

Medicaid Work Requirements Do Not Apply to Foster Youth or Former Foster Youth Up to Age 26

H.R. 1, also known as the “One Big Beautiful Bill Act” (OBBBA), requires certain adult Medicaid enrollees to participate in and verify work activities in order to maintain their health coverage. These work requirements, which go into effect on or before January 1, 2027, **do not apply** to foster youth, youth in extended foster care, or former foster youth up to age 26.

Youth in Foster Care or Extended Foster Care

Youth under age 19, including those currently in foster care or receiving adoption assistance, are not subject to Medicaid work requirements.¹

Most states also offer extended foster care (EFC) for youth aged 18–21, with a few states providing services up to age 23. Except in limited circumstances, youth in EFC—sometimes called “nonminor dependents”—are not subject to Medicaid work requirements.²

Former Foster Youth

Former foster youth up to age 26 are also generally excluded from Medicaid work requirements. If the youth is under age 26, was enrolled in foster care in any state at age 18 or older, and was enrolled in Medicaid at that time, then they are not subject to work requirements.³

Importantly, eligibility for this exclusion is not limited to youth who turned 18 after any particular date.⁴ It also does not matter if the youth is actually enrolled in the Former Foster Care Children (FFCC) eligibility group. So long as they meet the criteria, they should be excluded—even if they are technically enrolled in, for example, the adult expansion group.⁵

¹ 42 U.S.C. § 1396a(xx)(3)(A)(i)(II)(aa) (age exception), (cc) (exception for individuals in a mandatory Medicaid eligibility group described in 42 U.S.C. § 1396a(a)(10)(A)(i)(I)–(VII), which includes individuals receiving Title IV-E foster care assistance); *see also id.* § 1396a(a)(10)(A)(i)(I); 42 C.F.R. § 435.145(b)(2) (describing the relevant mandatory Medicaid eligibility group).

² If the youth is receiving Title IV-E funded EFC, then they are in a mandatory Medicaid eligibility group and not subject to work requirements. *See id.* § 1396a(xx)(3)(A)(i)(II)(cc). If a youth is only receiving state funded EFC, then they are not subject to work requirements if they meet the former foster youth exclusion criteria. Notably, this exclusion does not require the youth to have exited extended foster care; only that they were in foster care at age 18 or later. *See id.* § 1396a(xx)(9)(A)(ii)(I); Interim Final Rule, Community Engagement Requirement for Certain Individuals, 91 Fed. Reg. 33,348, 33,365–66 (June 3, 2026) (citing the criteria at 42 U.S.C. § 1396a(a)(10)(A)(i)(IX)) (to be codified at 42 C.F.R. § 435.554(c)(1)).

³ 42 U.S.C. § 1396a(xx)(9)(A)(ii)(I); 91 Fed. Reg. at 33,365–33,366. There is also a fourth criteria—that the youth not be enrolled in a mandatory Medicaid eligibility group described in 42 U.S.C. § 1396a(a)(10)(A)(i)(I)–(VII)—however, if they were enrolled in such a group, then they would still not be subject to work requirements under § 1396a(xx)(3)(A)(i)(II)(cc).

⁴ The SUPPORT Act rule of turning 18 on and after January 1, 2023 does not apply for purposes of this exclusion. 91 Fed. Reg. at 33,365–33,366 (discussing 42 U.S.C. § 1902(a)(10)(A)(i)(IX), n.16).

⁵ 91 Fed. Reg. at 33,365–33,366.