

Karen House, Program Manager
 Medical Programs

Authorized Signature

Number: SS-PT-06-016

Issue Date: 07/31/2006

Topic: Medical Benefits

Transmitting (check the box that best applies):

- New Policy
 Policy Change
 Policy Clarification
 Executive Letter
 Administrative Rule
 Manual Update
 Other: _____

Applies to (check all that apply):

- All DHS employees
 County Mental Health Directors
 Area Agencies on Aging
 Health Services
 Children, Adults and Families
 Seniors and People with Disabilities
 County DD Program Managers
 Other (please specify):

Policy/Rule Title:	Citizenship Documentation Requirements		
Policy/Rule Number(s):	Federal Regulation	Release No:	
Effective Date:	September 1, 2006	Expiration:	
References:	Deficit Reduction Act, Section 6036		
Web Address:			

Discussion/Interpretation:

Prior to the enactment of this provision, applicants were able to self-declare under penalty of perjury that they are citizens of the United States. This new provision requires applicants who indicate they are U.S. citizens to provide certain forms of acceptable evidence of citizenship and identity.

This transmittal gives local office staff guidance for implementation of the requirement for Medicaid applicants and recipients to provide documentation of citizenship and identity. This provision is included in section 6036 of the Deficit Reduction Act (DRA) of 2005 (P.L. No. 109-171).

Effective September 1, 2006:

- To be eligible for Medicaid, current recipients and new applicants are required to

- provide documentation of citizenship and identity.
- This provision does not apply to SSI or Medicare recipients.
- This provision does not apply to CAWEM or CHIP applicants or recipients.

DHS has researched options for implementing the new provision in a way that will not jeopardize the individual's health and safety. Our goal is to ensure that all individuals who are otherwise eligible for Medicaid are given a reasonable time period to provide the required citizenship and identity documentation. DHS has made a commitment to provide assistance in getting the required documents for the applicants and recipients who need help.

Documentation

Clients must provide the Department with either original documents or copies certified by the issuing agency. The local office must maintain a copy in the case record. BBCN screens can be used for people born from 1920 to the present. If BBCN (from the list of second level documentation) is used, this information must be documented and narrated in the case files. **BBCN screens cannot be printed.**

A cheat sheet of the required documents will be attached to this transmittal. This information will also be provided in all trainings for this provision and in the Family Services Manual.

You can assist a client that was born out of state by providing them with the out-of-state contact for vital statistics, or they can access this information at <http://www.cdc.gov/nchs/howto/w2w/w2welcom.htm>.

If the client has no resources to pay for an out-of-state birth certificate or ID, DHS may be able to assist. Hardship criteria are as follows:

- ▶ Gross income at or below 10% of the federal poverty level (FPL), or
- ▶ Liquid resources less than \$100, or
- ▶ If income, less shelter and utilities, is less than 10% FPL, or
- ▶ In cases where the applicant is homeless, or
- ▶ In cases where there is domestic violence.

For any situation outside of this list, please contact Central Office (see below).

Payment will be made using the DHS 437. A code for tracking these expenditures will be developed, and information will be provided in the FSM and in all trainings around this new provision. This assistance will only be provided through February 28, 2007.

Providing Outreach

- Information has been added to many client notices informing them they may need to provide proof of U.S. citizenship and identity.
- DHS will provide information to stakeholders and advocate groups.
- Information is being added to the 7210 application packet.
- Information will be included on the August Medical Care ID card.

Implementation/Transition Instructions:

Implementation of this new provision is September 1, 2006. The following details how CAF will roll out implementation for the two sub-categories; those in initial application, and those who are current recipients.

Current Recipients:

- All current recipients will be subject to citizenship documentation requirements at the time of their first redetermination of eligibility occurring on or after September 1, 2006.
- Eligibility staff will utilize the hierarchical list (see attachment) of acceptable documentation to verify citizenship and identity:
 - For recipients born in Oregon, when primary documents are not available, citizenship can be verified via the Oregon Vital Statistics database (BBCN) and the presentation of acceptable identification.
- If the client is not able to verify citizenship and identity based on the hierarchical list, the client will be asked to provide the required documentation. However, if the client is otherwise eligible for medical assistance except for proof of citizenship and identity and is making a good faith effort to pursue documentation, they will continue to receive benefits and will be given “reasonable opportunity” to provide the required documentation.
 - The reasonable opportunity period (45 or 90 day period for establishing eligibility depending on program per OAR 461-115-0190) can be extended if it is determined the client continues to make a good faith effort to pursue documentation. When extending the reasonable opportunity period staff should clearly narrate the reason that the extension was given.

