

CHANGE NOTICE FOR MANUAL NO.06-10, CITIZEN/ALIEN REQUIREMENTS

DATE: JUNE 28, 2010

Manual: Family and Children's Medicaid
Change No: 06-10
To: County Directors of Social Services
Effective: July 01, 2010

I. BACKGROUND

The Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA or Public Law 111-3) mandates that all North Carolina Health Choice (NCHC) and Medicaid applicants and/or recipients claiming to be citizens of the United States must provide documentation of citizenship, and applicants must be provided with a reasonable opportunity period to provide documentation of citizenship. Additionally, States were provided the option to take part in a data exchange with the Social Security Administration (SSA) to verify citizenship for individuals. Clarifications of the CHIPRA legislation have been received and policy revisions are outlined below.

The Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA or PL 111-3) provides a provision to extend Medicaid/CHIP coverage to qualified alien pregnant women and children under age 19 lawfully residing in the US who have not met the 5-year disqualification period or 5-year bar required under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

Additionally, CHIPRA added 12 categories of non qualified aliens lawfully residing in the US who may be eligible for Medicaid for emergency medical services. These 12 categories of non qualified aliens lawfully residing in the US are referred to as special aliens. Otherwise eligible special alien pregnant women and children under age 19 who are lawfully residing in the US may be eligible for full Medicaid/CHIP.

A new law adopted in Puerto Rico in December 2009 (Law 191), invalidates all birth certificates issued before July 01, 2010 by the Puerto Rico Health Department through its Vital Statistics Record Office. On July 01, 2010 the Puerto Rico Vital Statistics Record Office will begin issuing new birth certificates. Birth certificates issued prior to July 01, 2010 are no longer acceptable documentation. Effective July 01, 2010, applicants must provide birth certificates issued on or after July 01, 2010 by the Puerto Rico Health Department through its Vital Statistics Record Office.

II. CONTENT OF CHANGE

- A. MA-3215 III.A., Processing the Application, has been revised to include the 90 day reasonable opportunity period for individuals who become otherwise eligible during the 6 month pending period at application.**
- B. MA-3215 III.D., Processing the Application, has been revised to include the 90 day reasonable opportunity period for retroactive and/or ongoing Medicaid applications.**
- C. MA-3330, Citizenship/Alien Requirements, has been restructured and renamed. MA-3330 is now named Alien Requirements. The material pertaining to US Citizens has been separated into a new manual section, MA-3332, US Citizenship Requirements.**
- D. MA-3330 I., Alien Requirements, has been revised to reflect Change Notice 04-10, that Iraqi/Afghan Special Immigrants (SIV's) are no longer bound by the 5 year disqualification period (5 year bar) or limited to an 8 month eligibility period.**
- E. MA-3330 I., Alien Requirements, has been revised to incorporate that 12 categories of non qualified aliens lawfully residing in the US referred to as special aliens, may be eligible for Medicaid for emergency medical services. Additionally, otherwise eligible special alien pregnant women and children under age 19 lawfully residing in the US may be eligible for full Medicaid/CHIP coverage.**
- F. MA-3330 I., Alien Requirements, Alien Requirements, has been revised to incorporate that otherwise eligible qualified alien children under the age of 19, and qualified alien pregnant women who are residing lawfully in the United States are exempt from the 5 year disqualification period (5 year bar) and may be eligible for full Medicaid/CHIP coverage.**
- G. MA-3330 III., Alien Requirements, has been revised to incorporate the requirement to use an Individual Special Use Code to identify the 12 categories of otherwise eligible pregnant women and children under age 19 lawfully residing in the US referred to as special aliens, the qualified alien children under the age of 19 who are residing lawfully in the United States who are exempt from the 5 year disqualification period (5 year bar), and qualified alien pregnant women who are residing lawfully in the United States who are exempt from the 5 year disqualification period (5 year bar) when authorizing.**
- H. MA-3330 III.B., Alien Requirements, has been revised to incorporate that qualified alien children under the age of 19 who are residing lawfully in the United States, qualified alien pregnant women who are residing lawfully in the United States, and Iraqi/Afghan SIV's are exempt from the 5 year disqualification period (5 year bar).**

