



Date: June 18, 2018

DMS Operations Memo 18-19

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 checked="" type="checkbox"/> SeniorCare	

From: Rebecca McAtee, Bureau Director  
Bureau of Enrollment Policy and Systems  
Division of Medicaid Services

**Simplified Verification of Citizenship for Health Care Programs**

**CROSS REFERENCE**

- BadgerCare Plus Eligibility Handbook, [Section 4.2 Documenting Citizenship and Identity](#) and [Section 9.9 Mandatory Verification Items](#)
- Medicaid Eligibility Handbook, [Section 7.2 Documenting Citizenship and Identity](#) and [Section 20.3 Mandatory Verification Items](#)
- Process Help, [Section 68.3 Acceptable Citizenship and Identity Documentation](#)
- [Operations Memo 18-05](#)

**EFFECTIVE DATE**

July 1, 2018

**PURPOSE**

The purpose of this Operations Memo is to announce a simplified policy and process for verification of United States (U.S.) citizenship for persons applying for health care programs, and other related policy clarifications.

**BACKGROUND**

U.S. citizenship must be verified for health care applicants who declare U.S. citizenship, unless the person is exempt from this requirement. Since 2015, U.S. citizenship has been verified for over 95% of health care applicants through a data exchange with the Social Security Administration (SSA). For those applicants who do not have their citizenship verified through the SSA data exchange and are not exempt from the requirement, Income Maintenance (IM) workers must request verification.

Under current policy, a “hierarchy of documentation” is used to determine what documents workers must request from an applicant in order to verify U.S. citizenship. The current hierarchy of

documentation was established by federal regulations at 42 C.F.R. § 435.407 published by the Centers for Medicare and Medicaid Services (CMS) in 2006. However, due to concerns related to administrative costs, enrollment delays, and wrongful denials, CMS has eliminated the hierarchy of documentation and changed other requirements by modifying the regulations. CMS also recently modified the regulations at 42 C.F.R. § 435.406 concerning the exemption of continuously eligible newborns (CENs) from the citizenship verification policy.

## **POLICY**

### ***DOCUMENTATION TO VERIFY U.S. CITIZENSHIP***

Effective July 1, 2018, verification of U.S. citizenship for health care programs will no longer follow the hierarchy of documentation. When health care applicants declare that they are U.S. citizens, they must provide documentation of citizenship, but **only** if they are not exempt and if the SSA data exchange has not been able to verify their citizenship. For those who must document their citizenship, workers must accept any document defined as a stand-alone document, or accept separate documents verifying U.S. citizenship and identity. If an applicant does not provide a stand-alone document, separate documentation of both citizenship and identity must be provided.

### ***EXEMPTIONS***

Only the following health care applicants or members who declare that they are U.S. citizens are exempt from the U.S. citizenship verification requirement:

- Supplemental Security Income (SSI) recipients
- Social Security Disability Insurance (SSDI) or Disabled Adult Child benefit (SSDC) recipients
- Medicare recipients
- Children receiving foster care or adoption assistance
- CENs born on or after July 1, 2005

### ***STAND-ALONE DOCUMENTS***

Workers must accept the following stand-alone documents as sufficient documentary evidence of citizenship:

- A U.S. passport, including a U.S. passport card issued by the Department of State, without regard to any expiration date as long as it was issued without limitation.
- A Certificate of Naturalization.
- A Certificate of U.S. Citizenship.
- A state-issued enhanced driver's license
- Tribal identification documents issued by a federally recognized Indian tribe, which meets the following criteria:
  - Identifies the federally recognized Indian tribe that issued the document;
  - Identifies the person by name; and
  - Confirms a person's membership, enrollment, or affiliation with the tribe.

**Note:** Tribal identification documents include, but are not limited to the following:

- Tribal enrollment card
- Certificate of Degree of Indian Blood
- Tribal census document

- Document written on tribal letterhead and issued under the signature of the appropriate tribal official

If the applicant presents a stand-alone document to verify citizenship, no other documentation will be required for verification of citizenship or identity.

