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Topic: Medical Benefits

Subject: Q & A; Citizenship and Identity Documentation Requirements

Applies to (check all that apply):

- | | |
|--|---|
| <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 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 SSP |

Message:

We are consolidating all of our past Q & A's on the recently implemented citizenship documentation requirements. This will be the most up-to-date information and contain DHS decisions to date for processes. Please reference this information instead of previous Q & A's.

We have also updated the hierarchical list

(<http://www.dhs.state.or.us/policy/selfsufficiency/publications/hierarchical-list.pdf>)

of acceptable citizenship documentation. We will attach the updated list to this IM.

We continue to get policy clarifications for the new citizenship documentation requirements. Here are a few of the latest policy decisions or clarifications:

- Children who have LPR status, and who are living with a naturalized parent are citizens per the Child Citizen Act of 2000. However, it is expensive to apply for and get the Certificate of Citizenship. CMS has stated we can copy the parent's Certificate of Naturalization and the child's immigration card showing LPR status, and use these to prove the child's citizenship.
- If 1st or 2nd level documentation is not going to be available within the reasonable opportunity period or the application processing time frame, the decision has been made to accept lower level documentation if it is available. If the applicant or recipient cannot get 1st or 2nd level documentation within 45 days from DOR, but the applicant is able to provide 3rd or 4th level documentation, open medical with 3rd or 4th level documentary evidence and narrate the reason 1st or 2nd level

documentation was not available within the reasonable opportunity period.

- When the new citizenship documentation requirements were initially implemented, we stated that recipients who are currently MAA eligible and then become eligible for EXT must provide proof of citizenship and identity. However, after researching the procedure for changing a client from MAA to EXT, we have determined we do not need to require proof of citizenship and identity until the end of the EXT eligibility or if we must review for another medical program.
- After careful review, we have determined the Department of Motor Vehicles (DMV) data provided on the WVIR screen meets the federal guidelines for acceptable documentation for a client's identity (not citizenship).
- We can use a current Food Stamp case to verify ID for the heads of household. Be sure to verify the ID is in the file and narrate that you're using the FS ID.

No Wrong Door

With implementation of the citizenship and identity documentation requirements, we are hearing concerns about the differing processes between branches to document citizenship and identity.

DHS has committed there will be no wrong door for applicants and recipients to bring their documents to us. If an individual brings original documents to any DHS office or branch, even when the client's case is in another branch, the following steps must be taken:

- Accept whatever original documents or certified copies from issuing agencies the client brings in.
- Copy and return the original documents to the client.
- Date stamp the copies, make a note on them that we have viewed the original documents (several branches already have a date stamp that says this), and sign or initial.
- Some branches have decided to review the documents provided, and if the documents meet the requirements of citizenship and identity for this provision, they will update the CI Person/Alias Update screen before they send the copies to the appropriate branch. This decision can be made branch by branch.
- Narrate in TRACS or ACCESS that the client brought in documentation, state what the documentation was, and what branch it is being sent to if it is going to another branch.

It is important that reception staff understand the procedures outlined above, as they are often the only DHS person a client may come into contact with.

Facilities providing treatment services to children may need to bring in original citizenship documents to their local DHS office because of an application for the C5 (SAC) program. When facility staff or the applicant's family bring in the original documents and the DHS 0698 Children's Medical Project referral form, please follow the 'no wrong door policy' described above. Forward the documents and/or the DHS 0698 form to the Children's Medical Project team to 5503 at:

The Children's Medical Project Team
Statewide Processing Center
PO Box 14520
Salem, OR 97309-9901

Keep us posted on concerns, and we will continue to work together to resolve them.

Questions & Answers

We continue to get good questions on how to meet the citizenship requirement. The following contains frequently asked questions and those that seem to be most often misunderstood.

Q: Can we waive the citizenship requirement and open medical assistance when there is DV?

A: No, unfortunately DV doesn't waive the requirement for proof of citizenship. There are a very limited number of situations where we don't need proof of citizenship; for SSI recipients, Medicare recipients, CHIP children, non-citizens, and of course, those in their protected eligibility period (AEN's and women who are still in their protected eligibility period through 2 months after the birth of the baby).

Q: We had a client requesting emergent medical assistance. Can we waive the requirement to get citizenship documentation, or can we take a lower level documentation just to get the case open?

A: No. If the client can get first or second level documentation within the reasonable opportunity period (45 days from date of request), we cannot take a lower level documentation or waive the requirement to help the client access immediate medical assistance.

