

	<b>GEORGIA DIVISION OF FAMILY AND CHILDREN SERVICES</b>		
	<b>MEDICAID POLICY MANUAL</b>		
	<b>Chapter:</b>	<b>2800</b>	<b>Effective Date:</b>
<b>Policy Title:</b>	<b>Special Considerations</b>		
<b>Policy Number:</b>	<b>2850</b>	<b>Previous Policy Update:</b>	<b>MT 45</b>

### **MINOR PARENT AND CHILD IN CARE**

The Title IV-E program allows a state to claim IV-E reimbursement for the costs of a child living in the same placement as its minor parent. (Note: DFCS custody of the child is not necessary in this situation). If the minor parent has been determined IV-E eligible and reimbursable, the added cost of care for the child living in the same placement may be reimbursed through the mother's Title IV-E status. The child does not have a IV-E status since there is not a separate judicial removal or custody into foster care. In order to claim reimbursement, the cost of care for both the minor parent and their child must be contained in one payment to the substitute care provider, and the child's cost of care is assigned to the mother's cost of care.

If the child is legally removed from the minor parent and placed in a separate substitute care placement, the child is considered a foster child and would require a determination for Title IV-E eligibility and reimbursability. The child's Title IV-E eligibility would be determined like that of any child being removed from his/her parent.

### **JOINT DFCS AND DJJ CUSTODY**

A child may be in the joint custody of DFCS and the Department of Juvenile Justice (DJJ). If DFCS has placement authority, refer to Section [2810](#) for application processing procedures. If DJJ has placement authority, refer to Section [2812](#) for application processing procedures.

**NOTE:** The child cannot be IV-E reimbursable while placed in a Regional Youth Development Center (RYDC) or a Youth Detention Center (YDC). Refer to Section [2860](#), IV-E Reimbursability.

### **CHILD PLACED WITH RELATIVES**

RevMax will retain those cases of children who are placed in a Relative Home but remain in the Department's custody. As relatives apply for TANF, Food Stamps and Family Medicaid, in Gateway, OFI eligibility staff will code the foster child out of Family Medicaid applications. The foster child will remain in a Foster Care MA COA and the case will remain with Rev Max.- until the department no longer has custody. Refer to Section [2848](#) – **Relative Care**

**CHILD PLACED WITH RELATIVES (cont.)****Placement****MEDICAID FOR AN OUT-OF-STATE AA CHILD RESIDING IN GA**

Refer to Section [2852](#) - **Medicaid Application Processing for Out of State Children Placed in Georgia**

**GEORGIA AA CHILD MOVES OUT-OF-STATE**

When a child receiving Adoption Assistance from Georgia moves to another state, the child's Georgia Medicaid is terminated effective the month following the move. Medicaid for the child should be applied for in the resident state.

NOTE: The agency may agree to continue the adopted child on Georgia Medicaid in order for Georgia Medicaid providers to continue a specific care plan for the child.

**SPECIAL IMMIGRANT JUVENILE STATUS**

An undocumented child who had been abused, neglected or abandoned can petition U.S. Citizenship and Immigration Services for lawful permanent resident status provided they came under the protection of a state juvenile court and will not be returned to his or her parents. This benefit is called Special Immigrant Juvenile Status and if granted the child attains lawful, permanent resident status.

Use the following chart to determine financial eligibility and appropriate class of assistance for children in IV-E foster care.

<b>Chart 2850.1 Special Situations in IV-E</b>		
<p>A Georgia IV-E FC child is placed out-of-state</p>	<p>IV-E FC. Georgia is responsible for initial and ongoing determinations and provides verification of this eligibility to GA SSCM who forwards the information to the state of current residence.</p> <p><b>NOTE:</b> Process as any other IV-E FC case. Because the Georgia Medicaid card cannot be suppressed, have it sent to the SSCM for destruction.</p>	<p>Initial eligibility requires an AFDC determination for AU from which the child is removed. Final financial determination is child only.</p>
<p>A child enters FC under a voluntary placement</p>	<p>1. IV-E FC. If determined eligible, this eligibility is for 90 days with one 90 day extension only unless a judicial determination is obtained within this time frame that states that continued placement is in the best interest of the child. If the child remains in care under a voluntary placement agreement beyond 180 days without acquiring a court order which states that continued placement is in the best interest of the child, the child would lose IV-E eligibility on the 181st day and for the remainder of the placement episode.</p> <p>2. CWFC funding</p> <p>3. MN Medicaid</p>	<p>1. Initial eligibility requires an AFDC determination for the AU from which the child is removed. Final financial determination uses child only as an AU of one.</p> <p>2. Budget the child as an AU of one.</p> <p>3. Budget the child as an AU of one</p>

Chart 2850.1 Special Situations in IV-E (cont.)