### *LIMITED MANDATORY VERIFICATION OF IDENTITY*

Effective July 1, 2018, identity will no longer be a mandatory verification item for person who meets any of the following criteria:

- Are exempt from citizenship verification
- Have their citizenship verified through the data exchange
- Provide a stand-alone document verifying their citizenship
- Do not attest to being a U.S. citizen

When an applicant declaring to be a U.S. citizen does not have an exemption, citizenship has not been verified through the SSA data exchange, and the applicant has not provided a stand-alone document, then both citizenship and identity must be verified. This is the **only** situation in which identity is a mandatory verification item for health care applicants or members.

### *EVIDENCE OF CITIZENSHIP*

The [Attachment of this Memo](#) includes a list of acceptable documents for verifying citizenship. If an applicant cannot provide any of documents listed in the attachment, workers may provide the applicant with the [Statement of Citizenship and/or Identity for Special Populations form, F-10161](#). The applicant may submit this form or other affidavit signed by another person under penalty of perjury who can reasonably attest to the applicant's citizenship. That affidavit must contain the applicant's name, date of birth, and place of U.S. birth. The affidavit does not have to be notarized.

### *EVIDENCE OF IDENTITY*

The [attachment](#) includes a list of acceptable documents for verifying identity. Workers must accept documents listed in the attachment as proof of identity, provided that the document has a photograph or other identifying information sufficient to establish identity, including, but not limited to, the following characteristics:

- Name
- Age
- Sex
- Race
- Height
- Weight
- Eye color
- Address

If an applicant cannot provide any of the acceptable documents of identity found in the attachment, workers may provide the applicant with the Statement of Citizenship and/or Identity for Special Populations form, F-10161. The applicant may submit this form or other affidavit signed by another person under penalty of perjury who can reasonably attest to the applicant's identity. That affidavit must contain the applicant's name, and other identifying information. The affidavit does not have to be

notarized. In this situation, affidavits for the identity of children may also be completed using the [Statement of Identity for Children Under 18 Years of Age form, F-10154](#). The [Statement of Identity for Persons in Institutional Care Facilities form, F-10175](#) may also be used for institutionalized members with no other documentation or responsible person able to sign an affidavit.

#### ***LIST OF ACCEPTABLE DOCUMENTS TO VERIFY CITIZENSHIP AND IDENTITY***

To comply with changes in federal regulations, the list of acceptable documents to verify citizenship and identity found in Process Help, Section 68.3 Acceptable Citizenship and Identity Documentation will be shortened.

In addition, several conditions for accepting the documents will be removed, and other changes will be made. For example, acceptable documents no longer need to be dated prior to the date of application. However, beginning July 1, 2018, until Section 68.3 of Process Help is updated, workers must use the [attachment](#) as a reference for determining which verification codes to use and refer to the Directions and Explanations column to understand the conditions under which the documents may be used.

#### ***CLARIFICATION OF MEMBERS WHO ARE EXEMPT FROM U.S. CITIZENSHIP VERIFICATION DOCUMENTATION REQUIREMENTS***

On July 1, 2018, the following policy clarifications will be in effect.

#### ***CONTINUOUSLY ELIGIBLE NEWBORNS***

Effective July 1, 2018, people who were eligible for Medicaid/BadgerCare Plus as a CEN **and** who were born on or after July 1, 2005, will be permanently exempted from citizenship verification requirements.

#### ***RECEIVING SUPPLEMENTAL SECURITY INCOME***

Persons who are eligible for Medicaid under Section 1619(b) of the Social Security Act will be exempt from the citizenship verification requirement, as if they were still SSI recipients.

## CARES

### ***PROCESSING MA CITIZENSHIP VERIFICATIONS IN CARES WORKER WEB***

Effective July 1, 2018, to comply with the federal requirement to verify the citizenship of all non-exempt health care applicants through the data exchange whenever possible, workers must follow the procedures below to verify citizenship.

The “Are you a US citizen:” field and Verification field on the Permanent Demographics page are required fields to complete when health care is requested on a case. In order to initiate the data exchange process, the “GF-Good Faith Effort Recipients Only” must be used for the US Citizenship MA Verification field on the Permanent Demographics page. If the person being added to the case is a CEN born on or after July 1, 2005, workers must enter the “NB” exemption code in the US Citizenship MA Verification field.

