

I-300 CITIZENSHIP/IDENTITY AND ALIENAGE**I-310 REQUIREMENTS**

As a condition of eligibility for all Medicaid programs, except for aliens eligible for emergency services only or LaCHIP Phase IV, a person must be a:

- U.S. citizen; or
- Qualified alien.

Note:

Certain qualified aliens are barred from Medicaid for five (5) years (refer to I-313 Five Year Bar on Medicaid for Certain Qualified Aliens).

I-311 U.S. CITIZEN

A person becomes a U.S. citizen by one of the following three means:

1. Through Birth;

A person born in the U.S., or born to U.S. citizens on foreign soil, is a U.S. citizen. The U.S. is defined as:

- The fifty (50) states;
- District of Columbia;
- American Samoa;
- Swain's Island;
- Puerto Rico (born on or after January 13, 1941);
- U.S. Virgin Islands (born on or after January 17, 1917);
- Northern Mariana Islands (born after November 4, 1986 NMI local time); and
- Guam (born on or after April 10, 1899).

Exception:

The following individuals, if born in the U.S., are not considered citizens by birth:

- Person born to a foreign sovereign individual; or
- Person born to a foreign diplomatic officer.

2. Through Naturalization

Naturalization is the process by which a foreign citizen or national is granted full U.S. Citizenship.

3. As a Foreign-born Child of a U.S. Citizen (including adopted children).A foreign-born child residing in the U.S. automatically acquires citizenship, provided all of the following requirements are met:

- At least one of the parents is a U.S. citizen (by birth or naturalization); and
- The child is under age 18; and
- The child is currently residing permanently in the U.S. in the legal and physical custody of the citizen parent; and
- The child is admitted as a lawful permanent resident; and
- For an adopted child, all of the above are true, in addition to meeting the following criteria:
 - The child was adopted while under 16 years of age; and
 - The child has been in the legal custody of, and has resided with, the adopting parents for at least two (2) years; or
 - The child has been battered or subject to extreme cruelty by the adopting parent or by a family member of the adopting parent residing in the same household.

Note:

If the parent has to re-adopt the child after the child has been admitted to the U.S., the child becomes a citizen on the day the full and final adoption is completed.

I-312 QUALIFIED ALIEN

A qualified alien is an alien in any of the following groups:

- Lawful permanent resident (LPR);
- Refugee, including Amerasian immigrant admitted to U.S. as a LPR (identified by the status code AM-1, 2, 3, 6, 7, or 8 on immigration documentation and the automated Systematic Alien Verification for Entitlement (SAVE) system);

- Iraqi and Afghan entrants with special immigrant status;
- Asylee;
- A person who has had deportation withheld under section 243(h) of the Immigration and Nationality Act (INA);
- A person granted parole for at least one year by the U.S. Citizenship and Immigration Services (USCIS);
- A person granted conditional entry under immigration law in effect before April 1, 1980;
- Cuban and Haitian entrant as defined in section 501(e) of the Refugee Education Assistance Act of 1980;
- A battered immigrant that meets certain requirements;
- A severe trafficking victim, in accordance with Section 107 (b)(1) of the Trafficking Victims Protection Act of 2000; or
- A non-citizen Native American who is a member of a federally recognized Indian tribe.

Note:

This does not include the non-citizen spouse or child of such an Indian, or a non-citizen whose membership in an Indian tribe or family is created by adoption, unless such person is of at least (fifty) 50 percent American Indian blood.

All applicants for Medicaid who declare they are qualified aliens must provide U.S. Citizenship and Immigration Services (USCIS) documents to establish immigration status and this status must be verified through the SAVE system.

Refer to I-320.1 Acceptable Documentation of Qualified Alien Status for more information.

I-313 FIVE YEAR BAR ON MEDICAID FOR CERTAIN QUALIFIED ALIENS

Immigrants who entered the U.S. on or after August 22, 1996 as qualified aliens are not eligible to receive Medicaid for five (5) years from the date they enter the country. If they are not qualified aliens when they enter, the five (5) year bar begins the date they become a qualified alien. Qualified aliens affected by the bar may be eligible for emergency services only or, if pregnant, for LaCHIP Phase IV only. Refer to I-315 Aliens Eligible For Emergency Services Only.

