AAICAMA FAQs Series

Medicaid and Title IV-E Adoption Assistance

13. Question: Does Medicaid eligibility end if a title IV-E adoption assistance eligible child’s adoptive parent(s) dies, or the adoption dissolves?

Yes, Medicaid eligibility through title IV-E adoption assistance eligibility ends if a child’s adoptive parent(s) dies, or the adoption dissolves and the child is not readopted. The child must be adopted to receive adoption assistance, and the Medicaid that accompanies it. The child may be eligible for Medicaid through another eligibility category, such as Supplemental Security Income for the Aged, Blind, or Disabled (SSI) under Title XVI of the Social Security Act or the State Children’s Health Insurance Plan (SCHIP) under title XXI.

*Response approved by CMS, September 2009


Practice issue: In the event of the death of a parent, if a child initially has two adoptive parents and the adoption assistance agreement includes the signatures of both parents, the name of the deceased parent can be removed from the agreement and adoption assistance can continue. If a child has only one adoptive parent and the agreement was completed with that parent (or two adoptive parents) and the parent(s) die, the child would need to be readopted and another adoption assistance agreement would have to be negotiated in a subsequent adoption. Note: Once determined to be adopted-assistance eligible under the federal program, a special needs child remains title IV-E adoption assistance eligible.

Practice suggestion: If the child initially has one adoptive parent, and that parent gains a partner or individual who adopts the child, the agreement can be updated with the signature and information of the second adoptive parent. This measure is a safeguard in the event that one of the parents dies and is survived by the second adoptive parent. In this way, the adoption assistance agreement can remain in effect and the child’s benefits and services can continue uninterrupted.