Q: I have a client whose only citizenship documentation available from the hierarchical list is a birth certificate from another state, and we know it will take several weeks. However, they have an emergent need, and can't wait several weeks to access medical assistance. We can order an expedited birth certificate, but there is a large rush charge for this expedited service. Is that okay?

A: In cases where you must pay extra to get an expedited document, call central office and we will determine if this is a cost DHS is willing to cover.

Q: I was told that I had to pend for the proof of identity for children if it was available (for example, school ID), instead of simply asking the parent or guardian to complete the 694. Is that correct?

A: No. In an attempt to simplify the process, it is okay to take the 694 instead of requiring the parent or guardian to go to the school for ID (often there is a cost for school ID's).

Q: I heard we can take an Oregon fishing license as ID for a 16 year old who doesn't have state ID or a DL. Is that acceptable as ID?

A: Yes. The individual must provide 2-3 types of identification from an extensive list in order to get an Oregon fishing license, and after reviewing the list, CMS declared it acceptable.

Q: We have a client that was married and divorced in California. Her birth name on her birth certificate is different than her married name on her driver's license. It takes a long time to get copies of divorce decrees or marriage licenses from California. Is there something else we can use to verify that the birth certificate and the driver's license are for the same woman?

A: Does she have a friend that knows her maiden name and can write a statement attesting they are the same? If not, a statement from her will suffice.

Q: My co-worker and I disagree on what coding to use when we update the CI Person/Alias Update screen based on a birth certificate. Which is correct, BI or BP?

A: The correct coding to be used when we are verifying a U.S. birth certificate is BP, or public birth record. This includes documentation of citizenship using BBCN. For a birth certificate, please don't code the client with BI!

BI is coded when we have accepted a Certificate of Report of Birth (DS-1350) issued by the Department of State to U.S. citizens who were born outside the U.S. and acquired U.S. citizenship at birth based on information from a report by an American consular office overseas. This is usually used for children born to U.S. military personnel born overseas.

Q: I have a newspaper clipping, giving information on the birth of a baby. What category of proof of citizenship does that fall under?

A: It does not meet any of the levels of proof of citizenship.

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: My client brought in a 'souvenir' birth certificate, issued by the hospital, as proof of

her child's citizenship. It seems to meet the criteria. Can I use it?

A: 'Souvenir' birth certificates (the cute little 'feet' documents) are not considered an acceptable documentation of citizenship. However, if it has the hospital logo or is on hospital letterhead, is signed by a hospital official or Dr., has the child's name, date of birth, city and state of birth, has the parents names, and was created at least 5 years previously, CMS has told us it will be acceptable as 3rd level documentation, as long as no 1st or 2nd level documentary evidence is available.

Q: I've heard that if an applicant gives me a fraudulent document, I have to report it. Is this true?

A: Yes. If an applicant provides a fraudulent document for their proof of citizenship or identity, we must report it to the agency the document is supposed to be from. For example, if a fake driver's license is used, report to DMV. If we don't use it for citizenship or identity (for example SSN), then we're not expected to report it.

Q: I pended an OHP recertification for citizenship documentation, and today is the 45th day. Client is in the office now, asking for additional time to get verification, as she cannot find the original birth certificates. She is asking today for our help to get the birth certificates. Can I give her additional time, and if so, how long?

A: If she has made reasonable attempts to get the required documentation, we will extend the 45 days and if she meets one of the 'hardship criteria' and has no other resources available to pay for the necessary documentation, we would help her.

If she has not done anything until the 45th day, let her benefits end after the timely 10 day notice because she did not make reasonable efforts to get the documentation. However, if she meets the criteria for hardship, help her purchase the necessary documentation. Once you have it, and if she is otherwise eligible, you can reopen her medical back to the date her previous medical ended.

You'll need to ask her what steps she has taken and what obstacles she ran into within the 45 days, in order to verify she has been making reasonable efforts to get the requested documentation.

Q: A client came into our office with her children's birth certificates. She asked me to copy birth certificates and send them to the branch where her caseworker is. Is it my job to get the identity documents also, or should I leave that up to her caseworker?

A: If the children's parent or guardian is in your office, and they are only asking you to copy and send the birth certificate to another branch, they may not know they also need to provide proof of identity. It would benefit the parent or guardian if you informed them of the need to get acceptable identity documentation or to complete the 694 (Statement of Identity for Children Under 16). Most parents or guardians would prefer to complete it at that time, rather than have to complete it at a later date, and possibly hold up medical benefits.

Q: Is a baptismal certificate acceptable to be used to verify citizenship and/or identity? They are not on our acceptable list of documentation, but the FSM Multiple Program Worker Guide #2 gives this as something we can use.

