



Policy Memo	
KDHE-DHCF POLICY NO: 2023-01-01	From: Erin Kelley, Senior Manager
Date: December 30, 2022	KFMAM Reference(s): 2000, 2010, 2020, 2030, 2040, 2050, 2260
RE: Policy Implementation Instructions and Information for Aged out Foster Care Expansion	Program(s): All Medical Programs

This memo sets forth instructions for implementation of policy changes related to former foster care youth (FFY) and eligibility for Aged Out Foster Care (AGO) Expansion in Kansas effective January 1, 2023. This policy supersedes related information in [PM2014-01-01](#) and all previous policy references indicating AGO individuals must have received Foster Care Medical (FCM) in the state of Kansas. Additional information related to the implementation of these changes is available through the KEES User Manual. KFMAM will be updated with the next scheduled revision.

I. AGED OUT FOSTER CARE EXPANSION

A. BACKGROUND

Per federal regulations for Medicaid, an individual who was in foster care in the State of Kansas at the age of 18 and received Medicaid remains eligible for medical assistance under the Aged Out Foster Care Program through the month of their 26th birthday as long as other general eligibility requirements were met (see [KFMAM 2000](#) and subsections). With the passing of Section 1002 (Health Insurance for Former Foster Youth) of the SUPPORT Act in 2018, states are now required to provide Medicaid coverage to former foster care youth (FFY) who age out of foster care in any state, not just the state the foster care was established. The new requirements take effect with respect to foster care youth who attain 18 years of age on or after January 1, 2023 and will be approved for the Aged Out Foster Care medical program (AGO).

There will not be any KEES enhancements required to facilitate this change. However, the KEES User Manual will be updated with instructions to approve AGO for those individuals

who are eligible but do not have a foster care medical case history in KEES due to aging out in another state.

B. REQUIREMENTS

With the passing of the Affordable Care Act (ACA) in 2014, the Aged Out Foster Care program was expanded to provide eligibility in the state of Kansas for individuals through the month of their 26th birthday. This will remain unchanged with this policy update. Effective January 1, 2023, any individual who is a Kansas resident and aged out of foster care in another state, will be eligible for AGO if the below requirements are met. To be eligible for this program, the individual must meet the following eligibility requirements:

- Meet the general eligibility requirements
 - Act on Own Behalf ([KFMAM 2010](#))
 - Cooperation ([KFMAM 2020](#))
 - Social Security Number ([KFMAM 2030](#))
 - Citizenship and Alien Status ([KFMAM 2040](#))
 - Residency ([KFMAM 2050](#))
- Be in Foster Care and receiving Medicaid (verification will be discussed in next section)
 - The month of the individual's 18th birthday or
 - The month the individual aged out of foster care*
- Under the age of 26

***NOTE:** While the standard age in Kansas is 18, a number of states allow youth to continue in foster care through 19, 20, or 21 years of age.

For this specific medical program, there is no income or resource test. If the individual meets the above eligibility requirements, AGO can be granted for the individual regardless of the total monthly countable income or resources. Additionally, those individuals who did not receive Medicaid on the above dates due to their living arrangement are considered eligible for Medicaid purposes. Such living arrangements include incarceration, residing in detention facilities or absent without official leave (AWOL).

NOTE: No additional eligibility determinations are required if the above requirements are met with the exception of active SSI recipients. SSI recipients shall be approved over AGO per [KFMAM 2223](#). For individuals receiving HCBS, please refer to [PC2020-08-01](#).

C. IDENTIFICATION OF FFY INDIVIDUALS

New versions of the following application forms as well as the Spanish versions have been developed for implementation with the release of this memo:

- KC-1100 Application for Medical Assistance for Families with Children (Family Medical)
- KC-1500 Application for Medical Assistance for the Elderly and Persons with Disabilities (Elderly & Disabled)
- KC-1105 E&D Supplement to the KC-1100

These applications include a question inquiring if any individual(s) in the household were in foster care at the time of their 18th birthday in Kansas. With the new versions, 'Kansas' has been removed from the question to allow individual(s) to indicate they were in foster care in any state. No changes will be made to the Self Service Portal (SSP) Application as it does not currently specify 'Kansas' when the question is presented to individuals when applying through the KanCare website.

