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Department of Health Care Services



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TO: ALL COUNTY WELFARE DIRECTORS Letter No.: 16-20  
ALL COUNTY ADMINISTRATIVE OFFICERS  
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS  
ALL COUNTY MENTAL HEALTH DIRECTORS  
ALL PROBATION DIRECTORS

SUBJECT: MEDI-CAL ELIGIBILITY FOR FOSTER CARE YOUTH WHO RUN AWAY FROM THEIR PLACEMENTS (References: All County Welfare Directors Letters' Nos. 11-09, 14-05, 14-24, 14-26, and 14-41.)

The purpose of this letter is to clarify eligibility policy guidelines for foster care youth who leave their court-ordered placements. The Department of Health Care Services (DHCS) recognizes that it is critical to ensure all measures are taken to maintain uninterrupted Medi-Cal coverage for eligible foster care youth so that the youth are able to access health care services. This letter supersedes All County Welfare Directors Letter (ACWDL) 11-09 in its entirety. This letter applies to all foster care youth, whether supervised by child welfare or probation.

### **Policy Clarification**

Typically, if the youth runs away from his/her foster care placement, a discontinuance of the Aid to Families with Dependent Children - Foster Care (FC) payment (aid code 42 for federal and aid code 40 for state-only foster care) occurs and there is a "change in circumstance" to the foster care case due to the loss of contact. However, in some circumstances, the foster care youth may be in other Medi-Cal aid codes while in their foster care placement. The following guidance applies to all foster care youth regardless of their aid code.

**A discontinuance of the foster care payment does not trigger a discontinuance of Medi-Cal benefits. The foster care youth must not be discontinued from Medi-Cal because of a discontinuance of the foster care payment or a loss of contact.** The County Medi-Cal Eligibility Worker (CEW), or Foster Care Eligibility Worker (FCEW) who is also a CEW (FCEW/CEW), must fully evaluate all avenues of eligibility for Medi-Cal programs in accordance with the ex-parte procedures and

redetermination/change in circumstance process required by Welfare and Institutions Code Section (W&I Code §)14005.37.

During the ex parte review of the redetermination/ change of circumstance process, the CEW or FCEW/CEW should determine if the foster care youth is still under the jurisdiction of the court, and if so, place the foster care youth in the appropriate, Medi-Cal only aid code not associated with a foster care payment, which is aid code 45. CEWs or FCEW/CEW should sequentially follow the current ex parte and redetermination process to attempt to locate and contact the foster care youth. In accordance with W&I Code § 14007.4, the foster care youth that is still under the jurisdiction of the court is still considered to be a resident of the state and thus the CEW or FCEW/CEW should maintain the foster care youth's eligibility status to ensure that there is not an interruption in coverage due to loss of contact.

Furthermore, if it is determined that the foster care youth is still under the jurisdiction of the court, they should remain in the appropriate Medi-Cal only aid code, whether the foster care youth's whereabouts are located or not. The scenarios listed below describe the numerous situations that can arise when a foster care youth runs away from their placement and how to address them.

Enrollment into a Managed Care Plan (MCP) for foster care youth is voluntary. Individuals residing in a County Operated Health System (COHS) do not have an option, and it is mandatory that they remain in the COHS. If in any scenarios listed below, the foster care youth wishes to enroll into an MCP because they prefer this option, the CEW or FCEW/CEW shall contact the Medi-Cal Managed Care (MMC) Ombudsman Unit of DHCS for an expedited enrollment using the online "Ombudsman Unit Request for Change" form to request to change the foster care youth into a MCP. For more information on the online Ombudsman process, refer to Medi-Cal Eligibility Division Information Letter I 14-59.

The MMC Ombudsman Unit does not have to be contacted in this case if the foster care youth would like to remain in Fee-for-Service.

If the youth exits foster care at age 18 or older, the county shall seamlessly transition the youth into the Medi-Cal program for Former Foster Youth (FFY) and assign the 4M aid code even if the youth's whereabouts are unknown at the time of case closure. (See ACWDL 14-41).

**Examples:**

**FC Youth is Located within County of Jurisdiction**

Per the California Department of Social Services (CDSS), when the foster care youth is located and returned to a placement, the CEW or FCEW/CEW shall return the youth to the appropriate foster care aid code.

