

Susana Martinez, Governor Brent Earnest, Secretary Nancy Smith-Leslie, Director

INTRADEPARTMENTAL MEMORANDUM

MAD-IPP: 15 - 04 DATE: 11/03/2015

TO:

ISD AND MAD STAFF

FROM:

NANCY SMITH-LESLIE, DIRECTOR, MEDICAL ASSISTANCE DIVISON MARILYN MARTINEZ, DIRECTOR, INCOME SUPPORT DIVISION

THROUGH:

ROY BURT, BUREAU CHIEF, ELIGIBILITY BUREAU 2/3

BY:

RICHARD MCINTYRE, ELIGIBILITY BUREAU

SUBJECT:

REASONABLE OPPORTUNITY TO PROVIDE VERIFICATION OF

IMMIGRATION STATUS

1. Policy

Effective immediately, medical benefits must be approved pending verification of immigration status for an applicant who reports that they have a Medicaid qualifying status when the applicant meets all other eligibility criteria. Federal regulations (42 U.S.C. 1320b-7) require that we allow a Reasonable Opportunity period for the applicant to provide documentation of qualifying noncitizen status. The "reasonable opportunity period" is a 95 day window of opportunity for the applicant to provide verification of eligible immigration status. The applicant has 95 days to submit the required documents or information necessary to fully process the case. The period begins on the day a HUMAD is issued. The applicant can also request up to three 10-day extensions beyond the mandatory 95 day window of opportunity to provide the necessary documents or information.

2. Procedure

If staff receives an application without the necessary information to verify citizenship or eligible immigration status, the Department is required to attempt verification through all available electronic interfaces. If electronic verification is not successful, the applicant must be granted the reasonable opportunity period described above to provide the necessary documents or information. Whether or not the electronic verification is successful, the Department shall approve the Medicaid case retroactively to the date of the application pending further verification to be provided during the reasonable opportunity period.

Once the 95 day reasonable opportunity period (including additional extensions, if any) has expired, the applicant can be denied Medicaid for failure to meet the citizenship/immigration status requirement, if verification was not provided.

Attachment

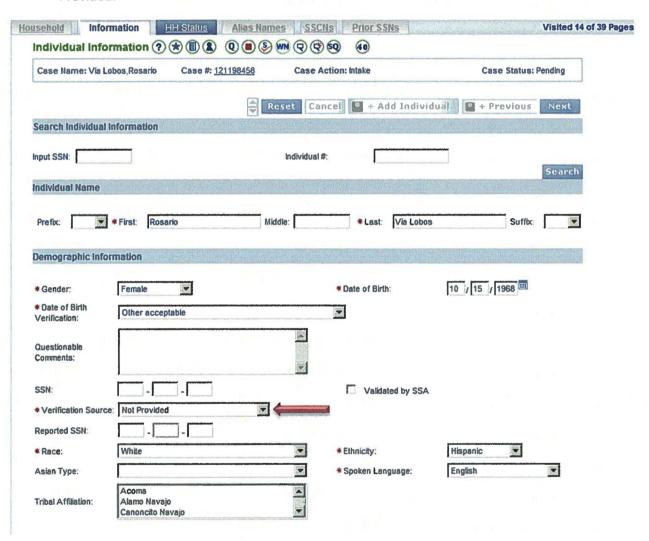
ASPEN does not currently have the 95 day reasonable opportunity period programmed for immigrant status so the attached ASPEN Interim Business Process will need to be completed to approve these cases.

Please address questions concerning this IPP to Richard.McIntyre@state.nm.us or call (505) 476-6818.