The following qualified aliens are subject to the five (5) year bar:

- Lawful permanent residents (LPRs);
- Aliens granted parole for at least one (1) year, including individuals paroled into the U.S. with a Class of Admission (COA) code of “CM (Central American Minors). Paroled for 2 years.”

Exceptions:

The bar does not apply to individuals paroled into the U.S. with the COA code of “HF (Haitian Family Reunification Program). Paroled for 3 years“.

Children (under 19) who are lawful permanent residents (LPRs) under the five year bar because of Louisiana’s election of the Children’s Health Insurance Program Reauthorization Act of 2009 (CHIPRA) 214 Option for children effective February 1,2019.

- Battered aliens; and
- Immigrants who entered prior to August 22, 1996 and did not remain “continuously present” in the U.S. until becoming a qualified alien on or after that date. Any single absence of more than thirty (30) consecutive days or a combined total absence of ninety (90) days before obtaining qualified alien status is considered to interrupt “continuous presence.”

Refer to I-320.2 Acceptable Documentation to Determine the Five-Year Bar for Qualified Aliens for more information.

The following qualified aliens are not subject to the five (5) year bar:

- Refugees;
- Asylees;
- Cuban and Haitian entrants;
- Victims of a severe form of trafficking;
- Aliens whose deportation is being withheld;
- Qualified aliens who are honorably discharged veterans or on active duty in the U.S. military;
- The spouse and/or unmarried dependent child(ren) of an honorably discharged veteran or an individual on active duty in the U.S. military;

Note:

The spouse of a deceased veteran who has not remarried may qualify for an exception to the 5-year bar if the spouse is a qualified alien.

- Legal permanent residents who first entered the country under another exempt category (i.e., as a refugee, asylee, Cuban or Haitian entrant, trafficking victim, or alien whose deportation was being withheld) and who later converted to LPR status;
- Members of a federally-recognized Indian tribe;
- Immigrants who entered the U.S. and became qualified aliens prior to August 22, 1996;
- Immigrants who entered prior to August 22, 1996 and remained “continuously present” in the U.S. until becoming a qualified alien on or after that date;

Note:

An immigrant does not have to remain continuously present in the U.S. after obtaining qualified alien status.

- Iraqi and Afghan entrants with special immigrant status.

I-314 NON-QUALIFIED ALIENS

Aliens who do not meet qualified alien status are considered non-qualified aliens. These individuals may be eligible for emergency services only or, if pregnant, for LaCHIP Phase IV only. (Refer to I-315 Aliens Eligible for Emergency Services Only). These individuals are not required to make a declaration of immigration status.

Non-qualified aliens include illegal/undocumented aliens. These aliens were:

- Never legally admitted to the U.S. for any period of time; therefore, never acquired any type documentation from USCIS; or
- Lawfully admitted for a limited time and did not leave the U.S. when their authorized stay expired. Documentation from USCIS is considered expired.

Note:

These individuals are not issued Social Security Numbers (SSN). Therefore, they are not required to provide a SSN.

It may be necessary to request information to distinguish between non-qualified aliens and non-immigrants/ineligible aliens. For undocumented aliens, a statement of how they came to be present in this country is acceptable. The other non-qualified aliens may be requested to provide their USCIS documentation, even if expired.

Coverage can be denied for applicants who do not respond or provide information to establish non-qualified status.

Example 1:

Applicant responds to request for contact but does not want to give information concerning their presence in the country.

Example 2:

Applicant states they were a visitor who stayed in the country after their time expired but did not provide requested Arrival/Departure documentation (USCIS Form I-94) to verify the expiration date.

I-315 ALIENS ELIGIBLE FOR EMERGENCY SERVICES ONLY

Qualified aliens (subject to the five (5) year bar) and non-qualified aliens can be certified under Medicaid for emergency services if the following conditions are met.

The alien has, after sudden onset, a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in:

1. Placing the patient's health in serious jeopardy;
2. Serious impairment to bodily functions; or
3. Serious dysfunction of any bodily organ or part.

