

Former Foster Care Guide

Former Foster Care (FFC) Guide

The following guide has been developed to assist in processing Medicaid eligibility for FFC individuals. If there is returned mail on an FFC case for any section in this document refer to the [Returned Mail Process](#).

Effective January 1, 2023, section 1002 of The SUPPORT Act expands Medicaid eligibility for the FFC program to youth who were in foster care in *any* state. Previously, only youth who were in foster care in Nebraska could be considered for Nebraska Medicaid's FFC program. See [Policy Memo 23-01](#) for additional information.

There is no mandatory requirement to review for eligibility in another Medicaid category prior to approving FFC MED.

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Former Foster Care (FFC) Process:

1. An individual answers yes to the Foster Care question on the healthcare application

The screenshot shows a portion of a web-based application form. At the top, a blue bar contains the text "Is CASPER GHOST a full-time student?". Below it, two radio buttons are visible: one labeled "Yes" and another labeled "No". The next section, "Has CASPER GHOST ever been in Foster care?", is highlighted with a yellow background. It also contains two radio buttons: "Yes" (selected) and "No". Below this, a question asks "In what state was CASPER GHOST in the foster care system?" followed by a dropdown menu with "NEBRASKA" selected. At the bottom of the form are two green buttons: "EXIT" on the left and "Save & Continue" on the right.

2. The case is assigned to the FFC position number: **65545158**
3. The assigned worker will review the individual's eligibility for FFC
 - a. Is the individual under the age of 26?
 - i. If NO, the individual is not FFC eligible.
 - b. Was the individual a State or Tribal ward in **any state?** Or was/is the individual **enrolled in the Bridge to Independence Program, has signed a voluntary services and support agreement, and is not living with a parent or guardian?**
 - i. If NO, the individual is not FFC eligible.
 - ii. If YES, and they were in foster care in Nebraska follow step c below.
 - c. Was the individual in foster care anytime at age 18 or 19, **or a higher age at which the state's IV-E assistance ends?**
 - i. A review of the CFS placement window on NFOCUS will need to occur to determine the individual's placement at age 18.
 - ii. If the individual was ever in foster care, even for a day, on or after their 18th birthday, eligibility for FFC shall be reviewed.
 - iii. Note, specific placements are not considered "foster care" (update: Guardianship added, Independent Living removed)
 1. Detention Centers
 2. Placed with parents
 3. Adoption or Guardianships
 - d. Did the individual receive Medicaid while they were a ward in foster care at age 18 or 19, **or a higher age at which the state's IV-E assistance ends?**
 - i. If NO, the individual is not FFC eligible.
 - e. Is the individual **already enrolled in another** Medicaid category?
 - i. If the individual is **enrolled in** another category (PW, PCR, Children's MED, AABD, etc...), **the individual will remain in that category unless he or she becomes ineligible.** If the individual loses eligibility in the current category, eligibility under FFC will be reviewed.
4. FFC individuals must still meet primary eligibility criteria such as citizenship and immigration. [477 NAC 5-000; Medicaid Citizenship and Immigration Guide](#)

Example 1:

- A Medicaid application is submitted **on 3/1/2023**.
- The individual is currently **18 years old** (birthday was **1/25/2023**).
- The individual answered **yes** to being in Foster Care in the State of California.
- The individual also reports that they were Medicaid eligible and in foster care in California **on their 18th birthday**.
- Because the individual was a ward of the State of California, Medicaid eligible, and in foster care on their 18th birthday their eligibility for FFC **can** be reviewed.

- Individuals who turn 18 years old on or after January 1, 2023, were in foster care in *any* state, enrolled in Medicaid upon turning 18 years old, and meet all other eligibility requirements of the FFC program can have their eligibility for FFC be reviewed. See [Policy Memo 23-01](#) for additional information.