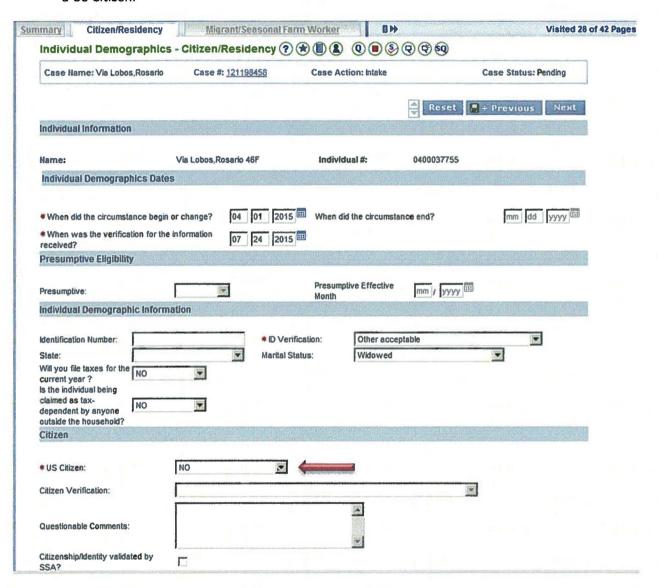
How to Approve a Medicaid Application Pending Verification of U.S. Citizenship, National Status or Satisfactory Immigration.

If an individual has applied for Medicaid services and has met all criteria and is ONLY pending verification of immigration status it will be necessary to code ASPEN as described below in order to obtain eligibility. If other eligibility criteria are not met and additional verifications are needed, other than immigration status the Medicaid case will still need to pend until verification is provided and the case may be processed. If all other criteria are met the individual will be given 95 days from the date the HUMAD was issued to provide verification of immigration status after which the case must be evaluated for continued eligibility. Please note that if the individual applies for other categories of assistance such as SNAP and TANF all existing processing standards remain.

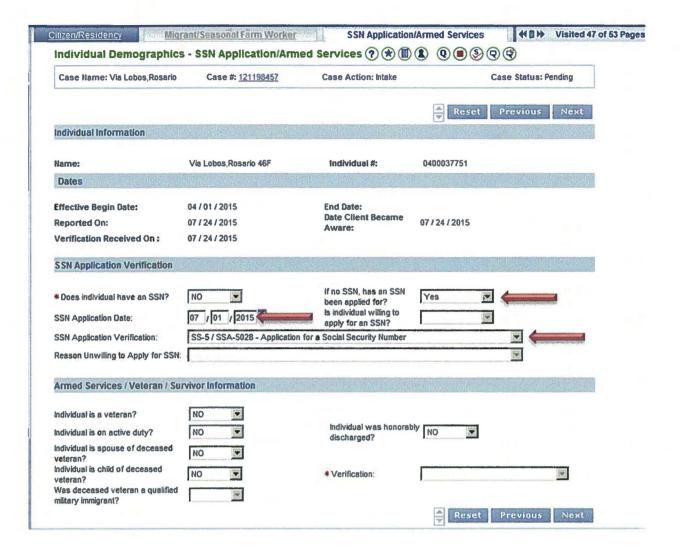
If the individuals have not provided SSNs, code the Individual Information Page as SSN Verification Source "Not Provided."



On the Individual Demographics –Citizen/Residency Page address all questions and indicate the individual is not a US Citizen.

