

CF OPERATING PROCEDURE
NO. 175-97

STATE OF FLORIDA
DEPARTMENT OF
CHILDREN AND FAMILIES
TALLAHASSEE, July 30, 2003

Family Safety

INTERSTATE COMPACT ON ADOPTION AND MEDICAL ASSISTANCE

1. Purpose. This operating procedure describes the functions and requirements for the internal management and administration of the Interstate Compact on Adoption and Medical Assistance (ICAMA).
2. Scope. This operating procedure is applicable to all districts/regions, Family Safety program staff and Child Welfare Legal Services attorneys who are involved in the interstate interests of adopted special needs children. The ICAMA facilitates communication, coordination and cooperation among member states involved in helping families who are receiving adoption assistance payments and services, including Medicaid services, to experience the least amount of disruption of those services during their relocation period from one member state to another member state.
3. Authority and References. ICAMA was authorized by Chapter 2002-16, Laws of Florida, and is codified at Section 409.406 and 409.407, Florida Statutes (F.S.).
 - a. P.L. 96-272, Adoption Assistance and Child Welfare Act of 1980, Social Security Act, Section 473, et seq.
 - b. Consolidated Omnibus Reconciliation Act of 1985 (COBRA), which made two changes in Title XIX, Medicaid: (1) requires the state of residence to provide Medicaid to all children adopted under the federally assisted adoption subsidy program; and (2) gives states the option of extending Title XIX Medicaid to children adopted pursuant to state-funded adoption subsidy programs if they meet specific eligibility criteria.
 - c. P.L. 105-89, Adoption and Safe Families Act of 1997.
4. Definitions. For purposes of this operating procedure, the following definitions apply:
 - a. "Adoption Assistance" means payments and services provided to a special needs child and his or her adoptive family, as specified in the Adoption Assistance Agreement. Such assistance may include maintenance adoption subsidy, medical subsidy, Medicaid and reimbursement of non-recurring expenses associated with the legal adoption.
 - b. "Adoption Assistance Agreement" is an agreement between the adoptive parents and a state, agency, or subdivision thereof, in accordance with which the adoptive parents are to receive financial assistance and services on behalf of a child with special needs.
 - c. "Adoption Assistance State" is the state that is the signatory to an Adoption Assistance Agreement on behalf of a particular child.
 - d. "Adoptive Parents" is the party(ies) entering into the Adoption Assistance Agreement with the state, agency or subdivision.

e. "Certification" is the guarantee, as stated on the Notice of Medicaid Eligibility/Case Activation Form (Form 6.01) from the Adoption Assistance State, that the attached Adoption Assistance Agreement is a true copy of the Agreement which is current and in effect.

f. "Child with Special Needs" is a child on whose behalf adoption assistance payments are being made to facilitate and maintain an adoption. A child with special needs is defined in Section 409.166, F.S.

g. "COBRA" is the Consolidated Omnibus Budget Reconciliation Act of 1986. COBRA mandates that children receiving Title IV-E adoption assistance payments are categorically eligible to receive Medicaid in the state of residence.

h. "COBRA Option" is the provision in COBRA that provides states with the flexibility of providing Medicaid coverage for non-IV-E children who have special needs and are receiving state funded adoption assistance. In order for a child to be eligible for the COBRA option, the child must have a special medical or rehabilitative need, which is specified on the Adoption Assistance Agreement.

i. "District/Region ICAMA Specialist" is the person in the district/region that has responsibility for the local administration of ICAMA.

j. "Fair Hearing" is a system under which adoptive parents may appeal the denial of or exclusion from adoption assistance. The types of situations which would constitute grounds for a fair hearing include: (a) relevant facts regarding the child, the birth family, or child's background were known and not presented to the adoptive parents prior to the legalization of the adoption; (b) denial of assistance which was based on a means test of the adoptive parents; (c) erroneous determination by the state that a child is ineligible for adoption assistance; and (d) failure by the agency to advise adoptive parents of the availability of adoption assistance.

k. "ICAMA" means the Interstate Compact on Adoption and Medical Assistance.

l. "ICAMA State Office" means the central state ICAMA office responsible for statewide administration of ICAMA and for maintaining contact and coordinating assistance with other ICAMA member states. The Florida office is located at the Department of Children and Families, Family Safety Program Office.

m. "Medicaid card" means a Medicaid identification document issued by the state of residence.

