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TO: ALL COUNTY WELFARE DIRECTORS Letter No.: 07-12
ALL COUNTY WELFARE ADMINISTRATIVE OFFICERS
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS
ALL COUNTY HEALTH EXECUTIVES
ALL COUNTY MENTAL HEALTH DIRECTORS
ALL COUNTY MEDS LIAISONS

SUBJECT: IMPLEMENTATION OF THE FEDERAL DEFICIT REDUCTION ACT OF
2005 REQUIREMENT TO PROVIDE EVIDENCE OF CITIZENSHIP/U.S.
NATIONAL STATUS AS A CONDITION OF MEDI-CAL ELIGIBILITY.

Introduction

The purpose of this All County Welfare Directors Letter (ACWDL) is to provide counties with instructions for implementing the new requirements of the federal Deficit Reduction Act of 2005 (DRA) for documentation of United States (U.S.) citizenship or U.S. national status and identity as a condition of Medi-Cal eligibility for applicants and beneficiaries who declare that they are U.S. citizens or nationals.

This new requirement does not change the documentation or eligibility determination process for individuals declaring as non-citizen immigrants. Counties should continue to follow existing Medi-Cal verification procedures for those who do not declare they are U.S. citizens or nationals.

Additionally, the DRA citizenship/identity document requirements do not change the current policy for acceptable identity documents in verifying the identity of applicants/beneficiaries in other Medi-Cal eligibility matters not involving the DRA citizenship/identity document requirements.

While complying with these new requirements, counties are expected to take all reasonable steps to implement the requirements in a manner that poses the least inconvenience to applicants and beneficiaries. These new requirements should not

All County Welfare Directors Letter No.: 07-12
Page 2
June 4, 2007

create unnecessary barriers to U.S. citizens and nationals who may be eligible for full Medi-Cal benefits.

NOTE: U.S. nationals include individuals born in American Samoa (including Swains Island) and certain inhabitants of the Commonwealth of the Northern Mariana Islands. For purposes of this ACWDL, any reference to "citizens" should be interpreted as including U.S. nationals. In addition, DRA citizenship documentation and identity requirements are also applicable to naturalized U.S. citizens.

To comply with the new federal law, counties must ensure that the Medi-Cal record includes satisfactory evidence of U.S. citizenship or U.S. national status and identity for most Medi-Cal applicants and beneficiaries who have declared that they are citizens or nationals of the U.S.

TABLE OF CONTENTS

<u>TOPIC</u>	<u>PAGE</u>
New evidence of citizenship and identity requirement for Medi-Cal.....	5
Implementing Legislation.....	5
Overview of U.S. Citizenship/National Status and Identity.....	6
Automated Birth Record Matches.....	7
Who Is Exempt From the Citizenship and Identity Requirements?.....	8
Supplemental Security Income and Medicare beneficiaries.....	8
Foster Care, Kin-Gap or Adoption Assistance, and Abandoned Babies.....	8
SSDI, RSI, Medicare: PICKLE, Disabled Widows Benefits (DWB) and Disabled Adult Children (DAC).....	9
Presumptive Eligibility; Accelerated Enrollment for Children.....	9
Bridging Program.....	10
County Implementation.....	10
Adding a Person to an Existing Medi-Cal Family Budget Unit (MFBU).....	11
Acceptable documents for evidence of citizenship/national status and identity	11
Table 1 – Documents Establishing U.S. Citizenship.....	14
Table 2 – Documents Establishing Identity.....	15
Obtaining acceptable evidence of citizenship and identity.....	16
Other Citizenship Documents.....	16
A reasonable opportunity to provide documents.....	16
Definition of “good faith effort”.....	18
Assist applicants and beneficiaries with evidence of citizenship/identity requirements.....	19
Specific requirements for assisting applicants.....	20
Specific requirements for assisting beneficiaries at redetermination.....	22
What is reasonable assistance?.....	25
Assist persons who are incapable of providing evidence of citizenship.....	28

<u>TOPIC</u>	<u>PAGE</u>
Special considerations for pregnant women.....	29
Applications Received from the Single Point of Entry.....	29
Federally Qualified Health Centers and Disproportionate Share Hospitals.....	31
Limited benefits for failure to meet evidence of citizenship/national status.....	31
What if acceptable evidence is provided after restricted benefits are granted?	32
Evidence of citizenship documents submitted by individuals must be originals or certified.....	33
Handling original documents.....	33
Evidence of citizenship obtained by mail.....	34
“Proof of Citizenship or Identity Received” Form.....	34
Evidence of citizenship is only required once.....	34
Using affidavits as evidence of citizenship.....	35
Using an affidavit as evidence of identity for children.....	36
Documentation of Citizenship/Identity For CalWORKs Cases.....	36
Personal Care Services Program (PCSP) and In-Home Supportive Services (IHSS) Plus Waiver Recipients.....	37
Using evidence of citizenship/national status from existing case files.....	37
Using a State birth record match as evidence of citizenship.....	38
Mandatory data fields.....	39
MEDS coding for citizens/nationals.....	39
MEDS changes to satisfy the citizenship/identity verification requirements.....	40
U.S. citizenship for collectively naturalized individuals and persons born in Guam.....	41
Performance Standards.....	41
Outreach to Medi-Cal applicants, beneficiaries, and stakeholders.....	42
Enclosure Table.....	45

New evidence of citizenship and identity requirement for Medi-Cal

Pursuant to federal law, satisfactory documentation of citizenship/national status and identity must be obtained for:

- Most U.S. citizen/U.S. national applicants at the time of application; and
- Most U.S. citizen/U.S. national beneficiaries at the time of their next annual redetermination on or after the date of this ACWDL.

Some citizens and nationals, as explained below, are exempt from the new evidence of citizenship and identity requirements. Please see the list of exempt citizens and nationals on page 8.

The new documentation of citizenship/identity requirement is being adopted in accordance with guidance issued on June 9, 2006, and interim final regulations published on July 12, 2006 by the Centers for Medicare and Medicaid Services (CMS), explained in detail below.

Implementing Legislation

Assembly Bill 1807 (Chapter 74, Statutes of 2006) amended Welfare and Institutions Code Section 14011.2 to provide authority to implement the new documentation of citizenship/identity requirements of the DRA. The new law requires the California Department of Health Services (CDHS) to implement the federal documentation of citizenship/identity requirement with as much flexibility as is allowed under federal law and policy. CDHS is to provide for exceptions or alternatives in its implementation of the federal requirement to the extent federal financial participation (FFP) is available. These exceptions or alternatives may include, but are not limited to, using an expanded list of acceptable documentation, relying on electronic data matches for birth certificates, and accepting sworn affidavits when there is good cause for not providing other evidence. The State is also required to give applicants and beneficiaries, who are making a good faith effort, as much time as federal law and policy will allow, to provide the required evidence of U.S. citizenship and identity.

State law requires counties to assist applicants and beneficiaries who are required to provide evidence of citizenship/identity (as explained in detail below). State law further specifies that individuals who have been determined otherwise eligible, but are determined ineligible for full-scope Medi-Cal for failing to meet the citizenship/identity requirements within the reasonable opportunity period described below, will receive restricted services (including Medi-Cal emergency services and pregnancy-related care and state-only long-term care).

NOTE: These declared “citizens” who receive restricted Medi-Cal for this reason must still provide their valid Social Security number as a condition of eligibility.

