

Scott Walker
Governor



DIVISION OF MEDICAID SERVICES

1 WEST WILSON STREET
PO BOX 309
MADISON WI 53701-0309

Linda Seemeyer
Secretary

State of Wisconsin
Department of Health Services

Telephone: 608-266-8922
Fax: 608-266-1096
TTY: 711

May 19, 2017

Victoria Wachino
Centers for Medicare and Medicaid Services
Children and Adults Health Programs Group
Mail Stop: S2-01-16
75000 Security Boulevard
Baltimore, MD 21244

Dear Ms. Wachino:

I am pleased to submit Wisconsin's Section 1115 Demonstration Waiver application for Medicaid coverage for former foster care youth from a different state.

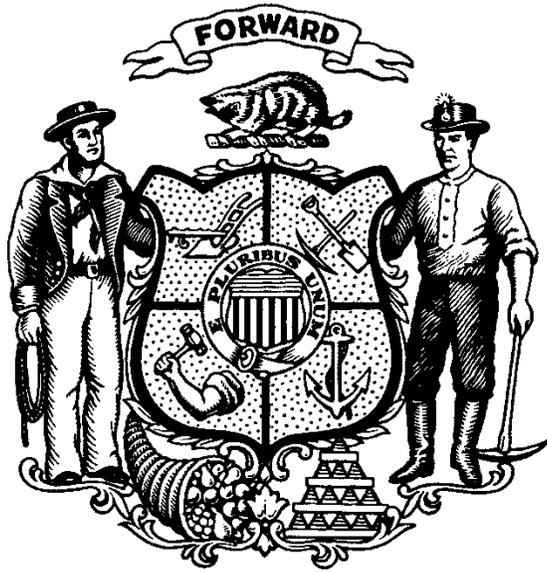
Through this waiver, Wisconsin will continue to provide full Medicaid benefits to this population. It is anticipated that there will be no increase in costs to continue providing services to former foster care youth from a different state and that this will assist in supporting foster care youth who come from another state seeking stability, education, and workforce opportunities.

We look forward to discussions with your office to finalize the waiver.

Sincerely,



Michael Heifetz
Medicaid Director



**Medicaid Coverage for
Former Foster Care Youth from a Different State
Section 1115 Demonstration Waiver Application**

Submitted to:

Ms. Victoria Wachino
Centers for Medicare and Medicaid Services
Children and Adults Health Programs Group
Mail Stop: S2-01-16
75000 Security Boulevard
Baltimore, MD 21244

Submitted by:

Wisconsin Department of Health Services

**Medicaid Coverage for
Former Foster Care Youth from a Different State
Section 1115 Demonstration Waiver Application**

Section I – Program Description

Since January 1, 2009, Wisconsin has provided health care coverage to the optional foster care adolescents group described in Sections 1905(w)(1) and 1902(a)(10)(A)(ii)(XVII) of the Social Security Act under the State Plan. Under that optional group coverage, youths who were in foster care when they turned 18 years old are eligible for Medicaid until they turn 21 years old. Wisconsin opted to cover these individuals with no income or resource tests. These individuals are eligible for this optional group regardless of what state they were residing in when they received foster care when they turned 18 years old.

The Affordable Care Act (ACA) created a new mandatory coverage group under Section 1902(a)(10)(A)(i)(IX) of the Social Security Act for youth who were in foster care under the responsibility of the state or tribe and receiving Medicaid when they turned 18 years old, commonly referred to as former foster care youth. Former foster care youth can obtain coverage until age 26 and are not subject to income limits. In January 2013, the Centers for Medicare and Medicaid Services (CMS) issued proposed regulations that offered the option to allow states to provide Medicaid to former foster care youth who were in foster care and receiving Medicaid in another state when they turned age 18. Wisconsin decided to elect the option that coverage for disadvantaged youth include youths who were in foster care in other states and extend current coverage of out-of-state youths to those ages 21 through 25.

