



# Building Bridges Across State Lines: The Interstate Compact on Adoption & Medical Assistance (ICAMA)

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ICAMA Administration Training  
California Counties  
March 10, 2011

## Federal laws leading to ICAMA:

Adoption Assistance and Child Welfare Act  
(PL 96-272) enacted in 1980

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- Established a federally aided Adoption Assistance (AA) program under title IV-E of the Social Security Act
- Fed. Govt. to contribute to states' cost of providing AA payments & Medicaid and
- In one provision, ***it mandated that states safeguard children's interests in interstate situations.***



## The Mandate to Protect the Interstate Interests Of Children Receiving Adoption Assistance

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....“adoption assistance agreement refers to a written agreement...which at a minimum...**shall contain provisions for the protection** (under an **interstate compact** approved by the Secretary or otherwise) of the interests of the child in cases ***where the adoptive parents and child move to another State while the agreement is effective.***”

*Section 475 (3)(B)*



## 1985 COBRA

(Consolidated Omnibus Budget Reconciliation Act)

### 2 Key Provisions

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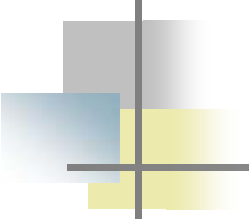
1. **Mandated** that Medicaid for IV-E eligible children [foster care & AA (adoption assistance)] be provided by the state of the child's residence;  
and
2. Gave states the **option** of providing Medicaid to children receiving **state-funded** (i.e., non IV-E ) AA.



## With COBRA 1985

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- Title IV-E children could now get Medicaid in the state where they lived.
  - ↓ But **no** guidance on how families go about getting Medicaid set-up in interstate cases
- COBRA **did NOT** provide the **mechanism** to ensure that children with Adoption Assistance Agreements (AAA) would actually receive Medicaid in the new state.



## Interstate Compact on Adoption & Medical Assistance (ICAMA) did!

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Compact was written in Jan. 1986 – enacted by 9 states:

- Purpose—to ensure delivery of Medicaid interstate
- ICAMA is enacted into **state law** in each member state; it has force & effect of law among member states...



## What is an interstate compact?

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- Agreement between 2 or more states that bind them to compact provisions (i.e., “a contract”).
- A compact is enacted into state law. It has the force of statutory law & **supersedes any conflicting state laws**.
- ICAMA provides framework for formalized *inter-state cooperation envisioned under PL 96-272*.

Because ICAMA is an agreement (a contract) between states, *members are obligated* to abide by all its provisions (articles).



## When does ICAMA apply? (2 conditions must be met)

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- When a Child is **covered by active adoption assistance agreement**

AND

- (**ONE of the following exists**)
  - ◆ Child is initially placed with a family in another state or
  - ◆ Child moves with family to another state while the agreement is in effect or
  - ◆ Child is placed in a residential treatment facility in another state



## Benefits of ICAMA: a Summary

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- ◆ Provides administrative mechanism to meet mandates of PL 96-272 for children with special needs
- ◆ Has force & effect of *law* among members
- ◆ ***Supersedes conflicting state law or policy*** (and county policies)
- ◆ ***Obligates*** members' use of ***standard*** forms & ***uniform*** administrative procedures
- ◆ Assigns ***one*** person, (i.e., Compact Administrator) in each state as contact to secure services.



## AAICAMA's (the association's) Mission is to:

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- ☆ Facilitate and **improve the administration** of ICAMA *to ensure provision of Medicaid to adoption assistance-eligible children* interstate;
- ☆ **Train** ICAMA practitioners;
- ☆ Assist in development of **sound adoption practices** and policies;
- ☆ Build/strengthen partnerships with states and adoption professionals to improve service provision to children receiving AA.