New Applicants:

- Effective September 1, 2006, all new applicants will be required to provide proof of citizenship prior to receiving medical assistance (the applicants date of request will be preserved during the reasonable opportunity period described above).
- Eligibility staff will utilize the hierarchical list (see attachment) of acceptable documentation to verify citizenship and identity:
 - For applicants born in Oregon, when primary documents are not available, citizenship can be verified via the Oregon Vital Statistics database (BBCN) and the presentation of acceptable identification.
- Effective September 1, 2006, if the applicant does not provide acceptable citizenship documentation based on the hierarchical list at the time they apply, their application will be pended and the client will be given “reasonable opportunity” to provide the required documentation. If they do not provide the required documentation, their application will be denied.
 - The reasonable opportunity period (45 or 90 day period for establishing eligibility depending on program per OAR 461-115-0190) can be extended if it is determined the applicant continues to make a good faith effort to pursue documentation. When extending the reasonable opportunity period staff should clearly narrate the reason that the extension was given.

Note: Notice and appeal rights must be given to the applicant or recipient if the State denies or terminates an individual’s medical assistance for failure to cooperate with the requirement of this provision.

Obtaining Verification

DHS is developing tools to aid applicants and staff in meeting the requirements of this new provision. A form for written affidavits will be available on the forms server (DHS 0695), and an informational document explaining the citizenship documentation requirements and how individuals can get copies of their birth certificates from other states will be included in the 7210 application packets.

Once the applicant or recipient has provided citizenship documentation and proof of identity, place a copy in the client file and return original documents to the applicant or recipient via regular mail.

Database for Proof of Citizenship

The DRA provision requires applicants to provide proof of citizenship and identity once,

and requires states to store this data so a client doesn't have to provide it again. In order for DHS to meet this requirement, a new citizenship verification line have been added to the Client Index (CI) Person Alias/Update screen to record that citizenship has been verified.

Updating the new citizenship field is part of the documentation process. Training will be provided, detailing the specific procedure for documenting citizenship status on the Client Index (CI) Person Alias/Update screen.

Training/Communication Plan: Worker guides and policy manuals will be updated. NetLink training will be offered.

Local/Branch Action Required: Implement provisions as outlined in this transmittal.

Central Office Action Required:

- Implement system changes
- Update policy, rules and worker guides
- Update forms and notices
- Inform stakeholders and advocates
- Special mailing will be included in with the client's Medical Care ID.

Field/Stakeholder review: Yes No

If yes, reviewed by:

Filing Instructions: None

If you have any questions about this policy, contact:

*Michelle Mack (503) 947-5129
Michael Avery (503) 945-6072
Joyce Clarkson (503) 945-6106*

U.S. birth certificates

You can order your birth certificate by contacting the state you were born in (phone numbers and birth certificate costs are listed below). The Centers for Disease Control and Prevention's Web site lists information about how to order birth certificates from each state at:

www.cdc.gov/nchs/howto/w2w/w2welcom.htm

State	Phone #	Cost
Alabama	334-206-5418	\$12
Alaska	907-465-3391	\$20
Arizona	602-364-1300	\$10-\$15
Arkansas	501-661-2174	\$12
California	916-445-2684 8am - noon	\$14
Colorado	303-692-2200	\$15
Connecticut	860-509-7897	\$15
Delaware	302-744-4549	\$10
Dist. of Columbia	202-442-9009	\$18-\$23
Florida	904-359-6900	\$9-\$14
Georgia	404-679-4701	\$10
Hawaii	808-586-4533	\$10
Idaho	208-334-5988	\$13
Illinois	217-782-6553	\$10-\$15
Indiana	317-233-2700	\$10
Iowa	515-281-4944	\$15
Kansas	785-296-1400	\$12
Kentucky	502-564-4212	\$10