On January 1, 2014, Wisconsin began providing Medicaid coverage to Wisconsin residents who met the former foster care youth eligibility criteria regardless of which state the individual resided in while in foster care and receiving Medicaid. On November 21, 2016, CMS published final regulations that no longer allowed states under the State Plan authority to cover youth who were in foster care and receiving Medicaid in another state. As a result, Wisconsin is requesting to continue providing coverage to youth who were in foster care and receiving Medicaid in another state under the Section 1115 Demonstration authority.

The purpose of this demonstration is to provide statewide Medicaid coverage during the three-year duration of the waiver to former foster care youth who currently reside in a different state than the state in which they were in foster care as of age 18 or when they “aged out” of foster care. Wisconsin will cover former foster care youth ages 21 to 26 who were in foster care and receiving Medicaid in a different state under the waiver. Wisconsin would continue to cover out-of-state youths under age 21 under the optional State Plan group. This demonstration will not affect or require modifications to other components of the state’s current Medicaid program and Children’s Health Insurance Program (CHIP) outside of eligibility, benefits, cost sharing, or delivery systems.

Wisconsin proposes to test and evaluate how including former foster care youth who “aged out” in a different state increases and strengthens overall coverage for former foster care youth and improves health outcomes for these youth and expects that this hypothesis will be proven correct.

A detailed evaluation design will be developed for review and approval by CMS. Wisconsin will use relevant data, including eligibility, enrollment, claims, payment, encounter/utilization, chart reviews, and other administrative data, to evaluate overall coverage and health outcomes for this population.

Section II – Demonstration Eligibility

The population affected by this demonstration is former foster care youth who were in foster care and receiving Medicaid in a different state at age 18 or older. There is no income limit for individuals who meet these criteria. Wisconsin projects that annually, there will be about four individuals in foster care receiving Medicaid under the responsibility of a different state who will seek Medicaid coverage in Wisconsin. These individuals will be covered under the Section 1115 Demonstration.

Eligibility Group Name	Social Security Act and CFR Citations	Income Level
Former foster care youth who were in foster care and enrolled in Medicaid under the responsibility of another state when they turned 18 years old	Section 1115 Demonstration	No income Limit

Section III – Demonstration Benefits and Cost-Sharing Requirements

1. Indicate whether the benefits provided under the Demonstration differ from those provided under the Medicaid and/or CHIP State plan:

Yes No (if no, please skip questions 3-7)

2. Indicate whether the cost sharing requirements under the Demonstration differ from those provided under the Medicaid and/or CHIP State plan:

Yes No (if no, please skip questions 8-11)

Section IV – Delivery System and Payment Rates for Services

1. Indicate whether the delivery system used to provide benefits to Demonstration participants will differ from the Medicaid and/or CHIP State plan:

Yes
 No (if no, please skip questions 2-7 and the applicable payment rate questions)

Currently, there are three former foster care youth who were in foster care and enrolled in Medicaid under the responsibility of another state. One is currently younger than 21 years old and eligible under the optional foster care adolescents group. The remaining two youths would potentially receive benefits by this waiver.

Wisconsin estimates that about 93 percent of the entire former foster care youth population will receive benefits through the same managed care delivery system described in the state's approved 1932(a) State Plan Amendment.

Section V – Implementation of Demonstration

Wisconsin is already providing coverage for former foster care youth who were in foster care and enrolled in Medicaid under the responsibility of another state at age 18 or older, under its State Plan under section S33. As it is no longer an option to provide coverage under the law, Wisconsin will continue to provide coverage to this population under authority of the Section 1115 Demonstration. While approval for the waiver application is pending, there will be no gap in coverage for this population. Wisconsin will switch to the Section 1115 Demonstration authority effective on approval from CMS of the waiver application.

Section VI – Demonstration Financing and Budget Neutrality

Wisconsin will submit an estimate of annual enrollment and annual aggregate expenditures for this population for the duration of the demonstration. A copy of Wisconsin's demonstration data and expenditures is available in Appendix A.

