

TO BE RESCINDED

5101:2-47-05 **Title XIX medicaid coverage for Title IV-E foster care maintenance (FCM) recipients in accordance with the "Consolidated Omnibus Budget Reconciliation Act" (COBRA).**

(A) Within twenty working days after a Title IV-E eligible child's placement in or out of state, the Title IV-E agency must take the following actions to transfer Title XIX medicaid coverage to the Title XIX medicaid authority in the state of where the child has been placed or moves:

(1) Provide written notifications to the responsible Title XIX medicaid authority in the state in which the child is residing or has moved to, of Ohio's intent to terminate the medicaid coverage. Notification shall, at a minimum, include the following:

(a) The proposed effective termination date of Ohio's Title XIX medicaid coverage.

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

(2) Request, from the Title IV-E agency where the child is placed or has moved, written notification of the date that it is initiating payment for the child's Title XIX medicaid coverage.

(3) When it determines necessary, exercise its right to a state hearing, as any other recipient of medicaid services, in accordance with Chapters 5101:6-1 to 5101:6-9 and rule 5101:6-3-01 of the Administrative Code.

(4) Terminate the Title XIX medicaid coverage in the family and children services information system (FACSIS) or if applicable, the statewide automated child welfare information system (SACWIS) using the date the out of state Title XIX medicaid coverage begins.

(5) No less than once every twelve months, provide the responsible Title XIX medicaid authority in the state where the child is placed or has moved to, with verification of the child continuing to be eligible and reimbursable for Title IV-E FCM.

(6) When the determining that the child is not Title IV-E FCM program eligible and

reimbursable, provide written notification, within twenty working days of the determination, to the Title XIX medicaid authority in the state where the child moves or is placed.

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

- (1) The Ohio Title IV-E agency must obtain the following information, in writing, from the custodial agency in another state:
 - (a) The child's name, social security number and date of birth.
 - (b) The substitute care provider's name and address.
 - (c) The address where the medicaid card should be sent.
 - (d) Verification of eligibility for Title IV-E FCM, which may include an approved Title IV-E FCM application.
 - (e) The name, address and phone number of a contact person at the custodial agency in another state with Title IV-E case management responsibility.
 - (f) The date Title XIX medicaid coverage in the state where the child was placed or moved from will be terminated.
 - (g) Any additional information regarding other health insurance coverage the child may have, including third-party liability.
- (2) The Ohio Title IV-E agency must enter the appropriate COBRA Title IV-E FCM information into FACSIS or if applicable, SACWIS which will authorize medicaid coverage.
- (3) The Ohio Title IV-E agency 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.
- (4) The Ohio Title IV-E agency must complete the JFS 06612 "Health Insurance Information Sheet" (rev. 5/2001), if there is information that the child is covered under a health insurance plan.

- (C) No less than once every twelve months, the Ohio Title IV-E agency shall request verification of continuing Title IV-E FCM eligibility and reimbursability 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 Title IV-E FCM program eligibility and reimbursability criteria, the Ohio Title IV-E agency shall take steps to:
- (1) Terminate Title XIX medicaid coverage in FACSIS or if applicable, SACWIS and follow the procedures outlined in Chapters 5101:6-1 to 5101:6-9, in particular, rule 5101:6-3-01 of the Administrative Code.
 - (2) Advise the custodial agency that Ohio Title XIX medicaid coverage on behalf of the child may be explored.
- (D) 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.
- (E) No child for whom Ohio has Title IV-E FCM case management responsibility shall be denied Title XIX medicaid coverage from Ohio if the other state where the child is placed or moves does not make Title XIX medicaid coverage available.

Replaces: 5101:2-47-05

Effective:

R.C. 119.032 review dates: 01/25/2013

Certification

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, 10/8/07