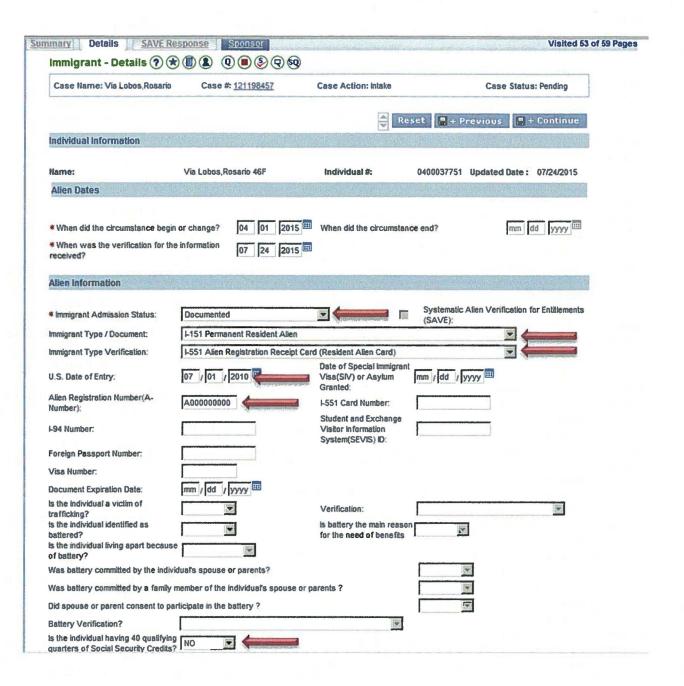


- On the Individual Demographic-SSN Application/Armed Services Page
 - o Indicate that the individual has applied for an SSN by selecting "Yes" from the drop dowm.
 - o Enter the first day of the application month in the SSN Application Date Field.
 - Choose "SS-5/SSA-5028-Application for a Social Security Number" in the SSN Application Verification
 Field.

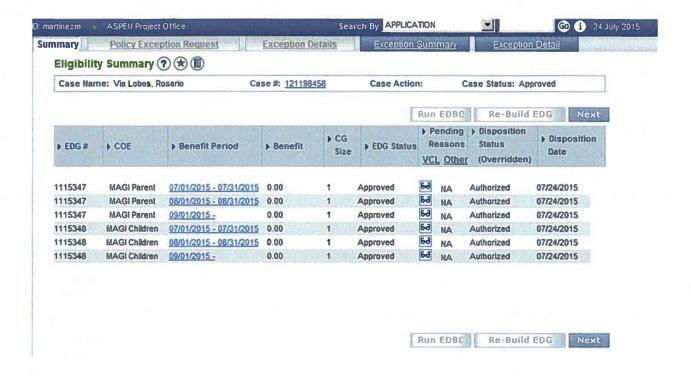


On the Immigrant –Details Screen

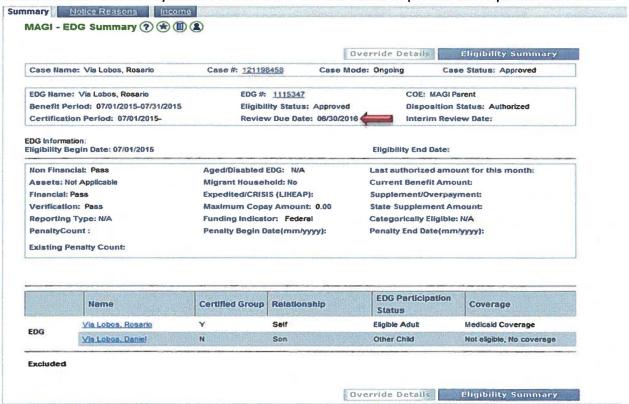
- o Indicate the individual is "Documented" in the Immigrant Admission Status Field.
- Select "I-151 Permanent Resident Alien" from the Immigrant Type/ Document drop down.
- Select "I-151 Alien Registration Receipt Card(Resident Alien Card)" from the Immigrant Type Verification drop down.
- o For any adults on the case in the **U.S. Date of Entry Field** enter a date 5 years from the 1st day of the application month. *In our example we chose 07/01/2010 as our application date is 07/24/2015.* If the applicant is a child enter the date of application, or any day prior to the date of application.
- o Enter the A-Number as A000000000 in the Alien Registration Number Field.
- Indicate that the individual does not have 40 qualifying quarters in the Is the individual having 40 qualifying quarters of Social Security Credits? Field.



