

To the office of U.S. Representative Sydney Kamlager-Dove

Re: HR 10677 (119th Congress), Expanded Coverage for Former Foster Youth Act • Latest action (2026-10-01): Referred to the House Committee on Energy and Commerce.

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Office of record (Congress.gov): 144 Cannon House Office Building, Washington, DC • (202) 225-7084

Former Foster Youth Coverage Stability Proposal

The measure, as described from the official record: Help former foster youth keep Medicaid coverage until age 26. The goal includes youth who left care early through kinship guardianship or emancipation.

THE PROPOSAL

Congress has power under Article I, Section 8, Clause 1 to fund Medicaid and set terms for federal funds. That power is limited by the Tenth Amendment, which leaves child welfare and guardianship law to the states. This proposal would therefore set a federal coverage floor tied to federal funds, without changing state guardianship, custody, or child welfare laws.

The proposal would keep continuous Medicaid coverage to age 26 for former foster youth. It would extend eligibility to youth who were in foster care and then placed in legal guardianship with a kinship caregiver, or emancipated before age 18. It would also remove the prior rule that required enrollment in Medicaid while in foster care, so paperwork gaps would not block care. States would update their Medicaid plans to cover the added groups, using simple proof such as court or agency records.

The proposal would add cost control and review. Federal spending for the new groups would be capped at \$250 million per year, subject to appropriations. VFA proposes that the Centers for Medicare and Medicaid Services publish yearly data on enrollment, costs, and health access, with state auditors checking accuracy. The authority would sunset after five years unless Congress reviews the results and votes to continue it. VFA proposes that CMS identify potential administrative savings for Congress to consider, with no savings claimed.

The proposal would require plain notice and fair process. States would run outreach and enrollment help for former foster youth, including kinship families and youth who left care early. Any denial or loss of coverage under this section would include written reasons, a correction period, and a chance to appeal before coverage ends. These appeal and notice steps would be new proposed safeguards.

OPERATIVE PROVISIONS (VFA PROPOSAL)

Effective Date	January 1 of the first full fiscal year after enactment
Enforcement Mechanism	Federal matching funds tied to state plan compliance, with written notice, correction period, and administrative appeal before any funding reduction
Funding Amount	\$250 million annual federal cap for the expansion population, subject to appropriations

Funding Source	Federal Medicaid appropriations
Oversight Body	Centers for Medicare and Medicaid Services with annual reports to Congress and state auditors
Sunset Years	5 years

CONSTITUTIONAL BASIS

- Article I, Section 8, Clause 1
- Article I, Section 8, Clause 18
- Tenth Amendment
- Fifth Amendment Due Process

Concerns with the measure as written:

- If read as an open-ended mandate, the expansion could press on state control of Medicaid administration protected by the Tenth Amendment.
 - Eligibility changes and outreach enrollment must include clear notice and fair process under Fifth Amendment Due Process so qualified youth are not wrongly denied or removed.
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WHY BOTH SIDES CAN BACK IT (VFA'S ASSESSMENT)

VFA assesses this draft honors Democratic priorities by closing Medicaid gaps to age 26 for former foster youth placed in kinship guardianship or emancipated before 18, with funded outreach and enrollment help. VFA assesses it honors Republican priorities by keeping the expansion capped, time-limited, subject to appropriations, with state flexibility on guardianship and child welfare law, annual public reporting, and a sunset that forces review of costs and results.

CHECK BEFORE RELYING ON THIS

Basis: This draft rests on the official Congress.gov summary of H.R. 10677 in the 119th Congress, which states the bill would extend Medicaid to age 26 for former foster youth in kinship guardianship or emancipated before 18, remove the prior Medicaid enrollment condition, and require state outreach and enrollment programs. The latest action stated is referral to the House Committee on Energy and Commerce.

The full bill text and current law were not part of the official summary and remain unverified. Readers should verify at Congress.gov the exact eligibility rules, current coverage terms, appeal rights, cost effects, statutory conflicts, and implementation dates before treating any safeguard here as existing law. No savings, cost, or offset amount is claimed here; VFA proposes that CMS identify potential administrative savings for Congress to consider, with no savings claimed.

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