n. "Party State" is a state that is a member of the Interstate Compact on Adoption and Medical Assistance.

o. "Resident State" is the state in which the child currently lives.

p. "State Option Subsidy" means general revenue or TANF funded adoption assistance.

q. "TANF" means Temporary Assistance for Needy Families.

r. "Third Party Insurance" is any health insurance, other than Medicaid, the adoptive parents have that provides coverage for the adopted child.

s. "Title IV-E" is a federal funding source for a child who meets the technical eligibility requirements that were in place as of July, 1996 for the Aid To Families of Dependent Children (AFDC) or a child who is eligible for Social Supplemental Income (SSI). The child's eligibility for Title IV-E must

be determined at the time of the child's latest removal from the home and at the time the adoption petition is filed. Eligibility for Title IV-E is specified in CFOP 175-71.

5. Procedures for Children Whose Adoption Assistance is Funded by Title IV-E. There are three different situations that fall under the Interstate Compact on Adoption and Medical Assistance (ICAMA). The three situations and the procedures that must be followed are described below.

a. Child Moves Between Party States.

(1) Responsibilities of Florida as the Adoption Assistance State (When A Child Moves FROM Florida To Another Party State).

(a) Notify the new state of residence of the child's eligibility for Medicaid. Thirty (30) calendar days prior to the child's move to another party state, the district/region ICAMA specialist sends two copies of each of the following documents, attached to the District ICAMA Transmittal Form, to the ICAMA headquarters office at DCF for forwarding to the new state of residence:

1. A completed Notice of Medicaid Eligibility/Case Activation (Form 6.01) to the new state of residence. The ICAMA specialist must sign Section E, Certification, on page 3 of Form 6.01.
2. A copy of the most current Adoption Assistance Agreement, which must show that the child is eligible for Medicaid based on Title IV-E eligibility or state option.
3. A cover letter signed by the adoption counselor and supervisor that identifies any unique concerns about the child and/or the adoptive family.

(b) Inform the adoptive family that the new Resident State has been notified that the child is eligible to receive Medicaid benefits in the new state of residence. The district/region ICAMA specialist sends the family:

1. A copy of the Notice of Medicaid Eligibility/Case Activation (Form 6.01); and,
2. The original Notice of Action (Form 6.02); and,
3. A copy of the most current Adoption Assistance Agreement.

(c) A copy of the above referenced documents for each adopted child will be maintained in the child-in-care subsidy file.

(2) Responsibilities of Florida as the Resident State (When A Child From Another Party State Moves TO Florida). To ensure that documentation for the child's Medicaid eligibility is complete, within ten (10) working days of receipt of a child's ICAMA documents from the State ICAMA Office, the district/region ICAMA specialist will:

(a) Establish a child-in-care subsidy file and make copies of the documents.

(b) Facilitate the issuance of a Medicaid card based on the documentation provided.

1. Forward the documentation to appropriate local Medicaid office; or,

2. Apply whatever procedures are followed in the district/region.

(c) Notify the Adoption Assistance state of the child's Medicaid status by:

1. Completing Sections A, B, and C of Report of Change in Child/Family Status (Form 6.03); make two copies of this completed form; and forward to the ICAMA headquarters office at DCF informing them that the Medicaid case was opened and whether or not a Medicaid card has been issued.
2. Forwarding these documents to the adoption assistance state by the Department of Children and Families, Family Safety Program office.

b. Florida Child Moves into Non-Party State. (Even though the child is moving into a non-party state, both Florida [the Adoption Assistance State] and the non-party state may use ICAMA forms.)

(1) Notify the new state of residence of the child's eligibility for Medicaid. Thirty (30) calendar days prior to the child's move to a non-party state or as soon as notification is received, the district/region ICAMA specialist sends two copies of the following documents, attached to the District ICAMA Transmittal form, to the ICAMA headquarters office at DCF for forwarding to the new non-party state of residence:

(a) A completed Notice of Medicaid Eligibility/Case Activation (Form 6.01) to the new state of residence along with:

(b) A copy of the Adoption Assistance Agreement, which must show that the child is eligible for Medicaid based on Title IV-E eligibility or state option.

