



Department of Human Resources  
311 West Saratoga Street  
Baltimore MD 21201

Family Investment Administration  
**ACTION TRANSMITTAL**

Control Number: 05-12

Effective Date: UPON RECEIPT

Issuance Date: October 26, 2004

**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES  
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT,  
FAMILY INVESTMENT SUPERVISORS AND ELIGIBILITY STAFF,  
CHILD WELFARE SUPERVISORS**

**FROM: KEVIN M. MCGUIRE, EXECUTIVE DIRECTOR  
JOSEPH E. DAVIS, EXECUTIVE DIRECTOR, DHMH/OOE  
Dr. ROSEMARIE SATYSHUR, EXECUTIVE DIRECTOR, SSA**

**RE: CHILDREN WITH DISABILITIES IN VOLUNTARY PLACEMENT**

**PROGRAM AFFECTED: MEDICAL ASSISTANCE**

**ORIGINATING OFFICE: OFFICE OF POLICY, RESEARCH AND SYSTEMS**

**SUMMARY:**

Last year the Maryland General Assembly passed Senate Bill 458, The Children with Disabilities – Voluntary Placement Act of 2003. Provisions of this bill permit parents/legal guardians to request a voluntary placement without relinquishing legal custody of a child if the child has a developmental disability or mental illness. The purpose of an out-of-home placement is to provide treatment or care for the child's disability that the parent or legal guardian is unable to provide. Please refer to the Social Services Administration (SSA) Circular Letter #04-10 for additional information on children with disabilities in voluntary placement.

**ACTION REQUIRED:**

- The service caseworker gives an application for Medical Assistance, signed by the parent or legal guardian, along with required documents to the Family Investment (FIA) case manager for certification and eligibility determination.
- The FIA case manager follows the procedures in DHMH Policy Alert 03-8 when determining MA eligibility for children with disabilities in voluntary placement.

- The FIA case manager determines the child's eligibility under the MA E track.
  - Use E03 only when a child is in foster care and is not a federally eligible alien.
  - Use E04 only when a subsidized adoption child is not a federally eligible alien.
  - **Do not use E03 and E04 for children who are U.S. citizens.**
- When a child with disabilities in voluntary placement is admitted to a Long-Term Care (LTC) facility the FIA case manager follows the procedures in DHMH Policy Alert 03-10 for determining the child's eligibility.
- Assignment of Child Support to the State is administered by the SSA caseworker; no action is required of the FIA case manager.

**Note: CARES procedure** - for all MA eligibility determinations indicate on the DEM 2 screen whether the child has private health insurance.

### **Termination of Voluntary Placement**

- The Service caseworker notifies the FIA case manager when a child with disabilities voluntary placement ends.
- The FIA case manager follows procedures in DHMH Policy Alert 03-9 and redetermines the child's MA eligibility.

### **ACTION DUE:**

These procedures are effective upon receipt.

### **INQUIRIES:**

Please direct questions to Cynthia Carpenter at 410-767-7495.

cc: FIA Management Staff  
Constituent Services  
DHR Help Desk  
RESI