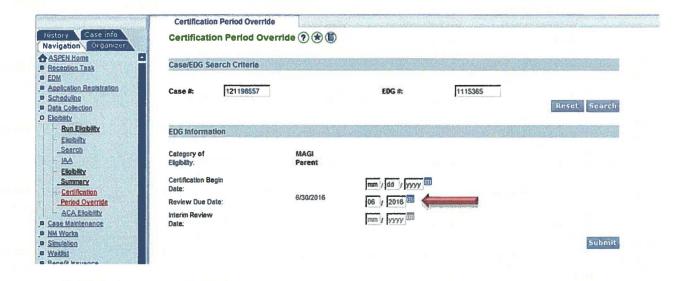
- Continue through Data Collection entering all appropriate and requested information.
- Run EDBC.
- Review and Certify the approval.



ASPEN will automatically give the individual a year of eligibility, note the **Review Due Date** of 06/30/2016. The worker will have to perform a Certification Period Override via Left Navigation to abbreviate the certification period in order to afford the individual 95 days from the date the HUMAD is issued to provide the requested verification.



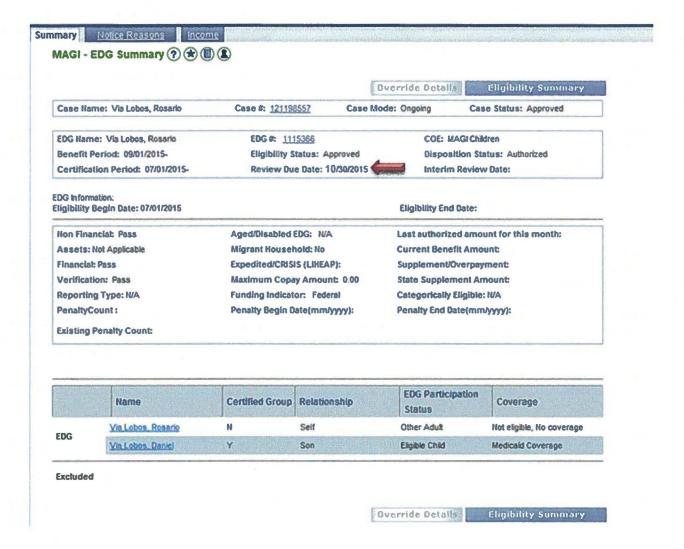
In our example the worker would override the Review Date of 06/30/2016 to 95 days from 07/29/2015, as this is the date of disposition and the date the HUMAD will be sent.



The updated Review Date will now be 10/31/2015. This will have to be performed for each Medical Assistance EDG. The individual will have access to medical services from 07/01/2015 to 10/31/2015.

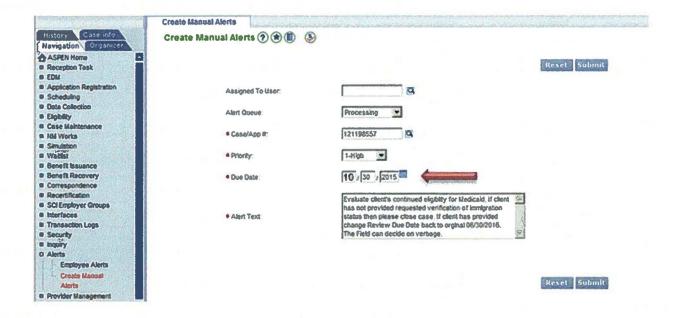


Once the Review Date has been updated it will be necessary for the worker to run the case through a Case Change so that the Review Due Date is amended and the Correspondence reflects the correct dates.



