

MISSISSIPPI DIVISION OF MEDICAID

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IR-3 Status – Citizen Upon Entry

When the child's adoption was finalized abroad and both parents met the child before or during the foreign adoption proceeding, an Immediate Relative IR-3 entry Visa is issued. A child entering as IR-3 child will be issued a Certificate of Citizenship within 45 days of entry into the United States. A Permanent Resident Alien card is not issued to an IR-3 child since the child is a citizen upon entry. The child's parents do not have to apply separately for the Certificate of Citizenship.

IR-4 Status- Permanent Resident Alien

A status of IR-4 is assigned when the child's adoption was either not finalized abroad or both adopting parents did not meet the child before or during the foreign adoption proceeding. A Permanent Resident Alien card is issued to a child in IR-4 status upon entry. When the adoption or re-adoption, if required, in the U. S. is final, the parents do have to apply for a Certificate of Citizenship.

102.04.01 CITIZENSHIP

The Deficit Reduction Act (DRA) of 2005 amended the citizenship verification rules for applications and reviews on and after July 1, 2006, requiring documentary evidence of citizenship for individuals declaring to be U. S. citizens or nationals of the United States.

Requirement for Original or Certified Documents

The documents used to verify citizenship must be originals or copies certified by the issuing agency. Uncertified copies, including notarized copies, are unacceptable. Copies of original documents must be retained in the case record as a permanent part of the case record for audit and review purposes. The record copy should be noted "Original Document Viewed" and initialed and dated by the supervisor or Medicaid Specialist who viewed the original.

Return of Original Documents

Original documents can usually be returned immediately. However, documents received in the mail or at out-stationed sites, which cannot be returned to the applicant/recipient the same day, must be mailed back to the individual within two working days. Extreme care must be taken to ensure these important personal documents are not lost, misplaced or misrouted.

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One-Time Verification Requirement

Documentation of citizenship is generally a one-time requirement. The individual is not required to provide verification again unless (1) there is a valid reason to question the accuracy of the initial determination or (2) a reapplication is filed after the record retention period and the case has been destroyed. Certain applicants and beneficiaries are exempt from verification of citizenship and identity. Refer to Section 102.04.04.

102.04.02 IDENTITY

The identity of the responsible person filing the application must be verified. If this person is also an applicant, identity will be verified according to verification procedures for applicants discussed later in this section and in Section 102.04.06.

Identity Verification for Non-Applicants

However, if the responsible person is a non-applicant parent, relative, non-relative or an authorized representative filing the application on behalf of others, the identity of the non-applicant must be verified by either (1) picture identification, or (2) two different forms of non-picture identification, including such documents as EBT, WIC or other benefit cards or notices, credit or bank cards, employment badges, check stubs or other wage verification, insurance cards, etc., or (3) personal knowledge of a Medicaid staff member. Non-applicants must not be asked to provide any document which discloses their own citizenship, immigration status or Social Security Number (SSN); however, such documents may be provided voluntarily.

Good Cause Determination for Non-Applicants

If the regional office determines a non-applicant head of household or authorized representative cannot meet the identity verification requirement, the regional bureau director will review case circumstances and make a good cause determination. If good cause exists, the director can decide to (1) accept one form of non-picture ID when the individual can present only one or (2) waive the requirement altogether. An applicant's eligibility cannot be adversely affected when a non-applicant is unable or refuses to verify their own identity.