Section VII – List of Proposed Waivers and Expenditure Authorities

Wisconsin requests Section 1115(a)(2) expenditure authority to cover these former foster care youth individuals. The authority would be for expenditures for full Medicaid State Plan benefits for: former foster care youth who are at least 21 years old through age 26, were in foster care under the responsibility of a state or tribe from any state on the date the individual turned 18 years of age or such higher age as the state has elected, and were enrolled in Medicaid on that date while in foster care.

Section VIII – Public Notice

1. Wisconsin provided an open comment period for public comments from April 3, 2017, through May 2, 2017.

Wisconsin published a public notice in the Wisconsin Administrative Register on April 3, 2017. The citation may be found in No. 736A1. The public notice and a draft of this Section 1115 Demonstration Waiver application was published on April 3, 2017, and information is available at <https://www.dhs.wisconsin.gov/badgercareplus/waivers.htm>. A copy of the public notice is available in Appendix B.

2. Wisconsin conducted public hearings on the Section 1115 Demonstration Waiver application. The public hearings were held on:

- a. Tuesday, April 18
10:00 a.m. to 12:00 p.m.
Gerald L. Ignace Indian Health Center
930 West Historic Mitchell Street
Community Room
Milwaukee, WI 53204
- b. Friday, April 21
10:00 a.m. to 12:00 p.m.
Wisconsin Department of Health Services
One West Wilson Street
Room 630
Madison, WI 53703

A copy of the presentation shared at the public hearings is available in Appendix C.

- 3. Wisconsin certifies that it used electronic mailing lists to notify the public. The electronic mailing lists consist of individuals subscribed to receive alerts about BadgerCare Plus and Medicaid policy changes and Wisconsin's community partners. A copy of the email is available in Appendix D.
- 4. Wisconsin certifies that it completed the tribal consultation with the Wisconsin Tribal Health Directors on March 2, 2017.
- 5. Wisconsin received one comment regarding the 1115 Demonstration submission from the Wisconsin Association of Family and Children's Agency expressing support of the waiver. A copy of the comment is available in Appendix E.

The Department reviewed the comment submitted and appreciates the support. We have determined that it is not necessary to modify the 1115 Demonstration application based on receipt of this comment.

Section IX – Demonstration Administration

Name and Title: Michael Heifetz
Telephone Number: (608) 266-5151
Email Address: MichaelG.Heifetz@dhs.wisconsin.gov

Appendix A

Historical Demonstration Data and Budget Neutrality Demonstration

	A	B	C	D	E	F	G	H	I	J	K	L	M	
1	Former Foster Care Youth (FFCY) Historical Demonstration Data													
2														
3														
4														
5	Table I - Current Eligible Population for Demonstration- History													
6	FFCY Out of State Actual	2015 Q1 & Q2	2015 Q3 & Q4	2016 Q1 & Q2	2016 Q3 & Q4	2017 Q1 & Q2	Total							
7	TOTAL EXPENDITURES	\$ -	\$ 704	\$ -	\$ 1,130	\$ 1,834								
8	ELIGIBLE MEMBER MONTHS	-	3	-	5									
9	PMPM COST		\$ 234.81	\$ -	\$ 225.92									
10	TREND RATES													
11			ANNUAL CHANGE				AVERAGE							
12	TOTAL EXPENDITURE				-100.00%	60.36%	12.53%							
13	ELIGIBLE MEMBER MONTHS				-100.00%	66.67%	13.62%							
14	PMPM COST					-3.78%	-0.96%							
15														
16	Table II - All Former Foster Care Youth (Includes In-State & Out-of-State)													
17	All Former Foster Care Youth	2013	2014	2015	2016	2017	Total							
18	TOTAL EXPENDITURES	\$ 241,649	\$ 1,174,089	\$ 1,710,460	\$ 1,978,784	\$ 5,104,982								
19	ELIGIBLE MEMBER MONTHS	804	888	876	888									
20	PMPM COST	\$ 300.56	\$ 1,322.17	\$ 1,952.58	\$ 2,228.36									
21	TREND RATES						3-Year							
22			ANNUAL CHANGE				AVERAGE							
23	TOTAL EXPENDITURE			385.87%	45.68%	15.69%	13.94%							
24	ELIGIBLE MEMBER MONTHS			10.45%	-1.35%	1.37%	0.00%							
25	PMPM COST			339.91%	47.68%	14.12%	13.94%							

Biannual information is used in order to best capture all of the data to date. These dates are depicted by Wisconsin State Fiscal Year (July 1-June 30). Formulas have been changed to allow for calculation of trend rates.

