
Series: **Operating Procedures** **COA: N/A**
CFOP: 175-97

Procedure Name: Interstate Compact on Adoption and Medical Assistance (ICAMA)
Procedure Number: OP1097
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Applicable to: All Brevard Family Partnership (BFP) Staff, Children's Legal Services (CLS) Attorneys and Contract Providers

PURPOSE: To describe the functions and requirements for the internal management and administration of ICAMA.

PROCEDURE:

References

FAC 65C 15.037

ICAMA is authorized by Chapter 2002-16, Laws of Florida, and is codified at Section 409.406 and 409.407, Florida Statutes (F.S.).

P.L. 96-272, Adoption Assistance and Child Welfare Act of 1980, Social Security Act, Section 473, et seq.

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.

P.L. 105-89, Adoption and Safe Families Act of 1997.

Scope

This operating procedure is applicable to all BFP staff and CLS attorneys who are involved in the interstate interests of adopted special needs children. 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 relocation from one member state to another member state.

Definitions

- 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, sub-agency, or contract agency 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 child.
- d. "Adoptive Parents" are the party(ies) entering into the Adoption Assistance Agreement.
- e. "Certification" is the guarantee, as stated on the Notice of Medicaid Eligibility/Case Activation Form 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. "ICAMA Specialist" is the BFP person with responsibility for local administration of ICAMA (currently the Revenue Maximization Specialist).
- 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 ICAMA Central 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, Child Welfare/Community Based Care 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.

Procedures for Children Whose Adoption Assistance is Funded by Title IV-E

There are three different situations that fall under ICAMA. The three situations and the procedures that must be followed are described below.

1) Child Moves between Party States.

a) Responsibilities of Florida as the Adoption Assistance State (When a Child Moves FROM Florida to Another Party State).

- i) 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 or as soon as notification is received, the BFP ICAMA Representative (currently the Revenue Maximization Specialist) sends one copy of each of the following documents to BFP's DCF Contract Manager, who, in-turn, forwards the documents to the ICAMA Central Office for forwarding to the new state of residence:
 - (1) A completed Notice of Medicaid Eligibility/Case Activation Form to the new state of residence.
 - (2) A copy of the most current Adoption Assistance Agreement, which will show that the child is eligible for Medicaid based on Title IV-E eligibility or state option.

- (3) A copy of either the court order for pre-adoptive placement or the final order of adoption, as applicable.
 - (4) If necessary, a cover letter signed by the adoption counselor and supervisor that identifies any unique concerns about the child and/or the adoptive family.
 - ii) 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 BFP ICAMA Representative sends the family:
 - (1) A copy of the Notice of Medicaid Eligibility/Case Activation Form; and,
 - (2) The original Notice of Action Form; and,
 - (3) A copy of the most current Adoption Assistance Agreement.
 - iii) A copy of the above referenced documents for each adopted child will be maintained in the adoption subsidy file.
 - b) 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 one (1) business day of receipt of a child's ICAMA documents from the BFP DCF Contract Manager, the BFP ICAMA Representative will:
 - i) Establish an adoption subsidy ICAMA file and make copies of the documents.
 - ii) Facilitate activating Florida Medicaid based on the documentation provided by forwarding the documentation and a Request for Medicaid Assistance form for each child to the Economic Self-Sufficiency (ESS) representative responsible for Child-In-Care Medicaid.
 - iii) 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; make one copy of this completed form; and forward to the BFP DCF Contract Manager (ICAMA.dcf.state.fl.us), informing him or her that the Medicaid case was opened and whether or not Florida Medicaid has been activated.
 - (2) The ICAMA Central Office will forward these documents to the adoption assistance state.
- 2) 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.)
 - 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 a non-party state or as soon as notification is received, the BFP ICAMA Representative will send one copy of the following documents to BFP's DCF

Contract Manager (ICAMA.dcf.state.fl.us), who, in-turn forwards the documents to the ICAMA Central Office for forwarding to the new non-party state of residence:

- i) A completed Notice of Medicaid Eligibility/Case Activation Form to the new state of residence along with:
 - ii) 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.
 - iii) A copy of either the court order for pre-adoptive placement or the final order of adoption, as applicable.
 - iv) If necessary, 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 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 the below guidance. The BFP ICAMA Representative sends the family:
- i) A copy of the Notice of Medicaid Eligibility/Case Activation Form; and,
 - ii) The original Notice of Action Form; and,
 - iii) A copy of the current Adoption Assistance Agreement.
- 3) Child Moves from First Resident State to a Second Resident State.
- a) Responsibilities of the BFP ICAMA Representative When Florida is the First Resident State.
- i) 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 BFP ICAMA Representative will:
 - (1) Notify the local Medicaid office of the date that the child is moving to another state and that Florida Medicaid must be closed;
 - (2) Complete Sections A, B, D and E of the Report of Change in Child/Family Status Form and send one copy to BFP's DCF Contract Manager who, in-turn forwards the documents to the ICAMA Central Office 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.
 - ii) Close the adoption subsidy ICAMA file.

- b) Responsibilities of Florida as the Second Resident State. Within one (1) business day of receipt of a child's ICAMA documents, the BFP ICAMA Representative will:
- i) Open an adoption subsidy ICAMA file containing each child's name.
 - (1) Make copies of the documents; and,
 - (2) Create a file containing each adopted child in the family; and,
 - ii) Facilitate activating Florida Medicaid based on the documentation provided by forwarding the documentation and a Request for Medicaid Assistance form for each adopted child to the Economic Self-Sufficiency (ESS) representative responsible for Child-In-Care Medicaid.
 - iii) 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; and,
 - (2) Sending it to BFP's DCF Contract Manager who, in-turn, forwards it to the ICAMA Central Office for forwarding to the Adoption Assistance State informing them whether or not the child's Florida Medicaid has been activated.

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

- 1) 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:
- a) 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,
 - b) The new residence state has elected the COBRA option; and,
 - c) 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.

2) When Florida is the Adoption Assistance State.

- a) The BFP ICAMA Representative will determine, based on the resident state's COBRA Option Reciprocity status (see Appendix A to Department of Children and Families CFOP



175-97 for the most current information), if the new residence state has elected the COBRA option.

- b) If the state does not have the option, the BFP ICAMA Representative 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 obtain medical assistance.
 - c) If the state does have the option and will reciprocate, the BFP ICAMA Representative will fill out the ICAMA forms as outlined above in paragraph 5 of this operating procedure.
- 3) 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 BFP ICAMA Representative are the same as when a child moves between party states as outlined above in paragraph 5 of this operating procedure.

BY DIRECTION OF THE CHIEF EXECUTIVE OFFICER:

PHILIP J. SCARPELLI
 Chief Executive Officer
 Brevard Family Partnership Family of Agencies

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