To be eligible for emergency services, an alien meeting the medical criteria as stated above must also meet all other eligibility requirements for Medicaid. (That is, they would be eligible in a regular Medicaid program if they met U.S. citizenship or qualified alien status.)

All medical need for emergency services must be submitted to and approved by the Medical Eligibility Determination Team (MEDT). The Form MEDT must clearly indicate that approval of "emergency

services only” is being requested and must address sudden onset. MEDT also determines the coverage period of medical need for emergency services. Once the emergency is over, coverage ends immediately.

Medicaid coverage for services related to an organ transplant procedure or routine prenatal or post-partum care is not available under this provision. If an eligible individual receives treatment for an emergency medical condition and continues to receive care after the emergency ceases, care after the emergency ends is not covered under Medicaid.

The following individuals should first be considered for eligibility for prenatal care under LaCHIP Phase IV:

- Pregnant qualified aliens subject to the five (5) year bar;
- Pregnant non-qualified aliens; and
- Pregnant non-immigrant women.

Refer to [H-3050 LaCHIP Phase IV](#). Applicants who do not meet the income or insurance requirements for LaCHIP Phase IV may be eligible for Emergency Medical Services (EMS).

In the case of EMS labor and delivery, Medicaid coverage is available from the time the mother is first treated for active labor until such time as delivery is complete and mother and child are stabilized.

Local Medicaid office staff is allowed to determine services for labor and delivery for limited periods of coverage. The following standards are to be used for local office decisions:

- For vaginal deliveries, coverage begins with the onset of active labor and ends the day of delivery; or
- For caesarian section, coverage begins with the onset of active labor and ends the day after delivery.

Note:

If delivery is after 12 noon, allow an additional day of coverage.

MEDT must approve coverage for any date prior to active labor and any date after these delivery standards.

Proof of coverage for emergency services only is provided on the notice of decision. Do not issue a medical card.

I-316 **COVERAGE OPTION UNDER CHIPRA FOR CHILDREN UP TO 19**

Beginning February 1, 2019, Louisiana elected to cover lawfully residing children up to age 19 under both Medicaid and CHIP. Section 214 of CHIPRA amends section 2107 of the Act to grant states the option to provide Medicaid and CHIP coverage to children who are lawfully residing in the United States and who are otherwise eligible for such assistance, as described in section 1903 of the Act.

A child shall be considered lawfully present if he or she is:

- An alien in nonimmigrant status who has not violated the terms of the status under which he or she was admitted or to which he or she has changed after admission;
- An alien who has been paroled into the United States pursuant to section 212(d)(5) of the Immigration and Nationality Act (INA) (8 U.S.C. §1182(d)(5)) for less than 1 year, except for an alien paroled for prosecution, for deferred inspection or pending removal proceedings;
- An alien who belongs to one of the following classes:
 - Aliens currently in temporary resident status pursuant to section 210 or 245A of the INA (8 U.S.C. §§1160 or 1255a, respectively);
 - Aliens currently under Temporary Protected Status (TPS) pursuant to section 244 of the INA (8 U.S.C. §1254a), and pending applicants for TPS who have been granted employment authorization;
 - Aliens who have been granted employment authorization under 8 CFR 274a.12(c)(9), (10), (16), (18), (20), (22), or (24); (iv) Family Unity beneficiaries pursuant to section 301 of Pub. L. 101-649, as amended;
 - Aliens currently under Deferred Enforced Departure (DED) pursuant to a decision made by the President;
 - Aliens currently in deferred action status; or
 - Aliens whose visa petition has been approved and who have a pending application for adjustment of status
- A pending applicant for asylum under section 208(a) of the INA (8 U.S.C. § 1158) or for withholding of removal under section 241(b)(3) of the INA (8 U.S.C. § 1231) or under the Convention Against Torture who has been granted employment authorization, and such an applicant under the age of 14 who

has had an application pending for at least 180 days;

- An alien who has been granted withholding of removal under the Convention Against Torture;
- A child who has a pending application for Special Immigrant Juvenile status as described in section 101(a)(27)(J) of the INA
- An alien who is lawfully present in the Commonwealth of the Northern Mariana Islands under 48 U.S.C. § 1806(e); or
- An alien who is lawfully present in American Samoa under the immigration laws of American Samoa.

