

# Operations Memorandum - Cash/Medicaid/SNAP OPS100301

March 16, 2010

**SUBJECT:** Five-Year Bar  
**TO:** Executive Directors  
**FROM:** Joanne Glover, Director, Bureau of Operations

## Purpose

This memo introduces a new Five-Year Bar Review file that will be used by County Assistance Offices (CAOs) to both review and correct cases, but also to create a history file of cases reviewed. This review is for all records with non-citizens who are currently or were recently open in an incorrect program. Please review Cash Assistance Handbook ([CAH 122.12](#), [Chapter 522](#) of the Supplemental Nutritional Assistance Program (SNAP) Handbook, and Medical Assistance (MA) Operations Memorandum [OPS090603](#) for the non-citizens requirements before starting your review. Then, use the following instructions as a guide to review the identified cases. Those cases specific to your county can be accessed on the OIM server at <http://oimweb/SecureCAO/>.

The initial Five-Year Bar Review file you will receive is an aggregate file in a Microsoft Access Database. It contains the following months: April 1, 2009 to January 31, 2010 for Cash and SNAP and August 1, 2009 to January 31, 2010 for MA. The review of the initial file must be completed by March 31, 2010. Each file after that will be a monthly file and must be completed by the end of the month in which it is received. The file contains information about the individual and record which need to be reviewed. It also contains a data entry section with the following three fields: Change needed? Y/N, Time period of ineligibility (mm/dd/yyyy to mm/dd/yyyy), and Comments. The data entry section must be completed by the reviewer after each individual review is completed.

## Background/Discussion

1. Review CQRFUG screens for each member of the case (Note: When reviewing the line number from the file, please check all household members of the budget for eligibility based on the five-year bar). The system uses data entry on CARFUG to set the five-year bar indicator as Yes (Y) or No (N). If the indicator is set to Y, the system calculates an end date for the five-year bar. The indicator is set based on the following:
  - Date of entry less than five years
  - Immigration document type (INS Doc from TINS table)

A "Y" indicator may be displayed for some exempt MA or SNAP individuals. If there is no indicator, this means that there has been no review or case activity since the indicator was added to CIS on July 25, 2009. A manual review is required whether or not a five-year bar indicator is present. Continue to number 2.

2. Has the individual been in the United States less than five years ? If no, narrate, complete the Five-Year Bar Review file and take no further action. If yes, continue to number 3.
3. Make sure the INS document code listed on the CQRFUG screen matches the actual INS document in the record file. Based on the INS document, is the individual subject to the five-year bar ? If no, narrate and take no further action.
  - If yes and reviewing for Cash, continue to number 4.
  - If yes and reviewing for MA or SNAP, see exclusions below. If the individual is excluded, narrate, complete the Five-Year Bar Review file and take no further action. If no exclusion is met, continue to number 4.

### **SNAP Exclusions:**

- The Individual is qualified non citizen and :
  - Is/was under age 18 - check CARFUG or CQINDL screens. If the child is under age 18, but will reach age 18 before the next case review (SAR or Renewal), set an alert for the month the child turns 18 to review SNAP eligibility.
  - Has 40 quarters of work (ten years) --check the CIS Employment Info Inquiry (CQEMPL) screen.
  - Has military connection (veteran or active duty) or a spouse or dependent child of veteran or current member of the Armed Forces - check CQINDL.
  - Receives federal level benefits for blindness or disability - check the CIS Unearned Income Inquiry (CQURND) screen. Federal level benefits include disability-related SSI, RSDI, SSP, SSI-related Medical Assistance, interim assistance pending receipt of SSI and service or non-service connected veteran's total disability benefits.

## **MA Exclusions:**

- If a qualified alien subject to the bar has a documented emergency medical condition (per MAEH 322.32), this information must be data entered on CARFUG in the same way it is for a temporary or undocumented alien. This individual may receive federally-funded MA through the expected end date of the emergency medical condition, provided all eligibility criteria are met. If the emergency medical information was not previously date entered on CARFUG, but the five-year bar indicator and end date have been set on the screen, the fields currently will not display again for data entry. An opening for an emergency medical condition must be clearly documented in the Case Comments.
- Pregnant recipients were to be excluded from this list. A pregnant, qualified alien is exempt from the five-year bar through the postpartum period (this individual may have a five-year bar end date set on CQRFUG). If a pregnant recipient is included on the list, enter correct information in CIS (CAPRGN), if it has not already been entered. If the pregnancy and postpartum period have ended and the individual meets no other exemption from the bar, review for General Assistance (GA)-related (state funded) MA.
- Children under the age of 21.

