

Interim Policy & Procedure Memorandum

ISD-IPP 15-12

TO: ISD Employees
FROM:  Marilyn Martinez, Director, Income Support Division
RE: SNAP and Medicaid Interviews and Verifications for Initial Applications
DATE: June 12, 2015

This IPP outlines the application processing policies and procedures for SNAP and Medicaid programs.

MAGI-Based Medicaid

Per 42 CFR §435.907(d), HSD may not require an in-person interview as part of the application process for a determination of eligibility using MAGI-based income. The elimination of the interview is intended to simplify the application process and eliminate barriers to obtaining coverage under MAGI-based Medicaid. Applicants for MAGI-based Medicaid may still request assistance in understanding the Medicaid program or with completing an application; however, the applicant cannot be required to complete an interview.

Scheduling Interviews (7 CFR 273.2(e) & 8.139.110.11 NMAC);

Interviews are required for SNAP at initial certification and recertification and may be conducted telephonically (PI) or in person (FTF).

1. An appointment letter informing the applicant of the interview date, time, and type of interview, i.e. PI or FTF, will be mailed to the applicant on the same day the application is received for SNAP benefits, to all households who are not interviewed on the day they submit their application.
2. The interview will be scheduled to be held within ten (10) working days from the date the application was submitted or to the extent possible, convenient for both the applicant and ISD.
3. A single interview can be done for multiple categories. As noted above, applicants applying for MAGI-Based Medicaid only do not require an interview

During the Interview:

1. Caseworker will make copies of all verification documents brought to the interview by the applicant and provide a receipt for the documents 8.100.130.9D NMAC.
2. During the Interview the ISD caseworker must (8.139.110.11F NMAC):
 - a. Advise the households of their rights and responsibilities including the appropriate application processing standard and the household's responsibility to report changes.

ISD caseworkers are to review the SNAP Worker Checklist (FSP 013) with the applicant/recipient and document it was reviewed at the interview (GI 14-34 Rights and Responsibilities). This document contains the following information.

- ▶ ISD's Non-Discrimination Policy and Procedures
 - ▶ Civil Rights Complaint Procedures
 - ▶ Fair Hearing Rights and Procedures
 - ▶ Rights and Responsibilities (FAP & FSP 013)
 - ▶ Application processing standard, including time limits
 - ▶ Over-issuances and/or under-issuance
 - ▶ Reporting Requirements
 - ▶ Work Participation Requirements and Disqualifications
 - ▶ Review Community Resources and provide the list of Community Resources.
- b. Review with the applicant information received from government data systems. The worker will not require further verification of such information unless it is disputed by the applicant or the information is otherwise questionable.

Example:

1. Prior to the interview, the SCANS are run through Department of Workforce Solutions (DWS). The SCAN shows that the applicant has been receiving unemployment benefits for the last 5 months. At the interview, the caseworker must tell the applicant that a review of the DWS data identified that they are receiving monthly unemployment benefits. The applicant confirms that this is what is received; the caseworker may use this information to determine ongoing benefits and does not request additional information.

2. Prior to the interview, the SCANS are run through Department of Workforce Solutions (DWS). The SCAN shows that the applicant has been receiving unemployment benefits for the last 5 months. At the interview, the caseworker must tell the applicant that a review of the DWS data identified

that they are receiving monthly unemployment benefits. The applicant questions this information as they received a letter that the benefits would be ending in two weeks. The caseworker must review the data available through DWS to determine the end date of the unemployment benefits. If the caseworker is unable to determine the end date, the caseworker must issue a HUMAD for verification that the benefits will be ending.

- c. Advise the applicant which eligibility factors have been previously established and not subject to change. The caseworker must not require further verification of any eligibility factor already established. These include U.S. Citizenship, permanent residency, birth date, relationship, social security enumeration and deprivation due to the death of a parent.

