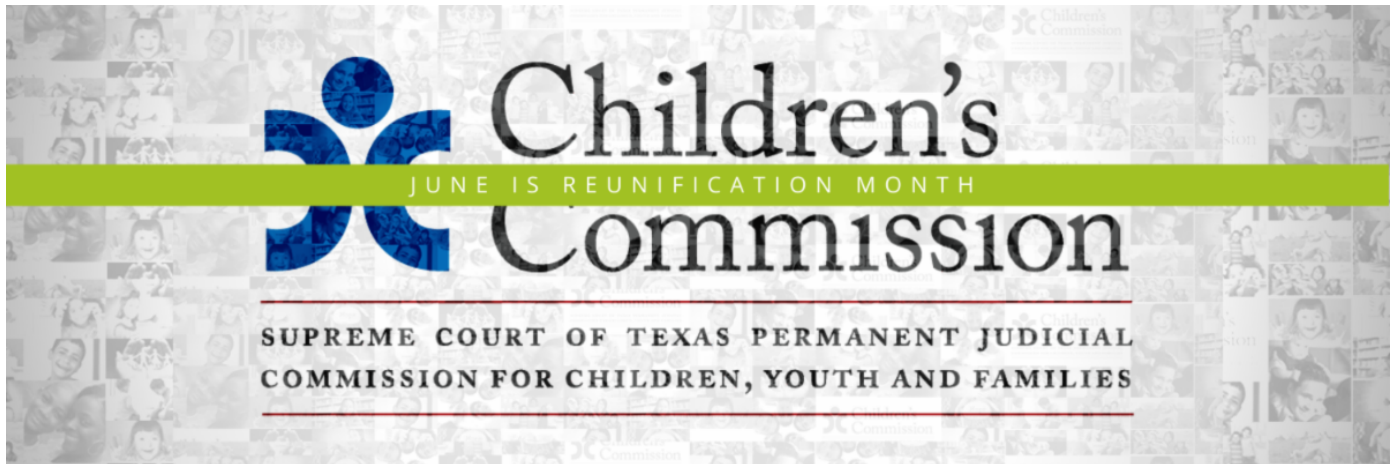


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Resource Letter:

For Judges and Attorneys Handling Child Protective Services Cases

June 25, 2020

Health Insurance for Aged Out Foster Youth: *Former Foster Care Children's Medicaid*

The Texas RioGrande Legal Aid Texas Foster Youth Justice Project has issued the following guidance regarding the Former Foster Care Children's Medicaid Program. Please see below for more information on this program.

Eligibility for Former Foster Care Children's Medicaid

The Former Foster Care Children's (FFCC) Program is a type of free Medicaid coverage available until the age of 26 for young adults who age out of the managing conservatorship of the Texas Department of Family and Protective Services (DFPS) at age 18 or older. There are no income, assets, or educational requirements, but there are some additional eligibility requirements, listed here:

- **Youth must have been receiving Medicaid when they aged out of care:** If a young adult is not receiving Medicaid for children in foster care when they age out (perhaps because they are incarcerated or detained in juvenile detention), they are not eligible for FFCC but may qualify for the Medicaid for Transitioning Foster Care Youth (MTFCY) Program until the age of 21. Under Texas Medicaid policy, Medicaid coverage for a youth is suspended or terminated when the recipient is in jail, prison, or juvenile detention. Therefore, when a youth is released from incarceration, it is important for their caseworker to promptly reinstate their Medicaid coverage for children in foster care so that this coverage will be in place when they turn 18.

- **Youth must meet Medicaid citizenship/immigration status requirements:** Young adults who are not U.S. citizens must be a lawful permanent resident or other specific immigration status to be eligible for FFCC Medicaid. Even if non-citizens meet the specific immigration status requirements, their eligibility will end when they turn 21 unless one of the following conditions is met:
 - They have become a U.S. citizen, or
 - They have been a lawful permanent resident for at least 5 years and the young adult, or their parents, have 40 quarters of work history with the Social Security Administration that meets certain criteria, or
 - They meet some other very limited requirements that most aged out foster youth do not meet.

Please note that if the young adult is applying for lawful permanent resident status through the Special Immigrant Juvenile Status (SIJS) process and their application is still pending, they are not eligible for FFCC Medicaid until the lawful permanent resident card is issued.

Enrolling in FFCC Medicaid

When a young adult exits foster care, they are automatically enrolled in FFCC Medicaid, a program administered by the Texas Health and Human Services Commission (HHSC).

All Medicaid recipients, including young adults formerly in foster care, must renew their Medicaid eligibility once every 12 months. Unfortunately, young adults sometimes lose their FFCC Medicaid coverage because they do not complete their annual renewal requirements. To ensure continuous FFCC Medicaid coverage until age 26, young adults must:

- **Provide their current mailing address to HHSC.** If HHSC receives returned mail and cannot locate the young adult, the young adult's Medicaid benefits will be denied. Young adults can report their address change to HHSC in the following ways:
 - Online through YourTexasBenefits.com
 - Via the Your Texas Benefits mobile app
 - By calling 2-1-1
 - In person at a local eligibility office
 - In writing by mail or fax
- **Respond to requests for information from HHSC.** To maintain FFCC Medicaid coverage, HHSC needs to verify that the young adult is a Texas resident and verify the young adult's current immigration status, if applicable. If HHSC requests verification for either of these eligibility criteria and it is not provided, the young adult's Medicaid will be denied.