Example 2:

- A Medicaid application is submitted on 3/1/2023.
- The individual is currently 24 years old.
- The individual answered **yes** to being in Foster Care in the State of California.
- The individual **cannot** be reviewed because they turned age 18 prior to January 1st, 2023.
 - Individuals who turn 18 years old *on or after* January 1, 2023, were in foster care in *any* state, enrolled in Medicaid upon turning 18 years old, and meet all other eligibility requirements of the FFC program can have their eligibility for FFC be reviewed. See [Policy Memo 23-01](#) for additional information.

Example 3:

- A Medicaid application is submitted in **10-2019**.
- The individual is currently **22** years old.
- The individual answered **yes** to being in Foster Care in the State of Nebraska.
- A review of CFS records in NFOCUS show that the individual was placed in a group home while age **18** and before turning **19** their status is shown as “on run”.
 - **NOTE: Being “on run” is a designation, NOT a placement.**
- The key is the last *placement*, for this individual the last placement was “group home”.
- Because the individual received Medicaid at the time they were a ward of the state and in foster care while age **18** their eligible for FFC **can** be reviewed.

Example 4:

- A Medicaid application is submitted in **7-2019**.
- The individual is currently **20** years old.
- The individual answered **yes** to being in Foster Care in the State of Nebraska.
- While a ward of the state the individual was placed in a group home and received Medicaid **through 18** years old.
- The individual is a lawfully residing immigrant and has only been in the United States for **4** years.
- The individual was **exempt** from the **5 year bar** as a child.
- As an adult the individual is **no longer exempt** from the **5 year bar**.
- Citizenship and Immigration regulations are applied and the individual is **not** Medicaid eligible as they do not meet the 5 year bar.

Example 5:

- A Medicaid application is submitted in **11-2019**.
- The individual is currently **23 years old and is pregnant**.
- The individual answered **yes** to being in Foster Care in the State of Nebraska.

- A review of CFS records in NFOCUS show that the individual was placed in a group home while age **17** and was released from being a ward at **18 ¾** years old.
- The individual noted they have earned income of \$2,000 per month.
- The individual is **income eligible** for the Pregnant Woman's category, **but to eliminate barriers in getting enrolled in coverage (i.e., verifying the income) the individual can be placed in FFC.**
- **IF the individual was enrolled in PW:** after the **continuous eligibility period ends** the individual **is placed** in FFC **if** they are over income for Parent/Caretaker Relative.

Example 6:

- A Medicaid application is submitted in **11-2019**.
- The individual is currently 20 years old.
- The individual answered yes to being in Foster Care in the State of Iowa.
- A review of CFS records in NFOCUS show that the individual was in fact a ward of Nebraska, however they were placed in a Psychiatric Residential Treatment Facility (PRTF) in Iowa while age 17 and were released from the facility at 19 years old.
- Because the individual was a ward of the State of Nebraska and in foster care their eligibly for FFC can be reviewed.

Example 7:

- A Medicaid application is submitted in **12-2019**.
- The individual is currently **20** years old.
- The individual answered **yes** to being in Foster Care in the State of Nebraska.
- A review of CFS records in NFOCUS **does not show** that the individual was a ward of Nebraska.
- The individual is contacted via phone, the individual declares that the Office of Juvenile Probation placed them in a group home until the **age of 19**.
- In this case the individual was **NOT** a ward of the State of Nebraska, they were under court supervision, and are **not** eligible for FFC.

Example 8:

- A Medicaid application is submitted in **10-2019**.
- The individual is currently **21** years old.
- The individual answered **yes** to being in Foster Care in the State of Nebraska.
- A review of CFS placement records in NFOCUS show that the individual's placement status at the time they were **18 was Independent Living**.
 - The placement status shows that at age **17 and 11 months through the age of 19 they were in IL**.
- In this case the individual **IS** FFC eligible as they were in Independent Living before they turned 18.

Example 9:

- A Medicaid application is submitted in **10-2019**.
- The individual is currently **21** years old.

