

FACT SHEET: SB 114
SENATOR LIU
PROTECTING MEDI-CAL FOR
FORMER FOSTER YOUTH

UPDATED FEBRUARY 5, 2009

THE PROBLEM

Emancipated foster youth between the ages of 18 and 21 are losing their Medi-Cal health care coverage due to unnecessary paperwork requirements. California currently offers few services for abused and neglected foster children after they reach their 18th birthday. Some independent living services are available, and housing and supportive services are available through the Transitional Housing Plus Program, but THP+ is not available to all youth who could benefit from such services, and large gaps remain. Consequently, these youth move frequently and are often homeless, so paperwork requirements are a particular burden. If the youth does not receive the form, does not return the form or cannot be reached by a county welfare office, Medi-Cal terminates even though that youth categorically qualifies for coverage. When former foster youth lose the healthcare services to which they are entitled, many go to emergency rooms instead, negatively impacting healthcare service delivery and costs.

BACKGROUND

In 2000, California exercised its option to provide Medi-Cal to former foster youth. Children transitioning out of foster care at age 18 are eligible for Medi-Cal until they turn 21. There are no income or assets requirements for this program; therefore, youth remain eligible until their 21st birthday.

The California Department of Health Care Services requires former foster youth to verify their continued eligibility for Medi-Cal benefits by returning redetermination forms. If a youth fails to return the form or cannot be reached, his/her Medi-Cal coverage is terminated.

PRIOR LEGISLATION

Legislation introduced in 2007 to address this issue, SB 1132 (Migden), was vetoed by Governor Schwarzenegger. His veto message stated: "federal law currently requires states to conduct annual eligibility determinations for Medi-Cal beneficiaries."

THE SOLUTION

SB 114 has been drafted to address the Governor's concerns, by creating a simplified process for former foster youth to maintain their Medi-Cal eligibility. Although redetermination forms still will be sent to former foster youth, failure to return the form would not result in a change in eligibility, as long as other eligibility requirements are met. In addition, the department may terminate Medi-Cal only if it determines affirmatively from any source that a former foster youth is no longer eligible. This process would meet federal redetermination requirements, while ensuring that eligible youth do not lose their Medi-Cal before the age of 21 and elimination unnecessary paperwork requirements.

CO-SPONSORS

- Western Center on Law & Poverty
- The Alliance for Children's Rights
- The Children's Advocacy Institute
- County Welfare Directors Association of California