The program was introduced in January 2015, so SFY 2014 is a ramp up year. Established trend rates only take into account SFY 2015-2017. SFY 2017 data utilizes actual costs from July-April plus an average monthly cost of \$164,899 for the fiscal year added for the missing months of May and June.

HEALTH INSURANCE FLEXIBILITY AND ACCOUNTABILITY DEMONSTRATION COST DATA

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
1	WI DHS Expected Demonstration Population Expenditures Summary																	
2	Without-Waiver Total Expenditures																	
3																		
4	Without-Waiver Total Expenditures																	
5	DEMONSTRATION YEARS (DY)																	
6		2017	2018	2019	2020	2021	TOTAL											
7	Demonstration Population	\$ 44,594	\$ 71,733	\$ 81,732	\$ 93,126	\$ 106,108	\$ 397,294											
8																		
9																		
10																		
11																		
12																		
13	TOTAL	\$ 44,594	\$ 71,733	\$ 81,732	\$ 93,126	\$ 106,108	\$ 397,294											
14																		
15	With-Waiver Total Expenditures																	
16	DEMONSTRATION YEARS (DY)																	
17		2017	2018	2019	2020	2021	TOTAL											
18	Demonstration Population	\$ 44,594	\$ 71,733	\$ 81,732	\$ 93,126	\$ 106,108	\$ 397,294											
19																		
20																		
21																		
22																		
23																		
24	TOTAL	\$ 44,594	\$ 71,733	\$ 81,732	\$ 93,126	\$ 106,108	\$ 397,294											
25																		
26	HYPOTHETICALS VARIANCE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -											
27																		
28																		
29																		
30	DEMONSTRATION WITHOUT WAIVER (WOW) BUDGET PROJECTION: COVERAGE COSTS FOR POPULATIONS																	
31																		
32																		
33	ELIGIBILITY GROUP	TREND RATE 1	MONTHS OF AGING	BASE YEAR 2017	TREND RATE 2	DEMONSTRATION YEARS (DY)					TOTAL WOW							
34						2017	2018	2019	2020	2021								
35																		
36	FFCY Out of State Actual																	
37	Pop Type:	Medicaid																
38	Eligible Member Months	13.6%	3	5	13.6%	6	7	8	9	10								
39	PMPM Cost	-1.0%	3	\$ 225.38	-1.0%	\$ 223.22	\$ 221.08	\$ 218.96	\$ 216.86	\$ 214.78								
40	Total Expenditure					\$ 1,309	\$ 1,473	\$ 1,657	\$ 1,865	\$ 2,099	\$ 8,402							
41																		
42	All Former Foster Care Youth																	
43	Pop Type:	Medicaid																
44	Eligible Member Months	0.0%	3	888	0.0%	888	888	888	888	888								
45	PMPM Cost	13.9%	3	\$ 2,302.26	13.9%	\$ 2,623.20	\$ 2,988.87	\$ 3,405.52	\$ 3,880.25	\$ 4,421.16								
46	Total Expenditure					\$ 2,329,402	\$ 2,654,117	\$ 3,024,102	\$ 3,445,662	\$ 3,925,990	\$ 15,379,272							
47																		
48	Population remains flat at 2 members per year																	
49	Pop Type:	Hypothetical																
50	Eligible Member Months	0.0%	3	2	100.0%	17	24	24	24	24								
51	PMPM Cost	13.9%	3	\$ 2,302.26	13.9%	\$ 2,623.20	\$ 2,988.87	\$ 3,405.52	\$ 3,880.25	\$ 4,421.16								
52	Total Expenditure					\$ 44,594	\$ 71,733	\$ 81,732	\$ 93,126	\$ 106,108	\$ 397,294							
53																		
54																		
55																		
56	DEMONSTRATION WITH WAIVER (WW) BUDGET PROJECTION: COVERAGE COSTS FOR POPULATIONS																	
57	DEMONSTRATION YEARS (DY)																	
58	ELIGIBILITY GROUP	Base Year 2016	DEMO TREND RATE	2017	2018	2019	2020	2021	Total WW									
59																		
60	Current Population Demonstration																	
61	Pop Type:	Medicaid																
62	Eligible Member Months	5.16	13.6%	5.86	6.66	7.57	8.60	9.77										
63	PMPM Cost	\$ 225.38	-1.0%	\$ 223.22	\$ 221.08	\$ 218.96	\$ 216.86	\$ 214.78										
64	Total Expenditure			\$ 1,308.69	\$ 1,472.68	\$ 1,657.21	\$ 1,864.87	\$ 2,098.54	\$ 8,402.00									
65																		
66	All Former Foster Care Youth																	
67	Pop Type:	Medicaid																
68	Eligible Member Months	888	0.0%	888	888	888	888	888										
69	PMPM Cost	\$ 2,302.26	13.9%	\$ 2,623.20	\$ 2,988.87	\$ 3,405.52	\$ 3,880.25	\$ 4,421.16										
70	Total Expenditure			\$2,329,401.60	\$ 2,654,116.56	\$ 3,024,101.76	\$ 3,445,662.00	\$ 3,925,990.08	\$ 15,379,272.00									

