



AAICAMA FAQs Series

Medicaid and Title IV-E Adoption Assistance

3. Question: Can a State require a title IV-E eligible child to complete a Medicaid application before providing Medicaid services/issuing a Medicaid card?

No, a State cannot require a child who has an adoption assistance agreement in effect under title IV-E of the Social Security Act or who is receiving title IV-E foster care or guardianship assistance maintenance payments to complete a Medicaid application before the state provides Medicaid services.

Under federal Medicaid law, Title IV-E eligible children are “deemed to be receiving” Aid to Families with Dependant Children (AFDC) and are eligible for Medicaid as “mandatory categorically needy”. Title IV-E recipients are eligible to receive Medicaid in the state in which they live, even if it is not the state that provides the title IV-E assistance. A separate federal Medicaid law stipulates that the State agency cannot require a separate Medicaid application if the individual receives AFDC. Read together, the laws prohibit the practice of requiring a separate Medicaid application for a title IV-E eligible child. This is true for initial openings of Medicaid and for interstate transfers of Medicaid.

***Response approved by CMS, April 2010**

Cite: 42 CFR §§ 435.115(e), 435.145, and 435.909.

U.S.C. refers to the United States Code
C.F.R. refers to the Code of Federal Regulations