State law requires that providing this documentation is a one-time occurrence for applicants and beneficiaries and it requires that counties maintain records of receipt of these documents for future use and for inter-county transfers.

Overview of U.S. Citizenship/National Status and Identity

Prior to the enactment of the DRA, documentary evidence to establish U.S. citizenship or U.S. national status was not required unless an applicant for full-scope Medi-Cal declared a birthplace outside the U.S., or if evidence suggested an applicant falsely claimed to be a citizen or national of the U.S.

- Under the DRA, documentation of U.S. citizenship/U.S. national status and identity must be obtained for most Medi-Cal applicants who declare that they are citizens or nationals of the U.S. for whom eligibility determinations are made (unless they are exempt from the requirement).
- For current beneficiaries who declared that they are U.S. citizens or nationals (and are not exempt from the new requirement), the documentation of citizenship/identity must be provided at their next annual redetermination, unless acceptable documentation is already in the case file (see “Specific requirements for assisting beneficiaries at redetermination”, page 22).

Under the federal guidance, new applicants are treated differently from ongoing beneficiaries (see “Specific requirements for assisting applicants”, page 20). New applicants declaring their U.S. citizenship who meet all other eligibility requirements are not eligible for Medi-Cal until acceptable documentation of citizenship and identity is provided (in which case they receive full-scope Medi-Cal back to the date of application and any retroactive eligibility period) or, if they stop making a good faith effort to provide it, they are only eligible to receive restricted Medi-Cal. In either of these circumstances, otherwise-eligible new applicants will receive the appropriate level of Medi-Cal benefits back to their original application date and any retroactive eligibility period.

Current beneficiaries who are otherwise eligible and are required to provide evidence of citizenship/identity will remain eligible if they are making a good faith effort to provide documents (see page 18 for the definition of good faith effort). Otherwise-eligible current beneficiaries are changed to restricted benefits only if they stop making a good faith effort to provide documents.

Applicants or beneficiaries who receive restricted Medi-Cal for failure to provide evidence of citizenship/identity will have their full-scope eligibility restored back to the month that restricted-scope eligibility began, if they provide the required evidence up to one year after their application or redetermination date. If the required evidence is provided more than one year after the application or redetermination date, the county will establish full-scope eligibility effective the first of the month in which the required documentation is received.

Documentation of citizenship and identity is a **one-time activity**. Once documentation is provided, it will not be collected again, even if the beneficiary moves from one county to another, has a break in aid, or can show that he or she has already documented citizenship in another state's Medicaid program (see "Evidence of citizenship is only required once," page 34).

Pursuant to federal guidelines, all documents provided as evidence of citizenship and identity must either be originals or copies certified by the issuing agency. Uncertified copies or notarized copies may not be accepted.

Automated Birth Record Matches

CDHS has implemented Medi-Cal Eligibility Data System (MEDS) changes to allow counties to request an automated match against California birth records for applicants and beneficiaries who were born in California. The Department has also run several data matches using data from MEDS, Statewide Client Index and county systems to initiate an automated birth record match for Medi-Cal eligibles and applicants known to MEDS. When a successful match was identified, the citizenship information for these individuals was added to the MEDS INQE screen.

- Applicants and beneficiaries for whom a matching birth record is found will have met the citizenship documentation portion of this requirement and shall not be required to provide evidence of citizenship; however, they must still provide evidence of identity.

Electronic birth records are considered evidence of citizenship of the highest reliability. Counties shall use this system to attempt to obtain birth record matches for all California-born individuals. (see "Using a State birth record match as evidence of citizenship", page 38).

NOTE: When valid birth record matches are found for child beneficiaries under 16 years of age during the vital records matches conducted by the State, MEDS is updated to reflect acceptable evidence of citizenship. In these cases, the identity information included in the signed application currently on file, if it includes the date and place of

birth, is accepted as evidence of identity. Therefore, counties will not need to obtain evidence of citizenship or identity from these beneficiaries.

Who Is Exempt From The Citizenship and Identity Requirements?

Applicants or beneficiaries in any of the following groups are exempt from the citizenship and identity requirements described in this letter:

- Supplemental Security Income (SSI) beneficiaries (current and former)
- Social Security Disability Insurance (SSDI – Title II) beneficiaries
- Social Security Retirement and Survivors Insurance (RSI – Title II) beneficiaries who receive those benefits based on their own disability.
- Medicare beneficiaries
- Deemed eligible infants who are born in the U.S. and who therefore are citizens (includes children born to non-citizen mothers and whose delivery was covered by Medi-Cal)
- Minor Consent applicants and beneficiaries
- Children receiving adoption or foster care assistance, including Kinship Guardianship Assistance Payment (Kin-GAP) recipients
- Infants eligible under the Abandoned Baby Program who are also born in the U.S. and have no documentation.

NOTE: Non-citizen immigrants are not subject to the citizenship and identity verification requirement because they are not declaring citizenship status. Otherwise-eligible Immigrants remain eligible for Medi-Cal and eligibility should continue to be determined under existing verification procedures.

Supplemental Security Income and Medicare beneficiaries

Persons receiving Medi-Cal based on eligibility for SSI and those who receive Medicare are exempt from the requirement to provide evidence of U.S. citizenship and identity. When a person loses SSI and eligibility is reviewed for Medi-Cal-only eligibility, evidence of citizenship/identity is not required for ongoing Medi-Cal only eligibility unless the termination was related to the individual's citizenship status and they are declaring citizenship status.

Foster Care (including Title IV-B child welfare services, Title IV-E Foster Care), Kin-GAP or Adoption Assistance, and Abandoned Babies)

As explained above, all foster care children are exempt from the evidence of citizenship/identity requirement. This exemption includes those who are receiving Title IV-B child welfare services, children receiving Title IV-E foster care or adoption

assistance, all children receiving State-funded foster care, and Kin-GAP. Infants receiving benefits under the Abandoned Baby Program are also exempt from the evidence of citizenship/identity requirements for Medi-Cal eligibility.

SSDI, RSI, Medicare: Pickle, Disabled Widows Benefits (DWB) and Disabled Adult Children (DAC)

The beneficiaries in the following aid categories are exempt from the DRA citizenship requirements because they are either receiving Social Security income based on their own disability as a condition of their Medi-Cal eligibility or receive Medicare because of their age. These groups are:

- Pickle eligibles in aid codes 16, 26 and 66.
- Disabled Widow/Widower (aid code 36).
- Disabled adult child-blind (6A).
- Disabled adult child-disabled (6C).

Identification of individuals receiving federal Title II, Section 202 benefits based on their own disability will be addressed in another ACWDL.

Presumptive Eligibility; Accelerated Enrollment for Children

The new federal requirement to document U.S. citizenship/national status does not apply to individuals at the time presumptive eligibility or accelerated enrollment is established. These programs include:

- Presumptive Eligibility for Pregnant Women,
- Presumptive Medi-Cal Eligibility under the Breast and Cervical Cancer Treatment Program,
- Child Health and Disability Prevention (CHDP) Gateway,
- Medi-Cal Accelerated Enrollment at the Single Point of Entry
- School Lunch Program, and
- the joint Healthy Families/Medi-Cal application.

However, the evidence of citizenship/identity requirements are applicable when the individual's ongoing Medi-Cal eligibility is determined, unless he or she is specifically exempted from these requirements. As noted above, Minor Consent applicants and beneficiaries, deemed eligible infants and others are exempt from the evidence of citizenship/identity requirements described in this letter.

