

# Documentation of U.S. Citizenship for Medicaid

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## **What is the citizenship requirement to qualify for Medicaid?**

The citizenship requirement, which became effective Sept. 25, 2006, is a result of the Deficit Reduction Act of 2005 (DRA). The citizenship requirement is meant to ensure those receiving public assistance are U.S. citizens. The law requires everyone applying for Medicaid to provide original documents to establish legal citizenship. Previously, Medicaid applicants could self-declare their U.S. citizenship. (Immigrants applying for Medicaid have always been required to document their status.) Additionally, Medicaid consumers who were approved before the DRA was enacted must verify their citizenship status at the time of their reapplication for Medicaid benefits. Citizenship needs to be established only once.

## **What documents satisfy the citizenship requirement?**

Federal guidelines establish a hierarchy of documents (identical to the hierarchy used by other programs with the same requirement) that are accepted as proof of U.S. citizenship. The hierarchy comprises four tiers, which caseworkers must use to seek documents. Examples of acceptable documents are provided on the next page. To view the hierarchy in its entirety, visit <http://www.cms.hhs.gov/smdl/downloads/SMD06012.pdf>

In order to comply with federal law, caseworkers must see the original document, record within the individual's file that the document was seen and make a photo copy to keep in the file. If the original document is not available, a copy certified by the originating agency will be accepted.

## **What if consumers cannot provide verification documents?**

At the time of application or redetermination, the county caseworker must give the consumer a "reasonable opportunity" to provide documents that fulfill the U.S. citizenship requirement. While an existing Medicaid consumer gathers the appropriate documents he or she will remain eligible for Medicaid benefits; however, new applicants will not become eligible until the requirement has been satisfied. The county caseworker is responsible for assisting consumers in obtaining the appropriate documents.

## **Do consumers have to provide citizenship verification if they have established U.S. citizenship with another government agency?**

At this time, the only consumers exempt from this requirement are those applying for Disability Medical Assistance, enrolled in Medicare, receiving SSI or applying for Alien Emergency Medical Assistance. If a consumer receives cash or food stamp assistance, he or she is still required to document citizenship at the time of Medicaid application or reapplication. Ohio Medicaid is currently considering data matching options with other state and federal agencies to alleviate undue burden on consumers.

## Citizenship Requirement cont.

The following table provides a list of documents that can be used to verify U.S. citizenship:

| Citizenship Documents (a)  |  |
|--|--|
| <p>These documents alone fully satisfy the U.S. citizenship requirement. Naturalized citizens can only use these documents. This is an all-inclusive list.</p> <ul style="list-style-type: none"> <li>✓ U.S. Passport</li> <li>✓ Certificate of Naturalization (N-550 or N-570)</li> <li>✓ Certificate of United States Citizenship (N-560 or N-561)</li> <li>✓ Any other documents specified by the Secretary of the Department of Health and Human Services, by regulation, that provide proof of United States citizenship and a reliable means of documentation of personal identity.</li> </ul> |  |
| Birth Documents (b)  | Identity Documents (c)   |
| <p>If the consumer cannot obtain the documents listed above, he or she must provide one <b>BIRTH</b> document <b>AND</b> one <b>IDENTITY</b> document to satisfy the citizenship requirement. Examples include the following:</p>  |  |
| U.S. Birth Certificate   | Driver's license or state ID card                              |
| Certificate of birth abroad (Form FS-545)  | ID card issued by a federal, state, or local government agency |
| U.S. National I.D. card (Form I-197 or I-179)  | U.S. military card or draft record                             |
| Native American Tribal Document  | School ID card   |
| Final adoption decree  | School records (for child under 16)                            |
| Official military record of service showing a U.S. place of birth  |  |

Call the Medicaid Consumer Hotline at 1-800-324-8680 (TDD 1-800-292-3572) if you have any questions or would like additional information.