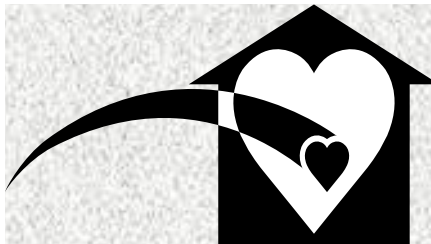
# Services of the Association

## ✦ Interstate Services

- Mediation
- Facilitation

## ✦ Technical Assistance

- Legal Advice
- Policy
- Model programs



## ✦ Research

- Post-adoption Services
- Interstate Barriers to Adoption
- Children Receiving Adoption Assistance
- Provision of Medical Assistance for Children Receiving State-funded AA

## ✦ Education

- Issue Briefs
- Training
- Annual/Regional Meetings



## NON-ICAMA Member States

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- New York – An Associate member, 2007 (i.e., abides by ICAMA forms/procedures)
- Wyoming
- Territories – Puerto Rico, U.S. Virgin Islands, Guam



## How many children are in interstate adoptions/moves?

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- In 2005, 30 states reported a total of 223,350 children receiving title IV-E or state-funded AA.
- **20,243** children (approx. 10%) lived outside the AA state. — Up from 6% in 1998!
- Numbers increasing! Between 1998 and 2005, the number of AA-eligible children living outside the AA state increased by more than **70%!**

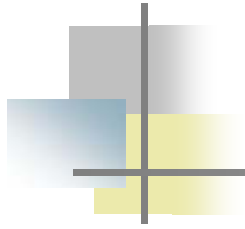
*Source: AAICAMA Interstate Movement Study (2007)*



## Increases in Interstate Adoptions are Likely...

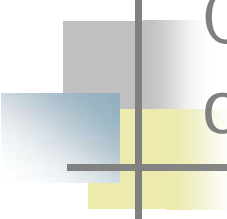
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- AdoptUsKids website and state exchanges allow prospective adoptive families to look for children across the nation
- In fact, adoption exchanges report that **63%** of prospective families who respond to child-specific adoption recruitment **do not reside in the same state as the child!**



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# Key Roles & Responsibilities of the ICAMA Compact Administrator (CA) & ICAMA Professionals



Most important figure under the Compact is the Compact Administrator (CA) or ICAMA Professional

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Without a proactive professional, the provision and transfer of medical and other services to adoption assistance eligible children in interstate situations cannot happen.



## Key Responsibilities:

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- ◆ Works with in-state & out-of-state colleagues & families to ensure that AA-eligible children receive Medicaid when they are placed in or move to another state.
- ◆ Serves as an advocate & information resource for adopted families.



## ICAMA Professional

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- ◆ Facilitates & processes ICAMA forms for incoming & outgoing children to ensure timely provision of Medicaid interstate.
- ◆ Through AAICAMA, collects interstate adoption data on the numbers of children receiving title IV-E & state-funded adoption assistance & the number who live outside the AA state.



## Working with families is most critical part of ALL the work

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- ICAMA professional is often the **ONLY** point of contact for adoptive parents in a new state regarding access to medical & post-adoption services.



## Needed services are often fragmented....

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- Most Parents are not familiar with how the “system works” or how to seek services.
- It’s helpful to families if there is ONE person who can help them locate & access services, REGARDLESS of the system or agency boundary.
- That person is the ICAMA professional!



## In survey of adoptive parents...

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- The most-cited reason adoptive parents gave for not being able to get a needed service is:  
NOT knowing where to go for information on available services!



## In addition....

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- When adoptive parents were asked to rank the key factors in their decision to adopt, the most important factor they cited was receipt of a Medicaid or a medical card.
- Medicaid was rated even more important than receipt of a subsidy!!



## ICAMA Professionals fill this role..

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- Connect families to services which may otherwise be difficult for them to find (e.g. Medicaid, mental health, post-adoption etc.)



## ICAMA's work = positive outcomes for children and states

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- Supports success of adoptive placements (via provision of Medicaid interstate)
- With colleagues, works to overcome systemic barriers to the provision of services for AA children AND
- Contributes to state's positive performance on the CFSRs



## ICAMA tools: Standard Forms And Procedures

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- What forms are required to process an interstate case under ICAMA?
- How are these forms used?



