

Extracted from CMS Document:

Overview of New Requirements on Citizenship Documentation for Medicaid Benefits

<http://www.cms.hhs.gov/MedicaidEligibility/downloads/Citizenshipfactsheet.pdf>

Acceptable Proof of both Citizenship and Identity	
<input type="checkbox"/>	A U.S. Passport.
<input type="checkbox"/>	A Certificate of Naturalization (DHS Forms N-550 or N-570).
<input type="checkbox"/>	A Certificate of U.S. Citizenship (DHS Forms N-560 or N-561).
OR Separate Proof of Citizenship and Identity	
1st Tier Proof of Citizenship.	1st Tier Proof of Identity.
A U.S. birth certificate (data matches with a State Vital Statistics Agency may be used in place of a birth certificate, at the State's option)	A current state driver's license bearing the individual's picture or State identity document also with the individual's picture. o o o o o o
A Certification of birth issued by the Department of State (Form DS-1350).	Certificate of Indian Blood, or other U.S. American Indian/Alaska Native tribal document.
A Report of Birth Abroad of a U.S. Citizen (Form FS-240).	A school identification card with a photograph of the individual. o U.S. military card or draft record.
A Certification of Birth Abroad (FS-545).	Identification card issued by the Federal, State, or local government with the same information included on driver's licenses.
A U.S. Citizen I.D. card (DHS Form I-197).	Military dependent's identification card. o Native American Tribal document.
An American Indian Card issued by the Department of Homeland Security with the classification code "KIC". (Issued by DHS to identify U.S. citizen members of the Texas Band of Kickapoos living near the U.S./Mexican border).	U.S. Coast Guard Merchant Mariner card.
Final adoption decree showing the child's name and U.S. birthplace o Evidence of civil service employment by the U.S. government before June 1976,	Data matches with other agencies can be used to verify identity such as those with Federal or State governmental, public assistance, law enforcement, or corrections agencies, at the State's option. Such agencies may include food stamps, child support, corrections, including juvenile detention, motor vehicle, or child protective services.
An official military record of service showing a U.S. place of birth	For Children under 16, an Affidavit signed under penalty of perjury by a parent or guardian attesting to the child's identity.
A Northern Mariana Identification Card. (Issued by the INS to a collectively naturalized citizen of the United States who was born in the Northern Mariana Islands before November 4, 1986).	

2nd Tier Proof of Citizenship.
Extract of U.S. hospital record of birth established at the time of the person’s birth and was created at least 5 years before the initial application date and indicates a U.S. place of birth.
Life or health or other insurance record showing a U.S. place of birth and was created at least 5 years before the initial application date.
3rd Tier Proof of Citizenship.
Federal or State census record showing U.S. citizenship or a U.S. place of birth.
Institutional admission papers from a nursing home, skilled nursing care facility or other institution which indicates a U.S. place of birth.
Medical (clinic, doctor, or hospital) record and was created at least 5 years before the initial application date and indicates a U.S. place of birth
Other document that was created at least 5 years before the application for Medicaid. These documents are Seneca Indian tribal census record, Bureau of Indian Affairs tribal census records of the Navaho Indians, U.S. State Vital Statistics official notification of birth registration, an amended U.S. public birth record that is amended more than 5 years after the person’s birth or a statement signed by the physician or midwife who was in attendance at the time of birth.
Written affidavit. Written affidavits may be used only in rare circumstances when the state is unable to secure evidence of citizenship from another listing. If the documentation requirement needs to be met through affidavits, the following rules apply: There must be at least two affidavits by individuals who have personal knowledge of the event(s) establishing the applicant’s or recipient’s claim of citizenship (the two affidavits could be combined in a joint affidavit). At least one of the individuals making the affidavit cannot be related to the applicant or recipient and cannot be the applicant or recipient. In order for the affidavit to be acceptable the persons making them must be able to provide proof of their own citizenship and identity. If the individual(s) making the affidavit has (have) information which explains why documentary evidence establishing the applicant’s claim of citizenship does not exist or cannot be readily obtained, the affidavit should contain this information as well. The State must obtain a separate affidavit from the applicant/recipient or other knowledgeable individual (guardian or representative) explaining why the evidence does not exist or cannot be obtained. The affidavits must be signed under penalty of perjury.
Driver’s License Documentation to Establish Both Citizenship and Identification
Section 1903 (x)(3)(B)(iv) of the Social Security Act (added by the DRA) permits the use of a valid state-issued driver’s license or other identity document described in Section 274A(b)(1)(D) of the Immigration and Nationality Act, but only if the state issuing the license or such document requires proof of United States citizenship before issuance of such license or document or obtains a Social Security number from the applicant and verifies before certification that such number is valid and assigned to the applicant who is a citizen. CMS is not currently aware that any state has these processes in place at this time. Therefore, until such time that a state has this requirement in place, this documentation may not be accepted.

Reasonable Opportunity

At the time of application or redetermination, the state must give an applicant or recipient a “reasonable opportunity” to present documents establishing U.S. citizenship or nationality and identity. The guidance advises:

- An individual who is already enrolled in Medicaid will remain eligible if he/she continuously shows a good faith effort to present satisfactory evidence of citizenship and identity.
- Applicants for Medicaid should not be made eligible until they have presented the required evidence.
- If the applicant or recipient tries in good faith to present satisfactory documentation, but is unable because the documents are not available, the state should assist the individual in securing these documents.
- If the applicant or recipient cannot obtain the necessary documents and needs assistance (i.e., is homeless, mentally impaired, or physically incapacitated), and lacks someone who can act on their behalf, then the state must assist the applicant or recipient to document U.S. citizenship and identity.