Example: Certain eligibility standards can be met with permanent information, such as identity or citizenship. The caseworker must not request verification for eligibility factors that have been met previously and are not questionable.

Missed Interviews:

1. If applicant misses an interview, ISD must notify the household the interview was missed and that the household is responsible for rescheduling the missed interview.

The caseworker must send the Notice of Missed Interview (NOMI) from the Scheduling Queue Calendar (App Reg or Recertification) by marking the appointment as a no show. This process will generate the NOMI to be mailed centrally.

2. If a household fails to appear for the first interview and the household requests a second interview before the 30 day application processing period and is determined eligible, ISD must issue prorated benefits from the date of the application.

For example:

A. An application for SNAP benefits is submitted on June 1, 2015. The applicant missed their original interview on June 5, 2015. The applicant called to reschedule the interview on June 29, 2015. ISD is not able to schedule the interview until July 2, 2015. The applicant attends the interview and provides all necessary verification and is determined eligible. The SNAP benefits are pro-rated from the June 1, 2015 application date.

B. An application for SNAP benefits is submitted on June 1, 2015. The applicant missed their original interview on June 5, 2015. The applicant called to reschedule the interview on June 29, 2015. ISD is not able to schedule the interview until July 2, 2015. The applicant attends the interview and a HUMAD is given for additional

income verification, as the verification cannot be obtained electronically. The verification is due on July 12, 2014. The applicant provides the verification on July 10, 2015 and is determined eligible. The SNAP benefits are pro-rated from the June 1, 2015 application date.

Verification:

1. The list of required verifications is contained in both the online and paper program application. The list of required verifications identifies the verification requirements needed for each public assistance program and the various methods that each factor may be verified or established. The employee will explain why the verification is needed, how to obtain the verification, provide examples of the types of verification, the period of time the verification should cover, and offer to help the applicant obtain the verification.

The ISD staff must encourage the applicant/recipient to keep the Program Application Information pages of the Application as they contain the list of verifications and other important information related to the application processing standards and rights and responsibilities.

2. ISD shall use documentary evidence as the primary source of verification for all items except residency and household size. Residency and household size may be verified through readily available documentary evidence or through a collateral contact. For Medicaid the applicant may self-attest to their residency. Although documentary evidence shall be the primary source of verification, acceptable verification shall not be limited to any single type of document and may be obtained through the household or other source. Whenever documentary evidence cannot be obtained or is insufficient to make a firm determination of eligibility or benefit level, the eligibility worker may require collateral contacts or home visits.

If documentary evidence is not available, the caseworker can request the use of a collateral contact. A collateral contact is an oral or written confirmation of a household's circumstances by a person outside of the household. The caseworker must document the reason for utilizing a collateral contact in the case narrative.

In selecting a collateral contact, the applicant/recipient and the caseworker must mutually agree upon the collateral contact as the source of verification a collateral contact must have knowledge of the household's circumstances and must be able to give accurate third party information.

A collateral contact shall not be rejected solely because they are related to the applicant/recipient, they are a recipient of public assistance or they don't have a telephone.

The caseworker may not contact a collateral contact without permission of the applicant/recipient first.

If the collateral contact fails to provide information, the caseworker shall determine the eligibility and benefit amounts based on all readily available information.