- I. MA-3330f2, Overview of Alien Eligibility for Medicaid, has been revised to incorporate 12 categories of aliens referred to as “special aliens”. Special aliens who are otherwise eligible pregnant women and children under age 19 lawfully residing in the US are exempt from the 5 year disqualification period (5 year bar).**
- J. MA-3330f2, Overview of Alien Eligibility for Medicaid, has been revised to incorporate that 12 categories of non qualified aliens lawfully residing in the US referred to as special aliens, may be eligible for Medicaid for emergency medical services. Additionally, otherwise eligible special alien pregnant women and children under age 19 lawfully residing in the US may be eligible for full Medicaid/CHIP coverage.**
- K. MA-3330f2, Overview of Alien Eligibility for Medicaid, has been revised to eliminate the 5 year disqualification period for qualified alien children under the age of 19 who are residing lawfully in the United States and qualified alien pregnant women who are residing lawfully in the United States.**
- L. MA-3330f3, Memorandum to the Carolinas Centers for Medical Excellence, has been revised to update correct manual reference.**
- M. MA-3330f10, Collective Naturalization has been renamed MA-3332f2, Collective Naturalization.**
- N. MA-3330f11, US Citizenship Documentation Birth Certificate Request, has been renamed MA-3332f3, US Citizenship Documentation Birth Certificate Request .**
- O. MA-3330f12, Documentation of Identity and Citizenship For US Citizens, has been separated and renamed. MA-3330f12, Documentation of Identity and Citizenship For US Citizens (page 2) is renamed MA-3332f4 Documentation of Identity and Citizenship For US Citizens. MA-3330f12, Commonly found Acceptable Forms of Documentation (page 1) is now named MA-3332f5, US Citizenship Documentation Desk Reference.**
- P. MA-3331II.A., Citizenship/Identity SSA Data Match, has been revised to incorporate changes in the EIS system for SSA data match exceptions reflected in DMA Administrative Letter 08-09 Addendum 1.**
- Q. MA-3331II.A., Citizenship/Identity SSA Data Match, has been revised to incorporate the 90 day reasonable opportunity period for those instances SSA cannot document citizenship and identity due to the spelling of the name. This would include individual names spelled with a hyphen or embedded space.**
- R. MA-3331II.B., Citizenship/Identity SSA Data Match, has been revised to incorporate that a SSA data match is not required for auto newborns as they have met citizenship/identity requirements.**

- S. MA-3331II.C., Citizenship/Identity SSA Data Match, has been revised to incorporate the 90 day reasonable opportunity period to provide documentation of citizenship for newborns not entitled to Auto Newborn coverage or applicants who do not have a SSN.**
- T. MA-3331II.E., Citizenship/Identity SSA Data Match, has been revised to correct procedures to follow at redetermination.**
- U. MA-3332, US Citizenship Requirements, has been created to incorporate the material pertaining to US Citizenship requirements previously found in MA-3330.**
- V. MA-3332 I., US Citizenship Requirements, has been revised to reflect Change Notice 04-10, that Tribal enrollment or membership documents issued from a federally recognized Indian Tribe must be accepted as verification of citizenship and no further documentation is required.**
- W. MA-3332 IV.A., US Citizenship Requirements, has been revised to clarify the procedures to document citizenship/identity for those instances SSA cannot document citizenship which includes individuals with no SSN, newborns not entitled to auto newborn coverage, or the spelling of the individual's name. This would include names spelled with a hyphen or embedded space.**
- X. MA-3332 IV.B., US Citizenship Requirements, has been revised to include the 90 day reasonable opportunity period to provide documentation of citizenship/identity for those instances SSA cannot document citizenship which includes individuals with no SSN, newborns not entitled to auto newborn coverage, or the spelling of the individual's name. This would include names spelled with a hyphen or embedded space.**
- Y. MA-3332 IV.C., US Citizenship Requirements, has been revised to include the 90 day reasonable opportunity period for individuals who become otherwise eligible during the 6 month pending period at application.**
- Z. MA-3332 IV.D., US Citizenship Requirements, has been revised to incorporate procedures to follow at redetermination for NCHC children with an existing C/I code 98 who applied prior to 1/1/10, and procedures to follow when a child with a C/I code 98 goes from NCHC to Medicaid at redetermination.**
- AA. MA-3332 IV.D. US Citizenship Requirements, has been revised to require individuals with a C/I code 98 and a special review code Z to provide citizenship documentation by redetermination.**
- BB. MA-3332 IV.E., US Citizenship Requirements, has been revised to incorporate procedures to follow at Ex Parte.**

