




Division of Safety and Permanence  
October 14, 2022

DSP Informational Memo Series 2022-27i  
SUPERSEDES Memo 2020-37i

To: DCF/DMCPS Administrator  
DCF Area Administrators  
Child Placing Agency Directors  
Child Welfare Agency Directors  
County Departments of Community Programs Directors  
County Departments of Human Services Directors  
County Departments of Social Services Directors  
Group Home Providers  
Tribal Social Service/Indian Child Welfare Directors  
Private Child Placing Agencies  
Residential Care Center Providers  
Shelter Care Providers  
Tribal Chairpersons

From: Wendy Henderson  
Administrator 

Re: **Changes to Former Foster Care Youth Enrollment in BadgerCare Plus**

**PURPOSE**

This memo is a revision to DCF Informational Memo 2020-37i, providing a review of BadgerCare Plus eligibility for youth formerly in foster care and detailing a recent change affecting youth who relocate to other states. Information pertaining to youth remaining in Wisconsin is unchanged.

**BACKGROUND**

As first stated in DCF Memo Series 2008-03, BadgerCare Plus (BC+) outlined a new provision for youth formerly in foster care (formerly called Youth Exiting Out of Home Care) who were placed in foster care, subsidized guardianship, or court-ordered kinship care on their 18<sup>th</sup> birthday to qualify for a special status under BC+ when they leave out-of-home care (OHC). Additionally, as detailed in DCF Memo Series 2014-18i, the Affordable Care Act (ACA) stipulates that youth who were in foster care at age 18 and meet eligibility criteria may receive full Medicaid (MA) benefits until the month in which they turn 26. This is allowed per the ACA and the Chafee Foster Care Program for Successful Transition to Adulthood (formerly known as the Chafee Foster Care Independence Program; "Chafee") under certain conditions (outlined below). As detailed in DCF Memo Series 2020-37i, as of October 24, 2020, If the youth is incarcerated in jail or prison, they will be eligible for suspended BC+, rather than disenrolled, if they continue to meet the eligibility requirements.

As of January 1, 2023, youth aging out of care in Wisconsin, who were born on or after January 1, 2005, and who move to another state will be eligible for coverage as former foster care youth



under the new state's Medicaid programs provided they meet eligibility requirements. Agencies involved in transition planning for these youth should assist them in this process.

## INFORMATION SUMMARY

### *Affordable Care Act (ACA) provision for Former Foster Care Youth (FFCY)*

Per the Affordable Care Act, effective January 2014, youth who were in foster care at age 18 may receive full BC+ benefits up to their 26<sup>th</sup> birthday. There are no premiums or copayments required for BC+ for former foster care youth.

There is no income or resource test for these youth while they are eligible under this provision. In addition, they are not subject to the BC+ insurance access or coverage policy. Regardless of income, they are eligible for the BC+ Standard Plan until the end of the month in which they turn 26 or they are otherwise ineligible, whichever is sooner.

To be eligible, all the following conditions must be met:

1. The youth was in foster care (either IV-E or non-IV-E), subsidized guardianship, or court-ordered kinship care on the date they turned 18. It does not matter what state the youth was residing in when they turned 18 in a qualifying placement type.
2. The youth is under age 26
3. The youth meet the following BC+ eligibility criteria:
  - a. Physically resides in Wisconsin and intends to reside in the state
  - b. No longer receiving foster care benefits (which includes subsidized guardianships and court-ordered kinship) but was receiving the benefits on their 18<sup>th</sup> birthday. Verification of the youth's placement status on their 18<sup>th</sup> birthday is required.
  - c. Provides a Social Security Number or cooperates in applying for one
  - d. Is a United States citizen, or National, or is a qualifying immigrant
  - e. If requested by the income maintenance agency, is able to provide verification of U.S. citizenship and identity or qualifying immigrant status or makes a good faith effort to obtain it
  - f. Cooperates with child support enforcement agencies in obtaining medical support (if a parent)
  - g. Cooperates with third party liability requirements

If the youth is incarcerated in jail or prison, they will be eligible for suspended BC+ if they continue to meet the eligibility requirements. Suspended BC+ will only cover health care services received while outside of the jail or prison for 24 hours or more, such as if the youth is admitted to a hospital as an inpatient. Once the youth is released, the suspension may be lifted and full BC+ benefits reinstated if the youth continues to meet the eligibility requirements. More information available via <https://www.dhs.wisconsin.gov/dhcaa/memos/20-24.pdf>.