Bridging Program

A reduction from full-scope to restricted Medi-Cal benefits because the individual cannot provide evidence of citizenship/identity status is not, in and of itself, a valid reason to provide bridging benefits or a referral to Healthy Families. If, however, a beneficiary is receiving restricted Medi-Cal benefits because:

- the individual cannot provide verification of citizenship/identity status, **and**
- a child moves from no share of cost to a share of cost at redetermination,

counties must bridge the child at the restricted benefits level and refer the case to Healthy Families.

With regard to the Healthy Families to Medi-Cal Bridge, the DRA citizenship/identity requirements are applied when the county processes the Medi-Cal application.

County Implementation

Federal law provides that the requirements of the DRA related to evidence of citizenship and identity must be implemented immediately. The State will work with counties to resolve implementation issues. Counties must provide:

- To all applicants, the “U.S. Citizens and Nationals Applying for Medi-Cal Must Show Proof of Citizenship and Identity” (Enclosure 1A); and
- To all beneficiaries, the “Proof of Citizenship and Identity: New Requirements for Medi-Cal Beneficiaries Who Are U.S. Citizens or Nationals” (Enclosure 1B).

For example, if the county receives an application without citizenship or identity information, the county must send or give Enclosure 1A to the applicant. This situation may occur when applications that have not yet been modified to inform applicants about the DRA are used at outreach events and then sent to the county.

Counties must add these forms, Enclosures 1A and 1B, to all Medi-Cal application (MC 210) and redetermination (MC 210 RV) packets that they distribute until the State modifies the MC 210 packets. These forms explain the evidence of citizenship/identity requirements and include a list of the hierarchy of documents that applicants and beneficiaries, who are declaring citizenship or national status, must provide for Medi-Cal eligibility purposes.

There are forthcoming changes to the MC 210 (Medi-Cal Mail-In Application) that will be addressed in a future ACWDL.

Adding a Person to an Existing Medi-Cal Family Budget Unit (MFBU)

If the county is adding a person, who is not currently on Medi-Cal, to an existing MFBU, this new person will be considered a new applicant. The county must apply the DRA citizenship and identity requirements as a condition of eligibility.

If the county is adding a person to the MFBU who was already eligible for Medi-Cal, that person is considered a beneficiary and receives ongoing Medi-Cal during their reasonable opportunity period, if they were otherwise Medi-Cal eligible, until they reach the end of their reasonable opportunity period

Acceptable documents for evidence of citizenship/national status and identity

A. Establishing U.S. citizenship and identity

To establish U.S. citizenship the document must show:

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

Note: Children born in the U.S. to foreign sovereigns or diplomatic officers are not U.S. citizens.

To establish identity, a document must show:

- Evidence that provides identifying information that relates to the person named on the document.

B. Documents establishing U.S. citizenship and identity

The federal guidelines defining acceptable evidence of citizenship and identity include a five-tier "hierarchy" of evidence.

- Tier one (or level one) evidence is the most reliable and establishes both citizenship and identity.
- Tiers two through four include successively less reliable groups of documentation of citizenship only.
- Tier five includes acceptable documentation of identity only.

Citizens or nationals who provide evidence of citizenship from Tiers Two through Four must also provide an identity document from Tier Five to meet the documentation of citizenship/identity requirement. Higher-tier documentation of citizenship is considered

to be more reliable than lower-tier documentation. The acceptable citizenship documents in Tiers One through Four are listed in Table 1 below. The acceptable identity documents are listed in Table 2 below.

The federal government has established special rules for proof of identity for children under 16 using affidavits. For children under 16, counties shall accept the parent's or guardian's signature, signed under penalty of perjury, on the application as proof of identity of the child. Combining this affidavit with a birth record match should enable most children born in California to be found in compliance with these documentation requirements based on a birth record match and a signature on the application form.

1. Primary documents to establish both U.S. citizenship and identity

Primary evidence of citizenship and identity is documentary evidence of the highest reliability and conclusively establishes that the individual is a U.S. citizen. The county should use available primary documentation of citizenship and identity before using secondary (Tier Two) documents. Applicants or beneficiaries born outside the U.S. who were not citizens at birth must submit one of the primary documents listed in Table 1. NOTE: An expired U.S. passport, issued without limitation, is acceptable as a Tier One document.

2. Secondary documents to establish U.S. citizenship

Secondary evidence of citizenship is documentary evidence that is used when primary evidence of citizenship is not available from the applicant or beneficiary. When an applicant or beneficiary provides one of the secondary (Tier Two) evidence of citizenship documents from Table 1, an identity document from Table 2 below must also be provided, except for children under age 16, as noted under B., above. CDHS' electronic verification of birth record information meets the requirement of Tier Two citizenship documentation. Therefore, no further citizenship documentation is necessary, however, identity will still need to be verified.

3. Third-level documents to establish U.S. citizenship

Third-level evidence of U.S. citizenship is documentary evidence that is used when the applicant or beneficiary alleges that neither primary nor secondary evidence of citizenship is available. Third-level evidence may be used only when primary evidence cannot be obtained in a reasonable amount of time and secondary evidence does not exist or cannot be obtained. Also, a document establishing identity (from Table 2 below) must be provided.

4. Fourth-level documents to establish U.S. citizenship

Fourth-level evidence of U.S. citizenship is documentary evidence of the lowest reliability. Fourth-level evidence should only be used when it is absolutely necessary to meet the evidence of citizenship requirement. This level of evidence is used only when the applicant or beneficiary alleges birth in the U.S., primary evidence is not available, and both secondary and third-level documentary evidence does not exist or cannot be obtained. Also, a document establishing identity (from Table 2 below) must be provided.

5. Evidence of identity

Applicants and beneficiaries declaring that they are U.S. citizens or nationals must provide evidence of identity if primary evidence of citizenship from Tier One (See Table 1) is not available. Thus, when a citizenship document from Tiers Two through Four is presented, it must be accompanied by an identity document from Table 2 below. Expired documents are acceptable for proof of identity. For applicants and beneficiaries who are not declaring that they are citizens or nationals, counties shall continue to follow existing procedures for acceptable evidence of identity.

