

Operations Memorandum - Medicaid - Cash- SNAP OPS100803

August 30, 2010

SUBJECT: Changes to Birth Certificates Issued in Puerto Rico
TO: Executive Directors
FROM: Joanne Glover, Director, Bureau of Operations

Purpose

To inform County Assistance Offices (CAOs) of policy changes for Medical Assistance (MA), Cash Assistance, and Supplemental Nutrition Assistance Program (SNAP) as a result of Puerto Rico's law to invalidate all birth certificates issued before July 1, 2010. Guidance in this memorandum is effective immediately. The impact to benefits is effective October 1, 2010.

Background

The Government of Puerto Rico enacted Law 191 of 2009, amended June 2010, to strengthen the issuance and usage of birth certificates in order to combat fraud and protect the identity and credit of people born in Puerto Rico. In the past, Puerto Rican birth certificates were stored without adequate protection. Birth certificates could be stolen and sold to illegally obtain passports, licenses and other government documentation. This left Puerto Rico-born citizens vulnerable to identity theft and presented national security concerns.

Starting July 1, 2010, the Puerto Rico Department of Health began issuing new, more secure birth certificates through the Vital Statistics Record Office. All birth certificates issued prior to July 1, 2010 will remain valid through September 30, 2010. After September 30, 2010, the law invalidates all birth certificates issued before July 1, 2010. The law does not invalidate or cancel any action or transaction which required a birth certificate and was completed prior to the birth certificate becoming invalid after September 30, 2010.

Discussion

For MA, Cash Assistance and SNAP purposes, birth certificates issued in Puerto Rico before July 1, 2010 are acceptable through September 30, 2010. Any actions taken (such as openings, closings or changes) or items that were documented (such as citizenship or age) through September 30, 2010 using a birth certificate issued in Puerto Rico before July 1, 2010 is acceptable and no additional documentation is necessary.

Beginning October 1, 2010, if a birth certificate is required for any reason for a Puerto Rico-born individual, CAOs must only accept birth certificates issued on or after July 1, 2010.

NOTE: Policy regarding birth certificates has not changed. Birth certificates issued by Puerto Rico before July 1, 2010 are still valid through September 30, 2010.

IMPACT ON BENEFITS

MEDICAL ASSISTANCE

Puerto Rico-born MA recipients, whose United States (U.S.) citizenship is verified as of September 30, 2010 with a birth certificate issued in Puerto Rico prior to July 1, 2010, do not have to re-verify U.S. citizenship.

If past Puerto Rico-born recipients re-apply and U.S. citizenship was previously verified with a birth certificate that was valid at the time it was presented, they do not need to re-verify U.S. citizenship.

Demographic information for new applicants declaring to be U.S. citizens, which includes Puerto Rico-born individuals, will be sent through the Master Client Index (MCI) interface with the Social Security Administration (SSA) for verification of U.S. citizenship and identity (see [OPS 100602](#)). If the interface results in a successful match, a batch process will populate system verification and source codes in the individual's Client Information System (CIS) record and no further action is required by the CAO staff. If the interface fails, an alert will be created. Then, CAO staff must contact the individual to verify U.S. citizenship, see the Medical Assistance Eligibility Handbook, [322.21](#) for additional documents that are acceptable for verifying U.S. citizenship. As long as the individual cooperates with obtaining verification, MA should continue.

Unlike obtaining out-of-state birth certificates from other states, there were past issues related to obtaining birth certificates from Puerto Rico. Puerto Rico will not accept a One-Time Issuance check for a replacement birth certificate; the only acceptable payment is by money order for mail-in applications or credit card for on-line applications. The new, on-line application may only be submitted by an authorized individual. CAO staff would not be considered as authorized by Puerto Rico. The new birth certificates cost \$5. The fees are waived for all veterans and people over the age of 60. In order to obtain a free copy, a veteran must present Department of Defense Form 214 – Discharge Papers and Separation Documents. At this time, CAO staff should **not** send to Puerto Rico for a replacement birth certificate unless the applicant is a veteran or over age 60. If a Puerto Rico-born individual wants to apply for his or her own birth certificate, additional information is available at the Puerto Rico Federal Affairs website:

<http://www.prfaa.com/birthcertificates/>. Updated mail-in applications are included as attachments:

[English version \(Attachment 1\)](#)

[Spanish version \(Attachment 2\)](#)

Beginning October 1, 2010, a birth certificate issued in Puerto Rico before July 1, 2010, will not be acceptable as verification of U.S. citizenship for a new applicant (an individual who has never previously verified citizenship with the CAO). Only birth certificates issued in Puerto Rico after July 1, 2010 will be acceptable verification of U.S. citizenship.

EXAMPLES:

1. An ongoing MA case is due for reapplication in October 2010. Individuals in the case were born in Puerto Rico and U.S. citizenship was verified with birth certificates issued prior to July 1, 2010. Copies are included in the record. When U.S. citizenship was initially verified, the birth certificates were valid. No additional verification of U.S. citizenship is required.
2. A family applies for MA only in August 2010. All family members were born in Puerto Rico; no past benefits were received in Pennsylvania. Birth certificates issued in Puerto Rico prior to July 1, 2010 are provided as proof of U.S. citizenship. The birth certificates are acceptable and valid through September 30, 2010. No additional verification of citizenship is required.
3. A family applies for MA in October 2010. All members were born in Puerto Rico; no past benefits were received in Pennsylvania. All members are sent through the MCI/SSA interface. A successful match is made for the mother and children; no further verification is needed for them. Due to a demographic mismatch, the father failed the interface. CAO staff must contact the father to verify U.S. citizenship. A birth certificate issued prior to July 1, 2010 is invalid and no longer acceptable. If the applicant does not have a new, valid birth certificate issued on or after July 1, 2010, other proof of citizenship is required. CAO staff must assist the clients with obtaining proof of U.S. citizenship, but should not send for a replacement birth certificate unless the individual is a veteran or over age 60.
4. A family applies for MA in November 2010. All members were born in Puerto Rico. They were past MA recipients and U.S. citizenship was verified prior to September 30, 2010 with birth certificates issued prior to July 1, 2010. No further verification of U.S. citizenship is required.