## Processing forms for incoming & outgoing children

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ICAMA *mandates* the use of 3 common forms:

- 6.01
- 6.02
- 6.03

to facilitate Medicaid to a child receiving AA in an interstate situation.

Use of these 3 forms is an ***Obligation*** among all members.



Three (3) required standard ICAMA forms:

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- A. **Form 6.01**- Notice of Medical Assistance Eligibility/Case Activation  
(sent to [new resident state](#))
- B. **Form 6.02**- Notice of Action (sent to parents)
- C. **Form 6.03** -Report of Change in Child/Family Status

(Note: May be upcoming changes to 3 forms; will require member vote to approve changes)



## **ICAMA 6.01** *Notice Of Medicaid Eligibility/Case Activation* Sent to New Residence State

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**ALL the following information MUST be filled in:**

*(For up to 3 children)*

- Name, DOB, gender, ethnicity & a **valid Social Security Number (SSN)**.  
*(Note: Can use SSN assigned at birth or new SSN obtained after finalization.)*
- Adoptive parents' name & address
- Basis for Medicaid (IV-E or state-funded AA)
- Contact info for CA's in **both** states
- Certification of **Medicaid eligibility**



## Important note about Social Security Numbers (SSNs)

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- A **valid** SSN, one issued by the Social Security Administration, is federally **required** to open Medicaid in new state. *(Source: 42 CFR 435.910)*
- So, a valid SSN is **required on the 6.01** when a child is placed in or moves to a new state.
- States **cannot** leave this information field blank on the 6.01.

## Child Welfare Policy Manual also states:

### 8.4I Title IV-E, General Title IV-E Requirements, Soc. Security Numbers

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- Medicaid regulations (42 CFR 435.910) **require** that any individual (including children) requesting Medicaid furnish his/her SSN as a condition of eligibility for Medicaid.
- Children eligible for Medicaid based on their title IV-E eligibility **must furnish a SSN** as a condition of eligibility for Medicaid, even though a SSN is not required under IV-E.

**Source:** 42 CFR 435.910

See:

[www.acf.hhs.gov/cwpm/programs/cb/laws\\_policies/laws/cwpm/policy\\_dsp.jsp?citID=21](http://www.acf.hhs.gov/cwpm/programs/cb/laws_policies/laws/cwpm/policy_dsp.jsp?citID=21)



## SSN's cont'd *(see memo in notebook)*

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- An individual will have only one valid SSN at a time. States must use either:
  - the child's SSN issued by Social Security Administration (SSA) at birth or
  - If adoptive family obtains a new SSN at finalization, states must use the new SSN issued by the SSA. The SSN issued at birth is to be used during the waiting period for a new SSN.

What can you, as ICAMA professional, do if the SSN is missing?



## The ICAMA Professional can:

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- Contact the ICAMA administrator or adoption worker in the AA state to request the child's SSN.
- Call the adoptive parents to request the child's SSN.



## ICAMA 6.01 also benefits families

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- Because ALL ICAMA member states accept the 6.01 & AAA as proof of Medicaid eligibility, the family does **NOT have to apply for Medicaid in the new state!**



## ICAMA 6.02 *(Notice of Action)*

### Sent to the Parents

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1. Verifies family address and other information.
2. **Provides AAA and new state's ICAMA contact information.**

The 6.02 is sent **only** to the adoptive parents to inform them that all necessary information on the child was sent to the new state & provides a contact in new state.



## ICAMA 6.03 *(Report of Change in Child/Family Status)*

Sent to AA or new state

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- Used to **notify the other state** about **any change(s)** in address, child status and/or Medicaid status.
- Is unique because it **used by both the AA state & the new resident state but for different purposes.**



## ICAMA 6.03—Multiple Uses:

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The Adoption Assistance state uses the 6.03:

- To report/notify the resident state (RS) of changes in the child or family status

The new resident state (RS), uses the 6.03:

- To notify the AA state that a child receiving AA from their state has been issued a Medicaid card in the new state.