This population utilizes the PMPM cost growth trends from the total Former Foster Care Youth population. It also assumes a flat member enrollment. WI-DHS believes that this is the most likely population outcome.

HEALTH INSURANCE FLEXIBILITY AND ACCOUNTABILITY DEMONSTRATION COST DATA

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
71																		
72	WI DHS Expected Population Demonstration																	
73	Pop Type: Hypothetical																	
74	Eligible Member Months	2	1.4%	17	24	24	24	24	24									
75	PMPM Cost	\$ 2,302.26	13.9%	\$ 2,623.20	\$ 2,988.87	\$ 3,405.52	\$ 3,880.25	\$ 4,421.16										
76	Total Expenditure			\$ 44,594.40	\$ 71,732.88	\$ 81,732.48	\$ 93,126.00	\$ 106,107.84	\$ 397,293.60									
77																		
78																		
79	NOTES																	
80	For a per capita budget neutrality model, the trend for member months is the same in the with-waiver projections as in the without-waiver projections. This is the default setting.																	

Appendix B

PUBLIC NOTICE

Wisconsin Department of Health Services Public Hearings Regarding BadgerCare Plus Demonstration Project Waiver for Providing Medicaid Coverage for Certain Former Foster Care Youth

The State of Wisconsin reimburses providers for services provided to Medical Assistance recipients under the authority of Title XIX of the Social Security Act and Chapter 49 of the Wisconsin Statutes. This program, administered by the State's Department of Health Services (the Department), is called Medical Assistance (MA) or Medicaid. In addition, Wisconsin has expanded this program to create BadgerCare Plus program under the authority of Title XIX and Title XXI of the Social Security Act and Chapter 49 of the Wisconsin Statutes. Federal statutes and regulations require that a state plan be developed that provides the methods and standards for reimbursement of covered services. A plan that describes the reimbursement system for the services (methods and standards for reimbursement) is now in effect.

Section 1115 of the Social Security Act provides the federal Secretary of Health and Human Services broad authority to authorize Research & Demonstration Projects, which are experimental, pilot, or demonstration projects likely to assist in promoting the objectives of the Medicaid statute. Flexibility under §1115 is sufficiently broad to allow states to test substantially new ideas of policy merit. Wisconsin intends to submit an application for a demonstration project waiver from the Centers for Medicare and Medicaid Services (CMS) under this federal authority. CMS is an agency within the U.S. Department of Health and Human Services (DHHS).