Children who meet the definition set forth above of “lawfully present” also must be residents.

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NON-IMMIGRANTS NOT ELIGIBLE FOR ANY MEDICAID PROGRAM

Some aliens may be lawfully admitted but only for a temporary or specified period of time as legal non-immigrants. With two exceptions, these aliens are not normally considered qualified aliens (see Exception below). Because of the temporary nature of their admission status, they are generally unable to establish residency and therefore would not be eligible for any Medicaid program (including emergency medical services). Thus, an alien in possession of a student visa, for example, is not a qualified alien for Medicaid purposes.

Exception:

Pregnant non-immigrant alien women can be certified in LaCHIP Phase IV if other eligibility requirements are met.

Children (under 19) who are lawful permanent residents (LPRs) under the five year bar because of Louisiana’s election of the CHIPRA 214 Option for children effective February 1, 2019. See I-316

Note:

In rare instances, a non-immigrant may be able to establish residency and be eligible for treatment of emergency medical conditions only as defined in I-315 Aliens Eligible for Emergency Services Only. These are to be determined on a case by case basis. Contact the Eligibility Policy Section for assistance.

The following categories of individuals are ineligible

aliens/non-immigrants and are not eligible for Medicaid:

- Foreign government representatives (diplomats) on official business and their families and servants;
- Visitors for business or pleasure (tourists) including exchange visitors;
- Aliens in travel status while traveling directly through the U.S.;
- Crewmen on shore leave;
- Foreign students;
- International organization representation personnel and their families and servants;
- Temporary workers including agricultural contract workers;

Note:

USCIS may grant Temporary Protected Status (TPS) to eligible nationals of certain countries (including those with unknown nationality who last resided in the designated country) who are already in the U.S. (for example, individuals from El Salvador, Honduras, and Nicaragua). TPS is a temporary benefit that does not lead to lawful permanent resident status (LPR) or give any other immigration status.

- Members of foreign press, radio, film, or other information media and their families.

For more information, refer to I-320.3 Documentation for Non-Immigrants Who Are Not Eligible for Any Medicaid Program.

I-320 VERIFICATION OF IMMIGRATION STATUS AND ALIENAGE

I-320.1 ACCEPTABLE DOCUMENTATION OF QUALIFIED ALIEN STATUS

The following instructions set forth the documents that may be accepted to determine qualified alien status. Once determined, this status must be verified through the SAVE system.

Lawful Permanent Resident

- USCIS Form I-551; or
- For recent arrivals, a temporary I-551 stamp on a foreign passport or on Form I-94.

Note:

Forms I-151, AR-3 and AR-3A have been replaced by USCIS. If presented as evidence of status, the analyst should contact USCIS to verify status by filing a G-845S with a copy of the previous USCIS form. Refer the applicant/enrollee to USCIS to apply for a replacement card.

Refugees

- USCIS Form I-94, endorsed to show entry as refugee under section 207 of INA and date of entry to the U.S.;
- USCIS Form I-688B annotated "274a.12(a)(3)";
- Form I-766 annotated "A3"; or
- Form I-571.

Note:

Form I-94 processing for refugees has been automated by Customs and Border Protection (CBP). A stamped, paper form will no longer be provided to a refugee upon arrival, except in limited circumstances. A refugee can obtain a copy of their I-94 record of admission from the website of the Department of Homeland Security (DHS).

Reminder:

Refugees usually change to LPR status after twelve (12) months in the U.S., but for the purposes of Medicaid eligibility are still considered refugees. They are identified by Form I-551 with codes RE-6, RE-7, RE-8, or RE-9.

Asylees

- USCIS Form I-94 annotated to show that asylum was granted under section 208 of the INA;
- A grant letter from the Asylum Office of the USCIS;
- Form I-688B annotated "274a.12(a)(5)";
- Form I-766 annotated "A5"; or
- An order of the Immigration Judge granting asylum.

Note:

If a court order is presented, file a G-845 with the local USCIS district office, attaching a copy of the document, to verify the order was not overturned on appeal.

