

MISSISSIPPI DIVISION OF MEDICAID

Eligibility Policy and Procedures Manual

102.08.06 CHILD SUPPORT REQUIRMENTS - GENERAL

State child support (IV-D) agencies are required to provide all appropriate child support services available under IV-D of the Social Security Act to families with an absent parent who receive Medicaid benefits and who have assigned rights for medical support to the State. State IV-D agencies are required to petition for medical support when health insurance is available to the absent parent at a reasonable cost.

In order for the IV-D agency to provide the services required by law, the Division of Medicaid must refer the following children to the Mississippi Department of Human Services (MDHS), Child Support Enforcement Office:

- Disabled children in an ABD program with an absent parent; and
- Children in the Medical Assistance Program (85) with an absent parent.

There are additional IV-D requirements in FCC as discussed in 102.08.06B.

102.08.06A CHILD SUPPORT REQUIREMENTS

❖ Aged, Blind and Disabled Programs

The specialist will complete a manual referral using Form DOM-TPL-410, Absent Parent Referral, and forward to Child Support Enforcement within the Mississippi Department of Human Services (MDHS) for disabled children in an ABD program who have an absent parent. Non-cooperation with child support enforcement does not impact a disabled child's eligibility.

102.08.06B CHILD SUPPORT REQUIREMENTS

❖ Families, Children and CHIP Programs

The specialist will provide applicants with information about child support services available through the Office of Child Support Enforcement within MDHS to establish paternity and/or seek or enforce financial and medical support orders for minor children. Cooperation with child support activities is a requirement for the eligibility of adults in the Medical Assistance program. Cooperation is not required for the FPL programs; however, the HOH can volunteer for the child support services for children in the FPL Medicaid programs, but voluntary services are not available not for CHIP recipients.

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❖ Families, Children and CHIP Programs

Voluntary Referrals

Referral to and cooperation with Child Support Enforcement is not a requirement for the FPL Medicaid categories or CHIP. However, the parent or responsible adult can voluntarily request child support services for children receiving Medicaid in the FPL programs (87, 88, 91). Voluntary referrals will be made through MEDSX/METSS child support interface.

As indicated previously, voluntary referrals cannot be made for CHIP children. The parent of the CHIP child must file an application for child support services with MDHS for the child.

Child Support Requirement for Medical Assistance Program

Referral to and cooperation with child support is required as a condition of the 85 adult's eligibility if the deprivation reason for at least one child included in the Standard Filing Unit is continued absence. The 85 parent or caretaker relative must cooperate with child support requirements and assist the state by cooperating with enforcement of existing court orders or in obtaining at least medical support from the absent parent. A referral will be made whether or not there is an existing court order and regardless of whether child support is being paid by the absent parent.

Cooperation

Cooperation includes providing information about the absent parent, including name, SSN, current or last known address, current or last known place of employment, as well as helping to locate the absent parent and in establishing paternity or medical support.

Non-Cooperation and Good Cause Responsibilities

At time of application, if the 85 parent or caretaker relative refuses to cooperate with child support, the specialist will deny the adult and test the children for eligibility in an FPL program. After a referral has been made, MDHS child support staff determines satisfactory cooperation, good cause for failure to cooperate and satisfactory cooperation after a period of non-compliance.

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❖ Families, Children and CHIP Programs

Handling Non-Compliance

When the Medicaid specialist is notified by child support of failure to cooperate, the 85 adult's eligibility will be terminated allowing adverse action notice. The child support sanction can only be removed when the adult has complied fully with child support requirements and the Office of Child Support Enforcement has notified DOM of the compliance.

The requirement to cooperate as a condition of eligibility impacts the eligibility of an adult receiving Medicaid in the 85 program only. The eligibility of children is not impacted by the adult's sanction.

Lack of cooperation by the parent or responsible adult who voluntarily requested a child support referral for children in the FPL Medicaid programs does not result in any adverse action.