Table 1 – Documents Establishing U.S. Citizenship

Deficit Reduction Act of 2005			
Hierarchy of Reliability of Citizenship Documents			
<i>Evidence of Highest Reliability</i> ← -----		-----→ <i>Evidence of Lowest Reliability</i>	
Primary Documents (Tier 1)	Secondary Documents (Tier 2)	Third Level Documents (Tier 3)	Fourth Level Documents (Tier 4)
<p>These documents prove Citizenship and Identity</p> <ul style="list-style-type: none"> • United States passport issued without limitation, current or expired. Passports issued through 1980 may show more than one person. • Certificate of Naturalization (DHS Form N-550 or N-570) • Certificate of Citizenship (DHS Form N-560 or N-561) 	<p>Must be Provided with Identity Document from Table 2</p> <ul style="list-style-type: none"> • U.S. Public Birth Record issued before age 5¹ • Certification of Report of Birth (DS-1350) • Certification of Birth issued by the Department of State (Form FS-545 or DS-1350) • Report of Birth Abroad of a U.S. Citizen (FS-240) • U.S. Citizen I.D. Card (Form I-197 or I-179) • American Indian Card (I-872) • Northern Mariana Identification Card (I-873) • Final Adoption Decree² • Evidence of civil service employment by U.S. Government showing employment before 6/1/76 • U.S. Military Record² 	<p>Must be Provided with Identity Document from Table 2</p> <ul style="list-style-type: none"> • Extract of a hospital record on hospital letterhead established at the time of birth.^{2,3} • Life or health or other insurance record^{2,3} 	<p>Must be Provided with Identity Document from Table 2</p> <ul style="list-style-type: none"> • Federal or State census record showing U.S. citizenship or a U.S. place of birth (Generally for persons born 1900-1950)⁴ • Seneca Indian tribal census record^{2,3} • Bureau of Indian Affairs tribal census record of the Navaho Indians^{2,3} • U.S. State Vital Statistics official notification of birth registration^{2,3} • Amended U.S. public birth record, amended more than 5 years after the person's birth^{2,3} • Statement signed by the physician or midwife who was in attendance at the time of birth^{2,3} • Institutional admission papers from a nursing facility, skilled care facility or other institution • Medical (clinic, doctor or hospital) record (excludes immunization records)^{2,3} • Written Affidavit⁵
<p><i>1 Must show birth in: one of the 50 U.S. States; District of Columbia; American Samoa; Swain's Island; Puerto Rico (DOB on or after 1/13/41); Virgin Islands of the U.S. (DOB on or after 1/17/17), Northern Mariana Islands (DOB after 11/4/86, NMI local time); or, Guam (DOB on or after 4/10/1899).</i></p> <p><i>2 Must show U.S. place of birth.</i></p> <p><i>3 Must have been created at least 5 years before the Medicaid application, unless the applicant is a child under the age of 5.</i></p> <p><i>4 Must show applicant's age.</i></p> <p><i>5 Affidavits should ONLY be used in rare circumstances. An affidavit by at least two individuals of whom one is not related to the applicant/recipient and who have personal knowledge of the event(s) establishing the applicant's/ recipient's claim of citizenship. The person(s) making the affidavit must be able to prove his/her own citizenship and identity for the affidavit to be accepted. A second affidavit from the applicant/recipient or other knowledgeable individual explaining why documentary evidence does not exist or cannot be readily obtained must also be obtained.</i></p>			
<p><i>Source: Adapted from: <u>Citizenship Documentation Requirements in the Deficit Reduction Act of 2005: Lessons From New York</u>, Kaiser Commission on Medicaid and the uninsured (Page 7).</i></p>			

Table 2 – Documents Establishing Identity

Acceptable Evidence of Identity for Citizens and Nationals who do not provide Tier 1 citizenship documentation (Tier 5)
<ul style="list-style-type: none">• Certificate of Degree of Indian Blood, or other U.S. American Indian/Alaska Native tribal document (acceptable if the document carries a photograph of the applicant or beneficiary, or has other personal identifying information relating to the individual).• Driver's license issued by a State or Territory either with a photograph of the individual or other identifying information of 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 identification card or draft record• Identification card issued by the Federal, State, or local government with the same identifying information included on driver's licenses• U.S. Military dependent's identification card• Native American Tribal document• U.S. Coast Guard Merchant Mariner card• For children under 16, a school record may include nursery or daycare records • An affidavit to establish the identity of children under 16 is only acceptable if it is signed under penalty of perjury by a parent or guardian stating the date and place of birth of the child, and cannot be used if an affidavit for citizenship was provided.• A U.S. Passport, current or expired, even if issued with limitation
<p>NOTE: Expired identity documents are acceptable for proof of identity.</p>

Obtaining acceptable evidence of citizenship and identity

Counties must accept document(s) provided by applicants and beneficiaries if they are listed in Table 1 or 2 above. Counties must assume that evidence provided by applicants and beneficiaries is the most reliable available evidence based on the instruction they were provided in the notices given to applicants and beneficiaries (at redetermination) which explain the new requirement. Counties must accept citizenship/identity documents without requiring the applicant or beneficiary to appear in person. Counties must accept allowable documents submitted in person, by mail, or by a guardian or authorized representative. Expired documents are acceptable for proof of identity.

Other Citizenship Documents

If an applicant or beneficiary is otherwise eligible, but is unable to provide documentation of citizenship from Table 1 above, he or she will in some cases provide an original (or certified copy) of a document which the county believes constitutes reliable documentation of U.S. citizenship. In such cases, the county should notify the CDHS Medi-Cal Eligibility Branch analyst assigned to United States citizenship regarding the facts of the case and the specifics of the document or documents they received. This information will provide needed feedback in the State's ongoing effort to fashion effective and appropriate policy in this area.

A reasonable opportunity to provide documents

Applicants should submit the application and beneficiaries should submit the redetermination forms, even if they have not yet obtained the citizenship or identity documentation, and shall be given a reasonable opportunity to provide the documents. For applicants and beneficiaries, a "reasonable opportunity" to provide documents is defined as the time needed for the applicant/beneficiary to obtain valid documentation of citizenship/identity based on the individual circumstances and ability to obtain that documentation and the applicant/beneficiary's good faith efforts. Except for Presumptive Eligibility and Accelerated Enrollment situations, applicants are not eligible for full-scope Medi-Cal until they have provided acceptable evidence of citizenship and identity.

When an applicant who is making a good faith effort provides acceptable documents and is otherwise eligible, Medi-Cal benefits must be granted from the date of application, including any eligible retroactive months, if requested. Beneficiaries who are required to provide citizenship/identity documentation at redetermination will

continue to receive Medi-Cal as long as they are otherwise eligible and are making a good faith effort to provide documents.

For applicants, prior to approval of full-scope benefits, counties must obtain evidence of citizenship/identity within the prescribed time limit whenever possible (45 days for applicants who do not need a disability evaluation and 90 days for applicants alleging disability). However, those time limits must be extended to provide applicants with a reasonable opportunity to provide evidence of citizenship/identity if the applicant is making a "good faith effort" to obtain or provide documents.

If an applicant who is making a good faith effort to obtain or provide documentation of citizenship/identity needs additional time, counties must allow a reasonable period of time.

- This time should be determined on a case-by-case basis, depending on how much time the applicant needs to obtain the required information.
- Counties should follow up with the applicant if the required information is not provided in the time the applicant needs to obtain the required documents. Following up with the applicant is necessary to ensure that acceptable documentation is in the case file as soon as possible or to provide additional time to obtain the document if it is needed.
- Restricted Medi-Cal is only available to otherwise eligible citizens or nationals who, for whatever reason, indicate that they will not present the required evidence of citizenship or identity or who stop making a good faith effort to obtain it.

Otherwise-eligible beneficiaries must also be given a reasonable opportunity to provide evidence of citizenship/identity if it is required at redetermination because it had not been provided previously. Current beneficiaries are required to provide evidence of citizenship/identity at their next annual redetermination only if they have not provided acceptable evidence at any time in the past and must be given a reasonable opportunity to provide this evidence. (As explained below, evidence of citizenship/identity is only required once.)

For beneficiaries who are required to provide evidence of citizenship/identity as part of their annual redetermination, the time allowed to provide it must be extended as long as they are making a good faith effort, and counties should follow-up after a reasonable period of time to obtain the document or provide additional time if the beneficiary is making a good faith effort.