IF	THEN determine eligibility for the child in the following order:	AND determine financial eligibility as follows
<p>Trial Visit: A IV-E child is returned to the specified relative from whom he/she was removed.</p>	<p>IV-E FC reimbursability is terminated but IV-E eligibility is retained during a trial visit of less than six months, or longer if the court orders a longer home visit.</p> <p>A new application must be filed for IV-E FC when the child returns to a FC placement but AFDC eligibility does not have to be reestablished.</p> <p>If the trial home visit extends beyond six months or the court authorized time period, and the child is subsequently returned to foster care, the placement must be considered a new placement and requires a new (initial) determination of all eligibility factors. The judicial determinations regarding <i>contrary to the welfare</i> and <i>reasonable efforts to prevent removal</i> are required.</p> <p>NOTE: Placement with the parent who was not the specified relative from whom the child was removed is not considered a home visit but a relative placement. Unlike other specified relatives, a parent is financially responsible for their child and the parent's income is included in the budget.</p>	<p>Budget the child as an AU of one.</p> <p>Initial eligibility requires an AFDC determination for AU from which the child is removed. Final financial determination uses child only as an AU of one.</p> <p>Reference Section 2600 Family Medicaid Assistance Units and Budget Groups</p>
<p>A IV-E child runs away</p>	<p>IV-E FC reimbursability is terminated but IV-E eligibility is retained if the child returns within six months and the court order is still in effect.</p> <p>A new application must be filed for IV-E FC when the child returns to a FC placement but AFDC eligibility does not have to be reestablished. (All other eligibility must be met.)</p> <p>If the child is on runaway status longer than six months or the court order expires</p>	<p>Budget the child as an AU of one.</p> <p>Initial eligibility requires an AFDC determination for the AU from which the child is removed. Final financial determination uses</p>

Chart 2850.1 Special Situations in IV-E (cont.)

IF	THEN determine eligibility for the child in the following order:	AND determine financial eligibility as follows
	and the child subsequently returns to foster care, the placement must be considered a new placement, and requires a new (initial) determination of all eligibility factors. The judicial determinations regarding <i>contrary to the welfare and reasonable efforts to prevent removal</i> are required.	the child only as an AU of one.
<p>IV-E child's adoptive placement changes because of disruption, dissolution or removal.</p> <p><b>Disruption:</b> The removal of a child(ren) from an adoptive placement after the signing of the placement agreement but before legal finalization.</p> <p><b>Dissolution:</b> The termination/voluntary surrender of parental rights by the adoptive parent(s) of a child(ren) on whom the adoption has been legally finalized.</p> <p><b>Removal from adoptive home:</b> The removal of the child occurs after the adoption is final. The child is placed in the agency's custody.</p>	<p>IV-E FC reimbursability is terminated but IV-E eligibility is retained.</p> <p><b>Disruption:</b> A new application must be filed for IV-E FC but AFDC relatedness does not have to be established. (All other eligibility criteria must be met.)</p> <p><b>Dissolution, Removal:</b> If the removal of a child is from the adoptive home in which the adoption has been finalized, the child's foster care eligibility is determined using the same procedures as when a child is removed from any other home and placed in the agency's custody. Forms 223 and 224 are required, and a determination is based on the child's home of removal. The adoptive parents are treated as the legal parents and their income and resources are considered in the IV-E eligibility determination. If the parental rights are later terminated or if a voluntary surrender occurs, the policy applicable to disruption/dissolution would be appropriate.</p>	<p>Budget the child as an AU of one</p>

**Chart 2850.1 Special Situations in IV-E (cont.)**

<b>IF</b>	<b>THEN determine eligibility for the child in the following order:</b>	<b>AND determine financial eligibility as follows</b>
<p>A IV-E child's adoptive placement ends because of the death(s) of the adoptive parents.</p>	<p>In the event of the death of the single parent in a single parent adoption or the deaths of both adoptive parents in two parent adoptions, the child retains their IV-E AA eligibility in a subsequent adoption.</p> <p>A new application must be filed for IV-E FC, but AFDC relatedness does not have to be established. All other eligibility criteria must be met.</p>	<p>Budget the child as an AU of one.</p>
<p>The mother of a child was AFDC eligible, the child was placed for adoption at birth, the adoptive placement fails and the child is placed in FC.</p> <p>A IV-E FC child has a child living with him/her and assistance is requested for the minor parent's child.</p> <p>A IV-E FC child has a child living in a separate FC placement.</p>	<p>1. IV-E eligibility if the child is placed in FC within six months of the initial adoptive placement and a court order was initiated with the appropriate judicial language during the six months.</p> <p>2. CWFC, then RSM</p> <p>1. IV-E FC minor parent can apply for LIM for his/her child.</p> <p>2. Newborn if eligible.</p> <p>3. CWFC, then RSM</p> <p>1. IV-E eligibility if all criteria are met.</p>	<p>1. Initial eligibility requires an AFDC determination for the AU (birth mother) from whom the child was removed. Final financial determination uses child only as an AU of one.</p> <p>2. Budget the child as an AU of one.</p> <p>1. Budget the minor's child as an AU of one and include any contributions from the mother.</p> <p>2. N/A</p> <p>3. Child and parent are included in the BG. the parent's per diem must be included.</p> <p>1. Initial eligibility requires an AFDC determination for the AU from which the</p>

**Chart 2850.1 Special Situations in IV-E (cont.)**

<b>IF</b>	<b>THEN determine eligibility for the child in the following order:</b>	<b>AND determine financial eligibility as follows</b>
	2. CWFC, then RSM	minor parent's child is removed. The IV-E budget is based on an AU of one (the minor parent's child).  2. Budget the minor parent's child as AU of one.
A IV-E FC child has a child living in the same FC placement but DFCS has separate placement and care responsibilities for the minor parent and for the minor parent's child.	1. IV-E eligibility if all criteria are met for the minor parent's child. IV-E eligibility would be determined individually for each.  2. CWFC, then RSM	1. Initial eligibility requires an AFDC determination for the AU from which minor parent's child is removed. The IVE budget is based on an AU of one (the minor parent's child).  2. Budget the minor parent's child as an AU of one.