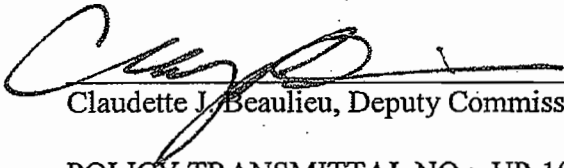




STATE OF CONNECTICUT
 DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL


 Claudette J. Beaulieu, Deputy Commissioner

July 1, 2006
 Effective Date

POLICY TRANSMITTAL NO.: UP-10-13

SUBJECT: Technical changes to the Medicaid Citizenship and Identity requirements.

Minor, non-substantive changes were made by the Connecticut Legislature's Legislative Regulations Review Committee (LRRC) when they approved this regulation at their September 28, 2010 meeting.

The attached pages reflect these minor revisions. Please file these new pages in accordance with the posting instructions listed below.

INSTRUCTIONS FOR UPDATING THE UPM:

Remove and Recycle

Insert

1599 / 1599.05

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DISPOSITION: This Policy Transmittal may be recycled once the UPM has been updated.

DISTRIBUTION: UPM list

RESPONSIBLE UNIT: Family Support Unit, (860) 424-5540

Date Issued: October 13, 2010

DJB

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Date: 7-1-87

Transmittal: UP-87-2

1599

Section:

Eligibility Process

Type:

POLICY

Chapter:

Verification

Program:

AFDC

AABD

MA

Subject:

FS

1599 This chapter discusses the verification requirements that are associated with the manual section on Eligibility Process. The subjects detail the primary issues, factors and issues that are subject to verification by the Department.

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Date: 7-1-06

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1599.05

Section:

Eligibility Process

Type:

POLICY

Chapter:

Verification

Program:

**AFDC
AABD
MA
SNAP**

Subject:

Qualifications of Individuals

- 1599.05 A. Except for MA, individuals may be required to provide verification of their identity if they are not known to the Department or if their identity is otherwise questionable.
- B. MA
1. Except for those listed in 1599.05 F. 8 who are otherwise exempt, all individuals applying for or receiving MA who claim to be U.S. citizens shall verify their identity. Such verification shall be required only one time, unless later evidence raises a question about the person's identity or the Department's prior record is no longer available to the Department.
 2. Individuals are required to provide information to the Department that allows the Department to verify their U.S. citizenship through a match with Social Security Administration (SSA) records, as requested by the Department for this purpose. Verification of U.S. citizenship through this SSA match also verifies an individual's identity for purposes of eligibility for MA.
 3. Individuals are not required to provide verification of identity in order to be and remain eligible for MA when:
 - a. the Department is in the process of making a reasonable effort to verify U.S. citizenship with the SSA; or
 - b. the Department has successfully matched the individual's citizenship information with the SSA information; or
 - c. the Department has commenced the individual's reasonable opportunity period (ROP) because the SSA match has failed and the ROP has not ended.
- C. The following information concerning individuals who represent applicants or recipients is verified by the Department whenever questionable:
1. relationship or legal capacity;
 2. authorized representative status;
 3. absence of other qualified persons when a responsible adult applies on behalf of a deceased, incompetent or incapacitated individual;
 4. actions taken by the representative; or
 5. employment of a SNAP authorized representative.

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3099.04

Section:

Technical Eligibility Requirements

Type:

POLICY

Chapter:

Verification Requirements

Program:

MA

Subject:

