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502.01 Title IV-E Foster Care Introduction

(Rev. 12/01/14)

The Adoption Assistance and Child Welfare Act of 1980 established Title IV-E of the Social Security Act. SCDSS determines if a child is eligible for Title IV-E. IV-E children are automatically eligible for Medicaid in SC. SCDHHS will use the file provided by SCDSS to automatically establish Medicaid eligibility for IV-E Foster Care children and create an application in Cúram for the remaining children.

An official written statement on state agency letterhead from the state that a child is currently eligible for Title IV-E Foster Care Assistance is acceptable verification of Title IV-E status. The statement must include the time period for which Title IV-E Foster Care eligibility has been determined by the other state.

A central Title IV-E unit located at the DSS State Office makes the Title IV-E eligibility determination for South Carolina. No Medicaid application is required. If the applicant is approved for Title IV-E, he/she is eligible for Medicaid. The DSS State Title IV-E Coordinator notifies the DHHS Medicaid eligibility worker who enters the data into Cúram to authorize Medicaid benefits. When a child leaves foster care, the county DSS human services worker notifies the DHHS Medicaid eligibility worker.

When a child turns age 18 and is no longer Title IV-E eligible but remains in foster care, an ex parte determination must be completed to change to Payment Category 60. Exception: Title IV-E can continue if the child is expected to complete school by age 19. The Medicaid eligibility worker must verify one of the following conditions are met:

* The child is a full-time student,
* The child is physically or emotionally handicapped, or
* The child is totally dependent on the Department of Social Services for care.

Reviews are not required between the ages of 18 and 21. If the child remains in foster care, refer to MPPM [207.03.01](#_Hlk112426968). If the child leaves foster care, refer to MPPM [207.03.02](#S_206_03_02).

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502.01.01 Moved to Another State

(Rev. 12/01/14)

Should a Title IV-E eligible child move to or from another state, he/she becomes a resident of the state in which he/she is physically located.

* The effective date of eligibility in South Carolina is the month following the month of termination of Medicaid by the other state. Refer to MPPM 102.03.09 for residency disputes.
* A child living in another state for which a Title IV-E adoption assistance agreement is in effect with South Carolina, or who is receiving a Title IV-E foster care payment from South Carolina, must be terminated from South Carolina Medicaid.

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| **Note:** A Medicaid application is not necessary for a child who is Title IV-E eligible. These children are treated the same as a Title IV-E South Carolina resident would be treated. If another state refuses to grant eligibility to a Title IV-E eligible child who receives Title IV-E Foster Care from South Carolina, the DHHS Medicaid eligibility worker should contact the Bureau of Eligibility Administration. |

502.01.02 Reporting Changes

(Rev. 12/01/14)

The DSS human services worker is responsible for reporting changes in the child’s status to the DHHS Medicaid eligibility worker. Examples of reportable changes include:

* Child becomes eligible for SSI.
* DSS relinquishes custody.
* Child returns home.

A child leaving foster care to return home or to another caretaker retains Medicaid eligibility if still in the protected period. Refer to MPPM 101.09.07.

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502.02 Title IV-E Adoption Assistance

(Rev. 12/01/14)

The Adoption Assistance and Child Welfare Act of 1980 that established Title IV-E of the Social Security Act provides for adoption assistance for certain hard to place children with special needs and foster care maintenance payments for certain children.

Children are automatically eligible for Medicaid if they are covered under a Title IV-E adoption assistance agreement regardless of whether a cash payment is being made or not.

* Medicaid coverage begins as soon as the adoption assistance agreement is in effect, regardless of whether adoption assistance payments are actually being made or whether a final adoption decree has been entered.
* Any adopted child for whom there is an adoption assistance agreement in place under the Title IV-E Adoption Assistance program is entitled to Medicaid even if the adopting family has income and resources that exceed the FI financial standards.
* The adoption assistance agreement can be used to identify individuals who qualify under this group.
* Medicaid benefits under IV-E Adoption normally end at age 18.
* At the option of DSS, a child can continue to be eligible up to age 21 if the child is incapacitated or is a full-time student. Ex parte the child in Cúram to PCAT 13, MAO Foster Care/Subsidized Adoption.

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| **Note:** DHHS Form 2700 ME, Medical Support Referral Form, and DSS Form 2738, Child Support Referral Form, do not need to be completed for children receiving Title IV-E Adoption Assistance. Title IV-E Adoption Assistance is authorized for children who are legally free for adoption and when parental rights have been terminated. |

If another state refuses to grant eligibility to a Title IV-E eligible child who receives Title IV-E Adoption Assistance from South Carolina, the Bureau of Eligibility Administration at DHHS should be contacted.