Background

The Affordable Care Act (ACA) created a new mandatory Medicaid coverage group under Section 1902(a)(10)(A)(i)(IX) for former foster care youth who were in foster care under the responsibility of the State or Tribe and receiving Medicaid at age 18 or older. Under this group, former foster care youth can obtain coverage until age 26 of age and are not subject to income limits. Under proposed regulations in accordance with the ACA at 42 CFR 435.150, The Centers for Medicare and Medicaid Services (CMS) allowed states the option to provide coverage to individuals who were now residents of the state but were in foster care and receiving Medicaid in another state on their 18th birthday. Wisconsin decided to elect the option that coverage for disadvantaged youth should include youths who were in foster care in other States and extend our existing coverage of out-of-state youths and cover those age 21 through age 25. On January 1, 2014, Wisconsin began providing coverage to former foster care youth under its Medicaid state plan.

On November 21, 2016, CMS published final regulations that no longer allowed states to cover youth who were in foster care and receiving Medicaid in another state under State Plan authority. However, in an information bulletin to states titled "Section 1115 Demonstration Opportunity to Allow Medicaid Coverage to Former Foster Care Youth Who Have Moved to a Different State," CMS provided the option to allow states to cover former foster care youth who were in foster care and receiving Medicaid in another state under Section 1115 Demonstration authority.

Wisconsin is already providing coverage for this category of former foster care youth. As it is no longer an option to provide coverage under the law, Wisconsin will seek to continue to provide this coverage to this population under Section 1115 Demonstration Authority. The Department of Health Services expects to submit the Section 1115 Demonstration application to CMS no

later than May 21, 2017. There will be no gap in coverage for former foster care youth from a different state while the Section 1115 application is pending.

In accordance with federal law, Section 431.408 (a) (3) of 42 CFR, the Department must conduct at least two public hearings, on separate dates and at separate locations, regarding the State's demonstration application at which members of the public throughout the State have an opportunity to provide comments. These public hearings must be conducted at least 20 days prior to submitting an application for a new demonstration project or extension of an existing demonstration project to CMS for review.

The following two public hearings will be conducted:

Tuesday, April 18
10:00 a.m. to 12:00 noon
Gerald L. Ignace Indian Health Center
930 West Historic Mitchell Street
Community Room
Milwaukee, WI 53204

Friday, April 21
10:00 a.m. to 12:00 noon
Wisconsin Department of Health Services
One West Wilson Street
Room 630
Madison, WI 53703

For the Friday, April 21 hearing, attendees may also attend from remote locations via Skype. The telephone number to call to do so is (844) 561- 6590.

Accessibility

English

DHS is an equal opportunity employer and service provider. If you need accommodations because of a disability or need an interpreter or translator, or if you need this material in another language or in an alternate format, you may request assistance to participate by contacting Al Matano at (608)267-6848. You must make your request at least 7 days before the activity.

Spanish

DHS es una agencia que ofrece igualdad en las oportunidades de empleo y servicios. Si necesita algún tipo de acomodaciones debido a incapacidad o si necesita un interprete, traductor o esta información en su propio idioma o en un formato alterno, usted puede pedir asistencia para participar en los programas comunicándose con Al Matano al número (608)267-6848. Debe someter su petición por lo menos 7 días de antes de la actividad.

Hmong

DHS yog ib tus tswv hauj lwm thiab yog ib qhov chaw pab cuam uas muab vaj huam sib luag rau sawv daws. Yog koj xav tau kev pab vim muaj mob xiam oob qhab los yog xav tau ib tus neeg pab txhais lus los yog txhais ntaub ntawv, los yog koj xav tau cov ntaub ntawv no ua lwm hom lus los yog lwm hom ntawv, koj yuav tau thov kev pab uas yog hu rau Al Matano ntawm (608)267-6848. Koj yuav tsum thov qhov kev pab yam tsawg kawg 7 hnuv ua ntej qhov hauj lwm ntawd.