**FC Youth is Located outside of County of Jurisdiction**

Per CDSS, when the foster care youth is located outside of the county of jurisdiction the child may be returned to a placement within his or her county of jurisdiction. The CEW or FCEW/CEW shall return the youth to the appropriate foster care aid code. If there is a need to place the foster care youth within the county they are located, once the new foster care placement is made, the foster care youth will be placed in the appropriate foster care aid code.

**FC Youth Incarcerated**

If the foster care youth is located while still under jurisdiction of the court, but in a Juvenile Hall Facility or other juvenile correctional institution, the CEW or FCEW/CEW shall keep the foster care youth in aid code 45 until it is determined that either the foster care youth will not be returning to placement or is incarcerated as an inmate in a public institution. Per ACWDL14-26, if they are an inmate in a public institution, they should have their Medi-Cal benefits suspended until they are no longer considered an inmate or at the end of the month of the anniversary date that he or she became an inmate of the public institution, whichever occurs first. At which point, per W&I Code § 14005.37 and 14011.10 and Penal Code § 4011.11, the CEW or FCEW/CEW shall conduct a redetermination to confirm if the youth is still considered an inmate or not. If so, the CEW or FCEW/CEW shall terminate benefits. For more information on this process, please see ACWDL 14-26.

For any youth with a court order for a foster care placement at age 18 or older, the CEW or FCEW/CEW shall transition the youth into aid code 4M when the court closes the foster care case, even if the youth is still incarcerated at the time of case closure.

Per ACWDL 14-24, once the youth is no longer considered an inmate, counties shall follow the appropriate process to reestablish the youth's full benefits. If the foster care youth still has an active juvenile court case, they should be returned to a placement and returned to the appropriate foster care aid code

If the foster care youth was transitioned into 4M while still considered an inmate, counties shall still follow the procedures outlined in ACWDL 14-24, to ensure that there was a seamless transition into the FFY program with no interruption in coverage.

**FC Youth *is not* Located but Still Under Jurisdiction of the Court**

If the foster care youth's whereabouts are not located, but the youth is still under jurisdiction of the court, they shall remain in aid code 45 until the court closes the foster care youth's juvenile court case at age 18 or older. When the court closes the foster care youth's court case, the CEW or FCEW/CEW shall seamlessly transition the youth into the FFY program and assign the 4M aid code without requiring an application to ensure no interruption in coverage. (See ACWDL 14-41)

**FC Youth *is not* Located and No Longer Under Jurisdiction of the Court**

It should be noted that during the ex parte review of the redetermination/ change of circumstance process, if the CEW or FCEW/CEW determines that the foster care youth is no longer under the jurisdiction of the court, the county should establish if the youth was still under the jurisdiction of the court at age 18 or older. A foster care youth who exits foster care at age 18 or older should be seamlessly transitioned in the FFY program with the aid code 4M even if the youth's whereabouts are unknown at the time of case closure. If the foster care youth was not under the jurisdiction of the court at age 18 or older, the CEW or FCEW/CEW should follow the current process for loss of contact. More specific updated guidance on loss of contact is forthcoming in a future ACWDL.

**FC Youth *is* Located and No Longer Under Jurisdiction of the Court**

If the foster care youth is located and is still living in California but no longer under the jurisdiction of the court, he or she is to remain eligible for no-cost Medi-Cal under the Continuous Eligibility for Children (CEC) Program until his or her next annual redetermination, even if there is a change in their income or other specified circumstances. Exceptions to the CEC policies include death or youth who are no longer residents of the state. Eligibility under CEC is appropriate only if the youth is not eligible for any other no-cost Medi-Cal program. For more detailed information about CEC, please refer to ACWDL 14-05, Section III, Rules of CEC Availability.

If the foster care youth is located living in California, they were under the jurisdiction of the court at age 18 or older, and the court has closed the juvenile court case, the foster care youth is eligible for the FFY program and should be assigned the aid code 4M.

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DHCS appreciates the efforts our county partners have taken to increase access to health care for youth in foster care.

If you have any questions regarding this letter, please contact Mr. Daryl Hightower at (916) 552-9472 or by email at [daryl.hightower@dhcs.ca.gov](mailto:daryl.hightower@dhcs.ca.gov).

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Medi-Cal Eligibility Division