(2) Inform the adoptive family that the new Resident State has been notified that the child may be or is eligible to receive Medicaid benefits in the new state of residence. If the adoptive family is not eligible to receive Medicaid benefits in the new state of residence, see paragraph 6 of this operating procedure. The district/region ICAMA specialist sends the family:

(a) A copy of the Notice of Medicaid Eligibility/Case Activation (Form 6.01); and,

(b) The original Notice of Action (Form 6.02); and,

(c) A copy of the current Adoption Assistance Agreement.

c. Child Moves from First Resident State to a Second Resident State.

(1) Responsibilities of the District/Region ICAMA Specialist When Florida is the First Resident State.

(a) Ensure that the necessary documentation is forwarded to the second state of residence. Thirty (30) calendar days prior to the child's move, or as soon as notification is received, from the first resident state (Florida) to a second resident state, the district/region ICAMA specialist will:

1. Notify the local Medicaid office of the date that the child is moving to another state and that the Medicaid card must be closed;
2. Complete Sections A, B, D and E of the Report of Change in Child/Family Status (Form 6.03) and send two copies, attached to the

District ICAMA Transmittal form, to the ICAMA headquarters office at DCF for forwarding to the Adoption Assistance state, which from then on is responsible for communicating directly with the second state of residence in matters involving the child's continuing eligibility for Medicaid in the new state.

(b) Close the child-in-care subsidy file.

(2) Responsibilities of Florida as the Second Resident State. Within ten (10) working days of receipt of a child's ICAMA documents, the district/region ICAMA specialist will:

(a) Open a child-in-care subsidy file in each child's name.

1. Make copies of the documents; and,
2. Create a file for each adopted child in the family; and,

(b) Facilitate the issuance of a Medicaid card based on the documentation provided.

1. Forward the documentation to appropriate local Medicaid office; or,
2. Apply whatever procedures are followed in the district/region.

(c) Notify the Adoption Assistance State of the child's Medicaid status by:

1. Completing Section A, B, and C of Report of Change in Child/Family Status (Form 6.03); and,
2. Sending it to the ICAMA headquarters office at DCF for forwarding to the Adoption Assistance State informing them whether or not the child's new Medicaid card has been issued.

6. Procedures for Children Whose Adoption Assistance is Funded by State Option.

a. Children receiving state-option adoption assistance and Medicaid from the adoption assistance state are not automatically eligible to receive Medicaid in the new state of residence. The child is eligible IF:

(1) The adoption assistance state has elected to provide Medicaid to children receiving state-funded adoption assistance and included Medicaid as a benefit in the adoption assistance agreement;

(2) The new residence state has elected the COBRA option; and,

(3) The new residence state has agreed to provide this benefit to all eligible children with adoption assistance agreements, not just children with adoption assistance agreements with their state.

NOTE: Under ICAMA, residence states are required to provide Medicaid to children receiving state-option adoption assistance when: (1) both states are members of ICAMA; (2) both States have elected the option to provide Medicaid to this category of children; and (3) the child meets the eligibility criteria.

b. When Florida is the Adoption Assistance State.

(1) The district/region ICAMA specialist will determine, based on the resident state's COBRA Option Reciprocity status (see Appendix A to this operating procedure), if the new residence state has elected the COBRA option.

(2) If the state does not have the option, the district/region ICAMA specialist will inform the family that they will not be eligible for Medicaid in the new state of residence and assist them in (a) finding a provider that will take the adoption assistance state's Medicaid, or (b) assist them in finding a way to get medical assistance.

(3) If the state does have the option and will reciprocate, the district/region ICAMA specialist will fill out the ICAMA forms as outlined above in paragraph 5 of this operating procedure.

c. When Florida is the Resident State. Florida provides Medicaid for children receiving state-option adoption assistance from another state when the child has been determined eligible for Medicaid under the COBRA option by the Adoption Assistance State. The responsibilities of the district/region ICAMA specialist is the same as when a child moves between party states as outlined above in paragraph 5 of this operating procedure.

7. Children Receiving State-Option Adoption Assistance.

a. In those cases where children receiving state-option adoption assistance have moved to a new residence state after February 18, 2003, the district/region ICAMA specialist in cooperation with the district/region adoption specialist will complete the ICAMA forms and procedures as outlined in paragraph 5 of this operating procedure so that these children may become enrolled in the Medicaid program of the new residence state.

b. In those cases where children receiving state-option adoption assistance moved to a new residence state prior to February 18, 2003, the district/region adoption specialist will, at the time of the next annual review of the adoption assistance agreement, complete the ICAMA forms and procedures as outlined in paragraph 5 of this operating procedure so that these children may become enrolled in the Medicaid program of the new residence state.

