



ALERT: SUPPORT Act Implementation Will Improve Medicaid Coverage for Youth Leaving Foster Care

The Affordable Care Act provided Medicaid eligibility for former foster youth until age 26 if they were in foster care at age 18 or older and were enrolled in Medicaid at that time. **When it was enacted, the law did not require states to provide this coverage to youth who were not in foster care in their state.** This meant that young people who moved out of the state in which they were in foster care to go to school, work, or connect with family were not eligible for Medicaid as a former foster youth unless the state to which they moved opted to provide them coverage. The SUPPORT Act (“Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act”) fixes this gap for young people who turn age 18 on January 1, 2023 or after.

Below are key facts about the SUPPORT Act so you can help youth benefit from the law.

How does the SUPPORT Act impact young people who reach age 18 on or after January 1, 2023?

For youth who turn age 18 on or after January 1, 2023, States must provide Medicaid eligibility for young adults in the former foster care children (FFCC) eligibility group if they were in foster care and receiving Medicaid at age 18 or older while in foster care in *any* state. For example: if Alex is in foster care in Ohio, turns 18 on January 1, 2023, and leaves foster care and moves to South Dakota, Alex will be eligible for Medicaid under the FFCC eligibility group in South Dakota.

In addition, the SUPPORT Act requires States to enroll young people in the FFCC eligibility group even if they meet the eligibility requirements for, but are not enrolled in, another mandatory eligibility group. This provision will ease the administrative burden for states and make the application process easier for young people. Like the provision mentioned above, this change only applies to young people who turned age 18 on or after January 1, 2023.

How can you help young people who reach age 18 on or after January 1, 2023 access Medicaid coverage?

If you are working with a young adult who has moved from the state in which they were in foster care, let them know that they can now be covered under the FFCC category and support them in the Medicaid application process if they are not already enrolled. Your support can be critical especially in the early days of implementation when local Medicaid offices are still learning about these new requirements and changing their processes.

How does the SUPPORT Act impact young people who reached age 18 before January 1, 2023?

Unfortunately, the SUPPORT Act does not apply to young people who turned age 18 before January 1, 2023 without the state taking the action described below related to applying for a Medicaid 1115 waiver.

How can you help individual young people who reached age 18 before January 1, 2023 access Medicaid coverage or affordable health care?

You should still help young people apply for Medicaid in the event they may be eligible under another category. This is especially the case if you are working in a Medicaid expansion state, which provides options for Medicaid for low income adults. You can find out if you are in a Medicaid expansion state [here](#). For young people who are not eligible for Medicaid, you can help them identify low cost or free care. To find low cost or free care through federally assisted health care clinics and similar programs, [see this list](#).

What can state advocates do so that their state will cover young people from out of state, and to remove the application of the eligibility hierarchy for young people who reached 18 before January 1, 2023?

Advocates should ask their state Medicaid Agency to apply for a Medicaid 1115 demonstration waiver to:

- Cover youth formerly in foster care from other states who turned 18 prior to January 1, 2023, and are not eligible for the FFCC group in the state where they are applying; and
- Align eligibility rules related to ruling out other mandatory eligibility categories for young people who reached 18 before January 1, 2023.

Taking both of these options will help ensure that young adults with experience in foster care are covered by Medicaid at least until age 26 and will streamline the application and renewal process for these young adults so that they maintain coverage and have access to critical physical and behavioral health care.

***Please look out for more tools to help you advocate that your state apply for a Medicaid Waiver, including templates.

If you want to read the new guidance on the SUPPORT Act, you can find it here:

<https://www.medicaid.gov/federal-policy-guidance/downloads/sho22003.pdf>

If you want to see the slide deck presented by CMS on the guidance, you can find it here:

<https://www.medicaid.gov/medicaid/eligibility/downloads/former-foster-care-coverage-changes.pdf>

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