U.S. Citizens

3099.04 A. U. S. Citizens-Basic Provisions

1. Except for those individuals listed in section 3099.04 N. who are exempt, or for individuals listed in 3099.04 A. 2 and A. 3, to be eligible for MA, U.S. citizens applying for or receiving MA shall verify their citizenship by having a successful SSA match or by submitting to the Department one of the documents listed in section 3099.04 B. (Primary Level Documents), or section 3099.04 C. (Secondary Level Documents), or section 3099.04 D. (Third Level Documents) or section 3099.04 E. (Fourth Level Documents). These documents shall be supplied to, and shall be accepted, by the Department, only in sequential order, starting with the Primary Level and progressing through the Fourth Level. The availability of documents in one level shall be exhausted prior to a request for, and submission of, a document in the next level. Such verification shall be required only one time, unless later evidence raises a question about the person's citizenship or the Department's prior record is no longer available to the Department.
2. Individuals are required to provide information to the Department that allows the Department to verify their U.S. citizenship through a match with Social Security Administration (SSA) records, as requested by the Department for this purpose. Verification of U.S. citizenship through this SSA match verifies an individual's U.S. citizenship for purposes of eligibility for MA.
3. Individuals are not required to provide verification of U.S. citizenship in order to be and remain eligible for MA when:
 - a. the Department is in the process of making a reasonable effort to verify U.S. citizenship with the SSA; or
 - b. the Department has successfully matched the individual's citizenship information with the SSA information; or
 - c. the Department has commenced the individual's reasonable opportunity period (ROP) because the SSA match has failed and the ROP has not ended.

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3099.04 B. Primary Level Documents

1. a valid or expired U.S. passport that was originally issued without limitation; or
2. a Certificate of Naturalization (DHS Forms N-550 or N-570); or
3. a Certificate of U.S. Citizenship (DHS Forms N-560 or N-561); or
4. a document received by the Department on or after 7/1/06, issued by a federally recognized Indian tribe, evidencing membership or enrollment in, or affiliation with, such tribe unless tribal lands cross an international border whose membership includes individuals who are not U.S. citizens; or
5. documentation received by the Department on or after 7/1/06, as approved by the Secretary of the U.S. Department of Health and Human Services, from a federally recognized Indian tribal member whose tribal location is located within a state that has an international border and whose tribal membership includes individuals who are not U.S. citizens; or

C. Secondary Level Documents

1. a U.S. public birth certificate showing birth in one of the 50 states, the District of Columbia, Puerto Rico (if born on or after January 13, 1941), Guam (if born on or after April 10, 1899), the Virgin Islands of the U.S. (if born on or after January 17, 1917), American Samoa, Swain's Island or the Northern Mariana Islands (if born after November 4, 1986 Northern Mariana Islands local time). These U.S. birth records shall have been recorded by a state, commonwealth, territory or local jurisdiction before the person was 5 years of age; or

2. Evidence of Collective Naturalization

Individuals are considered to be collectively naturalized if they provide evidence of the following;

- a. evidence of birth in Puerto Rico on or after April 11, 1899 and the individual states that he or she was residing in the U.S., a U.S. possession or Puerto Rico on March 1, 1917, and that he or she did not take an oath of allegiance to Spain; or

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3099.04 | E. 5. written affidavits that comply with the following requirements: (continued)

- | b. at least one of the individuals making the affidavit shall not be related by birth, marriage or adoption to the applicant or recipient. Neither of the two individuals shall be the applicant or recipient; and
- | c. in order for the affidavit to be acceptable, the persons making them shall provide proof of their own U.S. citizenship and identity; and
- | d. if the persons making the affidavit have information that explains why documentary evidence establishing the applicant's or recipient's claim of citizenship does not exist or cannot be readily obtained, the affidavit shall contain this information; and
- | e. the Department shall obtain a separate affidavit from the applicant or recipient, or other knowledgeable individual, such as a guardian or representative, explaining why the evidence does not exist or cannot be obtained; and
- | f. the affidavits shall be signed under penalty of perjury; and
- | g. the affidavits are not required to be notarized; and
- | h. written affidavits shall only be accepted as a Fourth Level document if no other Fourth Level documents are available.

| F. Special rules for citizens born outside of the U.S.

Citizens born outside of the U.S. who were not U.S. citizens at birth, may submit a document listed in section 3099.04 B. (Primary Level Documents) or section 3099.04 C. (Secondary Level Documents) to verify their U.S. citizenship to be eligible for MA. The Department may confirm U.S. citizenship of these individuals if they claim to be naturalized by using the SAVE system. When Primary Level Documents and Secondary Level Documents (including SAVE information) are not available, citizens born outside of the U.S. who claim to have been naturalized may use affidavits as listed in section 3099.04 E. 5. to verify U.S. citizenship.

