



# CHILD HEALTH MATTERS

September 2006

## NEW CITIZENSHIP DOCUMENTATION REQUIREMENT FOR MEDICAID APPLICATION AND RENEWALS: A CHALLENGE FOR OHIO'S CHILDREN

Effective September 25, 2006, all children and families applying for or renewing Medicaid coverage will have to provide official documentation of their citizenship status.<sup>1</sup> The addition of this new requirement to an already complex and challenging enrollment process may lead to decreased access to health care for some low-income children and their parents. Children whose parents cannot locate or afford the required documents may experience delays in Medicaid coverage.

Advocates have been working at the state and federal levels to clarify the new mandate and to ensure that both federal and state regulations provide maximum flexibility for states and families. Ohio's rules for implementing the new citizenship documentation requirement have been incorporated into OAC 5101:1-38-02. The rules can be found in the Medicaid Eligibility Manual (MEM) in the Ohio Department of Job & Family Services (ODJFS) eManuals at <http://emanuals.odjfs.state.oh.us/emanuals>.

The following is a brief summary of the new citizenship documentation requirement, based on information available as of mid-September.

### What documents are needed?

There are two ways to meet the requirement for citizenship documentation. One way is to produce a single document—most typically, a passport—that proves both citizenship and personal identity. The other is to produce two documents: one that proves citizenship and one that establishes personal identity. Because many low-income Americans do not have passports, it is likely that citizens applying for Medicaid, as well as most current Medicaid beneficiaries seeking to renew their eligibility, will have to produce two documents to meet this requirement.<sup>2</sup> For most individuals, that will likely be a birth certificate PLUS one other document. For a list of acceptable documents for each purpose, refer to Ohio's rules (web-link noted above).

Upon final approval, the new citizenship documentation requirement will be incorporated into OAC 5101:1-38-02. The rules will then be incorporated into the Medicaid Eligibility Manual (MEM) in the Ohio Department of Job & Family Services (ODJFS) eManuals at <http://emanuals.odjfs.state.oh.us/emanuals>.

### Will copies of documents be accepted?

Per federal rule, all documents must be either “originals or copies certified by the issuing agencies”; copies or notarized copies will not be sufficient. This provision raises concerns that clients may not be able to utilize Ohio's mail-in application and renewal process and will instead force face-to-face interviews since clients will be reluctant to mail originals or certified copies.

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<sup>1</sup> American citizenship or legal immigration status has always been a requirement for Medicaid eligibility. However, prior to July 1, 2006, beneficiaries could self-declare their citizenship and legal immigrants had to produce documentation. The Federal Deficit Reduction Act of 2005 (DRA), requires actual documentary evidence from U.S. citizens before Medicaid eligibility is granted or renewed beginning July 1, 2006. This is a federal mandate so all states must comply.

<sup>2</sup> Center on Budget and Policy Priorities, DRA Citizenship Documentation Requirements for Medicaid: Working with Your State on Implementation, May 3, 2006. Available on the web at [cbpp.org](http://cbpp.org)

## **When do U.S. citizens need to provide these documents?**

In Ohio, starting September 25, 2006<sup>3</sup>, whenever someone applies for Medicaid or whenever someone currently on Medicaid has to renew their eligibility. Once someone provides these documents and they are approved, they will not have to prove citizenship again, i.e., at future renewals, or if they lose eligibility for some other reason and reapply.

## **Is anyone exempt from this requirement?**

At this time, two groups are exempt; “dual-eligibles” or those who are enrolled in both Medicaid and Medicare, and those on SSI. Efforts are continuing to also exempt children in foster care because their citizenship has already been documented to qualify for that program (known as Title IV-E).

## **Does this new requirement affect those who help others apply for Medicaid?**

No. People who are helping others apply for Medicaid do not have to prove citizenship for themselves. For example, if parents are applying for Medicaid for their child, but not for themselves, the parents do not have to provide these documents for themselves.

## **What help is available?**

County caseworkers can help families secure the required documents if:

- Families do not have some of the documents,
- Families cannot afford a document,
- Families are having a problem getting a document quickly.

Many community groups and providers also are gearing up to help clients.

## **For more information**

Contact Mary Wachtel, Voices for Children, 614.648.1450, [mary.wachtel@voicesforclevelandschildren.org](mailto:mary.wachtel@voicesforclevelandschildren.org).

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<sup>3</sup> The Office of Ohio Health Plans (Medicaid) draft rules indicate that Ohio’s implementation date will be September 25, instead of July 1, 2006.