

OTHER ELIGIBILITY REQUIREMENTS

DISTRICT OF FISCAL RESPONSIBILITY (DFR)

This DFR rule does not apply to OMH, OPWDD or OASAS certified community residences, residential substance abuse treatment programs or residential care centers for adults.

A/R under age 21

The DFR for a child under age 21, is the district “where found”, unless one of the current DFR exceptions applies. Districts should rely on a person’s expression of intent in determining the district of legal residence, unless the person’s actions are inconsistent with the expressed intent.

The district of fiscal responsibility for a child under the age of 21, who has been adjudicated incompetent, remains the district of legal residence of the parent(s) or legal guardian.

NOTE: The DFR of a newborn surrendered for adoption and not yet placed in an adoptive home is the DFR of the birth mother.

Medical Parole

The DFR for an inmate released on medical parole is the district from which the inmate was sentenced. This responsibility continues indefinitely until there is a break in need.

Non-medical Parole

The DFR for non-medical parolees who are mandated as a condition of parole to live in a particular district in a non-medical residential setting, such as a half-way house, is the district where the non-medical parolee legally resided immediately prior to incarceration. This responsibility continues until there is a break in need. Once the mandate is ended or parole is completed, and the individual regains his/her freedom to exercise intent, the rules in **OTHER ELIGIBILITY REQUIREMENTS STATE RESIDENCY, ASSISTANCE TO PERSONS WHO CHANGE RESIDENCY** would apply.

See **OTHER ELIGIBILITY REQUIREMENTS MAINTAINING MEDICAID ELIGIBILITY FOR INCARCERATED INDIVIDUALS** for an explanation of residency rules at reinstatement.

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Infants Residing with Incarcerated Mothers

The DFR for an infant residing with an incarcerated mother is the mother's district of legal residence prior to incarceration.

Children Eligible for Continuous Medicaid Coverage

A child who has lost eligibility, but is in a period of continuous coverage, who moves to another district will not have his/her coverage transitioned to the new district of residence. Continuous coverage will be provided by the former district of residence.

If a child turns age 19 during a period of continuous eligibility, the guarantee of continuous eligibility will end as of the last day of the month of the child's nineteenth birthday. However, if the child is receiving medically necessary inpatient services at that time, Medicaid coverage continues through the end of the hospitalization.

Disposition:

When the district of fiscal responsibility for the A/R has been established, that district authorizes Medicaid, if the A/R is otherwise eligible.

If a dispute based on residency occurs between local districts for an otherwise eligible A/R, either district may request a fair hearing to determine the district of fiscal responsibility. The district where the A/R is found provides Medicaid until the fair hearing decision is rendered. The district found to be responsible, if necessary, reimburses the district that assumed responsibility for the A/R prior to the fair hearing decision.

Generally, a person cannot gain residence in a district while receiving care in a Title XIX facility or a public institution.

When a pregnant woman is determined presumptively eligible for Medicaid, the district she states is her residence is fiscally responsible for care provided during the period of presumptive eligibility. Her documented district of residence may be different when a full eligibility determination is completed.