After the Medicaid case is certified the worker must:

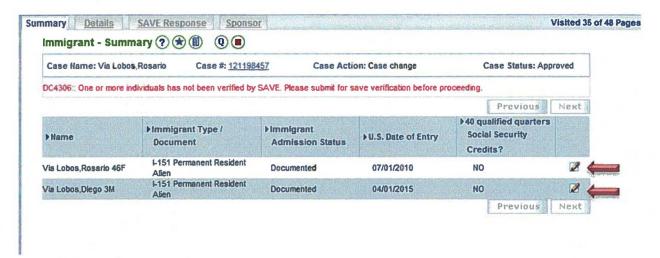
- Review Correspondence.
- Enter Case Comments.
- Send the individual an ISD 210 Help Us Make A Decision.
- Create a Manual Alert for 95 days from the date the HUMAD was sent so that the Medicaid case can be evaluated for continued eligibility. Please also note that the case will close on the last day of the month, if the 95 days falls after the Last Day to Make Changes the individual will get an additional month of services.



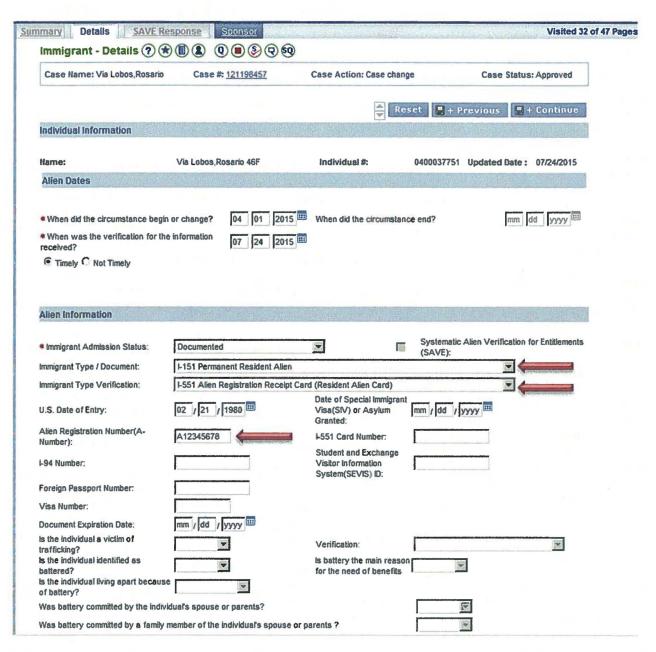
What happens when the individual provides?

Once the individual provides verification of Immigration Status, Medicaid services can be extended.

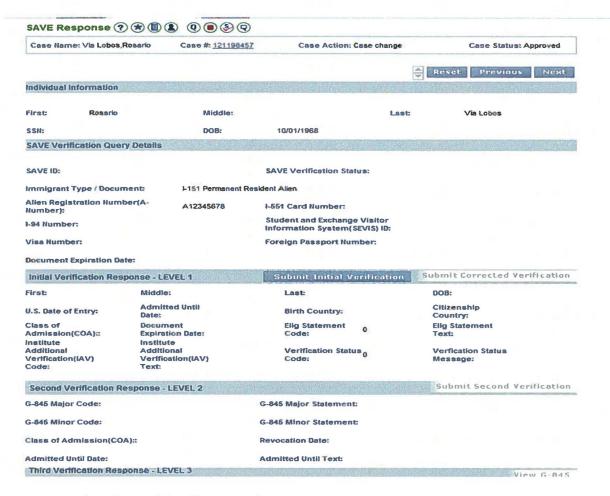
- Enter the case via Case Change.
- Go to Immigrant Summary and update the existing records for all household members via the edit pencil.



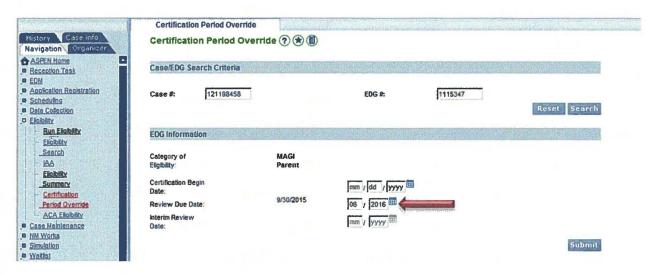
Enter the provided information accordingly; i.e. Immigrant Type/Document, Immigrant Type Verification, alien Registration Number.