- If the documentation has not been provided as part of the annual redetermination, but the beneficiary is otherwise eligible, the county must contact the beneficiary to determine if a good faith effort continues.
- If the beneficiary is no longer making a good faith effort, benefits are to be reduced, with adequate and timely notice, to restricted coverage.
- **Unlike applicants, otherwise-eligible beneficiaries remain eligible for Medi-Cal during the reasonable opportunity period and shall not have their eligibility terminated or reduced due to failure to provide citizenship or identity documentation if they are making a “good faith effort” to get the documentation.**

Definition of “good faith effort”

An applicant or beneficiary is making a good faith effort if he or she demonstrates effort to obtain and present satisfactory documents to meet the evidence of citizenship requirements including evidence of identity if applicable. Applicants and beneficiaries may provide verbal or written statements of their efforts to obtain evidence of citizenship and identity. Counties must document these efforts in the case file, including the basis for a determination that an applicant or beneficiary is or is not making a good faith effort. Whenever possible, such documentation should include dates to indicate how much time the applicant will need to obtain the required documents. This will enable the county to follow up to see if documents have been received or if additional time is needed to obtain them.

Examples of good faith effort include, but are not limited to:

- Providing a copy of a request for a document such as, a photocopy of a letter, a copy of an e-mail or a receipt for the requested document from the agency who will issue the document.
- Providing a copy of a document request sent to the appropriate agency or other entity.
- Providing copies of documents along with documentation that an original or certified copy of an acceptable document has been ordered.
- Written or verbal statements of effort to obtain citizenship documentation. (See “Affidavit of Reasonable Efforts to Get Proof of Citizenship” (Enclosure 3) for suggested affidavit format)
- Providing a copy of a check receipt or other documentation indicating that a citizenship or identity document has been ordered.
- A written or verbal update of progress made in obtaining evidence of citizenship or identity.
- A written or verbal explanation of attempts to locate two persons who could attest to the applicant’s/beneficiary’s citizenship.

In addition to the suggested evidence of good faith effort listed above, counties must accept and document any reasonable information provided by an applicant or beneficiary which shows that they are trying to obtain the necessary documents. Counties must also consider circumstances in which a person is incapable of taking the steps necessary to obtain the required documents (for example, due to incapacity or disability) and must provide reasonable assistance to these individuals in obtaining evidence of citizenship and identity.

Counties may use the "Affidavit of Reasonable Efforts to Get Proof of Citizenship" (Enclosure 3) or a county-developed form to record information provided and to document the good-faith effort.

Assist applicants and beneficiaries with evidence of citizenship/identity requirements

Counties are required to provide reasonable assistance to applicants and beneficiaries in obtaining evidence of citizenship/identity. Counties are not required to pay for documents.

Counties may use funds from their annual Medi-Cal allocation to pay for birth certificates for persons born in states outside of California. Counties should use the birth record match process to obtain evidence of citizenship for persons born in California. There will be no new state funding to counties specifically to cover the costs of out-of-state birth certificates or other documents needed to meet the Medi-Cal eligibility requirements of the DRA. The counties will be paid based on the time they time-study to Medi-Cal times the approved EW salary/overhead amount. If counties choose to pay for documents, it has to be within this funding.

Counties are encouraged to assist applicants by directing them to the appropriate agency to obtain the required documents and by allowing them the time they need to obtain it. Counties should work together to assist applicants/beneficiaries in securing or confirming evidence of citizenship/identity available when prior history of public assistance is identified from another California County Welfare Department. This could also be accomplished by establishing county liaisons or utilizing the Inter-County Transfer (ICT) Coordinators list.

In addition, counties are required to take the steps identified below, as needed, to assist beneficiaries in providing the required evidence of citizenship and identity when it is required at redetermination. For both applicants and beneficiaries, this assistance includes performing ex parte reviews of databases and county files as a first step. For

example, this includes reviewing the citizen/alien indicator and citizenship/identity documentation fields on the MEDS INQE screen.

Specific requirements for assisting applicants

If an applicant returns the application form and is not otherwise exempt from either one or both requirements, the county must check MEDS to determine if the applicant has already provided acceptable evidence of citizenship/identity.

- On the MEDS INQE screen, check the Citizenship Document Type and Identity Document Type fields to determine if citizenship and/or identity have already been verified or if the applicant is exempt from verification requirements.

If the applicant is not exempt and has not already provided acceptable evidence, of citizenship/identity, the county shall follow these steps:

1. If citizenship verification is required and there is birth information on the application indicating that the applicant was born in California, submit that information to MEDS for a State birth records match. If this does not result in a match, attempt to telephone the applicant to obtain additional information outlined in "Request for California Birth Record" (Enclosure 4). Any additional information obtained shall be used to resubmit a State birth records match request to MEDS. Eligibility workers shall continue processing the application and shall proceed through the following steps for obtaining citizenship documentation, even if the applicant fails to respond to this phone call.
2. Review county eligibility files and records to identify any evidence of citizenship or identity documents that have already been provided. This review shall include a review of any CalWORKs, Foster Care, IHSS, or Food Stamp files that may exist for the applicant.
 - If copies of evidence of citizenship/identity are included in the CalWORKs, Foster Care, IHSS, or Food Stamp file, check to see if they meet the Medi-Cal requirements. Counties must accept this evidence for Medi-Cal if it is a document listed in Table 1 (and Table 2 if applicable), and was included in the CalWORKs, Foster Care, IHSS, or Food Stamp file.
 - When reviewing county case files from other programs for acceptable evidence of citizenship and identity, copies of documents may be accepted by the county if the county believes that the procedure used by the agency initially accepting the documents ensures the documents are originals or certified copies.

- If documents are determined to contain inconsistent pre-existing information, are counterfeit, or altered, they should not be accepted and the applicant must be requested to provide acceptable documentation.
3. If a review of MEDS identifies a prior history of public assistance in another county, contact that county to determine if acceptable documentation is available.
 4. Attempt to reach the applicant by telephone to advise the applicant as to the need to obtain and present the required documentation.
 5. If the applicant fails to respond to the telephone contact or present the required documents, send "Proof of Citizenship or Identity Needed For Medi-Cal Applicants and Beneficiaries Who Are U.S. Citizens or Nationals" (Enclosure 6) to the applicant highlighting the documentation being requested and asking the applicant to provide the information indicated on the form.
 6. If the applicant fails to contact the county within ten days, the county shall make another attempt to reach the applicant by telephone to advise the applicant of the need to obtain and present the required documentation.
 7. Document in the case file any efforts made to contact and advise the applicant as to the need to obtain and present the required documentation.
 8. If an applicant fails to present the required documentation, is not making a good faith effort to obtain it, and all other eligibility requirements have been met, the county shall send a Notice of Action (NOA) to deny full-scope eligibility and indicate that the applicant will only be eligible for restricted benefits, (emergency, pregnancy, and long-term care services).

To notify applicants who fail to respond to the telephone contact, counties may use the following text:

"The purpose of this notice is to let you know that you must provide evidence of your United States (U.S.) citizenship/U.S. national status and identity if you want to become eligible for full Medi-Cal benefits. Because of a new federal law, most people who claim they are a U.S. citizen or national and want Medi-Cal must provide proof of citizenship/nationality and identity. Because you have told us you are a U.S. citizen or national, but we don't have evidence of your citizenship/identity in our file, you have to show it to us if you want to receive full Medi-Cal benefits.

If you have a U.S. passport, a Certificate of Naturalization (N-550 or N-570) or a Certificate of Citizenship (N-560 or N-561), that is all you need to show us. If you don't

have one of those documents, there are many other documents you can provide (along with proof of identity) to prove you are a U.S. citizen or national.