A 12-month recertification renewal is required to continue eligibility.



### ***Enrollment Process***

Child welfare and local Income Maintenance (IM) agencies must develop a procedure to ensure that whenever a youth is losing Foster Care MA eligibility, a separate re-determination is completed by the IM agency before the Foster Care MA is terminated. Child welfare agencies are to extend a youth's MA eligibility, using the Foster Care medical status code, until a re-determination of MA eligibility is done by the IM agency. A formal communication process must be established to assure IM agencies are made aware of all children leaving out-of-home care and provided with information necessary to re-determine eligibility.

The BC+ Communication form (*F-10184\_Badgercare Plus Former Foster Care Youth*; linked on page 3) can assist in that communication. The following application options are available for any FFCY who applies for BC+.

1. ACCESS online application: <https://access.wisconsin.gov/access/>; or
2. Face-to-face interview at the local county/tribal office; or
3. Mail-in application (see attachment); or
4. Telephone interview through consortia call-in number (access specific consortia contact page via <https://www.dhs.wisconsin.gov/forwardhealth/imagency/index.htm>).

Local child welfare agencies (CWAs) and Transition Resource Agencies (TRAs) should do all they can to disseminate information in their communities and partner agencies regarding the ACA provision for FFCY and support former foster youth under the age of 26 to access health care under this provision. Health care facilities, education programs, and homeless shelters are some of the local service providers that may have interactions with FFCY youth.

### ***Youth Moving Across State Lines***

Under the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities (SUPPORT) Act of 2018, as of January 1, 2023, state Medicaid agencies must cover eligible FFCY, born on or after January 1, 2005, who age out of foster care in one state and move to another state. Wisconsin previously opted to extend coverage to FFCY relocating to Wisconsin, so any youth under age 26 who move to Wisconsin from another state have been and remain categorically eligible for BC+ for former foster care youth if they meet the same eligibility requirements. CWAs and TRAs should assist these youth in enrolling when needed.

As of January 1, 2023, youth aging out of care in Wisconsin, who were born on or after January 1, 2005, who are moving to another state also will be eligible for coverage under the new state's Medicaid programs provided they meet eligibility requirements. CWAs and TRAs involved in transition planning for these youth should assist them in identifying and contacting the state Medicaid agency in the new state to initiate the enrollment process. A directory of state Medicaid agencies can be found at:

<https://www.benefits.gov/categories/Healthcare%20and%20Medical%20Assistance>.

CENTRAL OFFICE CONTACT:

Independent Living Coordinator

Email: [DCFILCoordinator@wisconsin.gov](mailto:DCFILCoordinator@wisconsin.gov)



MEMO WEB SITE: <https://dcf.wisconsin.gov/cwportal/policy>

ACCOMPANYING RESOURCES:

- Department of Health Services BadgerCare Plus home page:  
<https://www.dhs.wisconsin.gov/badgercareplus/index.htm>
- BC+ Communication Form: <https://www.dhs.wisconsin.gov/forms/f1/f10184.docx>
- Example letters:
  - <https://www.dhs.wisconsin.gov/badgercareplus/suspension-benefitsonholdletter.pdf>
  - <https://www.dhs.wisconsin.gov/badgercareplus/suspension-holdremovedletter.pdf>
- Directory of Income Maintenance (IM) Agencies and Consortia (*click on the location you want on the map or the consortia name link to get to the specific consortia contact information page, including the toll-free telephone number for the consortia*):  
<https://www.dhs.wisconsin.gov/forwardhealth/imagency/index.htm>
- Badgercare Plus Application Packet
  - English: <https://www.dhs.wisconsin.gov/forms/f1/f10182.pdf>
  - Spanish: <https://www.dhs.wisconsin.gov/forms/f1/f10182s.pdf>
  - Hmong: <https://www.dhs.wisconsin.gov/forms/f1/f10182h.pdf>
- MyACCESS App to manage benefits and submit required documentation:  
<https://www.dhs.wisconsin.gov/forwardhealth/myaccess.htm>
- Directory of state Medicaid agencies:  
<https://www.benefits.gov/categories/Healthcare%20and%20Medical%20Assistance>.