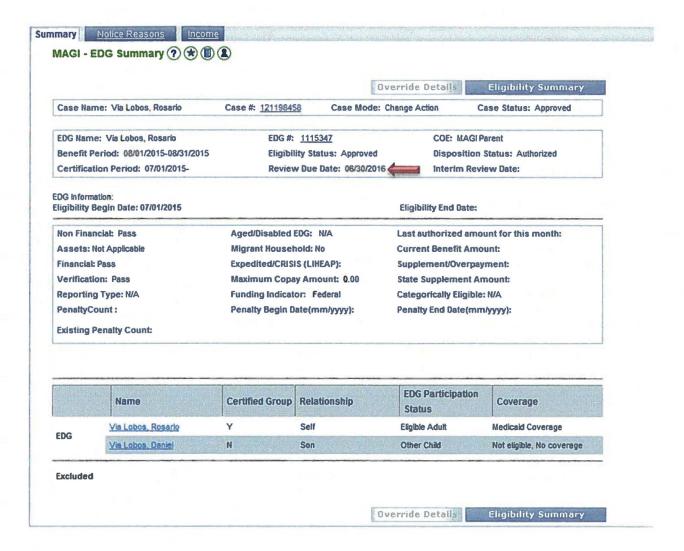
Run SAVE to verify provided documentation.



- Run EDBC and Review and Certify Approvals.
- Return to Certification Period Override on Left Navigation and update the Review Due Date back to the original date review date of 06/2016 for all EDGs.



Go back into the case via Case Change, run EDBC, review results, and certify the updated Review Due Date.



- Review correspondence.
- Enter Case Comments.

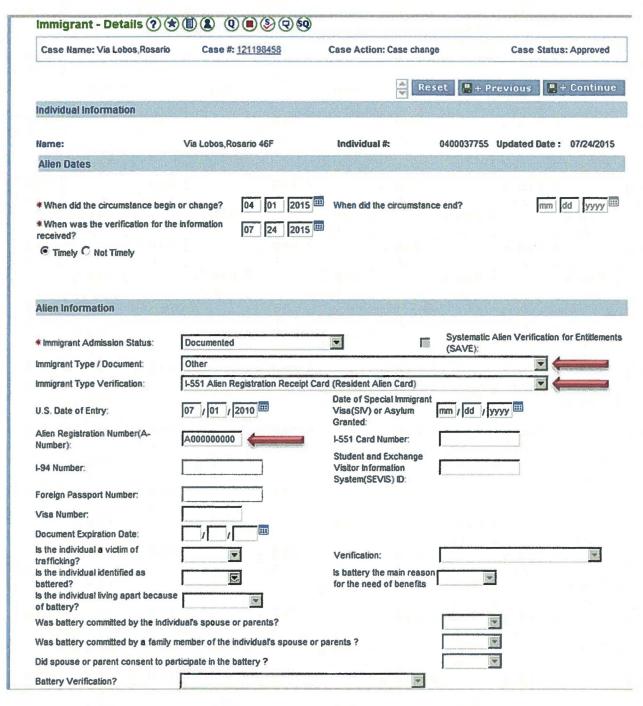
What happens if the individual does not provide?

If the individual does not provide the requested verification of Immigration Status Medicaid services cannot be extended past 95 days and the case must be closed, unless an extension of up to three (3) ten day periods has been granted due to good faith effort to resolve has been granted by the Department.

- Enter the case via Case Change.
- Go to Immigrant Summary and update the existing records for all household members via the edit pencil.



Enter The Immigrant Type/Document as "Other"



- Run EDBC.
- ❖ ASPEN will build a Closed EDG for all Medicaid Categories.



Verify the Notice Reasons on the Eligibility Summary –the Notice Reason must be "Failed Alien Status Requirement"



- Review and Certify the case closure.
- Enter Case Comments.