Alien granted parole for at least one (1) year by USCIS

- USCIS Form I-94, endorsed to show grant of parole under Section 212 (d) (5) of the INA and a date showing granting of parole for at least one (1) year.

Alien granted conditional entry under the immigration law in effect before April 1, 1980

- USCIS Form I-94, showing admission under Section 203 (a) (7) of the INA, refugee-conditional entry;
- Forms I-688B annotated "274a.12 (a)(3)"; or
- Form I-766 annotated "A-3".

Alien who has had deportation withheld under Section 243(h) of the INA

- Order of an Immigration Judge showing deportation withheld under Section 243(h) of the INA and date of the grant;
- USCIS Forms I-688B annotated "247a.12(a)(10)"; or
- Form I-766 annotated "A10".

Non-citizens (and their children) who have been battered (or subjected to extreme cruelty) by a spouse, parent, or a member of the spouse's or parent's family, if:

- The member of spouse's/parent's family lived in the same household with the non-citizen during the time they were battered or subjected to extreme cruelty;

Note:

There is no such living requirement for the spouse or parent who battered or subjected the non-citizen to extreme cruelty).

- The non-citizen no longer lives in the same household with the individual who battered or subjected the non-citizen to extreme cruelty; and
- The non-citizen has an approved or pending petition for adjustment of immigration status for:
 - Status as an immediate relative of a U.S. citizen under section 204(a)(1)(A)(i), (iii), or (iv) of INA;
 - Status as the spouse or child of an LAPR alien under section 204(a)(1)(B)(i), (ii), or (iii) of the INA; or
 - Suspension of deportation and adjustment to LAPR

status (based on battery) under section 244(a)(3); and

- The U.S. attorney general determines that there is a substantial connection between such battery or cruelty and the need for Medicaid benefits.

American Indians born Outside of the U.S.

- American Indian Card (I-872);
- Documentation of LPR status (See I-313 Five Year Bar On Medicaid For Certain Qualified Aliens);
- Birth or baptismal certificate issued on a reservation;
- Membership card or other tribal records;
- Letter from the Canadian Department of Indian Affairs;
- School records; or
- Contact with the tribe in question.

Iraqi and Afghan entrants with special immigrant status

- Iraqi or Afghan passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI1, SQ1, SI2, SQ2, SI3, or SQ3 and DHS stamp or notation on passport or I-94 showing date of entry; or
- DHS Form I-551 (known as a “green card”) showing Iraqi or Afghan nationality (or Iraqi or Afghan passport) with an IV code of SI6, SQ6, SI7, SQ7, SI9 or SQ9.

Victim of Human Trafficking

- USCIS Form I0914 (also known as a “T visa”), that allows a foreign victim of human trafficking to remain in the U.S. for up to four (4) years with legal non-immigrant status.

I-320.2

ACCEPTABLE DOCUMENTATION TO DETERMINE THE FIVE-YEAR BAR FOR QUALIFIED ALIENS

- Form I-94. The date of admission should be found on the refugee stamp. If missing, contact USCIS to verify the date of admission by filing a G-845 with a copy of the document.
- If an alien presents Forms I-688B or I-766 (Employment Authorization Documents), and I-57 (refugee travel document), ask the alien to present Form I-94. If not

available, contact USCIS by filing a G-845 with a copy of the document presented.

- Grant letters or court orders. The date that the document was issued will be used as the date status is granted. If the date is missing, contact USCIS to verify date of grant by filing a G-845 with a copy of the document.

If an applicant/enrollee has applied for a replacement of any of the documents listed above, verify by filing a G-845 with the local USCIS district office with a copy of the alien's USCIS receipt, if available. Contact USCIS any time there is a reason to question the authenticity of a document presented or if the information on the document is insufficient to determine whether alien status requirements are met.

I-320.3 DOCUMENTATION FOR NON-IMMIGRANTS WHO ARE NOT ELIGIBLE FOR ANY MEDICAID PROGRAM

Non-immigrants can be identified through the following types of documentation:

- Form I-94 Arrival/Departure Record;
- Form I-185 Canadian Border Crossing Card;
- Form I-186 Mexican Border Crossing Card;
- Form SW-434 Mexican Border Visitor's Permit; or
- Form I-95A Crewman's Landing Permit.