Your county case worker can give you more information about all of the documents that can prove citizenship and identity. If you don't already have one of the documents, you will be given a reasonable amount of time to get one and the county will assist you if you need help. Please contact the county right away so they know you are trying to give them proof of citizenship/identity.

Although we have approved your restricted Medi-Cal benefits, your application for full-scope Medi-Cal benefits will continue to remain open if the county knows you are trying to get proof of citizenship/identity and if you still meet the other eligibility requirements. However, you will not receive full-scope Medi-Cal benefits until you provide the requested documents.

If your benefits are reduced because you did not provide evidence of citizenship or identity, we will restore your eligibility back to your date of application if you provide the required evidence up to a year after your application date.”

As soon as the required evidence is provided, complete the eligibility determination. Eligibility should be otherwise determined as soon as possible within 45 days (90 days when applying for Medi-Cal based on disability) so that applicants do not experience further delays once they have provided proof of citizenship.

- If an applicant is making a good faith effort to provide documents, the period of time for completing the necessary contacts and follow up to assist them must be extended.
- If an applicant/beneficiary is reduced to restricted coverage for failure to provide evidence of citizenship/identity and then provides evidence of citizenship within a year of the application date, restore full-scope eligibility back to the application date, including up to 90 days of retroactive eligibility prior to the month of application.

Specific requirements for assisting beneficiaries at redetermination

NOTE: these steps are only for the verification of citizenship and identity and in no way replace the redetermination requirements as outlined by SB 87 when the redetermination form is returned incomplete. Except as provided in this ACWDL, the process and procedures specified in ACWDL No. 06-16 dated May 10, 2006, and ACWDL No. 06-17 dated May 10, 2006, continue to apply.

Although citizenship/identity verification is to be conducted at the time of redetermination if acceptable evidence of citizenship and identity has not already been provided, failure to provide citizenship/identity documentation shall never result in the reduction of benefits, as long as the beneficiary is making a good faith effort to provide documentation.

If a current beneficiary returns the annual redetermination form (and is otherwise eligible), but has not provided the required evidence of citizenship and identity documents, the county must check MEDS to determine if the beneficiary has already provided acceptable evidence of citizenship/identity.

- On the MEDS INQE screen, check the Citizenship Document Type and Identity Document Type fields to determine if citizenship and/or identity have already been verified or if the beneficiary is exempt from verification requirements.

If the beneficiary has not already provided acceptable evidence of citizenship/identity, the county shall follow these steps:

1. If citizenship verification is required and there is birth information in the case file or on the annual redetermination form indicating that the beneficiary was born in California, submit that information to MEDS for a State birth records match.
2. Review county eligibility files and records to identify any evidence of citizenship or identity documents that have already been provided. This review shall include a review of any CalWORKs, Foster Care or Food Stamp files that may exist for the beneficiary.
 - If copies of evidence of citizenship/identity are included in the CalWORKs, Foster Care or Food Stamp file, it may be acceptable for meeting the Medi-Cal requirements. Counties must accept this evidence for Medi-Cal if it is a document listed in Table 1 (and Table 2 if applicable), and was included in the CalWORKs, Foster Care or Food Stamp file.
 - When reviewing county case files from other programs for acceptable evidence of citizenship and identity, copies of documents may be accepted by the county if the county believes that the procedure used by the agency initially accepting the documents ensures the documents are originals or certified copies.
 - If documents are determined to contain inconsistent pre-existing information, are counterfeit, or altered, they should not be accepted and the beneficiary must be requested to provide acceptable documentation.

3. If a review of MEDS identifies a prior history of public assistance in another county, contact that county to determine if acceptable documentation is available.
4. Attempt to reach the beneficiary by telephone to advise the beneficiary as to the need to obtain and present the required documentation. If the beneficiary was born in California, obtain additional information outlined in "Request for California Birth Record" (Enclosure 4). Any additional information obtained shall be used to resubmit a State birth records match request to MEDS.
5. If the beneficiary fails to respond to the telephone contact or present the required documents, send "Proof of Citizenship or Identity Needed For Medi-Cal Applicants and Beneficiaries Who Are U.S. Citizens or Nationals" (Enclosure 6) to the beneficiary that highlights the documentation being requested and asks the beneficiary to provide the information requested on the form.
6. If the beneficiary fails to contact the county, the county shall make another attempt to reach the beneficiary by telephone to advise the beneficiary of the need to obtain and present the required documentation.
7. Document in the case file any efforts made to contact and advise the beneficiary as to the need to obtain and present the required documentation.
8. If a beneficiary fails to present the required documentation, and is not making a good faith effort to obtain it, the county shall send a 10-day NOA to indicate that the beneficiary's benefits are reduced to emergency, pregnancy and long-term care services.

To notify beneficiaries who fail to respond to the telephone contact, counties may use the following text:

"The purpose of this notice is to let you know that you must provide documents showing your United States (U.S.) citizenship/U.S. national status and identity if you want to continue to be eligible for full Medi-Cal benefits. Because of a new federal law, most people who claim they are a U.S. citizen or national and want Medi-Cal must provide proof of citizenship/nationality and identity. Because you have told us you are a U.S. citizen or national, but we don't have evidence of your citizenship/identity in our file, you have to show it to us if you want to keep getting full Medi-Cal benefits.

If you have a U.S. passport, a Certificate of Naturalization (N-550 or N-570) or a Certificate of Citizenship (N-560 or N-561), that is all you need to show us. If you don't have one of those documents, there are many other documents you can provide (along with proof of identity) to prove you are a U.S. citizen or national.

Your county case worker can give you more information about all of the documents that can prove citizenship and identity. If you don't already have one or more of these documents, you will be given time to get them, and the county will assist you if you need help. Please contact the county right away so they know you are trying to give them proof of citizenship/identity.

You will continue to be eligible for full Medi-Cal if the county knows you are trying to get proof of citizenship/identity and if you still meet the other eligibility requirements.”

NOTE: there may be other case members whose citizenship/identity is already documented or not required to be documented; therefore, the redeterminations for those family members are processed normally according to ACWDL 06-16, with no additional DRA citizenship and identity requirements.

If a beneficiary is making a good faith effort to provide documentation of citizenship/identity, and all other eligibility requirements are met, complete the redetermination with no reduction in benefits and note the additional time the beneficiary needs to obtain the required documents.

- If the documents are not provided within the additional time needed to obtain them, contact the beneficiary to determine if he or she has received the documents or is still making a good faith effort to obtain the required documents.

If a beneficiary fails to provide acceptable citizenship/identity documentation and is not making a good faith effort to obtain them, a timely ten-day NOA must be sent. When a NOA is required to reduce eligibility from full Medi-Cal to limited benefits, all NOA and State hearing requirements apply.

- If a beneficiary is making a good faith effort to provide documents, the period of time for completing the necessary contacts and follow up to assist them must be extended.

What is reasonable assistance?

Examples of reasonable assistance include, but are not limited to:

- Reviewing and explaining acceptable evidence of citizenship
- Explaining how to provide evidence of good faith efforts to secure documents

- Determining the possible acceptable documents that may be available to the applicant or beneficiary based on his or her individual circumstances
- Providing any resource available that the county has to direct the applicant/recipient to obtain the document such as the name, address, and telephone number of the vital statistics agency for their state of birth.

The following scenarios are meant to illustrate some of the ways that counties can assist applicants and beneficiaries based on the specific facts of the case. These examples are by no means exhaustive.

