

HEALTH AND HUMAN SERVICES COMMISSION

Public Notice: State Plan Amendment

The Texas Health and Human Services Commission (HHSC) announces its intent to submit transmittal number 23-0015 to the Texas State Plan for Medical Assistance under Title XIX of the Social Security Act.

The purpose of this amendment is to expand Medicaid eligibility to individuals who aged out of the foster care system in a state other than Texas on or after January 1, 2023 and who were receiving Medicaid in that state when they aged out of foster care. These changes were made pursuant to the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities (SUPPORT) Act, Pub. L. No. 115-271.

Currently, under section 1902(a)(10)(A)(i)(IX) of the Social Security Act, individuals who aged out of the foster care system in their state of residence and move to Texas are not eligible for the Former Foster Care Children (FFCC) eligibility group. Section 1002(a) of the SUPPORT Act modifies the Social Security Act to establish eligibility for these individuals in the FFCC eligibility group if they were receiving Medicaid when they aged out of foster care under the responsibility of any state, move to Texas, and they meet all other eligibility criteria. The proposed amendment is effective January 1, 2023.

The proposed amendment is estimated to have minimal or no fiscal impact. The caseload for the FFCC eligibility group may increase, but it is difficult to determine how many eligible individuals will move to Texas; given all of the necessary criteria, the state assumes the number will be negligible. There are currently 7,181 FFCC recipients in Texas.

To obtain copies of the proposed amendment, interested parties may contact Shae James, State Plan Coordinator, by mail at the Health and Human Services Commission, PO Box 13247, Mail Code H-600, Austin, Texas 78711; by telephone at (512) 438-2264; by facsimile at (512) 730-7472; or by email at Medicaid_Chip_SPA_Inquiries@hhsc.state.tx.us. Copies of the proposal will also be made available for public review at the local offices of the Texas Health and Human Services Commission.