I-330 VERIFICATION OF U.S. CITIZENSHIP

U.S. Citizens

Verify citizenship and identity for all Medicaid applicants/enrollees who claim U.S. citizenship upon application, at first renewal, or when otherwise indicated.

In lieu of requiring documentation of citizenship, the name, SSN, and date of birth of the applicant/enrollee will be compared by data match with information that the Social Security Administration (SSA) has on record. If there is no match through this process, see The Hierarchy of Reliability below and obtain other verification.

The analyst must assist the applicant/enrollee to document U.S. citizenship and identity if the applicant/enrollee is:

- Homeless;

- An amnesia victim;
- Mentally impaired;
- Physically incapacitated;
- Does not have someone to act on his/her behalf; or
- Cannot provide evidence of U.S. citizenship or identity.

Self-attestation of citizenship is not acceptable verification.

Note:

Refer to I-340.1 Documentation of Identity for acceptable identity verification documents.

In the event that the SSA data match fails to establish U.S. citizenship, the applicant/enrollee must provide documentation to show:

- A U.S. place of birth; or
- That the person is a U.S. citizen.

The Hierarchy of Reliability

When evaluating the validity of citizenship documents, a four-tier “hierarchy of reliability” is applied to Medicaid applications as well as renewals. The hierarchal approach requires that States seek documents from the most reliable source possible. Only after it is determined that such documentation does not exist or cannot be obtained within a ninety (90) day “reasonable opportunity period,” then may a state use documentation of a lesser degree of reliability (See I-352 Reasonable Opportunity to Present Satisfactory Documentary Proof of Citizenship).

The hierarchy of documentation is as follows:

1. Primary documentation
2. Second level documentation
3. Third level documentation
4. Fourth level documentation

If second, third, or fourth level documentation is used to verify citizenship, identity must also be verified.

I-330.1 PRIMARY DOCUMENTS TO ESTABLISH U.S. CITIZENSHIP AND IDENTITY

All applicants/enrollees must provide proof of citizenship and identity to Medicaid.

Accept the following documents as the highest reliability of satisfactory documentary evidence of citizenship and identity for persons born inside the U.S.

- U.S. passport – this document does not have to be currently valid to be accepted as evidence, as long as it was originally issued without limitation;
- Current or former receipt of SSI; or
- Current or former receipt of Medicare.

Note:

Spouses and children were sometimes included on one passport through 1980. U.S. passports issued after 1980 show only one person. Consequently, the citizenship and identity of the included person can be established when one of these passports is presented.

Accept the following documents as highest reliability of satisfactory documentary evidence of citizenship and identity for persons born outside the U.S.:

- Certificate of Naturalization (Form N-550 or N-570);
- Certificate of Citizenship (Form N-560 or N-561);
- Current or former receipt of SSI; or
- Current or former receipt of Medicare.

These documents provide conclusive evidence of citizenship unless there is a reason to believe the person is *not* a U.S. citizen.

Primary Documentation is mandatory documentation for all naturalized citizens.

Note:

Louisiana is a “1634 State”, therefore verification of citizenship or identity is not necessary for current or past beneficiaries of SSI or Medicare.

I-330.2 SECOND LEVEL OF DOCUMENTATION TO ESTABLISH U.S. CITIZENSHIP AND IDENTITY

Accept any of the following documents. The document must be either the original or a certified copy:

- Louisiana Vital Records Registry database birth match;

Note:

This match is considered to be of equal reliability of citizenship as having viewed an original or certified copy of a birth certificate. It is not necessary to first request the birth certificate or a passport before making a Vital Records inquiry.

- U.S. birth certificate – the original must have been issued before the person was (five) 5 years of age;
- Final adoption decree showing the child's name and a U.S. place of birth;

Note:

If the adoption is not finalized, the state will not release a birth certificate. A statement from a state-approved adoption agency, showing the child's name and U.S. place of birth indicating an original birth certification as being the source, may be used instead.

