

# MISSISSIPPI DIVISION OF MEDICAID

## Eligibility Policy and Procedures Manual

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The Deficit Reduction Act (DRA) of 2005 amended the verification rules for applicants and beneficiaries for applications and reviews on and after July 1, 2006.

#### **Requirement for Original or Certified Documents**

To establish identity, applicants must provide original documents or copies certified by the issuing agency. Other copies, including faxed or notarized copies of documents, are unacceptable. Like the documents used to verify citizenship, copies of the original identity documents must be certified by the supervisor or Medicaid Specialist who viewed them and retained as a permanent part of the case record for review and audit purposes.

#### **Return of Original Documents**

Most of the time original documents can 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. The case must be documented confirming the documents were returned and the date and method of return.

#### **One Time Verification Requirement**

Documentation of identity 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 or (3) an individual, whose identity was verified by affidavit as a child, moves as a child to another household or becomes eligible as an adult in his/her own case or in a spouse's case. Refer to Section 102.04.04 for persons exempt from citizenship and identity verification requirements.

#### **102.04.03 VERIFICATION OF CITIZENSHIP AND IDENTITY**

The verification requirements found in this section pertain only to applicants declaring to be U. S. citizens. Aliens applying for Emergency Medicaid services only are not required to provide information about citizenship, immigration status or Social Security Number and should not be asked to do so. Refer to Section 102.05 for handling applicants who are qualified or non-qualified aliens.

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#### **Hierarchy of Evidences**

The evidences of citizenship are divided into a hierarchy of primary, secondary, third level and fourth level documents. Primary evidence has the highest reliability and conclusively establishes both a person's citizenship and identity. When the individual has secondary, third or fourth level documentation of citizenship, additional verification must be provided to establish identity. The evidences of identity are not prioritized.

#### **Available Documents**

The highest level of verification must be used if it is available. "Available" means the document exists and can be obtained within the time period allowed for providing information, i.e., 30, 45 and 90 days based on application type. Therefore, when a higher level document is not available, it is permissible to use a lower level document. For example, a U. S. Passport is primary evidence of citizenship and identity. If the individual possesses a passport, it must be provided. However, if the individual does not already have a passport, the document is generally considered unavailable due to the time required to process a passport application so the individual can meet verification requirements by providing a lower level document, such as a birth certificate, secondary evidence of citizenship, and a driver's license or other picture identification to verify identity.

#### **Economic Hardship**

It is generally the individual's responsibility to provide required documents and pay associated fees to obtain them. However, when individuals are economically disadvantaged and unable to pay fees associated with obtaining necessary documents, lower level evidences of citizenship and identity will be accepted.

#### **Reasonable Opportunity**

Applicants must be provided a reasonable opportunity to provide verification of citizenship and identity. When verification of citizenship and identity is needed, the Medicaid Specialist will issue the required written request for the information. If an applicant subsequently requests additional time, an extension may be granted when the individual is making a good faith effort to obtain the information and timely processing standards for the application can still be met. An application cannot be approved if required citizenship and identity verification has not been provided. Beneficiaries must also be given a reasonable opportunity to provide documentary evidence of citizenship and identity. When verification of citizenship and identity is needed at review, the Medicaid Specialist will issue the required written request for the information.

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#### **Reasonable Opportunity (Continued)**

If the recipient subsequently requests additional time, an extension may be granted when the individual is making a good faith effort to obtain the information and timely processing standards for the review can still be met. When an extension is granted, eligibility can continue if the beneficiary has met all eligibility requirements except verification of citizenship and/or identity.

#### **Providing Assistance**

When an applicant or beneficiary, who is homeless, an amnesia victim, mentally impaired or physically incapacitated and lacks someone to act for them, does not have the required verifications, the Medicaid Specialist must assist the individual to document U.S. citizenship and/or identity.

In addition, staff must attempt to contact and provide assistance to any applicant or recipient who is known to be deaf, hard of hearing, blind, mentally or visually impaired, physically incapacitated or otherwise disabled, illiterate, limited English proficient, homeless and/or requires communication assistance with reading agency notices and other written correspondence prior to denying or terminating their case.

The case record must be documented with all efforts taken by specialists to provide assistance to individuals with special needs, conditions and/or barriers. Eligibility will not be denied or terminated until all avenues of verification have been exhausted. However, when the individual has been given a reasonable opportunity to provide the information and all avenues of assistance have been exhausted and documented by the specialist, eligibility must be denied or terminated if needed information is not provided.

#### **102.04.04 EXEMPTIONS FROM REQUIREMENTS**

Individuals declaring to be U. S. citizens are exempt from citizenship and identity documentation requirements if they are in one of the following categories:

- **Medicare recipients** entitled to, or enrolled in, Medicare Part A or B under any claim number are exempt from the verification requirements. A copy of the Medicare card should be requested and a copy retained in the case record. However, if the individual cannot provide the Medicare card, agency verification of enrollment in Medicare may be used, if it is available.