3. If a collateral contact is not available, a sworn statement may be utilized.
4. Households cannot be required to prove a negative statement where something does not exist or did not occur.
5. ISD must not require Social Security Numbers and immigration status information from household members who are not seeking benefits for themselves. Individuals who do not provide their SSN or immigration status, as they are not seeking benefits for themselves, and are considered mandatory members must still provide verification of income and resources that are to be used in determining the overall household benefit.
6. Individuals who provide SSN's prior to certification, recertification or at any office contact, ISD will record the SSN and verify it. For individuals that don't have a SSN, ISD will provide information on where and how to apply for a SSN and what information will be needed. ISD will advise the individual that proof of application from SSA will be required prior to certification. If proof of the SSN or application for SSN is not provided, and good cause for not providing the SSN or the application for SSN does not exist, the benefits for the remaining eligible household members will not be delayed.
7. ISD cannot deny or delay Medicaid to an otherwise eligible applicant for pending issuance or verification of an SSN if one of the following applies: (1) the applicant is not eligible for an SSN; (2) may only be issued an SSN for valid non-work reasons; or (3) refuses to obtain an SSN because of well-established religious beliefs.
8. For applicants that do not have an SSN, the caseworker must direct them to apply for a SSN through the Social Security Administration. The applicant must provide proof of the application to ISD. ISD cannot delay or deny SNAP to an otherwise eligible applicant for pending issuance of an SSN, if the applicant provides proof they have applied for one. (7 CFR 273.6(b))
9. Advise the applicant of eligibility factors which still must be verified and how that can be accomplished Provide the applicant with a written list of the specific verification

documents the applicant and caseworker believe are readily available and will establish one or more eligibility factors.

The caseworker must request verification factors for information that was not able to be identified during the interview for SNAP. The request for verification must be done utilizing the HUMAD. The caseworker must review the HUMAD prior to certification to ensure the due dates, the requested verification and the examples of documents that can be used to verify the eligibility factors is correct before the HUMAD is sent.

10. Explore with the applicant what verification is readily available and if the information is not readily available, the worker will advise the applicant that verification can occur through collateral contacts. Readily available information is verification that can be obtained by the applicant within 5 working days and at no additional cost to the applicant.
11. ISD cannot request applicant to provide additional information or documentation unless it cannot be obtained electronically.

The caseworker must run all available SCANS to determine if information is available from allowable sources to determine eligibility. If the information is not available, allowable based on the program type or questionable, request the verification using the HUMAD. Remember, not all sources of verification are allowed across programs. For example, DWS Quarterly Wages is allowable for Medicaid but not for SNAP.

12. ISD must attempt to electronically verify information related to an applicant's financial eligibility from trusted sources of available verification, such as, but not limited to the NM Department of Workforce Solutions Quarterly Wage Earnings or Unemployment Insurance, verification provided for application or recertification for another program administered by HSD, SSA, and Department. of Homeland Security).
13. Offer to assist the applicant in obtaining verification if circumstances indicate that the verification may be difficult for the applicant to obtain. Provide assistance in obtaining verification if the offer is accepted.

Medicaid Only:

Medicaid applications cannot be delayed while processing for verification that is being requested for other COEs. If all mandatory verification has been provided for Medicaid, the application must be processed using readily available verification. This includes the use of electronic data sources to verify financial information to the extent possible, without additional requests for documentation unless necessary, per 42 CFR §435.948(b) and 42 CFR §435.952

14. In accordance with 42 CFR §435.956(e), ISD must accept self-attestation of pregnancy for Medicaid unless the attestation is inconsistent, incomplete or questionable to the information available to ISD.

15. Medicaid applicants must provide proof of citizenship at initial application for citizens and for qualified aliens at initial and when there is a change in their status. ISD cannot deny or delay Medicaid to an otherwise eligible applicant if the only verification missing is citizenship or immigration status. The household must be given a reasonable opportunity to submit the proof of citizenship or immigration status. The time allotted must be the same as the time given for submitting other documents needed for eligibility determinations.

The ISD caseworker must use the electronic data sources must be the primary source of the verification. Requests for documentary evidence should only be requested if the information is unavailable, inconsistent or questionable. If documentation is required, ISD must allow the applicant 90 days to verify. ASPEN is programmed to take appropriate action if verification is not received.

16. Children who are initially eligible for Medicaid or CHIP as “deemed newborns” are considered to have provided satisfactory documentation of citizenship and may not be required to submit further documentation at subsequent eligibility determinations or re-determinations. See State Health Official Letter No. 09-0016, “Re: Citizenship Documentation Requirements.” Stipulated Order Resolving Plaintiffs’ Motion to Enforce Compliance with Decree for Newborn and Children’s Medicaid.

