



Policy Clarification 2017-10-02

Title: Residential Custody

Date: October 4, 2017

From: Allison Miller, Family Medical Policy Manager

Program(s) impacted: Family Medical Programs

The purpose of this document is to clarify KFMAM 2120 and explain the process of verifying where a child is residing when the custody of a child may be in question.

As indicated in KFMAM 2120, if only one parent is applying for medical assistance for a child, the child is to be included in the household of that parent. At a later time, if another parent or caretaker applies for the child, the following process should be followed to confirm the child's residence.

1. Contact the original Primary Applicant (the PA of the currently open case) by telephone to inquire about the child's whereabouts. While we cannot release information about WHO has applied for the child, we can tell the primary applicant that someone else has applied for the child and indicated the child is residing with them. Use the following as a guide for this phone contact:

"We have received information that (child's name) may no longer be living in your home. Has he recently moved out and is living with someone else?"

If you receive verbal confirmation from the Primary Applicant that the child is no longer living in his/her home, no further information is required. Follow instructions in KFMAM 2340 for Medicaid households or KFMAM 2460 for CHIP households to move the child's coverage to the new case.

2. Contact the new applicant by telephone, to inquire about the child's whereabouts. The purpose of this call is to confirm that the child is residing in the applicant's home. If you receive verbal confirmation from the new applicant that the child is NOT actually residing in their home, no further information is required. The new application would be denied for the child not residing in the home.
3. If unable to resolve the issue after attempted phone calls as outlined in steps 1 and 2, a notice is required. A notice is sent to BOTH households, the original Primary Applicant and the new individual that is applying for the child. At this time, it is unknown where the child is actually residing, therefore both parents/caretakers must be given an opportunity to provide documentation that the child is residing in their home. Most common forms of documentation are proof of residential custody, court guardianship, and school enrollment paperwork. Use the new fragment 'Proof of Residential Custody'.
4. If only one parent provides proof as requested, that is the parent with whom the child's coverage shall be maintained. If moving the child from one case to another, refer to KFMAM 2340 for Medicaid households or KFMAM 2460 for CHIP households for instructions.
5. If neither parent provides proof as requested, the child's coverage will be discontinued for failure to provide. The new application will be denied for failure to provide.
6. If both parents provide proof which indicates that the child is residing within their home, then the policy outlined for 50/50 custody applies which requires that the parents must designate which parent is going to be the one to apply for the child. Contact would be made to both households informing them that they must resolve amongst themselves which parent is going to be the one responsible for applying for the child. A signed statement by the other parent is required to indicate they agree with the designation. It is not necessary for this statement to be notarized.