

ASSEMBLY HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4963

STATE OF NEW JERSEY

DATED: FEBRUARY 22, 2021

The Assembly Human Services Committee reports favorably Assembly Bill No. 4963.

This bill requires the Commissioner of Human Services to apply to the federal Centers for Medicare and Medicaid Services (CMS) for Section 1115 demonstration authority to extend New Jersey FamilyCare coverage to individuals up to age 26 who were in foster care under the responsibility of another state when the individual attained the age at which said state has selected for termination of federal foster care assistance under Title IV-E of the federal Social Security Act (42 U.S.C. s.670 et seq.). These former foster youth would be eligible for New Jersey FamilyCare coverage up to age 26, regardless of income or resources. The bill brings the State into compliance with federal law, pursuant to the SUPPORT for Patients and Communities Act, Pub.L.115-271 (42 U.S.C. s.1396a et seq.), albeit in advance of the federally mandated effective date of calendar year 2023.

The Affordable Care Act (ACA) allows young adults to maintain health insurance coverage under their parents' or guardians' health plan until age 26, provided the health plan extends coverage to dependents. In order to provide a parallel benefit to former foster youth who were enrolled in Medicaid at the time that they aged out of the foster care system, the ACA added these youth as a new, mandatory Medicaid eligibility group at section 1902(a)(10)(A)(i)(IX) of the federal Security Act (42 U.S.C. s.1396 et seq.).

As of January 2019, according to a Kaiser Family Foundation Survey, eleven states have extended Medicaid coverage to former foster youth from other states up to age 26 through Medicaid Section 1115 demonstration waivers.