



Date: June 3, 2024

DMS Operations Memo 24-10

To: Income Maintenance Supervisors  
Income Maintenance Lead Workers  
Income Maintenance Staff

<b>Affected Programs:</b>	
<input checked="" type="checkbox"/> BadgerCare Plus	<input type="checkbox"/> Caretaker Supplement
<input type="checkbox"/> FoodShare	<input type="checkbox"/> FoodShare Employment and Training
<input checked="" type="checkbox"/> Medicaid	
<input type="checkbox"/> SeniorCare	

From: Jonelle Brom, Bureau Director  
Bureau of Eligibility Operations & Training  
Division of Medicaid Services

Autumn Arnold, Bureau Director  
Bureau of Enrollment & Eligibility Policy  
Division of Medicaid Services

**Changes to Citizenship and Immigration Status Verification for Health Care Programs**

**CROSS REFERENCE**

- BadgerCare Plus Handbook, [Section 4.2 Verifying U.S. Citizenship](#) and [Section 4.2.4.4 Reasonable Opportunity Period for Verification of Citizenship](#) and [Section 4.3.2.2 Reasonable Opportunity Period for Verification of Immigrant Status](#)
- Medicaid Eligibility Handbook, [Section 7.2 Verifying U.S. Citizenship](#) and [Section 7.2.4.4 Reasonable Opportunity Period for Verification of U.S. Citizenship](#) and [Section 7.3.2.2 Reasonable Opportunity Period for Verification of Immigration Status](#)

**EFFECTIVE DATE**

June 3, 2024

**PURPOSE**

This memo announces the removal of limitations on the number of reasonable opportunity periods granted to members who must verify their U.S. citizenship, identity, or immigration status. It also announces the addition of Wisconsin’s birth records query and Department of Homeland Security (DHS) Systematic Alien Verification for Entitlements (SAVE) program as sources of verification of U.S. citizenship that do not require an individual to also provide verification of identity.

**BACKGROUND**

In March 2024, the Centers for Medicare and Medicaid (CMS) published the final rule [Streamlining the Medicaid, Children's Health Insurance Program, and Basic Health Program Application, Eligibility Determination, Enrollment, and Renewal Processes](#). In the rule, CMS removed the state option at 42 C.F.R. §435.956 and §457.380 to limit the number of reasonable opportunity periods.

Applicants who are otherwise eligible and are only pending for verification of U.S. citizenship, identity, or immigration status have 90 days after receiving a request for verification to provide the requested documentation. This 90-day period of eligibility is called the reasonable opportunity period (ROP).

Previously, reasonable opportunity periods were limited.

- Reasonable Opportunity Periods for Verification of U.S. Citizenship or Identity:

An individual could only receive one reasonable opportunity period for verification of U.S. citizenship or identity in his or her lifetime.

- Reasonable Opportunity Periods for Verification of Immigration Status:

While an additional ROP could be granted for an individual who had a change in immigration status, applicants who failed to provide verification of immigration status and later reapplied for health care benefits were not eligible for another ROP.

Additionally, CMS stipulated that when an individual's citizenship is verified based on a match with a State's vital statistics records (i.e. birth record query) or the Department of Homeland Security Systematic Alien Verification for Entitlements (SAVE) program a State may not require an individual to provide additional proof of identity as a condition of eligibility, per 42 CFR 435.407 and 457.380.

Previously a birth record query or SAVE system verification of citizenship status only verified an individual's status as a citizen. Individuals were required to submit additional documentation to verify their identity.

## **POLICY**

An individual may receive more than one reasonable opportunity period for verification of U.S. citizenship, identity, or immigration status over the course of their lifetime. Applicants who fail to provide verification of U.S. citizenship, identity, or immigration status and later reapply for health care benefits may receive another reasonable opportunity period.

Applicants who are not exempt from the citizenship verification requirement and whose citizenship has not been verified by the Social Security Administration (SSA) should have their citizenship verified through the SAVE database or a birth record query before requesting documentation of U.S. citizenship in the following circumstances:

- If the applicant was born in Wisconsin, the agency should verify U.S. citizenship through the birth record query.
- If the applicant was previously a non-citizen who gained U.S. citizenship, the agency should verify U.S. citizenship through the SAVE database.

DMS Operations Memo 24-10

June 6, 2024

Page 3 of 3

Applicants whose citizenship is verified by SSA, birth record query, or SAVE database, must not be required to provide documentation of identity.

Applicants whose U.S. citizenship cannot be verified by SSA, birth record query, or SAVE database must provide verification of citizenship and identity.

## **CONTACTS**

DHS CARES Problem Resolution Team

DHS/DMS/BEEP/SDB

DHS/DMS/BEOT/JN