_related_docs/PA%20DPW%20Memo%2013-12-03%20re%20Affordable%20Care%20Act.pdf. It is called an Operations Memorandum and

it gives directions to the county assistance office on how to process former foster youth applications.

Do I need to bring in proof of my former foster care status?

If you were in foster care in Pennsylvania at age 18, the county assistance office should be able to verify your former foster care status based on their own records. To be safe and speed up the process, bring any documentation that you have that shows you were in foster care at age 18. This could include a court order or letter on child welfare agency letterhead.

If you need help verifying your former foster youth status, you can call your county case worker or Independent Living (IL) Caseworker for help. Click on this link to find the contact information for IL workers in PA:

<http://www.independentlivingpa.org/ilDirectory.htm>.

If you are still having trouble verifying your former foster youth status, contact the following people:

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717-705-2911

Does it matter how much money I make?

NO. As a former foster youth, you are eligible for free MA coverage no matter how much money you make.

I already have health insurance through my school or work. Why should I sign up for Medical Assistance coverage for former foster youth?

The Medical Assistance program for former foster youth provides you with certain benefits that you may not receive with your current insurance. Some benefits include: It's free. You pay \$0 for your insurance regardless of how much money you make. While there may be some co-pays after you leave care or turn 21; you will not need to pay for your insurance.

You can keep your Medical Assistance coverage until you turn 26 even if you start earning more money, change jobs, or leave school.

I already have Medical Assistance because I am low-income. Why should I enroll in Medical Assistance coverage for former foster youth?

The Medical Assistance coverage available to former foster youth may include certain benefits that are not available to people enrolled in other Medical Assistance categories. For example, if you are enrolled in MA coverage for former foster youth, you stay covered until your 26th birthday even if your income changes.⁶

Questions for Former Foster Youth who are Parents

Do my children automatically qualify for MA coverage because I am a former foster youth?

NO. Your children do not automatically qualify for MA coverage because you are a former foster youth. But your children may qualify for MA coverage based on other reasons (for example, based on your income or due to a disability). When you go to sign up for MA coverage for yourself, you should also ask about and apply for health insurance for your children. As a former foster youth, eligibility does not depend on your income. But if you are applying for coverage for your children, you should answer income questions in order to determine if your children qualify for coverage based on your family's income.

⁶ Source: Medicaid and CHIP FAQs: Funding for the New Adult Group, Coverage of Former Foster Care Children and CHIP Financing (December 2013)(Eligibility for Former Foster Children , Q 5), available at <http://www.medicare.gov/Federal-Policy-Guidance/downloads/FAQ-12-27-13-FMAP-Foster-Care-CHIP.pdf>.