Scenario 1--A mother is applying for herself and one child and they are both U.S. citizens born outside of California. There is a birth certificate for the child but the mother has no birth certificate. The mother has a California Drivers License and on the application she lists a life insurance policy. The Eligibility Worker (EW) should determine if the life insurance policy was issued over five years ago and indicates a U.S. place of birth. If yes, the life insurance policy is acceptable evidence of citizenship if the applicant indicates that more reliable evidence is not available. In this case, the worker may arrange to view and copy the original life insurance policy as evidence of citizenship for the mother.

Scenario 2—A family applies for Medi-Cal and both parents indicate that they arrived in the U.S. as refugees but have since become naturalized citizens. At the time of application, the parents state that they have lost their naturalization papers in a fire. A closed Medi-Cal case record shows alien registration numbers and documents for both parents. The EW may refer them to the closest U.S. Citizenship and Immigration Services office to obtain copies of their naturalization documents.

Scenario 3--A mother applies for herself and two children. All family members were born in California but the mother does not have original birth certificates. The youngest child was born in 2004 while on aid and was deemed eligible to Medi-Cal. The EW should secure the vital statistic data for the mother and the eldest child by completing the form "Request for California Birth Record" (Enclosure 4). No evidence of citizenship or identity is required for the child who was previously deemed eligible for Medi-Cal.

Scenario 4--A granddaughter is applying for an aged grandmother with Alzheimer's, born in Kansas at home. The granddaughter states that there is no record of birth. After determining there is no other evidence available, the EW will explain what is required to provide an affidavit as evidence of citizenship. Requirements for the affidavit must be met for the citizenship requirement to be met.

Scenario 5--A mother applies for Medi-Cal for herself, her spouse and their three children. All family members were born in the U.S. The family has never been on aid prior to this application. The mother provides the original birth certificates for herself and her three children. She does not have an original or certified birth certificate for her spouse. Eligibility for the mother and her children should be established as soon as possible without waiting for her spouse to provide the required evidence, if all other requirements have been met. When processing the case, the EW counts the father as a member of the MFBU, counts his income and property, and applies all applicable exemptions, allocations, and deductions. Medi-Cal benefits are suppressed for the father.

The spouse was born in Texas. The EW provides the applicant with the name, address and telephone number of the Vital Statistics office in Texas. The applicant shows that they are making a good faith effort by providing a copy of the money order that was used to request the birth certificate. The EW narrates the good faith effort in the case record. The applicant contacts the EW and advises that the birth certificate will take six to eight weeks to arrive. The EW documents the good faith effort in the case file. As soon as the family provides the original or certified birth certificates to the county, full-scope benefits are approved based on the original application date including eligible retroactive months. If the certificates are not provided after eight weeks, the EW contacts the family to determine if they are still making a good faith effort to obtain documents. If they are still making a good faith effort, they must be given additional reasonable time to obtain the required documents.

Scenario 6--A disabled adult male applies for Medi-Cal at a mental health facility. The applicant states he is a U.S. born citizen but has neither a birth certificate nor any verification of identity as he is homeless. The applicant is not currently capable of providing the evidence of citizenship. The EW asks questions to establish the applicant's place of birth, parent's names and any other data that would assist the county in determining identity and citizenship. The EW follows the guidelines in Medi-Cal Eligibility Procedures Manual, Section 4I Diligent Search Procedures, to assist the applicant in securing the necessary documents.

Scenario 7--A hospitalized applicant applies for Medi-Cal with the assistance of a patient advocate. The applicant is a mother with a 19-year-old son living in the home. The son attends continuation school. The applicant states she and her son are U.S. born citizens but has no evidence of her citizenship. The EW reviews the evidence of citizenship requirements with her and explains acceptable documents for evidence of citizenship. The applicant states they have no funds to secure the original document. The advocate, who is acting as the Authorized Representative, states that the applicant has two persons knowledgeable about their citizenship and they are willing to provide

affidavits. The EW documents the applicant's circumstances including the unavailability of her birth certificate and gives the applicant time to secure the affidavits.

Scenario 8 -- An applicant who is two months pregnant applies for Medi-Cal at the county social services office. The applicant declares U.S. citizenship, but citizenship cannot be verified immediately. The EW informs the applicant about the Presumptive Eligibility (PE) program and how to enroll in PE at a clinic or other provider's office and start receiving pregnancy-related care right away. The EW further informs the woman that, if proof of citizenship is received by the county within one year of her application date, her regular Medi-Cal may be approved, as of the date of her Medi-Cal application plus any applicable retroactive period.

Scenario 9 -- An applicant who is eight months pregnant applies for Medi-Cal at the county social services office. The applicant declares U.S. citizenship, but citizenship cannot be verified immediately; all other conditions of eligibility are met. Because the Presumptive Eligibility program does not include labor and delivery services, and the applicant is so close to her due date, the EW informs the applicant that the county will grant restricted-scope Medi-Cal, which does include labor and delivery services, if the woman cannot provide proof of citizenship. The EW further informs the woman that, if acceptable proof of citizenship is received by the county within one year of her application date, her restricted scope of benefits will be expanded to full-scope benefits, as of the date of her Medi-Cal application plus any applicable retroactive period, if she is otherwise entitled.

Assist persons who are incapable of providing evidence of citizenship

The counties must provide heightened assistance to applicants or beneficiaries incapable of acting on their own behalf to provide evidence of citizenship/identity. If the applicant or beneficiary is homeless, an amnesia victim, mentally impaired, or physically incapacitated and lacks someone who can act for the individual and cannot provide evidence of U.S. citizenship or identity, the county must assist the individual in documenting U.S. citizenship and identity.

There are numerous examples of how to assist applicants and beneficiaries required to provide evidence of citizenship and identity. In addition to those examples, counties should do whatever they reasonably can to assist incapacitated individuals. Additional examples include, but are not limited to:

- Contact any known family members who may have citizenship or identity documents for the incapacitated person.
- Contact any known current or past health care providers such as long-term care facilities to see if they have any of the acceptable evidence.

- Contact other social services agencies within and outside of the county that are known to have provided assistance to the applicant or beneficiary, currently or in the past, to obtain acceptable evidence.

Special considerations for pregnant women

As explained below, like other Presumptive Eligibility (PE) applicants, pregnant women who are eligible under the PE program are not subject to the evidence of citizenship/identity requirements until they are being evaluated for ongoing Medi-Cal eligibility. However, pregnant women who are not receiving Medi-Cal under the PE program may experience delays in obtaining pregnancy-related care if approval of benefits is delayed due to the evidence of citizenship requirements. In order to ensure that pregnant women receive pregnancy-related care as soon as possible, counties must immediately advise them about the PE program at a clinic or provider's office if they are unable to provide acceptable evidence of citizenship immediately as part of their initial application.

The county must also advise a pregnant applicant that:

- If she does not presently have documentation of her citizenship/identity and needs care not included within the scope of the PE program, such as hospital inpatient care for labor and delivery of the child, or has trouble finding a participating PE provider or getting pharmacy benefits or other necessary care,
 - the woman may change her declaration of citizenship or state that she will not provide the documentation.
 - At that point, if she is otherwise eligible, she can be enrolled immediately into restricted-scope Medi-Cal to improve access to pregnancy-related services, including labor and delivery.
 - Counties must also explain that a pregnant applicant who enrolls into restricted-scope benefits under these circumstances but who is later able to document her citizenship/identity within a year from her original date of application, may get full-scope coverage for services other than pregnancy, back to her date of application plus any applicable retroactive period.