- The individual answered **yes** to being in Foster Care in the State of Nebraska.
- A review of CFS placement records in NFOCUS show that the individual's placement status at the time they were **17 to 18 was group home**.
 - The placement status shows that at age **17 and 11 months through the age of 18 and 2 days was in a group home**.
 - **At 18 and 2 days old they were then transitioned to IL.**
- In this case the individual **IS** FFC eligible as they were in foster care at age 18.

FFC Renewal Process

1. Desk Renewal:
 - a. An alert/WT will be generated by NFOCUS when the desk review is due.
 - b. The SSW will review information present on the case for leads that the client may no longer be a Nebraska resident (recent applications, document imaging, etc.).
 - c. The SSW will review the **individual's non-citizen** status to determine whether updated alien status verification is needed.
 - d. If the SSW is able to reasonably determine that the client remains a NE resident, is under the age of 26, and continues to have an eligible immigration status, the FFC budget will be run and the desk renewal will be narrated and completed.
 - i. The SSW can assume there is no change in residency or alien status unless the client reports a change or a lead is found on the case.
2. Phone Call:
 - a. If the SSW discovers a lead that the client may no longer be a NE resident or needs to collect updated alien verification:
 - i. The SSW will attempt a call out to the client to obtain the needed information. The call out must be documented on NFOCUS.
 - ii. If the SSW contacts the client and is able to obtain the needed information, the FFC budget will be run and the desk review will be narrated and completed.
3. FFC Renewal Form:
 - a. If the SSW is unable to contact the client:
 - i. The SSW will send the FFC renewal form from correspondence.
 - ii. If the form is returned the SSW will review the form and determine eligibility for FFC. If the SSW is able to complete the renewal, the FFC budget will be run and the desk review will be narrated and completed.
 - iii. If the form is not returned, the case will be closed for "*Failure to complete renewal*".

Ensure that the attempts for steps 1 and 2 are documented in NFOCUS before moving to step 3.

Former Foster Care: Q & A

Q1: Betty applied for Medicaid on 2/24/2014. Betty indicated on the application that she was in foster care at age 18 or older. **Betty was in a subsidized guardianship from the age of 17 to 19.** Should Betty be enrolled in the Former Foster Care Medicaid category?

A1: No, subsidized guardianship and subsidized adoption does not qualify as foster care.

Q2: Nancy applied for Medicaid on 3/31/2014. Nancy indicated on the application that she was in foster care at age 19. It has been confirmed in NFOCUS that Nancy was in foster care and receiving Medicaid when she aged out of the Nebraska foster care system. Nancy reports on her application that she is pregnant and her estimated due date is 10/1/2014. Is Nancy eligible for Former Foster Care Medicaid?

A2: Yes, there is no mandatory requirement to review for eligibility in another Medicaid category prior to approving FFC MED.

Q3: Scott applied for Medicaid on 2/15/2023. Scott indicated on the application that he is a US citizen, was in foster care at age 18 (on or after 1/1/2023) in California and enrolled in Medicaid. Should Scott be reviewed for eligibility in the Former Foster Care Medicaid category?

A3: Yes, verification of foster care placement and Medicaid enrollment (at age 18) will be verified by using the individual's attestation only. Refer to [Policy Memo 23-01](#) for more information.

Suspending Medicaid for Incarcerated Individuals Eligible Under Former Foster Care Medicaid Programs

INITIAL CASE ACTIONS: There are additional steps required for individuals active in Medicaid under the Former Foster Care Program when determining if the case will be suspended.

1. Alert (#521) received: If it is determined that the alert was received for a client who is currently eligible for Medicaid under Former Foster Care.
 - a. **FFC Assigned Worker:** Proceed to the [Appendix](#) section of the [Suspending Medicaid For Incarcerated Individuals Guide](#) and complete the steps under the [Suspending Medicaid for Incarcerated Individuals Eligible under Former Foster Care Program > Initial Case Action > FFC Assigned Worker](#).
2. Email received from Suspension Staff: If it is determined that the email was received for a client who is currently eligible for Medicaid under Former Foster Care.
 - a. **FFC Assigned Worker:** Proceed to the [Appendix](#) section of the [Suspending Medicaid For Incarcerated Individuals Guide](#) and complete the steps under the [Suspending Medicaid for Incarcerated Individuals Eligible under Former Foster Care Program > Initial Case Action > FFC Assigned Worker](#).