Copies Of Demonstration Project Waiver

Copies of Waiver Documents

A copy of waiver documents, including the waiver application once complete, may be obtained from the department at no charge by downloading the documents from <http://dhs.wisconsin.gov/badgercareplus/waivers.htm> or by contacting:

Regular Mail

Al Matano
Division of Medicaid Services
P.O. Box 309
Madison, WI 53707-0309

Phone

Al Matano
(608) 267-6848

FAX

(608) 267-3205

E-Mail

Alfred.Matano@dhs.wisconsin.gov

Written Comments

Written comments are welcome and will be accepted through May 2, 2017. Written comments on the progress of the waiver to date may be sent by FAX, e-mail, or regular mail to the Division of Medicaid Services. The FAX number is (608) 266-3205. The e-mail address is Alfred.Matano@dhs.wisconsin.gov. Comments can be made on the web site at:

<http://www.dhs.wisconsin.gov/badgercareplus/waivers.htm>

Regular mail can be sent to the above address.

Public comments will be considered to determine the final content of the application to be submitted to CMS. A summary of the comments received will be included in the Department's application to CMS, and will be available on the department's web site at the address listed above.

Appendix C

Email Notification

From: DHS DHCAA Communications
Sent: Wednesday, April 12, 2017 3:57 PM
To: Medicaid Listserv (dhs-dhcaa-medicaid@lists.wi.gov); BCP HB Listserv (dhs-dhcaa-bcplus@lists.wi.gov)
Subject: Waiver for Medicaid Coverage of Former Foster Care Youth from Another State Posted for Public Comment

Public Notice

The State of Wisconsin Department of Health Services is seeking public comment on a Section 1115 Demonstration Waiver to continue providing Medicaid coverage to former foster care youth who were in foster care under the responsibility of another state when they turned 18 years old. Former foster care youth refers to individuals who were in foster care, under the responsibility of the state or tribe, and were receiving Medicaid when they turned 18 years old. There will be no changes to benefits for former foster care youth as a result of this demonstration.

Learn [more about this waiver for coverage of former foster care youth](#). Public comments or requests for the waiver documents can be sent to Al Matano at:

Email: Alfred.Matano@dhs.wisconsin.gov

Phone: 608-267-6848

Fax: 608-267-3205

Mail:

Al Matano
Division of Medicaid Services
P.O. Box 309
Madison, WI 53707-0309

Appendix D

Demonstration Presentation for Wisconsin's Public Hearings

Section 1115 Demonstration Project Waiver Former Foster Care Youth

Pungnou Her, Policy Analyst
April 18, 2017
April 21, 2017



Outline

- Background
- Federal Regulations
- Waiver
- Eligibility Impact
- Proposed Timeline
- Comments and Testimonials
- Questions

Background

- Since January 1, 2009, Wisconsin Medicaid has covered youth who were in foster care when they turned 18 years old, until they turned age 21. This is part of an optional foster care adolescents group described in Sections 1905(w)(1) and 1902(a)(10)(A)(ii)(XVII) of the Social Security Act.
- Eligibility coverage for these individuals includes:
 - No income or resource tests
 - No regard for what state they were residing in when they turned age 18.

3

Background

- The Affordable Care Act (ACA) created a new mandatory coverage group under Section 1902(a)(10)(A)(i)(IX) of the Social Security Act.
 - Youth who were in foster care, under the responsibility of the state or tribe, and receiving Medicaid when they turned 18 years old.
 - This group is referred to as former foster care youth.
- Under this category, individuals can obtain coverage until age 26 and are not subject to income limits.

4

Background

- In January 2013, the Centers for Medicare and Medicaid Services (CMS) issued proposed regulations that offered states the option to provide Medicaid to former foster care youth who were in foster care in another state when they turned age 18.
- Wisconsin elected this option beginning January 1, 2014.