- CC. MA-3332 VI., US Citizenship Requirements, has been revised to eliminate the hierarchy charts that list acceptable evidence of US citizenship and/or identity. The hierarchy charts are now attached as Figure 1 and titled Hierarchy Charts: Acceptable Documentation of Citizenship and Identity.**
- DD. MA-3332 VI.A., US Citizenship Requirements, has been revised to incorporate that only birth record documents issued or reissued after July 1, 2010 that show the individual was born in Puerto Rico are acceptable, and the contact information to obtain a birth certificate from Puerto Rico. Existing verification in the record does not need to be re-verified for current recipients. If the individual terminates, at reapplication acceptable documents issued or reissued after July 1, 2010 are required.**
- EE. MA-3332f1 Hierarchy Charts: Acceptable Documentation of Citizenship And Identity, Chart 2, has been revised to incorporate that only birth record documents issued or reissued after July 1, 2010 that show the individual was born in Puerto Rico are acceptable. Existing verification in the record does not need to be re-verified.**
- FF. MA-3332f2., Collective Naturalization, has been revised to incorporate that only birth record documents issued or reissued after July 1, 2010 that show the individual was born in Puerto Rico are acceptable. Existing verification in the record does not need to be re-verified.**
- GG MA-3420 II.C., Re-Enrollment, has been revised to clarify the requirement to re-verify the status of qualified aliens lawfully residing in the United States at re-enrollment.**
- HH. MA-3420 II.D., Re-Enrollment has been revised to incorporate procedures to follow at redetermination for NCHC children with an existing C/I code 98 who applied prior to 1/1/10, and the procedures to follow when a child with a C/I code 98 goes from NCHC to Medicaid at redetermination.**
- II. MA-3420 II.D., Re-Enrollment has been revised to eliminate the use of special review code Z except for NCHC children with a C/I code 98 who are moving from NCHC to Medicaid at re-enrollment.**
- JJ. MA-3420 II.D., Re-Enrollment has been revised to clarify when a case record may not contain citizenship/identity documentation and when further documentation is not required.**
- KK. MA-3420 II.D., Re-Enrollment has been revised to update Food Stamp Assistance Program to Food and Nutritional Services and information regarding prior changes to the Medicaid Identification Card.**

III. EFFECTIVE DATE AND IMPLEMENTATION

This policy is effective July 01, 2010. Apply this policy to any applications or redeterminations taken or in process on or after July 01, 2010.

IV. MAINTENANCE OF MANUAL

- A. Remove: MA-3215, Processing the Application, pages 1- 21
Insert: MA-3215, Processing the Application, pages [1 - 27](#)
- B. Remove: MA-3330,Citizen/Alien Requirements, pages 1 – 45,
and f2, f10, f11, f12
Insert: MA-3330, Alien Requirements, pages [1 – 35](#),
and [f2](#) pages 1 – 14, and [f7](#)
- C. Remove: MA-3331, Citizenship/Identity SSA Data Match, pages 1 - 8
Insert: MA-3331, Citizenship/Identity SSA Data Match, pages [1 - 9](#)
- D. Insert: MA-3332, US Citizenship Requirements, pages [1 – 14](#),
and [f1](#) pages 1-8, [f2](#), [f3](#), [f4,f5](#)
- E. Remove: MA-3420, Re-Enrollment, pages 1 - 24
Insert: MA-3420, Re-Enrollment, pages [1 - 26](#)

If you have any questions, please contact your Medicaid Program Representative.

Craigian L. Gray, MD, MBA, JD, Director

This material was researched and written by Grace Lane, Policy Consultant, Medicaid Eligibility Unit.