

Operations Memorandum - Medicaid

OPS081103

November 13, 2008

SUBJECT: Non-Receipt of Verification of Citizenship and/or Identity for Medical Assistance
TO: Executive Directors
FROM: Joanne Glover, Director, Bureau of Operations

Purpose

To provide Medical Assistance (MA) policy and procedure to County Assistance Offices (CAOs) with regard to closing MA benefits for recipients who have cooperated, but have been unable to provide documentation of citizenship and/or identity. This policy is effective with the posting of this Operations Memorandum for both applicants and recipients.

Background

Public Law 109-171 Deficit Reduction Act of 2005, Section 6036, requires an individual who declares to be a citizen or national of the United States (U.S.) to present specific documentation to establish both citizenship or nationality **and** identity when initially applying for MA or upon a recipient's next MA redetermination/renewal.

Discussion

Current policy and procedures provide that if all other required conditions of eligibility for MA are met except documentation of citizenship and/or identity, and the individual is cooperating with CAO staff in obtaining this documentation, eligibility for Medical Assistance will not be denied or closed while documentation issues are being researched and resolved.

To comply with Federal requirements, a period of time for allowing a reasonable opportunity to obtain needed documentation must be established. MA benefits will be closed for those individuals who are unable to provide citizenship and/or identity verification, as defined in this memorandum, unless the individual is receiving services for a medical condition. The Division of Health Services, within the Bureau of Policy, will manage the Medical Condition Information exception process for those individuals who are unable to obtain documentation of citizenship and/or identity.

CAOs are to continue to follow the instructions for verifying citizenship and as required in previously provided policy and procedure guidelines.

Procedure

CAOs are to use the following procedures to discontinue MA benefits for individuals who have cooperated, but are unable to provide documentation of citizenship and/or identity:

Group 1: Individuals born in Pennsylvania:

For applicants at time of application or recipients at renewal:

IF	THEN
an application or renewal form is received by	send a notification to the individual requesting

the CAO without a PA 1809,	the needed documentation, including a PA 1809, with a 15-day due date.
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NOTE: At renewal, if citizenship and identity documentation have previously been provided, there is no need to re-verify or send a PA 1809. It is a “once and done” verification, with the exceptions noted in OPS 080701.

IF	THEN
the PA 1809, or other pending documentation, such as income and resources, are not received by the due date.	send an ineligible notice to deny MA benefits for an applicant, or send an Advance Notice to close MA benefits for a recipient for failure to provide requested information.

IF	THEN
If the PA 1809 is received by the 15-day due date,	allow 30 calendar days from the date the CAO receives the PA 1809 and begins the process to attempt to verify citizenship and/or identity.

NOTE: MA budgets are still to be authorized within 30 days from the application date, and renewals processed timely, as long as the only required outstanding pending items are citizenship and/or identity verification.

IF	THEN
CAO JNET users do not get a match on Pennsylvania birth records from the Department of Health and, after forwarding the PA 1809 to the Division of Vital Records, there is still no match found,	all other avenues must be explored to verify citizenship including the use of affidavits within the next 30 days. NOTE: The CAO must take an active role in helping the recipient or his/her representative to obtain needed documentation (See OPS080701).

IF	THEN
CAO JNET users do not get a match from the Pennsylvania Department of Transportation,	all other avenues must be explored to verify identity within the next 30 days. NOTE: The CAO must take an active role in helping the recipient or his/her representative to obtain needed documentation (See OPS080701).

IF	THEN
30 calendar days have passed from the date the CAO began the process to attempt to verify citizenship and/or identity and efforts to document citizenship have been unsuccessful,	follow the procedure outlined below:

Procedure After an Unsuccessful Attempt to Obtain Citizenship and/or Identity Documentation

1. The CAO caseworker is to contact all individuals for whom citizenship and/or identity documentation has not been obtained. The CAO is to ask if the individual is receiving services for a medical condition.

NOTE: Allow the individual 10 calendar days to respond.

2. If the individual is receiving services for a medical condition, fax or mail the new MEDICAL CONDITION INFORMATION form ([see Attachment 1](#)), along with a PA4), to the individual's medical provider.

NOTE: If the case record contains a current PA 1663, PA 1664, PA 586, or PA 635 it is not necessary to send the Medical Condition Information form to the provider.

NOTE: Allow 10 business days for the medical provider to complete the Medical Condition Information form.

3. After receiving the MEDICAL CONDITION INFORMATION form back from the medical provider, fax the form (or the current PA 1663, PA 1664, PA 586, or PA 635) to: Trudy Johnson, Director, Division of Health Services (DHS), Bureau of Policy (BOP), at (717) 772-6451. On the cover sheet, please indicate that the CAO is asking DHS to make a determination as to whether the particular medical condition is approved for continuing MA. BOP/DHS will either approve or deny the request.

NOTE: Information must also be faxed to DHS for all individuals who state they are not receiving services for a medical condition. Please indicate on the fax sheet the individual is not receiving services for a medical condition. Include the Name, County, Case Record Number and Caseload Number on the fax.

