



Department of Health

KATHY HOCHUL
Governor

JAMES V. McDONALD, M.D., M.P.H.
Acting Commissioner

MEGAN E. BALDWIN
Acting Executive Deputy Commissioner

INFORMATIONAL LETTER

TRANSMITTAL: 23 OHIP/INF-1

DIVISION: Office of Health Insurance Programs

TO: Local District Commissioners

DATE: 3/17/23

SUBJECT: Out-of-State Former Foster Care

SUGGESTED DISTRIBUTION: Local District Commissioners, Medicaid Directors

CONTACT PERSON: Local District Liaison
Upstate: (518) 474-8887
New York City: (212) 417-4500

ATTACHMENTS: None

FILING REFERENCES

Previous ADMs/INFs Legal Ref.	Releases Cancelled	Dept. Regs	Soc. Serv. Law & Other	Manual Ref.	Misc. Ref.
GIS 17 MA/15 13 OHIP/ADM-03			SSA 1902(a) (10)(A)(i)(IX)		

Date: 3/17/23

Trans. No. 23 OHIP/INF-1

Page No. 2

The purpose of this Informational Letter (INF) is to inform local departments of social services of the change in policy, effective January 1, 2023, related to former foster care (FFC) youth Medicaid benefit (i.e., no income test until age 26) for individuals who were in foster care under the responsibility of another state. This update is required by the federal Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act of 2018 (SUPPORT Act).

Previously, districts were advised in GIS 17 MA/15, "Out-of-State Former Foster Care," that applicants under age 26 on NY State of Health who answered "yes" to being in foster care, at age 18 in another state, would no longer be offered Medicaid benefits without regard to income, until age 26.

Due to the SUPPORT Act, New York State will again offer the out-of-state FFC Medicaid benefit to youth formerly in foster care, from other states, who turned 18 on or after January 1, 2023. Districts should advise new applicants who were in foster care at or after the age of 18 in another state, who turned 18 on or after January 1, 2023, to apply through NY State of Health for an eligibility determination and indicate their former foster care status.

NY State of Health language has been updated to reflect the new rule. New language has been added to the NY State of Health eligibility decision notice instructing former foster care youth who were in foster care under the responsibility of another state to call customer service. NY State of Health Customer Service has been instructed to verify the individual's former foster care and Medicaid status from the other state with the applicant.

Please note this change will not affect Medicaid coverage for former foster care youth who were discharged from New York State foster care. When a foster care youth is placed out-of-state, while remaining in New York State's foster care program, they will qualify for the FFC benefit if they return to NY State provided, they aged out of foster care.

Please direct any questions to your Local District Support Liaison.



Amir Bassiri, Medicaid Director
Office of Health Insurance Programs