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Office of Self-Sufficiency Programs

Authorized Signature

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Topic: Medical Benefits

Subject: Citizenship and Identity Documentation Q & A

Applies to (check all that apply):

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| <input type="checkbox"/> | All DHS employees | <input type="checkbox"/> | County Mental Health Directors |
| <input type="checkbox"/> | Area Agencies on Aging | <input type="checkbox"/> | Health Services |
| <input checked="" type="checkbox"/> | Children, Adults and Families | <input type="checkbox"/> | Seniors and People with Disabilities |
| <input type="checkbox"/> | County DD Program Managers | <input checked="" type="checkbox"/> | Other (please specify): CAF SS |

Message: With changes to requirements for citizenship and identity documentation, there have been many questions on procedures and implementation. We have compiled frequently asked questions and provided a response.

As promised during the citizenship trainings, we have attached a list of OMAP contracted outreach sites, and the form created by OMAP that these outreach sites will use when they are viewing original documentation of citizenship and identity for our records.

We also want to let you know about some citizenship policy changes that have been made during the last few weeks.

Citizenship Policy Update:

- If an applicant or recipient has a passport but they don't have immediate access to it, and their birth information is on BBCN, we will use the BBCN instead of pending for a passport.
- If an applicant or recipient comes in to the office with a birth certificate or other second level documentation, but has a passport at home, we will use the birth certificate; we will not require the client to return with the passport.
- In cases where reception staff has RACF update authority for data entry, they can view the original citizenship and identification documentation, make copies

for the client file, and enter the information on the CI Person/Alias Update screen. However, branches can set up their own processes.

- If the applicant or recipient meets the hardship criteria, we can make a payment for citizenship documentation via special cash pay reason 30. We have to pay the state's vital records directly; we cannot reimburse the client.

To order a birth certificate for clients meeting the hardship criteria:

- Go to the CDC “Where to Write for Vital Records” website at: <http://www.cdc.gov/nchs/howto/w2w/w2welcom.htm>. The website has links to each state's vital records for birth certificate requests.
 - Follow the state's instructions for ordering a birth certificate and complete the required letter or form. The requirements vary by state; for example, some states require the client or the client's parent sign a statement authorizing the request for a birth certificate.
 - Mail the required letter or form requesting the birth certificate. Enclose a pay reason 30 revolving fund check in the required amount.
- For those clients who have medical assistance ending in September, and they send in their redetermination packet in August (early), the date of request is the date we receive the redetermination packet. We have gone back and forth on this policy. However, after careful review, our implementation is based on dates of request on or after September 1, 2006 per the federal regulation. They would not have to show citizenship or identity documentation until the next redetermination. This will only be an issue for September application received before September.
 - On the same note, if we are looking at an August redetermination, and we have to ‘float’ the budget month into September, the date of request is still in August and we will not request the proof of citizenship until the next redetermination.

We have a PO Box where applicants or recipients can mail their documentation if they are unsure where to send it. The address is:

CAF, Self Sufficiency
PO Box 3239
Oregon City, Or 97045

And now..., the Q & A:

Q: Can we use the Child Support screens to verify a child's identity?

A: No. When Child Support creates the screen, they do not verify the child's birth date or place of birth.

Q: If our office orders and pays for a birth certificate or other documentation needed, do we keep the original document in the client's file, or do we copy the original and give the original to the client?

A: We would copy the original, make a note on the copy that we viewed the original document, and give the original to the client.

Q: If we receive copies of citizenship and identity documentation from another DHS office or branch, and it is date stamped, can we take it as fact that they viewed the original copy or a certified copy from the issuing agency?

A: Not necessarily. The staff worker who viewed the original documents should make a copy and indicate on the copy they viewed the original document before sending the copies to another office. In cases where another branch has indicated they saw the original documents, we will take it as fact. Some branches are creating a branch stamp that states they have viewed and copied the original documents.

Q: What about an expired passport? Can we use it?

A: Yes, as long as the picture is not so old we cannot match the applicant or recipient to the passport picture, or you determine it is otherwise questionable. The only stipulation for using a passport is there cannot be limitations on the passport. If there are limitations, the passport can only be used as identity documentation.

Q: If another state has already documented an individual's U.S. citizenship and identity, can they send me a copy of what they have in their file so my applicant doesn't have to show it again?

A: No. We cannot hold another state accountable if they didn't really get the required verification. We must view the original documentation.

Q: Just want to make sure we are on the right track about people who apply in the month of August, but are not eligible until September. Do we have to get the citizenship verification before we open September 1st medical? The training appears to say only for those who apply on or after September 1 must provide the new documentation.

A: If a client's current medical assistance is ending in August, and they reapply in the month of August, they do not have to provide proof of citizenship and identity at that time. Even if we make our eligibility decision in September, we are still making an eligibility decision based on an August date of request. We'll catch these clients next time we make an eligibility determination.

However, if they happen to provide the citizenship and identity documentation, we'll

be glad to take it and get it entered on their CI Person/Alias Update screen.

And, if the client, whose benefits are ending in August, applied late, say we got a reapplication in September; they would now be a new applicant and would have to show proof of citizenship and identity before they would be determined eligible for medical assistance.

Q: We have had clients who have an August date of request who moved to Oregon from another state and won't be eligible until September or October because they have medical benefits that must first end in the other state. We also have other applicants with an August date of request who for some reason were not eligible in August (maybe they were over income for the August budget month), but will be eligible in September (floating budget month). Do we require proof of citizenship and identity?

