

## INCOME

### ADOPTED CHILDREN

When the child moves out of New York State, the state where the child resides is responsible for providing his/her Medicaid. When a child residing in New York State has a Title IV-E adoption agreement in effect, which was initiated by another state, the adoptive parent(s) must complete a Medicaid application, on behalf of the child, in the district where the child resides. The parent(s) documents the child's name, date of birth, Social Security number, Title IV-E eligibility, and any information concerning any available third party health insurance coverage. No further documentation is required because the Title IV-E child is otherwise automatically eligible for Medicaid.

A child with a non-IV-E adoption agreement in effect is eligible for Medicaid when a special medical or rehabilitative need makes his/her placement for adoption difficult without Medicaid coverage and s/he was in receipt of or eligible for Medicaid during the three months prior to the adoption agreement (COBRA).

The cases of all children eligible for Medicaid under Title IV-E are reviewed annually by services. The adoption agreement must continue in effect. The adoptive parent(s) must continue to be legally responsible for the child and continue to support the child.

Prior to the adoption finalization, the child is considered a household of one. Once the adoption is finalized, Medicaid eligibility is determined using the household size of the child, adoptive parent(s) and any other applying siblings. The child's adoption subsidy is counted in the eligibility determination unless the child has been deleted from the household based on Mehler/Vailes. The child's adoption subsidy is counted in the eligibility determination unless the child is not counted in the household.

Adopted children not meeting the IV-E or COBRA criteria are not automatically eligible for Medicaid and must have their eligibility determined.

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When a child, with a non-IV-E adoption agreement which provides for Medicaid, moves out of state to a non-reciprocal COBRA state, the New York State Medicaid case remains open. The adoptive parents must seek out providers who are enrolled or willing to enroll in the New York State Medicaid program in the new state of residence.