

No Notice Request for Submission of Section 1115 Waiver Amendment to Provide Medicaid Coverage of Former Foster Youth and State Plan Amendment

The Department of Health Care Services (DHCS) is formally requesting Centers for Medicare and Medicaid Services (CMS) approval to not complete the tribal/designee notification process for the following Section 1115 Waiver Request and State Plan Amendment (SPA) 17-016:

Waiver Request and Title	Background of Proposal	Justification
<p>Request for Section 1115 Waiver Amendment and SPA 17-016: To Provide Medicaid Eligibility for FFY from Out of State</p>	<p>On November 30, 2016, CMS published a final rule on Medicaid coverage for Former Foster Youth (FFY) from out of state. FFY from out of state are youths who were in foster care and enrolled in Medicaid under the responsibility of a different state at the time they turned 18 or when they “aged out” of the foster care system. The rule clarified that the state option to cover FFY from out of state was not available through a SPA. However, states can cover such out of state FFY specifically through a Section 1115 Waiver.</p> <p>Under the guidance of the CMS, DHCS is requesting to amend the State Plan with SPA 17-016 to remove coverage for the FFY from out of state through the State Plan, and will offer coverage through an amendment to California’s Section 1115 Medi-Cal 2020 Demonstration Waiver (#11-W-00193/9). There will be no changes in the benefits or eligibility available to the FFY.</p>	<p>DHCS does not believe that a tribal/designee notice is required because FFY from out of state will continue receiving the same coverage under the proposed amendment to its Section 1115 Waiver as they received under the prior SPA.</p> <p>As such, this proposal has no impact on the individual beneficiary as required by the state plan nor does it change the coverage offered to FFY. It does not restrict eligibility, reduce or restrict access to covered services.</p>