5

Federal Regulations

- On November 21, 2016, CMS published final regulations that no longer allow states under the State Plan authority to cover youth who were in foster care in another state when they turned age 18.
- States that want to provide Medicaid coverage for former foster care youth who were in foster care in another state when they turned 18 years old must submit a Medicaid Demonstration Waiver application under authority of Section 1115 of the Social Security Act.

6

Waiver

- Wisconsin is choosing to continue providing Medicaid coverage to former foster care youth from another state under the Section 1115 Demonstration Waiver.
- The waiver would provide statewide Medicaid coverage to former foster care youth who resided in a state other than Wisconsin when they were in foster care as of age 18.
 - The duration of the waiver is three years.

7

Waiver

- By providing coverage to former foster care youth who were in foster care in another state when they turned age 18, Wisconsin will benefit by:
 - Increasing and strengthening overall access to health care coverage for former foster care youth.
 - Improving health outcomes for former foster care youth.

8

Eligibility Impact

- Wisconsin is already providing coverage to former foster care youth who are from a different state under BadgerCare Plus.
- If this demonstration application is approved, there will be no gap in coverage and no changes to the benefits provided as part of this demonstration.
- Currently, there are three former foster care youth enrolled in BadgerCare Plus who were in foster care in another state when they turned age 18.

9

Proposed Timeline

Milestone	Date
Public Notice Issued	April 3, 2017
Comment Period Closes	May 2, 2017
Waiver Submission	May 19, 2017
CMS Approval	August 2017

10

Comments and Testimonials

Comments and testimonials will be accepted through May 2, 2017, and may be submitted using any of the following methods:

- Email: Alfred.Matano@dhs.wisconsin.gov
- Fax: 608-267-3205
- Phone: 608-267-6848
- Mail:

Al Matano
Division of Medicaid Services
P.O. Box 309
Madison, WI 53707-0309

This information is also online at
dhs.wisconsin.gov/badgercareplus/waivers.htm.

Appendix E

Public Comment from the Wisconsin Association of Family and Children's Agency



TO: Alfred Mantano, Division of Medicaid Services
FROM: Linda A. Hall, Executive Director
DATE: May 2, 2017
RE: **WAFCA Support for Health Coverage for Former Foster Youth from a Different State**

Thank you for the opportunity to voice our support for the Wisconsin Department of Health Services' proposed Section 1115 Demonstration Waiver to continue providing Medicaid coverage to former foster youth who were in foster care and receiving Medicaid benefits in another state when they turned 18.

WAFCA is a statewide association that represents over fifty child and family serving agencies and leaders in the field and advocates for the more than 250,000 individuals and families that our member agencies serve each year. Our members' services include counseling; chemical dependency treatment; crisis intervention; outpatient mental health therapy; and foster care programs, among others. For many years, our member agencies have focused significant attention on the needs of the youth in their care who "age out" of the foster care system.

Youth exiting Wisconsin's foster care system without permanency face a range of challenges as they move into their adult lives. Like all young people, children in foster care need support – both financial and social – as they take their first steps toward independence. However, unlike their peers, youth aging out of the foster care system face unique obstacles that can make it more difficult as they seek to find their footing through their first tentative steps on the path to adulthood.

The *Midwest Evaluation of the Adult Functioning of Former Foster Youth*, which included a cohort of youth from Wisconsin, tracked former foster youth for nearly a decade. The study found, among other challenges, that youth who age out of the foster care system are twice as likely as their same age peers to experience depression and physical health problems. Continuation of Medicaid coverage is a critical element to sustaining access to mental health and other health services for this population.

While the number of out-of-state youth who will likely be impacted by this extension of coverage is small, this waiver is an important statement about Wisconsin's commitment to former foster youth who come into the state seeking greater stability, education and/or workforce opportunities. This waiver will extend the same benefits of coverage until age 26 that is available to their same age peers covered under parental health insurance plans.

While the system failed to achieve permanence for these young people, the state can provide some stability by sustaining their access to health coverage.

Thank you for advancing this important waiver request.