Louisiana	504-568-5152	\$9.50-\$15.50
Maine	207-287-3181	\$15
Maryland	410-764-3038	\$12
Massachusetts	617-740-2600	\$18-\$28
Michigan	517-335-8656	\$26
Minnesota	651-201-5970	\$16
Mississippi	601-576-7450	\$7-\$12
Missouri	573-751-6387	\$15
Montana	406-444-2685	\$12
State	Phone #	Cost
Nebraska	402-471-2871	\$8
Nevada	775-684-4280	\$13
New Hampshire	603-271-4654	\$12
New Jersey	609-292-4087	\$25
New Mexico	505-827-2338	\$10
New York City	212-788-4520	\$15
New York State	518-474-3075	\$30
North Carolina	919-733-3526	\$15
North Dakota	701-328-2360	\$7
Ohio	614-466-2531	\$16.50
Oklahoma	405-271-4040	\$10
Oregon	971-673-1190	\$20
Pennsylvania	724-656-3100	\$10
Rhode Island	401-222-2811	\$15

South Carolina	803-898-3630	\$12
South Dakota	605-773-4961	\$10
Tennessee	615-741-1763	\$7/L \$12
Texas	512-458-7111	\$22
Utah	801-538-6105	\$15
Vermont	802-863-7275	\$9.50
Virginia	804-662-6200	\$12
Washington	360-236-4300	\$17
West Virginia	304-558-2931	\$5
Wisconsin	608-266-1371	\$12
Wyoming	307-777-7591	\$12

Proof of identity

The Department of Motor Vehicles (DMV) issues photo IDs to people of any age. There is a cost and you will be required to show proof of age, identity and address. For more information:

- Go to their Web site <www.oregon.gov/ODOT/DMV/driverid/>, or
- Call one of the following general information numbers:

Salem (503) 945-5000

Portland Metro Area (503) 299-9999

Bend (541) 388-6322

Medford (541) 776-6025

Roseburg (541) 440-3395

Eugene (541) 686-7855

TTY (503) 945-5001

Citizenship Documentation Requirements

“Primary Documents” are considered the most reliable and may be used for **both citizenship and identity**. The client must provide an original or certified copy of the documentation. The local DHS office must maintain a copy of the documentation in the case record.

Primary	
	Separate ID Required?
U.S. passport (N-550 or N-570)	No
Certificate of Naturalization (N-550 or N-570)	No
Certificate of Citizenship (N-560 or N-561)	No

Secondary	
	Separate ID Required?
A U.S. public birth record filed by the State, Commonwealth, territory or local jurisdiction before the child reached 5 years of age and showing birth in one of the 50 U.S. States, District of Columbia, American Samoa, Swain’s Island, Puerto Rico (if born on or after January 13, 1941)*, Virgin Islands of the U.S. (if born on or after January 17, 1917)**, Northern Mariana Islands (formerly part of the Trust Territory of the Pacific Islands (TTPI)) (after November 4, 1986 (NMI local time)). ***	Yes
Certification of Report of Birth (DS-1350)	Yes
Certification of Report of Birth (DS-1350)	Yes
Certification of Report of Birth (DS-1350)	Yes
Consular Report of Birth Abroad of a Citizen of the U.S. of America (FS-240)	Yes
Certificate of Birth Abroad (FS-545)	Yes
U.S. citizen Identification Card (I-197) or the prior version I-179	Yes
American Indian Card (I-872 for the Texas Band of Kickapoos)	Yes
Northern Mariana Card (I-873)	Yes
Final adoption decree	Yes
Evidence of civil service employment by the U.S. government Official Military record of service (the document must show a U.S. place of birth)	Yes
Third Level	
	Separate ID Required?