- Official Military record of service document – must show a U.S. place of birth;
- Federal Civil Service Employee document – it must show evidence of civil service employment by U.S. before June 1, 1976;
- Certification of Report of Birth (Form DHS-1350);
- Consular Report of Birth Abroad of a Citizen of the U.S. (Form FS-240);
- Certification of Birth Abroad (Form FS-545);
- U.S. Citizen ID Card (Form DHS I-197 or INS form -179);
- American Indian Card (DHS form I-872); or
- Northern Mariana Card (I-873)

The above documentation provides satisfactory reliable evidence of

citizenship unless there is a reason to believe the person is not a U.S. citizen.

I-330.3**THIRD LEVEL OF DOCUMENTATION TO ESTABLISH U.S. CITIZENSHIP AND IDENTITY**

Third level evidence is generally a non-government document that shows a U.S. place of birth, but is established for a reason other than to establish U.S. Citizenship. The place of birth on the non-government document *and* the Medicaid application must agree.

Accept any of the following documents only after requesting and determining the applicant/enrollee does not have either primary or second level documentation.

- A U.S. hospital birth record. It must be on hospital letterhead, indicate a U.S. place of birth established at the time of the person's birth, and created at least five (5) years before the initial application date.

Note:

For children under the age of 16, a hospital record on hospital letterhead made at or near the time of birth, or one that was created at least five (5) years before the Medicaid application date, is acceptable.

- A life, health, or other insurance record. The document must show a U.S. place of birth, and have been created at least five (5) years before the initial application date.

Note:

Souvenir "birth certificates" issued by hospitals are not acceptable proof.

The above third level documentation provides satisfactory reliable evidence of citizenship, unless there is a reason to believe the person is not a U.S. citizen.

I-330.4**FOURTH LEVEL OF DOCUMENTATION TO ESTABLISH U.S. CITIZENSHIP AND IDENTITY**

Accept any of the following documents only after requesting and determining the applicant/enrollee does not have primary, second, or third level documentation:

- Federal or state census records (dating from 1900-1950) showing a U.S. place of birth or U.S. citizenship and the applicant's age. Applicant/enrollee or State should complete a Form BC-600 Application for Search of Census Records; the form requires a fee.
- Institutional Admission Papers from a nursing facility, skilled nursing facility, or other institution showing a U.S. place of birth, and created at least five (5) years before the initial Medicaid application date.
- Clinic, doctor, or hospital records showing a U.S. place of birth, and created at least five (5) years before the initial Medicaid application date.

Exception:

This is not a requirement for a child under age 16.

Immunization records are not acceptable proof.

Other Documents – created at least five (5) years before the initial application for Medicaid.

- Statement signed by the physician or midwife who was in attendance at the time of birth;
- U.S. State Vital Statistics official notification of birth registration;
- Seneca Indian tribal census records;
- Amended U.S. public birth record which was amended more than five (5) years after the person's birth;
- Bureau of Indian Affairs tribal census records of the Navaho Indians; or
- Written affidavit (also referred to as "Declaration").

Using Declarations/Affidavits to establish citizenship requires the following:

Declarations are considered the most unreliable form of documentation and are to be used only in the absence of any other documentation, including other Fourth Level documentation.

- Persons other than the applicant must complete a minimum of two (2) declarations, with at least one (1) declaration being executed by an individual who is not related to the applicant/enrollee.

- Each must attest to personal knowledge of the events establishing the applicant/enrollee's citizenship.
- Each declaration must state it is executed subject to prosecution for perjury.
- Any person executing the declarations must also provide proof of his/her citizenship and identity for the declaration to be accepted.
- The place of birth on any declaration must agree with the place of birth on the Medicaid application or renewal.
- A declaration from the applicant/enrollee or other knowledgeable individual must be executed explaining why documentary evidence does not exist or cannot be readily obtained.
- If the declarant (person making the declaration) has information which explains why documentary evidence of the applicant's claim of citizenship does not exist or cannot be readily obtained, the declaration should contain this information as well.

Note:

Declarations provide the least reliable evidence of citizenship and shall not be used if there is reason to believe the person is not a U.S. citizen.