ISD caseworkers shall not request additional citizenship verification to meet the Medicaid Citizenship verification requirement for a child who was initially eligible for Newborn Medicaid. The child’s citizenship was established by virtue of their eligibility for Newborn Medicaid.

17. For children the age of under 16, proof of identity can be established through a clinic, doctor, hospital, or school record. If no other proof of identity is available, an affidavit under perjury from the parent can be used to prove identity.

By signing the application, the Head of Household attests to the identity of children under the age of 16. Additional verification should not be requested.

18. Evidence of immigration status may not be used to determine that an individual is not a state resident. (42 CFR 435.956(c)(2))

Timeframes for Submitting Verification:

1. ISD will allow an applicant the full application processing time period applicable for each program or 10 working days, whichever is later from the date an applicant is notified in writing of the existence of questionable, inadequate or incomplete information to explain resolve or supplement the information. Households may request up to three 10 day extensions to provide missing verification. (7 CFR 273.2(g))

If it is determined that verification is needed, the applicant shall be issued a HUMAD identifying the necessary verification giving them 10 days from the date the HUMAD is issued to provide the information. If the verification is not received by the 11th day, a second HUMAD will be issued giving them until the 30th or 45th day to provide the verification.

2. Caseworkers to the largest extent possible, make a needs based eligibility decision. If the outstanding verification is needed to decide the eligibility of a household or family member, the caseworker will deny that member and make a needs based eligibility decision for the remaining members.

Example:

- A. ***An application was submitted for SNAP, there are three people in the household, two adults and one child. A HUMAD was sent requesting verification of student status for one of the adults who is in college and income of both adult members. The applicant submitted all of the income verification that was requested, but has not submitted the student status verification. The case should be allowed to pend to provide the household the whole application timeframe to submit the requested verification. If the verification is not received by the 30th day, a determination for the other remaining two members shall be made.***
 - B. ***An application was submitted for SNAP, there are three people in the household, two adults and one child. A HUMAD was sent requesting verification of student status for one of the adults who is in college and income of both adult members. The applicant submitted the income for one of the members, but has not submitted the income and the student status for the other adult. The case should be allowed to pend to provide the household the whole application timeframe to submit the requested verification. If the verification is not received by the 30th day, the case shall be allowed to pend the income information.***
3. In cases where verification is incomplete after the 30 day processing period has elapsed, ISD must have provided a statement of required verification and offer to assist the household in obtaining required verification and allow the household sufficient time to provide the missing verification. This must take place at least 10 days before the application is denied.

In cases where required verification is requested from the applicant, the ISD caseworker must document in case comments what was requested on the HUMAD, when it was sent, and when it is due.

Notices:

1. ISD must notify all SNAP households of reporting requirements, send households reporting forms and notify households who fail to meet reporting requirements. 7 CFR 273.12(a).
2. A SNAP denial notice for failure to verify an eligibility factor must contain the following:
 - The verification the applicant failed to provide;
 - State that the eligibility worker took all necessary steps to assist the applicant
 - Identify the action that must be taken to verify the eligibility factor or complete the process
 - State that, if the required action is taken within 60 days following the date the application was filed, the case will be reopened without requiring a new application, and
 - State that, if applicant is found eligible, benefits will be provided in the month following the month of application.
3. If a Medicaid application is denied or approved for a limited coverage COE, the applicant is provided with information that their information has been forwarded to the New Mexico Health Insurance Exchange for assistance with other insurance affordability programs.
4. ISD must send each applicant a written notice of the SNAP and/or Medicaid eligibility decision and, if denied, the reasons for the action, the specific regulation supporting the denial, and an explanation of rights to request a hearing. (7 CFR 273.15(a) & 42 CFR 435.913)