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3099.04 G. Special rules for children born outside of the U.S.

Adopted or biological children born outside of the U.S. may establish citizenship obtained automatically under section 320 of the Immigration and Nationality Act (8 USC 1431), as amended by the Child Citizenship Act of 2000 (Public Law 106-395, enacted on October 30, 2000). Documentary evidence shall be submitted to the Department to substantiate that the following was true at any time on or after February 27, 2001:

1. at least one parent of the child is a U.S. citizen by either birth or naturalization as verified by the documents listed in section 3099.04; and
 2. the child is under the age of 18; and
 3. the child is residing in the U.S. in the legal and physical custody of the U.S. citizen parent; and
 4. the child was admitted to the U.S. for lawful permanent residence as verified under the requirements of 8 USC 1641 pertaining to verification of qualified alien status. This status may be verified by the SAVE system; and
 5. if adopted, the child satisfies the requirements of section 101(b)(1) of the Immigration and Nationality Act (8 USC 1101(b)(1)) pertaining to international adoptions (admission for lawful permanent residence as IR-3 (child adopted outside the U. S.)), or as IR-4 (child coming to the U.S. to be adopted) with final adoption having subsequently occurred). These classifications may be verified by the SAVE system. When SAVE information is not available for these adopted children, an affidavit as listed in section 3099 E. 5. may be used to verify the child's U.S. citizenship.
- H. The verification of citizenship for an applicant or recipient shall be required only once by the Department, unless later evidence raises a question of the person's citizenship or the Department's prior record has been destroyed pursuant to record retention guidelines.
- I. All documents used to verify citizenship shall be either originals or copies certified by the issuing agency.
- J. Individuals may submit evidence of citizenship without appearing in person. Documents may be submitted in person, by mail or by another individual selected by the applicant or recipient.

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- 3099.04 | K. The original or certified copy of documents shall be submitted directly to the Department or to an outstation location designated by the Department pursuant to 42 CFR 435.904.
- | L. The place of U.S. birth listed on all Third and Fourth Level Documents shall match the U.S. place of birth listed on the application or redetermination/renewal form.
- | M. Individuals have one 90-day reasonable opportunity period (ROP) in their lifetimes, during which they are eligible for MA, to verify their citizenship either through a successful SSA match or by providing documents as set forth in this subsection. This ROP may not be extended for any reason. The 90 days of the ROP do not have to run consecutively. This ROP begins after the Department has made its own reasonable effort to verify citizenship through the SSA match process and the individual receives notification that this process has failed to verify his or her citizenship. If, by the end of the ROP, the SSA match process continues to fail and the individual does not provide the required documentation to establish citizenship, MA shall be discontinued for that individual within 30 days after the end of the ROP.
- | N. The following individuals are exempt from the verification requirements set forth in this section:
1. those entitled to, or enrolled in, Medicare;
 2. those eligible in the HUSKY A for Newborn Children coverage group (cross reference UPM section 2540.52);
 3. those eligible under the Presumptive Eligibility for Children process (cross reference UPM section 1523);
 4. those presumptively eligible in the Women with Breast or Cervical Cancer Medicaid coverage group (cross reference UPM section 2540.74);
 5. SSI recipients;
 6. recipients of SSDI or Social Security benefits if receipt is based on their own disability;
 7. foster care children receiving services funded by Titles IV-B or IV-E of the Social Security Act;
 8. children receiving adoption assistance under Title IV-E of the Social Security Act;

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3099.04 N. The following individuals are exempt from the verification requirements set forth in this section: (continued)

9. those eligible under the Presumptive Eligibility for Pregnant Women process; and

10. children who, at the time of their current application for Medicaid, are under 12 months old and who are documented to have been born in the United States to women eligible for and receiving Medicaid at the time of these children's birth.