Extract of hospital record on hospital letterhead established at the time of the person's birth and was created at least 5 years before the initial application date and indicates a U.S. place of birth	Yes
Life or health or other insurance record showing a U.S. place of birth and was created at least 5 years before the initial application date	Yes

Fourth Level	
	Separate ID Required?
Federal or state census record showing U.S. citizenship or a U.S. place of birth and must also show the applicant's age	Yes
The following documents if created at least 5 years before the application for Medicaid and it includes U.S. place of birth: <ul style="list-style-type: none"> ➤ Seneca Indian tribal census record ➤ Bureau of Indian Affairs tribal census records of the Navaho Indians ➤ U.S. State Vital Statistics official notification of birth registration ➤ An amended U.S. public birth record that is amended more than 5 years after the person's birth ➤ Statement signed by the physician or midwife who was in attendance at the time of birth 	Yes
Institutional admission papers from a nursing home, skilled nursing care facility or other institution and was created at least 5 years before the initial application date and indicates a U.S. place of birth	Yes
Medical (clinic, doctor, or hospital) record and was created at least 5 years before the initial application date and indicates a U.S. place of birth	Yes
Written Affidavit, used only in rare circumstances. Affidavits by two individuals (one who isn't related) who can establish their own citizenship and identity (according to this policy) and who have personal knowledge of the event(s) establishing the applicant's or recipient's claim of citizenship, and an affidavit from the client or other knowledgeable individual explaining why documentary evidence does not exist or cannot be readily obtained.	Yes

*Puerto Rico (if born on or after January 13, 1941):

- Collective Naturalization: Evidence of birth in Puerto Rico on or after April 11, 1899 and the applicant's statement he or she was residing in the U.S., a U.S. possession or Puerto Rico on January 13, 1941 – or - Evidence the

applicant was a Puerto Rican citizen and the applicant's statement he or she was residing in Puerto Rico on March 1, 1917, and he or she did not take an oath of allegiance to Spain

**Virgin Islands of the U.S. (on or after January 17, 1917)

- Collective Naturalization: Evidence of birth in the U.S. Virgin Islands and the applicant's statement of residence in the U.S., a U.S. possession or the U.S. Virgin Islands on February 25, 1927 – or - Applicant's statement indicating residence in the U.S. Virgin Islands as a Danish citizen on January 17, 1917 and residence in the U.S., a U.S. possession or the U.S. Virgin Islands on February 25, 1927, and he or she did not make a declaration to maintain Danish citizenship – or - Evidence of birth in the U.S. Virgin Islands and the applicant's statement indicating residence in the U.S., a U.S. possession or territory or the Canal Zone on June 28, 1932

*** Northern Mariana Islands (NMI) (formerly part of the Trust Territory of the Pacific Islands (TTPI)) (after November 4, 1986 (NMI local time))

- Collective Naturalization: Evidence of birth in the NMI, TTPI citizenship and residence in the NMI, the U.S. or the U.S. territory or possession on November 3, 1986 (NMI local time) and the applicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time) – or - Evidence of TTPI citizenship, continuous residence in the NMI since before November 3, 1981 (NMI local time), voter registration prior to January 1, 1975 and the applicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time) – or - Evidence of continuous domicile in the NMI since before January 1, 1974 and the applicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time).

Note: If a person entered the NMI as a nonimmigrant and lived in the NMI since January 1, 1974, this does not constitute continuous domicile and the individual is not a U.S. citizen.

Evidence of Identity

Certificate of Degree of Indian Blood, or other U.S. American Indian/Alaskan Native tribal document

Any identity document described below:

- Driver's license issued by State or Territory either with a photograph of the individual or other identifying information of the individual such as name, age, sex, race, height, weight, or eye color
- School identification card with a photograph of the individual
- U.S. military card or draft record
- Identification card issued by the Federal, State, or Local government with the same information included on Driver's licenses
- Military dependent's identification card
- Native American Tribal document
- U.S. Coast Guard Merchant Mariner card
- Data matches with other agencies

Children who are under 16 may have their identity documented using other means, when the child does not have or cannot get any document on the preceding list for identity:

- School records that show date and place of birth and parent(s) name
- Clinic, doctor, or hospital record showing date of birth
- Daycare or nursery school record showing date and place of birth
- Affidavit signed under penalty of perjury by parent or guardian attesting to the child's identity. An affidavit must state the date and place of the birth of the child and cannot be used if an affidavit for citizenship was provided.