I-340 VERIFICATION OF IDENTITY

As a condition of eligibility for Medicaid, an applicant/enrollee must provide satisfactory documentary evidence of identity when initially applying for Medicaid, at the first renewal, or when otherwise indicated.

To verify identity, check other available resources such as:

- Department of Children & Family Services (DCFS)
 - Supplemental Nutrition Assistance Program (SNAP), formerly Food Stamps;
 - Family Independence Temporary Assistance Program (FITAP);
 - Kinship Care;
 - Support Enforcement;

- Child Welfare Division (formerly OCS protective services and foster care); or
- Child Care Assistance Program;
- Louisiana Workforce Commission (or LWC, formerly Department of Labor)
 - Wage and unemployment records (LWC Inquiry);
- Office of Motor Vehicles; or
- Women, Infants, and Children special supplemental food program (WIC).

The analyst must assist the applicant/enrollee in documenting U.S. citizenship and identity if the applicant/enrollee is:

- Homeless;
- An amnesia victim;
- Mentally impaired;
- Physically incapacitated;
- Does not have someone who can act on his/her behalf; or
- Cannot provide evidence of U.S. citizenship or identity.

Self-attestation of identity is not acceptable documentation.

I-340.1 DOCUMENTATION OF IDENTITY

Identity documentation is evidence that provides identifying information that relates to the person named on the document (the person is who s/he claims to be).

If primary documentation (Refer to I-330.1 Verification of U.S. Citizenship) is obtained, verification of identity is not required. These documents provide conclusive evidence of identity unless there is reason to believe the person is not who they say they are.

In the absence of primary documentation, accept an original or certified copy of any of the following:

- Electronic inquiries match with a federal or state governmental, public assistance, law enforcement or corrections agency's data system. These may include matches with the resources listed above;
- Driver's license issued by state or territory with either a photo

or other personal identifying information relating to the individual, such as name, age, sex, race, height, weight, or eye color;

- Identification card issued by the federal, state or local government with either a photo or other personal identifying information relating to the individual, such as name, age, sex, race, height, weight or eye color;
- School identification card with a photograph of the individual;
- U.S. military card or draft record;
- Military dependent's identification card;
- Certificate of Indian Blood, or other U.S. American Indian/Alaska Native tribal document if the document has a photo or other personal identifying information relating to the individual, such as name, age, sex, race, height, weight, or eye color;
- Native American Tribal document; or
- U.S. Coast Guard Merchant Mariner card.

I-340.2 ADDITIONAL DOCUMENTS FOR CHILDREN UNDER AGE 16

For children who are under age 16 may have their identity documented using other means, when the child does not have or cannot get any document on the preceding lists. The following may be used for identity:

- School identification card with a photograph (may include daycare or nursery); or
- Affidavit by parent/guardian only if an affidavit has not been used for citizenship.

Note:

Immunization records are not acceptable.

I-350 DOCUMENTARY EVIDENCE

The applicant/enrollee is only required to provide documentary evidence at initial application or renewal to establish citizenship status. Once proven, it need not be documented again, unless later evidence raises a question.

If verification of citizenship and identity cannot be determined at initial application, the applicant/enrollee is responsible for providing verification to the analyst.

Applicants/enrollees are permitted to submit documentary evidence without appearing in person. Accept original documents in person, by mail, or by a guardian or agency representative.

If documents are determined to be inconsistent with pre-existing information, or suspected counterfeit, or altered, contact state office.

I-351 CASE RECORD DOCUMENTATION

Documentation must be maintained in the permanent section of the electronic case record (ECR).

I-352 REASONABLE OPPORTUNITY TO PRESENT SATISFACTORY DOCUMENTARY PROOF OF CITIZENSHIP OR IMMIGRATION STATUS

Allow a reasonable opportunity period of ninety (90) days to secure acceptable documentation of citizenship or immigration status. The ninety (90) day period begins the date of the request for information.

Do not delay eligibility during the reasonable opportunity period. If otherwise eligible, certify the applicant.

Propose adverse action if, after ninety (90) days, verification has not been provided, does not establish citizenship, or immigration status does not meet guidelines. The enrollee has the right to appeal this decision.