## Using the Forms: ICAMA administrative procedures

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The process (*see flowchart*) :

- ICAMA professional in the AA state **completes** the 6.01 and
- **Attaches** a copy of the most current **Adoption Assistance Agreement (AAA)**.
- Sends the 6.01 & the current AAA to the new resident state CA to indicate the child's eligibility for Medicaid



## ICAMA Procedures - Con't

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- The AA state administrator sends the 6.01 to the adoptive parents with a copy of the completed 6.02  
and
- Places a copy of the 6.01 in his/her case file.



## Title IV-E Guardianship Assistance Program (GAP) under Fostering Connections

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- The law protects GAP benefits interstate. It requires that guardianship agreements remain in effect “without regard to the state residency of the guardian”.
- So, children who [receive](#) title IV-E guardianship assistance payments are also eligible for Medicaid in the state where the child lives. (See [ACYF-CB-PI-10-11](#))



## GAP children – con't

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- Children who receive title IV-E guardianship assistance (GAP) payments and are placed in or move to another state are handled just as title IV-E AA-eligible children who move to another state.
- The ICAMA forms (6.01, 6.02, 6.03) and process should be followed.



## How are County-to-County Moves processed?

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How do you handle an ICAMA case when a child with an AAA from another state moves from one California county to another California county?



## Ways other states process county-to-county moves:

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1. In the vast majority of states - Cases are entered into a central child welfare management system or to central state office that then notifies the worker in the new county when a new address is entered for an ICAMA child that has moved to their county. In some cases, a copy of 6.01 & AAA is sent to the new county by a state (vs. local) staff.
2. In a few states, the central office is notified of the change of address, and then notifies the new county of residence and provides the new county with copies of ICAMA forms if necessary.
3. One state sends a state-created form (4.03) to the other county to notify them of the family move; Medicaid remains the same.



## Some Important Information on Title IV-E Adoption Assistance

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- Title IV-E adoption assistance program **does NOT** require annual re-determinations of a child's eligibility.
- Once an adoption assistance agreement is signed and in effect, it can be terminated under three circumstances **ONLY**.

Source: Section 473(a)(4) of the Social Security Act



## Once Title IV-E AA-eligible, Child Remains Eligible Until:

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- 1) the age of 18 (or 21 if the State determines that the child has a mental or physical disability which warrants the continuation of assistance);
- 2) state determines that the parent is no longer legally responsible for the support of the child, or;
- 3) State determines the child is no longer receiving any support from the parents.

Source: Social Security Act, Section 473(a)(4)(B)

Also see ACF Child Welfare Policy Manual, Section 8.2B.9 Q/A #2 at:

[www.acf.hhs.gov/cwpm/programs/cb/laws\\_policies/laws/cwpm/policy\\_dsp.jsp?citID=63](http://www.acf.hhs.gov/cwpm/programs/cb/laws_policies/laws/cwpm/policy_dsp.jsp?citID=63)



In other words, a state ***cannot*** suspend or terminate IV-E Adoption Assistance:

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- if the adoptive parents fail to reply to the state's request for information or eligibility renewal.  
Once a child is receiving title IV-E adoption assistance pursuant to an agreement, the AA continues until either :
  - (a) the adoptive parents concur to a change or
  - (b) one of the 3 statutory conditions for termination are met
- Suspensions/reductions in a title IV-E AA payment are not permitted without the concurrence of the adoptive parents.

Source: Section 473(a) (3) & (4) of the Social Security Act and Child Welfare Policy Manual Sect 8.2B.9 Q/A #2



## It's Important to Tell Parents...

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- When paperwork is sent to new state, they'll receive copy of 6.01 & 6.02 to confirm.
- If the child receives state-funded adoption assistance—that **Medicaid is not guaranteed** in all states. Talk about how medical services may be obtained the new state (e.g. TANF).
- That a new state may require citizenship documentation to meet new DRA Medicaid requirements (applies to non-IV-E children only).



