

5101:2-45-04

Title XIX medicaid coverage for Title IV-E adoption assistance eligible children (COBRA).

(A) A child, eligible for Title IV-E adoption assistance (AA), is eligible for Title XIX medicaid coverage beginning with the effective date of the JFS 01453 "Adoption Assistance Agreement", regardless of whether Title IV-E AA payments are actually being made, or an interlocutory order or a final decree of adoption has been entered into.

(B) The public children services agency (PCSA) shall inform the adoptive parent(s) that they must immediately notify the PCSA when they are moving to another county or state. The parent(s) must cooperate with the PCSA to assure that a move out-of-state complies with all applicable interstate requirements for placement. Failure to notify the PCSA may result in the interruption of Title XIX medical coverage.

(C) For adopted children with a JFS 01453 in effect who move or reside out-of-state, the following shall apply:

(1) Within twenty working days after the PCSA is notified by adoptive parent(s) that their Title IV-E eligible child is moving to or residing in another state, the following actions must be taken in order to transfer Title XIX medical coverage to the state of residence:

(a) The PCSA shall provide written notification to the adoptive parent(s) of Ohio's intent to terminate the Title XIX medical coverage. Notification shall, at a minimum, include:

(i) The effective termination date of Ohio's Title XIX medical coverage;

(ii) A completed JFS 04065 "Prior Notice of Right To A State Hearing"; and

(iii) A statement that the child will continue to receive Title IV-E AA payments from Ohio (if payments are issued), and Title XIX medical coverage will be provided by the state in which the child resides or moves.

(b) The PCSA must provide written notification of the date Ohio's Title XIX medical coverage will be terminated to the responsible Title XIX medical authority in the state in which the Title IV-E AA eligible child is residing or has moved.

(c) The PCSA shall request that it be notified in writing by the Title XIX medical authority in the receiving state when that authority begins paying for the child's Title XIX medical coverage.

(d) Once the out-of-state agency begins Title XIX coverage, the Ohio PCSA

must terminate the medical coverage in the family and children services information system (FACSIS).

(2) No less than once every year, the PCSA shall provide the responsible Title XIX medical authority in the state where the child has moved or resides with written verification that the child meets the continuing eligibility requirements for Title IV-E AA in accordance with rule 5101:2-45-12 of the Administrative Code. If the PCSA determines the child does not meet the continuing eligibility requirements, it must take the following actions within twenty days:

(a) The PCSA must notify the adoptive parent(s) in writing, of Ohio's intent to terminate Title IV-E AA in accordance with rule 5101:2-45-19 and Chapter 5101:6-2 of the Administrative Code. Notification, at a minimum, shall include:

(i) The effective termination date of Ohio's Title XIX medical coverage;

(ii) A completed JFS 04065 "Prior Notice of Right to a State Hearing";
and

(iii) A statement that the child will continue to receive Title IV-E AA payments from Ohio (if payments are issued).

(b) Unless the adoptive parent(s) request a state hearing pursuant to rule 5101:2-45-19 and Chapter 5101:6-2 of the Administrative Code, the PCSA must terminate Title IV-E AA eligibility in FACSIS.

(c) The PCSA must provide written notification to the responsible Title XIX medical authority in the state where the child is placed or residing of the date Ohio intends to terminate Title IV-E AA.

(D) For adopted children with out-of-state Title IV-E AA agreements in effect who move to or reside in Ohio, the following shall apply:

(1) The child is automatically eligible for Title XIX medical coverage provided by Ohio.

(2) Within twenty working days after being notified by the adoptive parent(s) or another state that a child for whom an out-of-state AA agreement is in effect is residing in or has moved to Ohio, the PCSA in the county in which the child resides must take the following actions to transfer Title XIX medical coverage:

(a) Obtain, at a minimum, the following information from the adoptive parent(s), the agency with Title IV-E case management responsibility, and/or the responsible Title XIX medical authority:

- (i) The child's name, social security number, date of birth, and address;
 - (ii) The name of the adoptive parent(s);
 - (iii) The address where the medical card should be sent;
 - (iv) Verification of eligibility for Title IV-E AA;
 - (v) A copy of the sending state's adoption assistance agreement;
 - (vi) The name, address and telephone number of a contact person in the state with Title IV-E case management responsibility;
 - (vii) The termination date of Title XIX medical coverage in the state with Title IV-E case management responsibility or from where the child moved; and
 - (viii) Any additional information regarding other health insurance coverage the child may have, including third-party liability.
- (b) Enter the appropriate COBRA AA events in FACSIS that authorizes medical coverage.
- (c) Provide written notification to the responsible Title XIX medical authority in the state from where the child moved, of the effective date Ohio Title XIX medical coverage will begin.
- (d) Complete the JFS O6612 "Health Insurance Information Sheet" if there is information that the child is covered under a private health insurance plan.
- (3) No less than once every year, the PCSA, in the county in which the child resides, shall request verification from the Title IV-E case management agency which entered into the out-of-state Title IV-E AA agreement, that the continuing eligibility requirements for AA are met. Upon notification from the Title IV-E case management agency that the child does not meet the Title IV-E AA continuing eligibility requirements, the PCSA shall:
 - (a) Send a JFS 01958 "Referral for Continuing Eligibility Review" to the county department of job and family services (CDJFS) which has the Title IV-E medicaid case management responsibility, in compliance with the medicaid pre-termination review in accordance with rule 5101:1-38-01.1 of the Administrative Code.
 - (b) Verify that the CDJFS has authorized Healthy Start eligibility prior to terminating the Title IV-E medicaid eligibility in FACSIS.

(4) The PCSA shall maintain a separate case record for each Title IV-E AA eligible child who moves to or resides in Ohio. At a minimum, the case record shall contain all of the information required in paragraph (D) of this rule.

Replaces: Rule 5101:2-47-06

Effective:

R.C. 119.032 review dates:

Certification

Date

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