4. Review each program separately.

## **For Cash:**

- Review the current category and program status code (PSC) on the CQCASE screen. Is the household in the correct category and PSC ?
- If the household is currently in the correct category and PSC, review all past budgets for any incorrect benefit issuances.
- If the household was open in a wrong PSC in the past, narrate, complete the Five-Year Bar Review file and take no further action.
- If the household never received benefits incorrectly, narrate, complete Five-Year Bar Review file and take no further action.
- If the household is currently in the wrong PSC, follow these instructions to correct the issue:
- If open in a PSC:

71 or 72 – Do not do any thing to these records. They will auto close at the end of the three-month Transitional Cash Assistance (TCA) time frame. Note: If these individuals would apply for Temporary Assistance for Needy Families again in the future, and any individual in the record is subject to the five-year bar, they should be a PSC 04. Narrate and the complete Five-Year Bar Review file.

56 – These individuals should be a PSC 04, but do not do change the PSC of these records. Instead, set an alert for the end of the Work Support Component (WSC) timeframe and authorize continued cash benefits in PSC 04 if any individual in the record is still subject to the five-year bar at that time. Narrate and the complete Five-Year Bar Review file.

PSC 53 or 00 – Change these records to a PSC 04. Narrate and complete the Five-Year Bar Review file.

**NOTE:** A budget with a non-citizen subject to the five-year bar should only be authorized in a PSC 04 and never receive benefits in a WSC or TCA program. If the non-citizen is not subject to the five-year bar, the budget is still not eligible for the WSC program. They may receive cash assistance in a PSC 00, which could lead to receiving TCA.

**For SNAP:**

- Go to the Individual Detail Inquiry (CQINDL) screen to see if the individual receives or received SNAP benefits during the five-year bar period. If the individual did not, narrate and take no further action. If the individual:
- receives SNAP benefits, take the appropriate steps to remove the person from the SNAP grant; process the overpayment, narrate and complete the Five-Year Bar Review file.
- received SNAP benefits in error during the five-year bar period, process the overpayment, narrate and complete the Five-Year Bar Review file.

**NOTE: Since ARRC is not correctly figuring out claims, manually process the overpayment for SNAP to cover the period from the date of discovery back 12 months. If the overpayment occurred before this 12-month period, take no further action. Refer to Supplemental Handbook Chapter 910, Overpayment Recovery, Section 910.472.**

**For MA:**

Ineligible recipients in federally-funded MA categories must be reviewed for GA-related MA eligibility. This review must be done outside the system until system changes are made to automate this process. Existing Applicant and Recipient Groups/Standard Filing Unit rules apply, see [MAEH 310](#).

- If the recipient does not meet GA-related MA non-financial criteria or exceeds GA-related income or resource limits, close the case with proper notice, narrate and complete the Five-Year Bar Review file.
- If a recipient meets all non-financial and financial criteria for GA-related MA, an override will be necessary to open the appropriate category.
  - o An override must be documented in the case comments.
  - o Each time a maintenance activity is done for this case, the override must be done for the appropriate GA-related category until this process is automated.

**NOTE:** There are cases on the list that were previously reviewed, closed for federally-funded MA and opened for appropriate categories with overrides, but the overrides were not completed during subsequent maintenance activities. The result is the barred recipient is re-opened for the federally-funded category he or she is not eligible for due to the bar.

- Overpayments must be considered as part of this review. Per [OPS090603](#), CAOs were given until September 30, 2009 to review existing cases for appropriate action.
- Any recipient who was not reviewed by September 30, 2009 and remains open must be processed for an overpayment effective October 1, 2009 through the date he or she is end dated for the federally-funded MA category.
- Any individual opened incorrectly for federally-funded MA after the posting of [OPS090603](#) must be reviewed for an overpayment from opening date through the end date for the federally-funded MA category.
- [PMA15014322](#) indicated no overpayments were required for cases closed due to the five-year bar. This policy clarification only pertains to cases reviewed and corrected by September 30, 2009 per [OPS090603](#).
- For all records reviewed as part of the five-year bar review, CAOs must narrate their actions and complete the Five-Year Bar Review file.

### **Next Steps**

1. Share this information with all staff.

2. Direct any question to your Area Manager.
3. Notify your area staff assistant when you have completed your review.
4. Please retain this memo until further notice.