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TO: **Income Maintenance Supervisors**
Income Maintenance Lead Workers
Income Maintenance Staff
W-2 Agencies
Workforce Development Boards
Job Center Leads and Managers
Training Staff
Child Care Coordinators

FROM: Amy Mendel-Clemens
Technical Assistance, Training & Education
Section
Bureau of Eligibility Management
Division of Health Care Financing

BEM/DWS OPERATIONS MEMO					
No:	07-69				
DATE:	01/03/2008				
FS	<input type="checkbox"/>	MA	<input checked="" type="checkbox"/>	SC	<input type="checkbox"/>
CTS	<input type="checkbox"/>	CC	<input type="checkbox"/>	W-2	<input type="checkbox"/>
FSET	<input type="checkbox"/>	EA	<input type="checkbox"/>	CF	<input type="checkbox"/>
JAL	<input type="checkbox"/>	JC	<input type="checkbox"/>	RAP	<input type="checkbox"/>
WIA	<input type="checkbox"/>	Other	EP	<input type="checkbox"/>	H
PRIORITY: HIGH					

SUBJECT: **Citizenship and Identification Requirement Final Rule Summary**

CROSS REFERENCE: Acceptable Citizenship and Identity Documentation, Operations
Memo 06-32

EFFECTIVE DATE: Immediately

PURPOSE

The Centers for Medicare and Medicaid Services (CMS) issued the Final Rule on the Citizenship and Identity verification requirement which was a provision in the Deficit Reduction Act 2005. This memo outlines the changes resulting from the Final Rule. The most significant change is the addition and/or change in documentation types used for both citizenship and identity verification.

CHANGES AND CLARIFICATIONS

Naturalized Citizens

Naturalized citizens must provide level 1 or 2 citizenship documentation. The Citizenship Affidavit is also available for this population if no document from level 1 or 2 is available. This group cannot use level 3 or 4 documentation.

Requirement met outside Wisconsin

If an individual has provided proof of citizenship in a state other than WI, the IM worker can either request that the individual resubmit the documentation or request and obtain a copy or electronic copy of the original documentation reviewed by the other state to keep on file in WI.

Presumptive Eligibility

Presumptive Eligibility recipients are not considered recipients for purposes of citizenship verification. Therefore someone applying for ongoing MA or FPW after a presumptive eligibility period must be treated as an applicant and cannot be made eligible until the documentation has been provided.

Name Changes

Agencies may accept citizenship and identity documents from a woman whose last name has changed due to marriage or divorce if the documentation matches in every way with the exception of the last name. If there is any doubt, the agency may request that the individual provide an official document verifying the change such as a marriage license or divorce decree. If an individual has changed his/her first and last name, s/he must produce documentation from a court or governing agency documenting the change.

Emergency Services MA Eligibility

Citizens cannot be considered eligible for Emergency Services MA when they cannot produce citizenship or identity verification.

Example 1: Jill applies for MA, declares U.S. citizenship and is asked to provide documents proving her citizenship and identity. She has a driver license to prove identity but does not have anything to prove her citizenship. Since Emergency Services MA does not require proof of citizenship and identity as an eligibility requirement, she then asks to be considered for this program. However the IM worker cannot process Emergency Services MA eligibility for persons declaring to be U.S. citizens. Emergency Services MA is reserved for non-qualifying non-citizens.

Certificate of Degree of Indian Blood

The Certificate of Degree of Indian Blood and other American Indian or Alaskan Native documents must have a photo or other personally identifiable information, such as birth date and place of birth.

Former SSI and Medicare Recipients

States cannot consider individuals who received Medicare or SSI in the past to be exempt. An individual is not required to be a citizen to receive these benefits. Since SSA does not share information regarding the reason benefits were lost, it is not possible to determine if the termination was due to citizenship status or not.

Notarizing documents

The identity affidavit (HCF10160) is not required to be notarized.

CHANGES TO ACCEPTABLE DOCUMENTATION TYPES

The [Acceptable Citizenship and Identity Documentation](#) (01/2008) list has been updated with new codes and final rule language. Discontinue use of any previously issued list; use the final list to determine which documents can be used to verify Citizenship and/or Identity.

There are existing verification codes in CARES that may have been appropriate for the new documentation types discussed in this memo. However because of CARES system difficulties in altering a verification code's applicability, new codes had to be designated.