CASH ASSISTANCE

For cash assistance, a birth certificate is not acceptable documentation for identity but is acceptable for proof of age. Documents other than birth certificates may also be used to verify age. See Cash Assistance Handbook [Chapter 121 Verification](#). Client information verified in the past based on birth certificates from Puerto Rico do not have to be re-verified after September 30, 2010. CAOs are required to assist clients with obtaining verification of age.

EXAMPLES:

1. An ongoing case receiving Cash Assistance is due for reapplication on October 1, 2010. All of the family members were born in Puerto Rico and a copy of the birth certificate for each person is in the case record. The birth certificates that were copied were all issued prior to July 1, 2010. No action is needed regarding birth certificates to process the reapplication. Information that was previously verified with a birth certificate does not have to be verified again.
2. A family applies for Cash Assistance on August 15, 2010. No member of the family received any benefits in Pennsylvania in the past. All family members were born in Puerto Rico. The applicant provides birth certificates issued by Puerto Rico for each family member to verify age. The birth certificates were all issued prior to July 1, 2010, but are valid to prove age until October 1, 2010. There is no need to re-verify age if age was previously verified with Puerto Rican birth certificates issued prior to July 1, 2010.
3. A family applies for Cash Assistance on October 15, 2010. No member of the family received any benefits in Pennsylvania in the past. All family members were born in Puerto Rico. The applicant provides birth certificates issued by Puerto Rico for each family member to prove age. The birth certificates were all issued prior to July 1, 2010. These birth certificates are no longer valid and cannot be used to verify age. Another method is needed to prove age (refer to [CAH 121.3](#)) or the family must provide birth certificates that were issued by Puerto Rico on or after July 1, 2010. CAO staff must assist the clients with obtaining proof of age.
4. On October 12, 2010, a family applies for Cash Assistance. All members of the family were born in Puerto Rico. They are all known to CIS and have verified age previously. They are not required to verify age again.

REMINDER: CAO staff must ask Temporary Assistance for Needy Families (TANF) applicants to provide proof of U.S. Citizenship that meets MA requirements. A successful match through the MCI interface with SSA would meet this requirement. However, TANF applicants or recipients may not be denied cash assistance or closed for failure to provide proof of U.S. citizenship that does not meet MA requirements. See Cash Assistance Handbook Chapter [122.11](#) Declaration of Citizenship.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)

SNAP regulations at 7 CFR 273.2(f)(1)(vii) require State Agencies to verify a SNAP applicant's **identity** as a condition of eligibility. Due to the new law, a Puerto Rico birth certificate that has been voided may not be used to verify the identity of a SNAP household member.

Though this specific form of verification of identity may not be used, the guidance found in SNAP Handbook Chapter 520 remains in effect. As such, CAOs must assist these households in exploring and obtaining alternative sources of identity verification, including collateral contacts.

Since Puerto Rico-born individuals are U.S. citizens, their testament on the SNAP application is sufficient to establish citizenship and verification of the member's citizenship status is not required unless questionable.

Although age is not a mandatory condition of eligibility for SNAP, it is a consideration for certain components of the program, (i.e., work requirements, elderly member, etc.). If no other form of verification is available, CAOs may use voided Puerto Rico birth certificates solely for that purpose.

CAOs must not re-verify a household's member's status at recertification or Semi-Annual Reporting if unchanged.

EXAMPLES:

1. An ongoing case receiving SNAP benefits is due for a renewal on October 1, 2010. All of the family members were born in Puerto Rico and a copy of the birth certificate for each person is in the case record. The birth certificates that were copied were all issued prior to July 1, 2010. No action is needed regarding birth certificates to process the renewal. Information that was previously verified with a birth certificate does not have to be verified again. Due to the new law, the birth certificate may not be used to verify the **identity** of the individual completing the renewal.
2. A family applies for SNAP benefits on August 15, 2010. No member of the family received any benefits in Pennsylvania in the past. All family members were born in Puerto Rico. The applicant provides birth certificates issued by Puerto Rico for each family member to prove age and citizenship. The applicant does not have any other available form of identification other than the birth certificate and is using the birth certificate as a form of identity. The birth certificates were all issued prior to July 1, 2010, but are valid to prove age, **identity** and citizenship until October 1, 2010.
3. A family applies for SNAP benefits on October 15, 2010. No member of the family received any benefits in Pennsylvania in the past. All family members were born in Puerto Rico. The applicant provides birth certificates issued by Puerto Rico for each family member to prove **identity**. The birth certificates were all issued prior to July 1, 2010. The birth certificates are no longer

valid and either another method is needed to prove identity or the family must provide birth certificates that were issued by Puerto Rico on or after July 1, 2010. CAO staff must assist the clients with obtaining proof of identity.

Although age is not a mandatory condition of eligibility for SNAP, the voided Puerto Rican birth certificates may be used solely to verify age, if no other form of verification is available.

4. On October 12, 2010, a family applies for SNAP benefits. All members of the family were born in Puerto Rico. They are all known to CIS and have verified age previously. They are not required to verify age again.

NEXT STEPS

1. Share and review this information with appropriate staff members.
2. Direct questions regarding this Operations Memorandum to your Area Manager.
3. This Operations Memorandum will become obsolete when this information is incorporated into the Handbooks.