4. The Division of Health Services will fax the decision back to the CAO within five business days ([see Attachment 2](#)).

IF	THEN
If the medical condition is approved,	the individual will continue to receive MA benefits. The CAO issues a manual Confirming Notice (162C). All avenues must continue to be explored to verify citizenship and/or identity.

The following text is to be used on the Confirming manual notice:

To get Medical Assistance benefits, you and/or members of your household must give us proof that you are a United States citizen and proof of your identity. You did not give us the proof that we needed by __/__/__ for the person(s) listed below:

(NAME)

But due to (NAME'S) medical condition, (NAME) will keep getting Medical Assistance benefits. You must keep helping us try to get the proof we need for this person.

Citation: Deficit Reduction Act of 2005, P.L. 109-171, Section 6036

IF	THEN
If the medical condition is denied for continuing MA benefits,	the CAO issues an Advance Notice to close eligibility for MA benefits for the individual(s) for whom citizenship and/or identity documentation could not be obtained.

Example:

The CAO:

- **Receives** a COMPASS application on July 3, 2008;

- **Sends** the notification to the individual requesting completion of the PA 1809 on July 10, 2008, with a due date of July 25, 2008;
- **Receives** the completed PA 1809 on July 20, 2008;
- **Authorizes** MA on August 3, 2008, effective July 3, 2008, while awaiting citizenship and/or identity verification;
- **Attempts** to verify citizenship and identity using JNET without success;
- **Takes** an active role in helping the recipient or his/her representative to obtain needed citizenship and/or identity documentation without success;
- **Contacts** the individual for whom citizenship and/or identity verification could not be obtained on August 21, 2008. Narrates the response regarding the individual's current medical condition.
- **Faxes** or mails the new MEDICAL CONDITION INFORMATION form (see Attachment 1) to the individual's medical provider, if the individual is receiving services for a medical condition. The form is received back on August 28, 2008.
- **Faxes** the completed MEDICAL CONDITION INFORMATION form to DHS on August 28, 2008 and receives a response (see Attachment 2) on September 4, 2008. The information provided by the medical provider did not indicate the individual had a medical condition. The individual is denied continuing MA.
- **Sends** an Advance Notice on September 4, 2008 to close MA benefits effective September 17, 2008 for the individual(s) for whom verification of citizenship and/or identity could not be obtained.

Group 2: Individuals born in another state within the U.S.:

For applicants at the time of application or recipients at renewal.

CITIZENSHIP VERIFICATION

IF	THEN
An application or renewal form is received by the CAO without a PA 1809,	send a notification to the individual requesting the documentation needed, including a PA 1809, with a 15-day due date to the applicant or recipient.

NOTE: At renewal, if citizenship and identity documentation have previously been provided, there is no need to re-verify or send a PA 1809. It is a "once and done" verification, with the exceptions noted in OPS 080701.

IF	THEN
the PA 1809, or other pending documentation, such as income or resources, are not received by the due date,	send an ineligible notice to deny MA benefits for an applicant, or send an Advance Notice to close MA benefits for a recipient, for failure to provide requested information.

IF	THEN
If the PA 1809 is received by the 15-day due date and an individual indicates a birth in	send an out-of-state birth certificate application to the individual for whom

another state within the U.S., but has not submitted a birth certificate,	citizenship verification is needed, with a 15-day due date.
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IF	THEN
If the out-of-state birth certificate application is not received by the 15-day due date,	send an ineligible notice to deny MA benefits for an applicant, or send an Advance Notice to close MA benefits for a recipient, for failure to provide requested information.

IF	THEN
If the completed out-of-state birth certificate application is received by the 15-day due date,	allow 100 calendar days from the date the CAO receives the completed out-of-state birth certificate application and begins the process to attempt to verify citizenship and/or identity. The CAO has 10 days in which to mail out the application to the state vital records office. The CAO will allow 90 days for the birth certificate to be received by the individual and submitted to the CAO. All other avenues must be explored to verify citizenship, including the use of affidavits during this 100 day period.

IF	THEN
100 calendar days have passed from the date the CAO received the completed out-of-state birth certificate application and the out-of-state birth certificate has not been submitted to the CAO by the applicant or recipient,	a notification is to be sent to the individual requesting to see the out-of-state birth certificate with a due date of 15 calendar days. All other avenues must be explored to verify citizenship, including the use of affidavits.

Reminder: There is no age limit for a citizenship affidavit. However, if an affidavit is used to establish citizenship for a child under age 16, then another affidavit may not be used to establish the child's identity.

IF	THEN
the 15-day due date has passed to see the out-of-state birth certificate,	follow the procedure outlined below:

Procedure After an Unsuccessful Attempt to Obtain Citizenship and/or Identity Documentation

1. The CAO caseworker is to contact all individuals for whom citizenship and/or Identity documentation has not been obtained. The CAO is to ask if the individual is receiving services for a medical condition.

NOTE: Allow the individual 10 calendar days to respond.

2. If the individual is receiving services for a medical condition, fax or mail the new MEDICAL CONDITION INFORMATION form (see Attachment 1) , along with a PA4), to the individual's medical provider.