BY DIRECTION OF THE SECRETARY:

(Signed original copy on file)

CELESTE PUTNAM
Acting Deputy Secretary for
Community Based Care and Family Self-Sufficiency

ICAMA Membership and Cobra Option/Reciprocity

as of March 2003

State	ICAMA Member	COBRA Option	Reciprocity	Comments
Alabama	Yes	Yes	Yes	Reciprocity with ICAMA member states only
Alaska	Yes	Yes	Yes	Reciprocity with all states
Arizona	Yes	Yes	Yes	Reciprocity with all states
Arkansas	Yes	Yes	Yes	Reciprocity with all states
California	Yes	Yes	Yes	Reciprocity with all states
Colorado	Yes	Yes	Yes	Reciprocity with all states
Connecticut	No	No	*	²
Delaware	Yes	Yes	Yes	Reciprocity with all states
District of Columbia	Yes	Yes	Yes	How reciprocity will be offered has not yet been established.
Florida	Yes	Yes	Yes	Reciprocity with ICAMA member states only
Georgia	Yes	Yes	Yes	Reciprocity with all states
Hawaii	Yes	Yes	No	
Idaho	Yes	Yes	Yes	Reciprocity with all states
Illinois	Yes	Yes	No	
Indiana	Yes	Yes	Yes	Reciprocity with all states
Iowa	Yes	Yes	Yes	Reciprocity with all states
Kansas	Yes	Yes	Yes	Reciprocity with all states
Kentucky	Yes	Yes	Yes	Reciprocity with ICAMA member states only
Louisiana	Yes	Yes	Yes	Reciprocity with all states
Maine	Yes	Yes	Yes	Reciprocity with all states
Maryland	Yes	Yes	Yes	Reciprocity with all states
Massachusetts	Yes	Yes	Yes	Reciprocity with all states
Michigan*	Yes	Yes	Yes	Reciprocity with all states
Minnesota	Yes	Yes	Yes	Reciprocity with all states
Mississippi	Yes	Yes	Yes	Reciprocity with all states
Missouri	Yes	Yes	Yes	Reciprocity with all states
Montana	Yes	Yes	Yes	Reciprocity with ICAMA member states only
Nebraska	Yes	Yes	No	Actively working towards obtaining a policy of reciprocity

² Effective October 1, 2000, DCF will use the DO2 state funded medical coverage group to provide health insurance for any child with special needs as determined under section 473c for who there is in effect an adoption assistance agreement between a State and an adoptive parent(s).

State	ICAMA Member	COBRA Option	Reciprocity	Comments
Nevada	Yes	Yes	No	Actively working towards obtaining a policy of reciprocity
New Hampshire	Yes	Yes	No	
New Jersey*	Yes	Yes	No	Will have reciprocity upon executing joinder in ICAMA this year
New Mexico	Yes	No	No	
New York	No	Yes	No	
North Carolina	Yes	Yes	Yes	Reciprocity with ICAMA member states only
North Dakota	Yes	Yes	Yes	Reciprocity with ICAMA member states only
Ohio	Yes	Yes	Yes	Reciprocity with all states
Oklahoma	Yes	Yes	Yes	Reciprocity with all states
Oregon	Yes	Yes	Yes	Reciprocity with all states
Pennsylvania	Yes	Yes	Yes	Reciprocity with all states
Rhode Island	Yes	Yes	Yes	Reciprocity with ICAMA member states only
South Carolina	Yes	Yes	Yes	Reciprocity with all states
South Dakota	Yes	Yes	Yes	Reciprocity with all states
Tennessee	No	Yes	Yes	Reciprocity with all states
Texas	Yes	Yes	Yes	Reciprocity with all states
Utah	Yes	Yes	Yes	Reciprocity with ICAMA member states only
Vermont	No	Yes	Yes	Reciprocity with all states
Virginia	Yes	Yes	Yes	Reciprocity with ICAMA member states only
Washington	Yes	Yes	Yes	Reciprocity with all states
West Virginia	Yes	Yes	Yes	Reciprocity with all states
Wisconsin	Yes	Yes	Yes	Reciprocity with all states
Wyoming	No	Yes	Yes	Reciprocity with all states