A: Not if the date of request was in August, and they can meet all eligibility requirements within 45 days from the date of request. (This was one of our clarifications.)

Q: We have a worker who deals with all the change reports. She makes changes between MAA and EXT based on those reports after verifying income, etc. Does she need to meet the citizenship and ID requirements before making those changes?

A: Yes, the client will need to provide proof of citizenship and identity for an eligibility decision to determine if they are now EXT eligible (someone must make an eligibility decision). However, when a client is simply filing an EXT change report, you do not need the documentation until you are reviewing eligibility to move to another program.

Q: To prove citizenship, can we use the hospital record of birth, you know, the one with the little footprints?

A: These documents are commonly referred to as 'souvenir' documents. Guidance we have received states these 'baby feet' documents are not acceptable documentation for citizenship. If CMS changes their stance on this, we will let everyone know in the next Q & A.

Q: We don't have to require proof of citizenship and identity for Medicare or SSI recipients, but what about those who are receiving SSDI but who are not Medicare recipients? They have to meet the same eligibility requirements as those receiving SSI, right?

A: Although the eligibility requirements are the same for SSI and SSDI recipients, we must require proof of citizenship and identity for those recipients of SSDI. The federal decision to give an exemption to SSI or Medicare recipients did not include SSDI recipients.

Q: If a client on OHP applies for TANF and MAA/MAF prior to OHP end date, and they

will be eligible, do we need to require proof of citizenship and identity?

A: Yes, if they applied for TANF and MAA/MAF on or after September 1, we would require proof of citizenship and identity as part of the MAA/MAF eligibility decision.

Q: What if, in the circumstances in the previous question, the OHP client doesn't show proof of citizenship and identity when pended for it? Would we close the OHP or leave them on for the remainder of their six months?

A: If we pended for, and they didn't provide the required citizenship and identity documentation, we would end their current OHP medical assistance after a timely closure notice.

Q: I've sent for birth certificates from other states in the past. There were many times the birth certificate did not get to me within 45 days. Because SSP sent and paid for the document, we exercised some flexibility and did not automatically deny benefits as this was beyond the client's control. Is this an acceptable practice for today's world?

A: If you were waiting for the necessary citizenship and identity documentation from another state, you would extend the 'reasonable opportunity period' for a new applicant, but would not open medical benefits until you had determined they met all eligibility criteria including proof of citizenship and identity. Narrate why you are extending this 45-day period, but do not open medical assistance until you have the necessary documentation.

For a current recipient, you would extend the 'reasonable opportunity period', and they would continue to receive medical assistance while waiting to get the necessary documentation.

Q: Would we pay for a passport?

A: No, we wouldn't pay for a passport, naturalization papers, or a driver's license. We would pay for out of state birth certificates or Oregon ID, if necessary.

Q: What about births assisted by midwives?

A: The document or written statement by a mid-wife falls in 4th level documentation. It must have been created at least 5 years prior to the Medicaid application, and must give date and place of birth.

Q: Do we pend NEW pregnant applicants for citizenship verification?

A: Yes, all new applicants, pregnant or not, must provide proof of citizenship and identity. However, a current recipient who has declared citizenship and who becomes pregnant while receiving Medicaid does not have to provide proof of citizenship or identity until the end of her protected eligibility.

Q: I heard that if an individual presents fraudulent documentation, we must report them. Is this true?

A: Yes, that is a requirement by the Deficit Reduction Act. If we are given fraudulent

documentation, we must report it to the agency the documentation was supposed to be from.

Q: If a client has a passport at home, but they were born in Oregon and have information available on BBCN, do we have to pend for the passport?

A: No. If we can access the information on BBCN, and they can provide an acceptable form of ID, we will not pend for the passport. (This was one of our policy clarifications.)

Q: What about those governmental documents that state, “do not copy”?

A: We had clarification from Vital Statistics. As long as it is for purposes of providing a benefit for a recipient or applicant, we can make a copy for our file. However, if the client comes in at a later date and states they need a copy because they lost the original, we cannot make a copy for them.

Q: What level of documentation does the Social Security card fall under?

A: The Social Security card is not included as acceptable documentation of citizenship or identity.

Q: If an applicant or recipient cannot provide the required documentation for citizenship and identity, can we give them medical assistance as CHIP when they are children, or CAWEM if they are adults and are otherwise eligible?

A: No, we cannot give them CAWEM or CHIP benefits when they cannot provide citizenship and identity documentation. If they declare citizenship on their application, we cannot consider them for CAWEM.

And for the CHIP child, income must fall between 100-185% FPL or 133-185% FPL, depending on the child’s age. Someone who meets income limits below this financial stratum wouldn’t meet CHIP requirements per our State Plan or Waiver.

Q: I understand there is going to be a form the outreach facilities can use to attest they have viewed the original citizenship and identity documents. How will we know if it as an OMAP contracted outreach site (many places state they are) and how will we know if they really have seen the original documents?

A: The form is the OHP 7203. It was developed for contracted outreach centers use. We will accept this form when it is date stamped by the outreach center, and bears the outreach facility identification code. For questions on these forms as you receive them, email Nancy Horn or contact one of the medical policy analysts.

A copy of the contracted outreach sites is attached, as is a copy of the OHP 7203.

If you have any questions about this information, contact:

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| Contact(s): | Michelle Mack 503-947-5129 Michael Avery 503-945-6072 Joyce Clarkson 503-945-6106 | | |
| Phone: | | Fax: | |
| E-mail: | | | |