



AAICAMA FAQs Series

Medicaid and Title IV-E Adoption Assistance

7. Question: Is a new state of residence required to provide a particular Medicaid service to a child eligible for title IV-E adoption assistance because the child received the service under the Medicaid program in a previous state of residence?

No, a new state of residence is not required to provide a particular Medicaid service to a title IV-E adoption assistance eligible child simply because the child was receiving the service in a previous state of residence.

States provide services as listed in their Medicaid State Plan. If the child received a service in a previous state that is not in the current state's Medicaid Plan, the service cannot be received from the new state.* (*Note exception below: EPSDT.*)

There are mandatory Medicaid services that all states must provide and there are services that are optional under Medicaid. States can elect which, if any, optional services they will provide under their Medicaid program. It is possible for a child to have received an optional Medicaid service in one state and move to another state whose Medicaid program does not provide that service.

Practice issue: If the language of the adoption assistance agreement reads that the Medicaid services of the adoption assistance state are to be provided or the agreement specifies that a particular medical service would be provided, the adoption assistance state remains responsible for ensuring receipt of that service.

*Exception: Early and Periodic Screening, Diagnosis and Treatment (EPSDT) is one of the mandatory services of the Medicaid program. Under EPSDT, if a Medicaid service is deemed 'medically necessary' for a child to receive, states must cover the service, even if the service is not in the state's Medicaid State Plan.

Cite: 42 U.S.C. 1396d (a)(4)(B) and (r); 42 CFR 441 Subpart B.

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