A: The Multiple Program Worker Guide #2 will be updated effective Jan. 1, 2007. The baptismal is valid for some other programs, but not for Medicaid.

Q: Can we use the Child Support screens to verify the 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 document 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 documentation from another DHS office or branch, can we take it as fact that they viewed the original document (or a certified copy from the issuing agency) if there is no indication on the copy they sent us?

A: Not necessarily. The staff worker who viewed the original documents should indicate on the copy that they viewed the original document. In cases where the other branch has indicated they viewed the original documents, either on the copy or in TRACS, we will take it as fact. Most branches are creating a branch stamp that states they have viewed and copied the original documents, and they are also narrating this information in TRACS.

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 that 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: 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. We always exercised some flexibility and did not automatically deny the application 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 documentation that had been requested by the applicant or for the applicant, 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: 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.

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

A: We had clarification that 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.

*** The only documentation we cannot copy is a Vital Statistic screen (BBCN, etc...).

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

A: No, we cannot give them CAWEM or CHIP benefits when they are eligible for a Medicaid program but are unable to 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 a form the outreach facilities must 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. The 7203 is just part of the process. Facilities are to attach date stamped photocopies of the original documentation they viewed. For questions on these forms as you receive them, contact one of the medical policy analysts.

Q: I can verify citizenship with BBCN for a child, but need identity. One of the items identified on the list of acceptable documentation is ‘school records including nursery or daycare records’ for children under 16. This child is in the ERDC program. Can I use the client’s state daycare assistance screens (WCCS) to verify child’s identity?

A: No, the WCCS screen is not acceptable for identity. The ERDC screens were created out of our own agency information, therefore we can’t use these screens to prove identity. However, federal guidance allows us to use FS screens for identifying

head of households. As we continue to review other agency databases, we will let you know if we determine any other databases are acceptable for identity.

Q: What happens when an EXT client applies for TANF and doesn't have their citizenship documentation? The client is TANF eligible and I need to open their TANF grant, but the system won't allow me to leave them coded as EXT while I pend for the citizenship/identity documentation needed for MAA eligibility. The computer won't let me code EXT and TANF cash on the same recipient.

A: There is a system request to allow TANF with non-MAA medical but it will be some time before it can be implemented. For now, you need to keep the other medical case open and create a second CM case for TANF. Put an NMD (no medical) case descriptor on each TANF person who has medical on another case.

Q: Do I need to get citizenship documentation before I can process the EXT quarterly report?

A: You do not need to document citizenship if the case remains EXT eligible. If you have to review for MAA or OHP, then yes, you will need to require citizenship and identity documentation for everyone on the case except for AEN's and assumed eligible pregnant women (they must provide the documentation at the end of the protected eligibility period).

Q: I have been using the DHS 7206 to determine if the documentation a client provided meets the requirements. I'm finding discrepancies.

A: The 7206 is a great tool for staff to give to clients. However, there have been several policy clarifications since the 7206 form was originally developed. We will be revising it, but in the meantime, we suggest you use the attached Hierarchical List to determine what is considered acceptable documentation.

Q: Is the DHS 694 available yet in Spanish?

A: Yes, it is.

Q: I have updated the citizenship coding for the mother, but was told I also had to update the CI Person/Alias Update screen for the children on the case. Is that true?

A: Yes. Each person on the case has their own CI Person/Alias Update screen, and each applicant or recipient who is a citizen must have his or her own screens updated when acceptable documentation is received.

Q: I ran across a case with CIP N/R on it. What is that for?

A: This N/R case descriptor is for Citizenship Documentation Pending (CIP), and should be applied to each person you are requesting citizenship and identity documentation for. There is also Citizenship Documentation Pending Extended (CIE) for those cases with pend time periods that have been extended while waiting for the documentation, and Citizenship Documentation Denial (CID) for those clients who have been denied medical assistance for not providing citizenship documentation. The

information on the new case descriptors was provided in the Action Request SS-AR-06-005 and can be accessed at: http://www.dhs.state.or.us/policy/selfsufficiency/ar/ar_2006.htm.

Q: Can a tribal card with a picture be used to document citizenship?

A: The American Indian Card (I-872 for the Texas Band of Kickapoos) can be used to document citizenship. The Seneca Indian tribal census record or Bureau of Indian Affairs tribal census records of the Navaho Indians can also be accepted as 3rd level documentation if it was created at least 5 years before the application for Medicaid, and shows a U.S. place of birth.

If you have any questions about this information, contact:

Contact(s):	Michael Avery 503-945-6072 Joyce Clarkson 503-945-6106 Michelle Mack 503-947-5129		
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