

TO BE RESCINDED

5101:2-47-05

Administrative procedure: Title XIX medicaid coverage for Title IV-E foster care maintenance recipients in accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA).

(A) For Title IV-E foster care maintenance (FCM) recipients who move or are placed out of state by the Title IV-E agency, the following shall apply:

(1) Within twenty working days after the Title IV-E agency places a Title IV-E FCM eligible child out of state, or such a child moves out of state, the following actions must be taken by the Title IV-E agency in order to transfer Title XIX medicaid coverage to the state of residence:

(a) The Title IV-E agency must provide written notification to the responsible Title XIX medicaid authority in the state in which the child is residing or has moved of Ohio's intent to terminate Ohio Title XIX medicaid coverage. Notification shall, at a minimum, include:

(i) The proposed effective termination date of Ohio's Title XIX medicaid coverage; and

(ii) A statement that the out of state agency will continue to receive Title IV-E FCM payments on the child's behalf and Title XIX medicaid coverage will be provided by the state where the child moves or is placed.

(b) The Title IV-E agency shall request that the Title XIX medicaid authority in the state of residence provide written notification when it will begin paying for the child's Title XIX medicaid coverage. Once the out of state agency begins Title XIX coverage, the Ohio Title IV-E agency shall terminate medicaid coverage in the family and children services information system (FACSIS).

(c) The custodial Title IV-E agency, as any other recipient of medicaid assistance, has a right to a state hearing in accordance with Chapters 5101:6-1 to 5101:6-9 and rule 5101:6-3-01 of the Administrative Code.

(2) Effective October 1, 2003, no less than once every twelve months, the Title IV-E agency shall provide the responsible Title XIX medicaid authority in the state where the child is placed or has moved with verification of the child's continuing eligibility for Title IV-E FCM. When the Title IV-E agency determines the child is not Title IV-E FCM program reimbursable, the Title

IV-E agency shall provide written notification to the responsible Title XIX medicaid authority in the state where the child is placed or has moved, within twenty working days of the date Ohio terminated Title IV-E FCM.

(B) For Title IV-E FCM recipients who move to or are placed in Ohio by out of state custodial agencies, the following shall apply:

(1) When a child receiving Title IV-E FCM payments from a custodial agency in another state moves to or is placed in Ohio, the child is eligible for Title XIX medicaid coverage provided by Ohio.

(2) Within twenty working days after being notified by a custodial agency that a Title IV-E FCM eligible child has moved to or has been placed in Ohio, the following actions must be taken in order to authorize Title XIX medicaid coverage.

(a) The Ohio public children services agency (PCSA) must obtain the following information, in writing, from the custodial agency:

(i) The child's name, social security number, and date of birth;

(ii) The substitute care provider's name and address;

(iii) The address where the medicaid card should be sent;

(iv) Verification of eligibility for Title IV-E FCM, which may include an approved Title IV-E FCM application;

(v) The name, address and phone number of a contact person at the custodial agency with Title IV-E case management responsibility;

(vi) The date Title XIX medical coverage in the state where the child was placed or has moved from will be terminated; and

(vii) Any additional information regarding other health insurance coverage the child may have, including third-party liability.

(b) The PCSA must enter the appropriate COBRA Title IV-E FCM events in FACSIS which will authorize medicaid coverage.

(c) The PCSA must provide written notification to the responsible Title XIX

medicaid authority in the state where the child was placed or has moved from of the effective date Ohio Title XIX medicaid coverage will begin.

- (d) The PCSA must complete the JFS 06612 "Health Insurance Information Sheet" if there is information that the child is covered under a health insurance plan.
- (3) No less than once every twelve months, the Ohio PCSA shall request verification of continuing Title IV-E FCM eligibility from the custodial agency in the state making Title IV-E FCM payments on behalf of a child placed or residing in Ohio. Upon notification from the custodial agency that the child does not meet the Title IV-E FCM program reimbursability criteria, the Ohio PCSA shall take steps to:
- (a) Terminate Title XIX medicaid coverage in FACSIS and follow the procedures outlined in Chapters 5101:6-1 to 5101:6-9 and rule 5101:6-3-01 of the Administrative Code.
 - (b) Advise the custodial agency that Ohio Title XIX medicaid coverage on behalf of the child may be explored.
- (4) The Title IV-E agency shall maintain a separate case record for each Title IV-E FCM recipient who moves to or is placed in Ohio by an out of state custodial agency. At a minimum, the case record shall contain all of the information required in paragraph (B) of this rule.
- (C) No child for whom Ohio has Title IV-E FCM case management responsibility shall be denied Title XIX medicaid coverage from Ohio if the state of residence does not make Title XIX medicaid coverage available.

Replaces: 5101:2-47-05
Effective: 10/08/2007
R.C. 119.032 review dates: 06/29/2007

CERTIFIED ELECTRONICALLY

Certification

09/04/2007

Date

Promulgated Under: 119.03
Statutory Authority: 5153.16, 5101.141, 5103.03
Rule Amplifies: 5103.03, 5153.16, 5101.141
Prior Effective Dates: 9/30/87(EMER), 12/27/87, 5/1/98, 9/1/03