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New Citizenship and Identity Documentation Requirements for Medicaid Coverage What Do They Mean for the Children Grandparents and Other Relatives are Raising?

As of July 1, 2006, all U.S. citizen children and adults who apply for Medicaid or renew their Medicaid eligibility must document their citizenship. They must present a U.S. passport or the combination of a U.S. birth certificate (or other approved document) and an identification document. Without such documentation, Medicaid will not pay for the children's care. The questions and answers below will help grandparents and other relatives understand what these new rules mean for the children they are raising.

How do I know if the children I am raising are eligible for Medicaid?

In most every state, children being raised by grandparents or other relatives should be eligible for Medicaid or the State Children's Health Insurance Program (SCHIP). It should not depend on whether the caregiver is the legal guardian for the child or the income of the caregiver.

For more information about your child's eligibility for Medicaid or SCHIP, check with your state Medicaid or SCHIP agency. Please also refer to *Healthy Ties: Ensuring Health Coverage for Children Raised by Grandparents and Other Relatives* on the Children's Defense Fund Web site. [Click here for publication.](#)

What documentation must I have when I apply for Medicaid for the child I am raising?

You should check with your Medicaid office to see what documents you will need. Ask specifically about the new requirement for documentation of citizenship and identity that took effect on July 1, 2006. You may need documents that prove the child's citizenship and identity.

The new documentation requirements do not apply to children who are eligible for SCHIP in states where Medicaid and SCHIP are separate programs.

What is the new requirement for documentation of citizenship and identity?

It requires U.S. citizens who apply for and receive Medicaid to show documentation of citizenship and identity.

For a child applying for Medicaid, the Medicaid agency must get the documentation before the child can receive Medicaid coverage for his or her health care services.

If the child is already receiving Medicaid, documentation will be required the first time that the child has to renew his or her eligibility for Medicaid after July 1, 2006. State Medicaid programs must redetermine a child or adult's eligibility for Medicaid at least every 12 months. At the time of renewal, the caregiver will be given a "reasonable opportunity" to produce the documentation. Each state has the flexibility to define what a "reasonable opportunity" means so the time period will vary from state to state. Most importantly, the child will continue to receive Medicaid coverage during this period.

Again, it is important to check with your Medicaid agency about how they are applying these new rules and what help they can give you in obtaining the documentation.

Is this a new requirement?

It is new for most states. Proof of citizenship has long been required under Medicaid, but most state Medicaid programs have allowed applicants to self declare their citizenship. All states except Georgia, Montana, New Hampshire and New York used this self-declaration option. Rules for documentation of citizenship in those four states were also more lenient than the new federal rules.

Must I provide proof of the child's citizenship and identity?

Yes. You must document the child's citizenship and identity. Some states will help you acquire the necessary documents. Please be sure to check with your state Medicaid agency for more details.

How do I document citizenship for the child?

The documentation requirements might vary some from state to state. It is best to check with the Medicaid agency in your state.

The federal rules specify that certain documents are preferable to others and you must try to obtain them before others will be acceptable for documenting citizenship and identity.

A U.S. passport is most preferable and can be used to prove both citizenship and identity.

The second best source for proving citizenship is the child's birth certificate. You may have gotten that when the child came to live with you.

The state also has the option of checking electronically with the state Bureau of Vital Records to obtain the child's birth certificate. This will only be possible if the child was born in the state where he is now applying for or receiving Medicaid. If the agency will do this for you, you do not have to get the documentation for the child yourself.

If you need to get documentation, you can most likely obtain a certified copy of the birth certificate from the Bureau of Vital Records in your state. The table includes the phone number for the office. It also describes for each state who, other than a parent, may request a birth

certificate, how much it costs, what you must do to get it and how long it will take to receive it. This information was taken from the Web sites of the state Vital Records offices. Once you have a certified copy of the birth certificate you must then take it or mail it to your Medicaid office.

Before using other documents to prove citizenship, you must show that a passport or birth certificate either does not exist or cannot be obtained within a reasonable period of time. If you can get neither, there is a list of other documents you can get. They include a final adoption decree showing the child's name and U.S. place of birth, which may or may not be applicable in your case.

It is best to check with your state Medicaid office to make sure you know the rules in your state.

Can I also use the child's birth certificate to prove the child's identity?

No. Under the current rules, you need additional documentation to prove the child's identity.

The state Medicaid agency may check electronically with certain public agencies to establish the child's identity. They include child protective services agencies. This may be a help to you if the child you are raising has been in foster care or in contact with the child protective services agency.

The new rules include a list of documents you can use as proof of identity for the child. Those most relevant to children include:

- School identification card with a photograph of the individual
- School records, including nursery or day care records
- A drivers' license if the child is old enough to drive and has a license
- Identification card issues by the federal, state or local government with the same information as the driver's license
- Military dependent's identification card
- Native American tribal documents
- For children, if none of the above is available, an affidavit may be used. The affidavit must state the date and place of the birth of the child and must be signed by the parent or legal guardian.

What happens if I cannot document citizenship and identity for the child?

According to the new federal rule, a state cannot receive federal dollars for Medicaid services provided to Medicaid-eligible children and adults unless states receive satisfactory documentation. That does not necessarily mean your child cannot receive the health care he or she needs. However, lack of documentation and concerns about funding may discourage your state from providing coverage. It also could discourage your doctor, clinic or hospital from serving your child because of concerns that they will not be paid for the care they provide.

Are the rules different if I am a foster parent for the child?

The new rules also apply to children in foster care. Please check with your caseworker to see what, if anything, you need to do. The child welfare agency should get the necessary documentation for the child to the Medicaid agency.

Does the new requirement apply to children who are legal immigrants?

No. Legal immigrants already must demonstrate satisfactory immigration status in order to qualify for Medicaid and they must continue to do so. The process that has been in place for qualified legal immigrants does not change.

The Children's Defense Fund also has prepared the following related materials that may be of assistance to caregivers:

- *A fact sheet that provides state by state Medicaid contact information; and*
- *A fact sheet that describes individual state practices on applying for certified copies of birth certificates*

For further information on how to obtain copies of these materials and for more general information about the implications of the new Medicaid Citizenship requirement for kinship caregivers, please contact the Child Welfare and Mental Health Division at the Children's Defense Fund at 202-662-3629 or jchang@childrensdefense.org.