The screenshot shows the 'Permanent Demographics' page. At the top right, there are 'Cancel' and 'Reset' buttons and a 'Total: 3' indicator. The page is divided into sections: 'Individual Demographic Information' and 'Individual Details'. Under 'Individual Details', there are several fields: 'Language' (E - ENGLISH), 'Are you a US citizen:' (Yes), 'Birth Place', 'Date Of Death' (MM/DD/YYYY), 'SSN Application Date' (MM/DD/YYYY), 'Alert Flag 1', and 'Alert Flag 2'. There are also two 'Verification' fields. The first 'Verification' field is set to '? - NOT YET VERIFIED'. The second 'Verification' field, labeled 'US Citizenship MA Verification:', is highlighted with a red box and set to 'GF - GOOD FAITH EFFORT - RECIPIENT'. There is also a 'Source:' field.

**Figure 1** Permanent Demographics page

If CARES determines that the applicant is exempt from meeting the U.S. citizenship requirement, “EX-Exempt” will be populated in the US Citizenship MA Verification field.

If CARES verifies U.S. citizenship, “DX – Data Exchange” will be populated in the US Citizenship MA Verification field.

If the U.S. citizenship requirement cannot be verified through the data exchange process and the applicant is not exempt, the applicant must provide verification to verify citizenship with either a stand-alone document or provide verifications for both citizenship and identity.

**Note:** If the member has not already received a 95-day reasonable opportunity period, health care will pass and the 95-day verification request letter will be sent for citizenship verification. If verification is not received by the end of the reasonable opportunity period, the health care verification code will be updated to “NV” and workers will receive alert 464. If the case is not run by the worker by the next adverse action, CWW will end health care eligibility for the person at adverse action. See Process Help,

[Section 68.1 General Citizenship and Identity Verification Requirement Information for Medicaid, BadgerCare Plus and Family Planning Only Services Benefits](#) for more information.

### **PROCESSING MA IDENTIFICATION VERIFICATIONS IN CARES WORKER WEB**

The Identification Verification field on the Current Demographics page is a required field to complete when health care is being requested on a case.

“?-Not Yet Verified” must be used for the Identification Verification field, and “GF-Good Faith Effort Recipients Only” must be used for the Identification MA Verification field on the Current Demographics page in order to initiate the data exchange process outlined in Process Help. If the person being added to the case is a CEN born on or after July 1, 2005, workers must enter the “NB” exemption code instead.

The screenshot displays the 'Current Demographics' form. At the top right, there are 'Cancel' and 'Reset' buttons, and a 'Total: 3' indicator. The form is divided into sections: 'Individual Demographic Information' (Effective Period: Begin Month 11/2017, Last Updated: 11/21/2017) and 'Individual Details'. The 'Identification Verification' dropdown is set to '? - NOT YET VERIFIED' and the 'Identification MA Verification' dropdown is set to 'GF - GOOD FAITH EFFORT - RECIPIENT'. Other fields include SSN Cooperation (Yes), Marital Status (MA - MARRIED), Resides In WI (Yes), Intent To Reside In WI (Yes), Migrant Farm Worker (No), Special Needs Child (No), and Fleeing Felon Or In Violation Of Probation / Parole (No). Verification fields for Agency Form and Not Questionable are also present.

**Figure 2** Current Demographic page

If CARES determines that the applicant is exempt from meeting the U.S. citizenship requirement, “EX-Exempt” will be populated in the Identification MA Verification field.

If CARES verifies U.S. citizenship, “DX – Data Exchange” will be populated in the Identification MA Verification field.

If the U.S. citizenship requirement cannot be verified through the data exchange process and the applicant is not exempt, the applicant must provide verification to verify citizenship with either a stand-alone document or provide separate verifications for both citizenship and identity. If the applicant provides a stand-alone document to verify citizenship, workers can enter the applicable code in both the US Citizenship MA Verification field and Identification MA Verification field.

## **CONTACTS**

BEPS CARES Information and Problem Resolution Center

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