The previous versions of these forms will no longer be available via the KanCare website or Clearinghouse; however, they will continue to be accepted. When an old version of the application form is received after the new application implementation date, it will be necessary to follow the steps outlined in Section D *Verifications*.

NOTE: Until the Presumptive Eligibility (PE) Portal can be updated, Qualified Entities (QEs) will have individuals answer 'yes,' to being in foster care during the month of their 18th birthday regardless of which state they resided in.

D. VERIFICATION

Verification of foster care status in the month of the individual's 18th birthday or later is required if the individual attests to being in foster care in Kansas. As mentioned above in Section C, the applications have been modified to allow individuals to indicate if they were in foster care at the time of their 18th birthday in any state, not just Kansas. All individuals answering "Yes" to this question shall be screened for potential AGO eligibility. As the application no longer specifies a state, staff should follow outlined instructions below in order when screening for potential AGO eligibility.

1. FOSTER CARE MEDICAL IN KANSAS

When an individual attests to being in foster care in the month of their 18th birthday, staff should first navigate to KEES to verify if the foster care was in the state of Kansas. To determine this, staff should identify the individual in KEES and select 'Person View.' If the individual was in foster care at any point in Kansas, the individual will have an aid code of one of the following: FCM/DC, FCM/JC, or FCM/TC. Once staff determine that the individual was in foster care at some point in Kansas, the date of birth should be utilized to confirm the month of their 18th birthday. If the individual had foster care in the month of their 18th birthday in Kansas, the individual (if under 26) can be approved for

AGO. If the individual was not in foster care in the actual month of their 18th birthday, staff should determine eligibility based on all other eligibility requirements.

2. FOSTER CARE MEDICAL OUTSIDE OF KANSAS

If an individual attests to being in foster care in the month of their 18th birthday but there is no confirmation in KEES, it can be assumed that the individual was in foster care in another state. When this occurs, staff will need to document within the journal that the individual did not have Kansas foster care and self-attestation of former foster care and/or Medicaid enrollment status will be accepted as verified per [KFMAM 1331.03](#). Staff then should proceed with authorization of AGO for the individual if under the age of 26 and they attained age 18 on or after January 1, 2023.

Example 1: Kayla was in foster care in Arizona and enrolled in Medicaid in the month of her 18th birthday (11/15/2022). Kayla moves to Kansas in February 2023. Kayla would be ineligible for AGO in the state of Kansas due to turning 18 prior to January 1, 2023.

Example 2: Riley was in foster care and enrolled in Medicaid in the month of his 18th birthday (01/12/2023) in the state of Florida. Riley moves to Kansas in February 2023. Riley is eligible for AGO in the state of Kansas due to turning 18 on or after January 1, 2023.

a) PROCESSING IN KEES

As there will not be historical foster care data in KEES for individuals who did not reside in Kansas when in foster care, staff will need to take additional steps outlined in the KEES User Manual for EDBC to produce a passing budget for this specialized population. In addition, staff should be aware that all existing AGO workarounds are still in place with implementation of this policy.

If a NOA does not produce after accepting a passing EDBC result, staff should send the G-107, available on the KDHE Standard Copy & Paste (SCP) to the individual and administrative roles (if applicable).

NOTE: Refer to the KEES User Manual for instructions on approving AGO coverage for individuals who received foster care outside of Kansas.

II. QUESTIONS

For questions or concerns related to this document, please contact the KDHE Medical Policy Staff at KDHE.MedicaidEligibilityPolicy@ks.gov.

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Questions regarding any KEES issues are directed to the KEES Help Desk at KEES.HelpDesk@ks.gov.