

DSS-4357EL
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GENERAL INFORMATION SYSTEM
DIVISION: Office of Medicaid Management

08/31/00
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GIS 00 MA/018

TO: Local District Commissioners, Medicaid Directors, IM Directors

FROM: Betty Rice, Director
Division of Consumer and Local District Relations

SUBJECT: District of Fiscal Responsibility for Individuals Under 21
Years of Age

EFFECTIVE DATE: Immediately

CONTACT PERSON: Medicaid Local District Liaison: Upstate: (518) 474-9130;
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This GIS message is to notify local social services districts of a change in Medicaid policy regarding the district of fiscal responsibility for a child under the age of 21. Administrative Directive OMM/ADM 97-1, "District of Fiscal Responsibility," stated that the district of fiscal responsibility for a child under the age of 21 was the district where the parent(s) or legal guardian(s) reside.

In order to be consistent with public assistance policy, and for local district administrative ease, effective immediately, the district of fiscal responsibility for a child under the age of 21, who is capable of indicating intent, will be the district "where found," unless one of the current exceptions applies (i.e., medical facility rule, placement rule, temporary absence rule, or transition rule). See OMM/ADM 97-1 for complete information regarding these exceptions. Districts should rely on a person's expression of intent in determining the district of legal residence, unless the person's actions are inconsistent with the expressed intent.

The district of fiscal responsibility for a child under the age of 21 who is incapable of indicating intent, remains the district of legal residence of the parent(s) or legal guardian.

This policy change must be implemented prospectively. Districts that are currently providing coverage to children under the age of 21 residing in another district, where an exception above does not apply, must continue to provide Medicaid coverage to such recipients until there is a break in need or the recipient reaches the age of 21. If the recipient remains eligible at the time he/she reaches the age of 21, the district may transition the case to the actual district of legal residence. OMM/ADM 97-1 will be updated to reflect this policy.