Other Tips for Youth to Maintain Continuous Medicaid Coverage

- **Updating Addresses:** When a young adult transitions from DFPS care, they should update their address. Because they often move and experience housing instability, it is critical to encourage young adults to consider using a long-term address of a caring adult, a transition center, or a post office box for this and other important mail and also to develop the necessary routine to check their mail.
- **Setting Up Accounts:** After transitioning from DFPS care, young adults are encouraged to set up their own YourTexasBenefits.com online and mobile accounts. Directions for setting up an account are at YourTexasBenefits.com. By setting up an online account, young adults can apply for benefits, upload requested documents, and elect to receive electronic notices. If young adults receive electronic notices, they can also opt to receive a text or email reminder letting them know a notice was posted in their account. Assisting a young adult in setting up this account is highly encouraged.
- **Calling 2-1-1:** If a young adult has questions about their FFCC Medicaid, they can call 2-1-1 and ask to speak to a *Foster Youth Medicaid Specialist*. Since 2016, it has been HHSC policy that calls from aged out foster youth be transferred upon request to Foster Youth Medicaid Specialist; however, sometimes 2-1-1 staff may not do so, and issues continue to arise periodically. Young adults may need assistance in calling 2-1-1 and obtaining the needed information. "How to get

help by calling 2-1-1” details step-by-step [instructions](#) on how to get connected directly to a staff person.

- Reapplying: If young adults have lost their FFCC Medicaid coverage, they can reapply using Form H1205 (Texas Streamlined Application) or Form H1010 (Texas Works Application for Assistance – Your Texas Benefits). Young adults can apply through their online account, download forms, or request to [get a paper form](#). They can submit applications:
 - By mail or fax
 - Online through [YourTexasBenefits.com](#)
 - By calling 2-1-1 and applying over the phone with a telephonic signature.
- Verifying Texas Residency: While efforts are underway to simplify the renewal forms, they often contain an overwhelming array of notices and requests. Even when the form is simplified, many young adults may struggle to provide the required documentation of Texas residency due to their frequent moves and lack of housing stability. However, a signed and dated letter from anyone not related to the young adult who is familiar with the young adult and states they are resident of Texas is sufficient. A [Sample Residency Verification Letter](#) is available online.

Additional Information about Medicaid Programs and Related Resources

Medicaid for Transitioning Foster Care Youth (MTFCY). MTFCY is a health care/health insurance program for aged out foster youth who were in the Texas foster care system when they turned 18 but are not eligible for FFCC Medicaid because they did not have Medicaid for foster children when they turned 18. MTFCY only provides coverage until the young adult’s 21st birthday. MTFCY has income requirements but they are much higher than those for other Medicaid programs.

Permanency Care and Adoption: Benefits for young adults who are adopted or enter permanency care at the age of 16 or older can include Medicaid coverage until the age of 21. This coverage is not the FFCC Medicaid and will not extend until the age of 26.

FFCC Medicaid Health Insurance Programs. Managed care for FFCC Medicaid is split among managed care programs based on age and disability status. [STAR Health](#) , the same managed care program covering youth in foster care and managed exclusively by Superior HealthPlan, is available for FFCC Medicaid recipients age 20 and younger. Aged out foster youth age 21 through the end of the month of their 26th birthday are under the [STAR Medicaid Managed Care Program](#) . Please note that STAR is a different program than STAR Health. Depending on where the young adult lives, there are two or more STAR plans which they can choose from different managed care organizations. If a young adult does not choose a health plan, they will be assigned one. Young adults under age 21 can choose to switch to the STAR Managed Care Program instead of STAR Health, which they may want to do in order to access different providers. FFCC beneficiaries age 20 and younger with disabilities may choose between STAR Health and the [STAR Kids Medicaid Managed Care Program](#) . FFCC beneficiaries with disabilities age 21-26 must enroll in the [STAR+PLUS Medicaid Managed Care Program](#) . As in STAR, depending on where the young adult lives, they will have at least two STAR Kids or STAR+PLUS plans to choose from.

Help with FFCC Medicaid Issues. Young adults can obtain assistance to navigate FFCC Medicaid issues from their DFPS Preparation for Adult Living (PAL) worker or aftercare worker. Regional PAL staff will continue to provide guidance to young adults after they turn 21. If young adults need additional help overcoming barriers to obtaining FFCC Medicaid, they can contact the Texas Foster Youth Justice Project at:

- 1-877-313-3688 (toll-free)
- info@texasfosteryouth.org
- texasfosteryouth.org.

The Texas Foster Youth Justice Project provides free legal assistance to current and former foster youth on a statewide basis. Those working with aged out foster youth are welcome to contact the Project for initial guidance or to help facilitate the referral of a young adult for services. The Project has done extensive work on FFCC Medicaid access issues.

Resources:

The [Texas Foster Youth Justice Project](#) has many resources on its [Health Insurance/Medical page](#) .

DFPS has a [Transitional Living Services](#) web page with information about [Medical Benefits](#) for aged out foster youth and a handout about [Medicaid coverage](#) .

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