

Kansas Department of Social and Rehabilitation Services
Janet Schalansky, Secretary

Health Care Policy / Medical Policy
Scott Brunner, Director

Information: (785) 296-3981

Fax Number: (785) 296-4813

POLICY MEMO:	KFMAM: 2010
HCP Eligibility Policy No: 2004-09-30	From: Kristi Scheve, Senior Manager, Family Medical Eligibility Program Policy
RE: Minors - Act in Own Behalf	Program(s): Medicaid Programs & HealthWave 21

Background

The Economic and Employment Support Division of SRS implemented a policy effective 10-1-2004 that allows the Regional EES Program Administrator (or their designee) the authority to determine the ability of a minor living in an adult-supervised group living arrangement, such as Job Corps, to act in their own behalf for purposes of applying for cash assistance (KEESM 2112).

This change in EES policy has an impact on the Family Medical Program area. This memo is intended to clarify Family Medical policy related to minors applying for assistance and specify procedures related to Caretaker Medical assistance (i.e., MA CM or medical related to TAF).

At this time, HCP/MP does not wish to implement a policy which could circumvent parental responsibility for the care of a child. The following guidelines will be used in determining eligibility for Family Medical assistance.

- I. **Minors - Who Can Apply?** - Family Medical Policy remains that a minor must be emancipated in order to apply on their own behalf for medical assistance. An unemancipated minor can apply for medical assistance if they meet certain criteria. Refer to KFMAM 2011.2.

- II. **Provisions For Minors In An Adult-Supervised Group Living Arrangement** - A parent (or an adult meeting the caretaker relative definition of KFMAM 2110) can apply on the minor's behalf. This is true even though the minor is absent from the household and residing in an adult-supervised group living arrangement, such as a teen pregnancy home. Refer to KFMAM 2110.05.

A non-related adult working with (or on behalf of) the adult-supervised group living organization may apply for the minor only in cases where there is no available parent or caretaker relative exercising parental control over the minor. By the nature of the living environment and the services being provided to assist the minor, these living situations are deemed to be the result of an approved social service plan in accordance with KFMAM 2011.01.

III. Caretaker Medical Procedures (Medical related to TAF - cash assistance) - Family Medical eligibility policy does not allow a minor to apply in their own behalf for medical assistance. However, anyone receiving cash assistance through the State's TAF program is automatically eligible for Caretaker Medical assistance. Refer to KFMAM 2222.02. If the EES Program Administrator in the Regional Office determines a minor is allowed to act in their own behalf for the TAF program, that minor will also be eligible for Caretaker Medical assistance on their own case number.

Eligibility workers in the Regional Offices are responsible for approving the cash application and the corresponding Caretaker Medical coverage. The worker taking the action will document in the case log and indicate on the INDA screen, for the medical case, that the minor was allowed to apply on their own behalf for TAF based on KEESM 2112. Once all of the casework is completed, the case is to be transferred to the HealthWave Clearinghouse for case maintenance.

It is important to check if there is medical coverage already in place prior to approving the minor's coverage on their own case. If the minor is already receiving medical assistance, the eligibility worker in the Regional Office coordinates with the Clearinghouse to end participation on the open case before establishing medical assistance on the minor's own case number.

The minor, acting on their own behalf as a result of the new TAF rule, will receive twelve-months of continuous eligibility. Continuous Eligibility applies even if the minor leaves the adult-supervised group living arrangement and the EES Program Administrator determines they are no longer able to act in their own behalf for the TAF program.

At the next scheduled medical review, the minor's ability to apply on their own behalf is to be reviewed. If the minor has left the adult-supervised group living arrangement and is no longer receiving TAF assistance on their own behalf, they are not automatically eligible for Caretaker Medical under this provision. The minor must be able to act in their own behalf in accordance with the provisions outlined in KFMAM 2011.2, in order to continue receiving medical assistance on their own case.

Conclusion

If you have questions about this memo or the recommended procedures, please send them to Kristi Scheve, Senior Manager, Family Medical Eligibility Program Policy at kaxg@srskansas.org or Patty Rice, Manager, Family Medical Eligibility Program Policy at psys@srskansas.org .