## Tell Parents:

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1. It can take up to 45 days (depending on state's internal process) to obtain a Medicaid card in new resident state.
2. To refill any needed prescriptions before they move.
3. That the medical services available in the new state may **be different** (due to different state Medicaid Plans).
4. About the ability to obtain expedited Medicaid # in new state if a medical emergency arises.
5. To NOTIFY their adoption worker if they move to a new state or child is placed in an RTF in another state.
6. If they have any questions about Medicaid or available services, to contact the ICAMA administrator in the new state.



## ICAMA 6.03

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- The RS administrator sends a copy of the 6.03 to the AA state administrator once a Medicaid case is opened for the child.
- The receipt of the 6.03 closes the loop - it lets the AA state know that medical assistance is being provided to the child in new state!



## Other Compact Administrator Responsibilities:

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- To ensure that the Secretariat has:
  - a current Designation of Compact Officials form on file &
  - current contact information for your state.
- To vote in annual election for officers of Exec Committee if you are the state's designated Compact Administrator.
- To train your state staff on the processes and protocols of the ICAMA.
- To fulfill all legal obligations for your state required by membership in the ICAMA.



## Some practice issues:

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- Often adoptive parents don't inform AA state of a move.
- Direct deposit of AA checks can create address problems.
- County and state-administered states process ICAMA forms differently.
- What if child has a medical emergency after moving to new state & needs a Medicaid card immediately? (Parents should call their AA worker who'll contact the new state to expedite Medicaid)



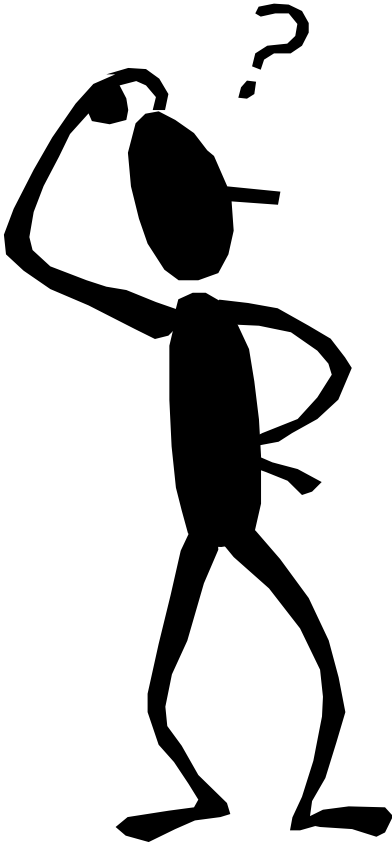
## To summarize:

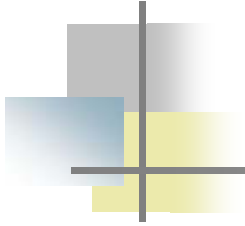
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- **Be proactive...** Do whatever is needed to ensure service provision (positive outcome) to the child!
- **Reach out**; build relationships with your ICAMA colleagues. Call with problems & questions.
- Communicate & **partner with your Medicaid** staff.
- Know your state's Medicaid & post-adoption services.
- **Reach out to parents** of children coming into your state!
- Use resources available thru AAICAMA:

See AAICAMA's website: <http://www.aaicama.org>

# Questions/Case Scenarios Discussion





## Questions from California Counties



## Question 1

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1. What's the correct ICAMA process to ensure children's coverage is not interrupted or delayed due to a change in residency?

My experience: by the time the ICAMA 6.01 is completed, families have already moved to other state & haven't been approved for Medicaid in the new state.



## Question 1 - continued

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2. Is there a standard form to be used to determine continued title IV-E eligibility during the re-assessment process? I've seen a variety circulating from different states.



## Question 2

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Adoptive parents often walk in with a letter from AA state saying this is an adopted child & to issue them Medi-Cal. Sometimes I'm notified by Eligibility Worker & some times not & the Eligibility worker just processes a Medi-Cal case.

- (a) What should our county's process be ?
- (b) what do other counties do?



## Question 3

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When a child moves to another county ... whether we transfer ICAMA cases within the state or if the AAA state should be sending the ICAMA forms to administrator ... I've been getting them both ways. I know its hard because we don't always know when the move is in another county.



## AAICAMA Contact Information

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