

SENATE No. 33

The Commonwealth of Massachusetts

PRESENTED BY:

Sal N. DiDomenico

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act ensuring continuous healthcare coverage for youth who have aged-out of the Department of Children and Families.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|--------------------------------|-------------------------------------|------------------|
| <i>Sal N. DiDomenico</i> | <i>Middlesex and Suffolk</i> | |
| <i>Barbara A. L'Italien</i> | <i>Second Essex and Middlesex</i> | <i>1/27/2017</i> |
| <i>Jason M. Lewis</i> | <i>Fifth Middlesex</i> | <i>1/30/2017</i> |
| <i>Marjorie C. Decker</i> | <i>25th Middlesex</i> | <i>1/30/2017</i> |
| <i>John J. Lawn, Jr.</i> | <i>10th Middlesex</i> | <i>1/30/2017</i> |
| <i>Jack Lewis</i> | <i>7th Middlesex</i> | <i>1/31/2017</i> |
| <i>Kay Khan</i> | <i>11th Middlesex</i> | <i>1/31/2017</i> |
| <i>Jay R. Kaufman</i> | <i>15th Middlesex</i> | <i>1/31/2017</i> |
| <i>James B. Eldridge</i> | <i>Middlesex and Worcester</i> | <i>1/31/2017</i> |
| <i>Mike Connolly</i> | <i>26th Middlesex</i> | <i>1/31/2017</i> |
| <i>Joan B. Lovely</i> | <i>Second Essex</i> | <i>2/2/2017</i> |
| <i>Patricia D. Jehlen</i> | <i>Second Middlesex</i> | <i>2/2/2017</i> |
| <i>Denise Provost</i> | <i>27th Middlesex</i> | <i>2/2/2017</i> |
| <i>Paul R. Heroux</i> | <i>2nd Bristol</i> | <i>2/2/2017</i> |
| <i>Eileen M. Donoghue</i> | <i>First Middlesex</i> | <i>2/3/2017</i> |
| <i>James J. O'Day</i> | <i>14th Worcester</i> | <i>2/3/2017</i> |
| <i>William N. Brownsberger</i> | <i>Second Suffolk and Middlesex</i> | <i>2/3/2017</i> |

SENATE No. 33

By Mr. DiDomenico, a petition (accompanied by bill, Senate, No. 33) of Sal N. DiDomenico, Barbara A. L'Italien, Jason M. Lewis, Marjorie C. Decker and other members of the General Court for legislation to ensure continuous healthcare coverage for youth who have aged-out of the Department of Children and Families. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act ensuring continuous healthcare coverage for youth who have aged-out of the Department of Children and Families.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 9A of chapter 118E of the General Laws, as appearing in the 2014
2 Official Edition, shall be amended by inserting, in paragraph (2) at the end thereof, the following
3 clause:-

4 (k) persons who meet the requirements of Section 1902(a)(10)(A)(i)(IX) of the federal
5 Social Security Act (42 U.S.C. Sec. 1396a(a)(10)(A)(i)(IX)). In the administration of this
6 subsection and in establishing the means to be used to provide access to health care to persons
7 eligible under this clause, the division shall emphasize and take advantage of both the efficient
8 organization and ready accessibility and availability of health care facilities and resources
9 through enrollment in managed health care plans and new and innovative fee-for-service
10 managed health care plan approaches to the delivery of health care services.

11 SECTION 2. Chapter 118E, as so appearing, shall be amended by inserting at the end
12 thereof the following section:-

13 Pursuant to clause (k) of paragraph (2) of section 9A of chapter 118E, as so appearing,
14 the division shall implement Section 1902(a)(10)(A)(i)(IX) of the federal Social Security Act (42
15 U.S.C. Sec. 1396a(a)(10)(A)(i)(IX)) to provide MassHealth benefits to an individual until his or
16 her 26th birthday if he or she was in foster care on his or her 18th birthday, or such higher age
17 the state has elected under Title IV-E of the federal Social Security Act (42 U.S.C. Sec. 670 et
18 seq.). In addition, the division shall implement the federal option to provide MassHealth benefits
19 to individuals who were in foster care and enrolled in Medicaid in any state.

20 (a) A foster care adolescent who was in foster care in the Commonwealth on his or her
21 18th birthday, or such higher age the state has elected under Title IV-E of the federal Social
22 Security Act (42 U.S.C. Sec.670 et seq.), shall be enrolled to receive benefits under this section
23 without any interruption in coverage and without requiring a new application.

24 (b) The division shall develop procedures to identify and enroll individuals who meet the
25 criteria for MassHealth eligibility in this section, including, but not limited to, former foster care
26 adolescents who were in foster care on their 18th birthday and who lost MassHealth coverage as
27 a result of attaining 21 years of age. The division shall work with the Department of Children
28 and Families to identify and conduct outreach to former foster care adolescents who lost
29 MassHealth coverage during the 2013 calendar year as a result of attaining 21 years of age, to
30 ensure they are aware of the ability to reenroll under the coverage provided pursuant to this
31 section.

32 (c) The division shall develop and implement a simplified redetermination form for this
33 program. A beneficiary qualifying for the benefits extended pursuant to this section shall fill out
34 and return this form only if information known to the division is no longer accurate or is
35 materially incomplete.

36 (d) The division shall seek federal approval to institute a renewal process that allows a
37 beneficiary receiving benefits under this section to remain on MassHealth after a redetermination
38 form is returned as undeliverable and the division is otherwise unable to establish contact. If
39 federal approval is granted, the recipient shall remain eligible for services under the MassHealth
40 fee-for-service program until the time contact is reestablished or ineligibility is established, and
41 to the extent federal financial participation is available.

42 (e) The division shall terminate eligibility only after it determines that the recipient is no
43 longer eligible and all due process requirements are met in accordance with state and federal law.