CITIZENSHIP

Level 3

Religious Record – This document, filed with a religious organization within 3 months of the birth, must show US birthplace and either the date of birth or the individual's age at time the record was made; use verification code <RR>. A baptismal certificate is an example of a religious record.

School Record - The school record must show US birthplace, name of child, date of birth, date of admission to school, and name and place of birth of the applicant's parents; use verification code <ED>.

Level 4

Native American documentation – Bureau of Indian Affairs Roll of Alaska Natives; use verification code <IA>.

IDENTIFICATION

Using Multiple Documents

The applicant may provide three or more corroborating documents, such as marriage license, divorce decree, high school or college diploma, property deed/title, death certificate, or employer ID card, to prove identity. This option can only be used if the applicant submitted level 2 or 3, not level 4, citizenship documentation. The applicant may not use a document that was also used for citizenship verification. Use verification code <OI>.

Individuals In Institutional Care Facilities

Disabled individuals in institutional care facilities may have their identity attested to by the facility director or administrator when nothing else is available. Use the new [HCF 10175](#) Statement of Identity for Persons In Institutional Care Facilities for this purpose. Institutional care facilities include those outlined in MEH 5.8.1 Institution (skilled nursing facilities (SNF), intermediate care facilities (ICF), institutions for mental disease (IMD), and hospitals). Use verification code <IC>.

Expanded Identification for Children Under Age 16

The following types of documents can now be used to verify identity for children under age 16:

- A school record, including report card, daycare or nursery school record can be used but it must be verified with the issuing school, use verification code <ED>.
- Clinic, doctor or hospital record, use verification code <MR>.

Expanded Identification for Children Under Age 18

The Statement of Identity for Children Under 16 Years of Age can now be used for children under age 18 when nothing else is available. [HCF10154](#) has been updated and renamed, Statement of Identity for Children Under 18 Years of Age.

The Acceptable Citizenship and Identity Documentation [list](#) has been updated with this new information.

IDENTITY VERIFICATION TOOL

DEPARTMENT OF TRANSPORTATION DRIVER'S LICENSE STATUS CHECK

As previously communicated in a CARES DXBM message, a new method to verify identity for MA/BC/FPW is now available through the Department of Transportation (DOT), Division of Motor Vehicles. Agencies may use this online validation service to verify that an individual has a valid license and therefore has satisfied the identity requirement. It is a tool that is available to the general public and the data is updated daily. To use this tool, go to the following website: <http://www.dot.wisconsin.gov/drivers/online.htm>

Once on the web page titled "DMV on-line services available to you", go to "driver's license status check". The next page will ask for demographic information about the individual in order to retrieve the driver license information. If the website states the person has a valid or expired driver's license, this is satisfactory verification for identity. Workers should enter <MV> as the verification code in CWW. It is not necessary for the individual to submit a copy of his/her license if this verification method is used. It is not necessary for workers to print and file the web page results, nor is it necessary to enter case comments. The appropriate use of the code <MV> is sufficient documentation.

This online service does not contain information on Wisconsin State ID Card holders. A different source of proof of identity will be needed if the information returned indicates the individual's license is one of the following:

- Suspended
- Revoked
- Disqualified
- Cancelled
- Denied

Incidentally if one of the above statuses appears for an applicant or recipient, you may direct him/her to the "Reinstatement Eligibility" link on the same web page as above. This will provide information on how to get his/her license reinstated, which then can be used for identity verification.

UPDATES

The following forms have been updated based on the final rule changes:

- Statement of Identity for Children Under 18 Years of Age – [HCF10154](#)
- Statement of ID for Persons in Institutional Care Facilities – [HCF 10175](#)
- Acceptable Citizenship and Identity Documentation [list](#)

CONTACTS

BEM CARES Information & Problem Resolution Center

HProgram Categories – FS – FoodShare, MA – Medicaid, SC – Senior Care, CTS – Caretaker Supplement, CC – Child Care, W-2 – Wisconsin Works, FSET – Food Stamp Employment and Training, CF – Children First, EA – Emergency Assistance, JAL – Job Access Loan, JC - Job Center Programs, RAP – Refugee Assistance Program, WIA – Workforce Investment Act, Other EP – Other Employment Programs.
DHFS/DHCF/BEM/MM/JE