

DEPARTMENT OF SOCIAL SERVICES

CHILDREN'S DIVISION

P. O. BOX 88

JEFFERSON CITY, MISSOURI

March 10, 2011

What's Inside:

Deferred subsidies –
Medicaid only
agreements are not
available for
Guardianship cases.

M E M O R A N D U M

TO: REGIONAL EXECUTIVE STAFF, CIRCUIT MANAGERS, AND
CHILDREN'S DIVISION STAFF

FROM: CANDACE A. SHIVELY, DIRECTOR

SUBJECT: MEDICAID ONLY AGREEMENTS SHALL NOT BE NEGOTIATED
FOR GUARDIANSHIP SUBSIDY CASES

DISCUSSION:

The purpose of this memorandum is to notify staff that Guardianship Subsidy cases shall not be negotiated to include only Medicaid. According to Federal Policy, in order for Legal Guardians to be eligible for Medicaid through a subsidy agreement they must also receive a maintenance payment via subsidy.

The Social Security Act (Section 473 (d) (1) (B)) prescribes certain requirements for kinship guardianship assistance agreements; the agreement must specify the amount of the maintenance payment and the manner in which the maintenance payment will be provided (monthly for Missouri subsidy agreements). The Social Security Act (Section 473 (b) (3) (C)) states that children who receive a Title IV-E Guardianship assistance payment via subsidy are categorically eligible for Title XIX (Medicaid) in the State where the child resides.

Policy has been amended to correct language that had previously allowed a deferred subsidy (Medicaid only) to be negotiated for Guardianship Subsidies to state that all Guardianship Subsidies must be negotiated to accommodate a maintenance payment to the Guardian.

Deferred subsidies (Medicaid only) may still be negotiated for Adoption Subsidies.

NECESSARY ACTION

1. Review this memorandum with all Children's Division staff.
2. Review revised Child Welfare Manual chapters as indicated below.
3. All questions should be cleared through normal supervisory channels and directed to:

PDS CONTACT Emily Montgomery, MSW (573) 522-8620 Emily.M.Montgomery@dss.mo.gov	PROGRAM MANAGER Amy Martin (573) 751-3171 Amy.L.Martin@dss.mo.gov
CHILD WELFARE MANUAL REVISIONS Section 4, Chapter 30, Subsection 3 – General Policy	
FORMS AND INSTRUCTIONS N/A	
REFERENCE DOCUMENTS AND RESOURCES Social Security Act – section 473(b)(3)(C) Social Security Act – section 473(d)(1)	
RELATED STATUTE (List or put N/A if not applicable.)	
ADMINISTRATIVE RULE N/A	
COUNCIL ON ACCREDITATION (COA) STANDARDS N/A	
CHILD AND FAMILY SERVICES REVIEW (CFSR) N/A	
PROTECTIVE FACTORS N/A Parental Resilience Social Connections Knowledge of Parenting and Child Development Concrete Support in Times of Need Social and Emotional Competence of Children	
FACES REQUIREMENTS N/A	