NOTE: If the case record contains a current PA 1663, PA 1664, PA 586, or PA 635 it is not necessary to send the Medical Condition Information form to the provider.

NOTE: Allow 10 business days for the medical provider to complete the Medical Condition Information form.

3. After receiving the MEDICAL CONDITION INFORMATION form back from the medical provider, fax the form (or the current PA 1663, PA 1664, PA 586, or PA 635) to: Trudy Johnson, Director, DHS, BOP, at (717) 772-6451. On the cover sheet, please indicate that the CAO is asking DHS to make a determination as to whether the particular medical condition is approved for continuing MA. BOP/DHS will either approve or deny the request.

NOTE: Information must also be faxed to DHS for all individuals who state they are not receiving services for a medical condition. Please indicate on the fax sheet the individual is not receiving services for a medical condition. Include the Name, County, Case Record Number and Caseload Number on the fax.

4. DHS will fax the decision back to the CAO within five business days (see Attachment 2).

IF	THEN
If the medical condition is approved,	the individual will continue to receive MA benefits. The CAO issues a manual Confirming Notice (162C). All avenues must continue to be explored to verify citizenship and/or identity.

The following text is to be used on the Confirming manual notice:

To get Medical Assistance benefits, you and/or members of your household must give us proof that you are a United States citizen and proof of your identity. You did not give us the proof that we needed by ___/___/___ for the person(s) listed below:

(NAME)

But due to (NAME'S) medical condition, (NAME) will keep getting Medical Assistance benefits. You must keep helping us try to get the proof we need for this person.

Citation: Deficit Reduction Act of 2005, P.L. 109-171, Section 6036

IF	THEN
If the medical condition is denied for continuing MA benefits,	the CAO issues an Advance Notice to close MA benefits to the individual(s) for whom citizenship documentation could not be obtained.

Example:

The CAO:

- **Receives** a COMPASS application on July 3, 2008;
- **Sends** the notification to the individual, requesting completion of the PA 1809 on July 10, 2008, with a due date of July 25, 2008;
- **Receives** the completed PA 1809 on July 20, 2008. The PA 1809 indicates an out-of-state birth for an applicant;
- **Sends** an out-of-state birth certificate application to the applicant on July 22, 2008 with a due date of August 7, 2008;
- **Authorizes** MA on August 3, 2008, effective July 3, 2008, while awaiting citizenship and/or identity verification;

- **Receives** the out-of-state birth certificate application on August 4, 2008;
- **Mails** the application to the out-of-state vital records office by August 14, 2008;
- **Sends** a notification on November 20, 2008 to the individual, requesting to see the out-of-state birth certificate, with a due date of December 3, 2008;
- **Takes** an active role, when the out-of-state birth certificate is not received by the applicant, in helping the applicant or his/her representative to obtain needed citizenship documentation without success;
- **Contacts** the individual for whom citizenship verification could not be obtained on December 4, 2008. Narrates the response regarding the individual's current medical condition.
- **Faxes** or mails the new MEDICAL CONDITION INFORMATION form (see Attachment 1) to the individual's medical provider, if the individual is receiving services for a medical condition. The form is received back on December 14, 2008.
- **Faxes** the completed MEDICAL CONDITION INFORMATION form to DHS on December 14, 2008 and receives a response on December 18, 2008 (see Attachment 2). The individual is authorized continuing MA.
- **Sends** a Confirming Notice on December 18, 2008 to notify the individual that MA benefits will continue even though citizenship documentation could not be obtained.

IDENTITY VERIFICATION

The same procedure for obtaining "born in Pennsylvania" citizenship documentation should be followed for obtaining documentation of identity. The individual has 30 calendar days to submit identity documentation after receipt of the completed PA 1809.

IF	THEN
30 calendar days have passed from the date the CAO began the process to attempt to verify identity,	Follow: "Procedure After an Unsuccessful Attempt to Obtain <u>Citizenship and/or Identity Documentation</u> "

CIS PROCEDURES FOR DISCONTINUING BENEFITS

Use the following procedures to close benefits ONLY for those individuals for whom citizenship and/or identity documentation could not be obtained

- Use code 093 "Other Change in No. of persons" with a 13-day adverse action notice. Suppress the automated notice with the incorrect reason code and issue a manual adverse action notice.
- If an entire budget is to be closed, use code 042, and issue the adverse action notice, choosing Option A.

The following text is to be used on the manual notice:

To get Medical Assistance benefits, you and/or members of your household must give us proof that you are a United States citizen and proof of your identity. You did not give us the proof that we needed by ___/___/___ for the person(s) listed below:

(NAME)

Citation: 55 Pa. Code 201.1; Deficit Reduction Act of 2005, P.L. 109-171, Section 6036

Next Steps

1. Share this information with appropriate staff.
2. Medical Assistance Eligibility Handbook Chapter 378, Verification, will be updated to reflect the above changes.
3. Direct any questions to your Area Manager.
4. This Operations Memorandum will become obsolete upon publication of these changes in the Medical Assistance Eligibility Handbook.

OPERATIONS
APRIL 20, 2009
SCINDED PER