RENEWALS OR CHANGES WHILE SUSPENDED: For individuals previously active in Medicaid under the Former Foster Care Program, there are additional steps required in order to determine if eligibility will continue at renewal or when there are changes.

1. Email received from Suspension Staff: If it is determined that the email was received for a client who is currently eligible for Medicaid under Former Foster Care and has a change or renewal while suspended.
 - a. **FFC Assigned Worker:** Proceed to the *Appendix* section of the [Suspending Medicaid For Incarcerated Individuals Guide](#) and complete the steps under the [Suspending Medicaid for Incarcerated Individuals Eligible under Former Foster Care Program > Renewal or Changes While Suspended > FFC Assigned Worker.](#)

RELEASES: For individuals previously active in Medicaid under the Former Foster Care Program, there are additional steps required in order to determine if eligibility will continue at release.

1. Email received from Suspension Staff: If it is determined that the email was received for a client who is currently eligible for Medicaid under Former Foster Care and has been released.
 - b. **FFC Assigned Worker:** Proceed to the *Appendix* section of the [Suspending Medicaid For Incarcerated Individuals Guide](#) and complete the steps under the [Suspending Medicaid for Incarcerated Individuals Eligible under Former Foster Care Program > Releases> FFC Assigned Worker.](#)

Former Foster Care Reopen Process – Independent Living (IL)

FFC cases that were closed or denied based on the individual's placement in an IL arrangement, review the case for the appropriate date to determine when to open the FFC Medicaid:

1. If the individual applied on or after 1-1-14 and the application was denied, due to the IL living arrangement, go back to the original application date and open the FFC MED case.
 - a. Renewal date
 - i. If a renewal is not yet due, set the renewal for 12 months from the application date.
 - ii. If a renewal is past due, set a renewal for the next month possible.
2. If the individual was open (e.g., **MAGI Child**) and subsequently closed when they turned 19, due to the IL living arrangement, open the FFC MED for the month they were closed for.
 - a. Renewal date
 - i. If a renewal is not yet due, set the renewal for 12 months from the original application date (e.g., when the renewal should have been set for).
 - ii. If a renewal is past due, set a renewal for the next month possible.
3. If the individual was open (e.g., PCR) and subsequently closed **because** they no longer met eligibility requirements and were determined not FFC eligible, due to the IL living arrangement, open the FFC MED for the month they were closed for.
 - a. Renewal date

- i. If a renewal is not yet due, set the renewal for 12 months from the original application date (e.g., when the renewal should have been set for).
- ii. If a renewal is past due, set a renewal for the next month possible.

Notice of Action: The language below should be copied into the NOA

(Enter Individual's Name) has been determined retroactively eligible for Medicaid effective (Enter Month/Year).

If there are outstanding medical bills for this individual during this time period, please ask your provider to submit the claims to Nebraska Medicaid. If this individual paid for any medical bills during this time period, please work with your provider on any possible reimbursement.

See also the March 3rd, 2015 Medicaid Policy Memo for additional information: [Former Foster Care - Independent Living \(IL\)](#)

Revision History		
Date	Author	Comment

8/1/2020	Ryan Herrig	Updated for HHA
1/2022	EO, Policy, and PAS.	Added Returned Mail link and sentence.
7/2022	Policy	Added a returned mail reference and updated the Suspending Medicaid for Incarcerated Individuals Eligible Under Former Foster Care Medicaid Programs section.
11/2023	EO, Policy, and PAS.	Updated document based on 1/1/2023 policy change.