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GENERAL INFORMATION SYSTEM
DIVISION: Office of Medicaid Management

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TO: Local District Commissioners, Medicaid Directors

FROM: Betty Rice, Director
Division of Consumer and Local District Relations

SUBJECT: Medicaid Eligibility for Infants whose Mothers Were
Presumptively Eligible

EFFECTIVE DATE: Immediately

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This GIS message is to notify local social services districts of a clarification of policy regarding the Medicaid eligibility of children, under Social Services Law section 366-g, born to women whose cases were closed following a period of presumptive eligibility.

Chapter 412 of the Laws of 1999, section 366-g, states, in part, that the "commissioner of health shall establish a procedure to ensure that every child born to a woman who is receiving medical assistance, or services under the prenatal care assistance program, is automatically enrolled in the medical assistance program." In 00 OMM LCM-3, it was explained that an infant whose mother was in receipt of Medicaid within the last three months will also receive Medicaid. In addition, if a woman was presumptively eligible at the time she gave birth, her baby was entitled to a full 12 months of Medicaid. Since that time, a number of instances in which a woman was closed within the three months prior to birth while presumptively eligible have come to the attention of the Department.

Because infants born to women who were on Medicaid within the three months prior to the birth are enrolled in the Medicaid program under Section 366-g, infants born to women in receipt of PCAP services must be treated in the same manner. Therefore, Medicaid coverage will be established by the State for an infant whose mother's presumptive Medicaid was closed within three months of the child's birth. When the State opens a case for these infants, the case must not be closed by the local social services district unless the infant's mother requests that the case be closed.