



STATE OF DELAWARE  
DELAWARE HEALTH AND SOCIAL SERVICES  
DIVISION OF MEDICAID & MEDICAL ASSISTANCE

POLICY AND PROGRAM DEVELOPMENT UNIT

MEMORANDUM

REPLY TO  
ATTN. OF: Administrative Notice DMMA 01-2010

TO: DMMA and DSS Staff

DATE: March 30, 2010

SUBJECT: Citizenship and Identity Documentation Requirements for Medical Assistance

**BACKGROUND**

The Deficit Reduction Act of 2005 (DRA) amended sections 1902 and 1903 of the Social Security Act to require Medicaid applicants who declare to be a U.S. citizen or national to present satisfactory documentary evidence of citizenship and identity prior to enrollment in Medicaid. Delaware chose to also apply these provisions to Delaware Healthy Children Program (DHCP) applicants.

Certain individuals, including individuals receiving Medicare, Social Security Disability Insurance benefits (SSDI), Supplemental Security Income (SSI), and children receiving foster care or adoption assistance are exempt from the citizenship and identity documentation requirements

**DISCUSSION**

Section 211 of the Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA) revises several of the citizenship and identity documentation requirements, including a mandate to require documentation of citizenship and identity for CHIP. The CHIPRA changes are described below:

1. Deemed newborns

A child born in the United States to a woman who was eligible for and receiving DHCP or Medicaid (including coverage for labor and delivery and emergency services only) is considered to have provided documentation of citizenship and identity. Prior to CHIPRA, documentation of citizenship and identity was required at redetermination.

2. Verification of Citizenship and Identity by the Social Security Administration (SSA)

Both citizenship and identity can be verified by SSA using Wire Third Party Query (WTPY). If verification cannot be obtained from SSA, the applicant must provide the required documentation.

3. Reasonable Opportunity to Provide Documentation of Citizenship and Identity

Medicaid or DHCP applicants shall have a reasonable opportunity period of 90 days to obtain and provide proof of citizenship and identity. The reasonable opportunity period begins on the date a written request

for documentation is issued to the applicant. Medicaid or DHCP will be provided to eligible applicants during the reasonable opportunity period.

## **ACTION REQUIRED**

### 1. Deemed Newborns

Do not request documentation of citizenship and identity for a deemed newborn. In DCIS, use citizenship verification code Level 2 U.S. birth certificate and identity verification code Bureau of Vital Statistics Record.

A separate verification code for deemed newborns has been requested. Currently, there is a newborn pending verification code and an alert is sent at 12 months. A request has been made to delete the newborn pending verification code and the alert.

### 2. Verification of Citizenship and Identity by the Social Security Administration (SSA)

DCIS will automatically send a WTPY request to SSA for new Medicaid and DHCP applications or redeterminations during intake or eligibility review. When a new household member is being added to a case, staff must request a WPTY in data exchange.

When a response is received from SSA, staff will receive alert #388 – Citizenship/Identity Info Available. The response will indicate one of the following:

- A. Citizenship and Identity Verified
- B. Citizenship and Identity Not Verified – request documentation
- C. Citizenship and Identity Verified – check date of death
- D. Citizenship and Identity Not Verified – request documentation/check date of death

In DCIS, use citizenship verification code Level 2 U.S. birth certificate and identity verification code Bureau of Vital Statistics Record.

A separate verification code for SSA data exchange has been requested. A request has been made to automatically update the verification fields when citizenship and identity has been verified by SSA.

### 3. Reasonable Opportunity to Provide Documentation of Citizenship and Identity

If verification of citizenship and identity cannot be obtained from SSA, send a request to the applicant for the documentation providing a 90-day deadline. If the applicant is otherwise eligible, approve medical assistance during the 90-day period. In DCIS, use citizenship verification code Level 2 U.S. birth certificate and identity code Bureau of Vital Statistics Record.

A separate verification code for the 90 day reasonable opportunity period has been requested. Staff may create an “expected change” worker alert to track the 90-day deadline.

## **DIRECT INQUIRIES TO**

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3/30/2010  
DATE

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ROSANNE MAHANEY, DIRECTOR  
DIVISION OF MEDICAID & MEDICAL ASSISTANCE