Applications Received from the Single Point of Entry

When counties receive a joint Healthy Families/Medi-Cal application from the Single Point of Entry, the child has presumptive eligibility (accelerated enrollment), but the

DRA's citizenship/identity requirement must be addressed during the county's determination of eligibility.

Upon receipt of the joint application, the county must check the MEDS INQE screen to determine whether the applicant's citizenship/identity has already been verified through a birth records match or by other means.

- If the INQE screen does not indicate that DRA requirements have been met, the county must follow steps one through three of the "Specific requirements for assisting applicants" prior to taking the actions below.

If the child is under the age of 16 and there was a birth record match, no further documentation is required because the application, signed under penalty of perjury, constitutes attestation of the child's identity and the birth record match constitutes documentation of citizenship if it indicates the child's date and place of birth.

- If the child is 16 or older and there was a birth record match, the parent or guardian must provide acceptable documentation of the child's identity as the signature on the application does not constitute attestation of the child's identity.

If the child was born in California and if there was not a birth records match, the county must send the family information about the citizenship/identity requirements:

- "U.S. Citizens and Nationals Applying for Medi-Cal Must Show Proof of Citizenship and Identity" (Enclosure 1A) and
- "Proof of Citizenship and Identity Requirements For Children Who Are U.S. Citizens or Nationals Filling out the Healthy Families/Medi-Cal Joint Application" (Enclosure 10) and
- "Request for California Birth Record" (Enclosure 4), a request for additional information to obtain information to seek a birth record match for documentation of citizenship.

If the child was born in California and there was still no birth record match, the parent or guardian must provide documentation of citizenship for the child. For children under 16 years of age, the parent's or guardian's signature on the application constitutes attestation of the child's identity.

- If the child is 16 or older and there was a birth record match, then the parent or guardian must provide acceptable documentation of the child's identity as the parent's or guardian's signature on the application does not constitute attestation of the child's identity.

If the child was not born in California, the county must send information about the citizenship/identity requirements (Enclosure 1A and Enclosure 10) to the family and the parent or guardian must provide documentation of citizenship for the child. If the child is under 16 years of age, signature by the parent or guardian under penalty of perjury on the application constitutes attestation of identity for the child.

- If the child is 16 or older, then the parent or guardian of the child must provide acceptable documentation of identity for that child.

Federally Qualified Health Centers and Disproportionate Share Hospitals

Federally Qualified Health Centers, Disproportionate Share Hospitals and additional outstation locations as the Department may designate under 42 CFR 435.904(c)(3) who assist Medi-Cal applicants with the initial application process or redetermination, may view and copy original documents of citizenship and identity to be included, with the "Proof of Citizenship or Identity Received" form described below, in the Medi-Cal application information they forward to the counties. The process for these outstation locations to follow when viewing original documents is:

- View and photocopy citizenship/identity documents that are originals or copies certified by the issuing agency.
- Complete and sign a separate copy of the "Proof of Citizenship or Identity Received" form (Enclosure 5) for each citizenship/identity document provided by the applicant.
- Contact information for staff who viewed and copied the document must be provided.
- Attach a signed "Proof of Citizenship or Identity Received" form to a copy of each citizenship/identity document and transmit them to the county.
- Promptly return the original documents to the applicant.
- Provide the applicant with a copy of each "Proof of Citizenship or Identity Received" form that was forwarded to the county.

Counties are required to accept these forms and copied documents and not require original documents.

Limited benefits for failure to meet evidence of citizenship/national status

Applicants who are otherwise-eligible, but who fail to present evidence of citizenship/national status and identity after the reasonable opportunity period ends, must be granted eligibility that is limited to restricted benefits (Medi-Cal emergency and pregnancy-related care, and state-only long term care benefits).

The benefits for beneficiaries who are otherwise eligible, but who fail to present evidence of citizenship/national status and identity after the reasonable opportunity period ends, must be reduced to restricted benefits (Medi-Cal emergency and pregnancy-related care, and state-only long term care benefits). In these situations, all NOA and State hearing requirements apply.

What if acceptable evidence is provided after restricted benefits are granted?

As explained above, if an otherwise eligible applicant or beneficiary who claims to be a U.S. citizen or national fails to provide evidence of citizenship and/or identity as required by this letter, and is not making a good faith effort to provide the required documents, they are eligible for restricted scope Medi-Cal.

If a U.S. citizen or national who is receiving restricted Medi-Cal without a break in aid provides acceptable evidence of citizenship within one year of the date of application or redetermination, and had good cause for not providing the required documents, counties are to immediately grant full-scope Medi-Cal

- back to the original application date (including up to 90 days of retroactive coverage from the date of application if eligible) or
- back to the month that restricted-scope eligibility began (in cases where benefits are reduced from full to restricted for failing to provide acceptable documents).

An applicant or beneficiary, who provides acceptable evidence of citizenship/identity after restricted Medi-Cal was granted, had good cause for not providing it, if it was not provided for reasons beyond the control of, or unknown, to the applicant or beneficiary. Examples of good cause in these cases include but are not limited to:

- A prior belief that the documents did not exist or were unattainable.
- Mental or physical impairment that was an impediment to obtaining the documents.
- Securing the documents could result in physical danger or familial discord.

Applicants or current beneficiaries who paid for medical or dental care while obtaining their citizenship and identity documents may be reimbursed by Medi-Cal for these expenses. For more information, applicants or current beneficiaries can call Beneficiary Services at the California Department of Health Services at (916) 403-2007

For medical and dental bills that have not yet been paid and if warranted under this good cause provision, counties are authorized to issue an Eligibility Letter of Authorization (MC 180) to help beneficiaries pay for services rendered by providers more than one year after the month of service.

- When filling out the MC 180 for this provision, counties are to follow the procedures set forth in the Medi-Cal Eligibility Procedures Manual section 14E.

Evidence of citizenship documents submitted by individuals must be originals or certified

Except as noted above, all documents provided by individuals to meet the evidence of citizenship requirement (including identity documents) must be either originals or copies certified by the issuing agency.

- Uncertified copies or notarized copies may not be accepted, except as otherwise provided in this letter.

After viewing the original documents, counties must note what documents are provided and maintain copies in the case record or keep an image of the original document in their data base. As explained below, counties must also submit information about the citizenship and identity evidence provided to MEDS via the updated online AP18 transaction or the new AP19 transaction described below. Counties must complete a "Proof of Citizenship or Identity Received" form (Enclosure 5), attach the copy of the document, and keep it in the case file.

- Copies of the evidence of citizenship/identity documents, or other acceptable proof that the DRA requirement has been met, must be made available when requested by State or federal agencies.

Handling original documents

Counties must permit applicants and beneficiaries to submit original documents without appearing in person at a county office. Documents may also be submitted by a guardian or authorized representative of the individual.

If counties receive original citizenship or identity documents by mail, it will be important to exercise extreme care when handling them. Counties are encouraged to review their existing procedures for tracking the receipt and return of original documents to determine whether additional procedures are warranted.

Because most applicants and beneficiaries will not want to give up original documents, it is likely that counties will experience additional walk-in traffic from persons bringing in their original citizenship and identity documents.

- In order to handle original documents with the care that is required, counties are encouraged to implement special procedures or set up special documents

processing staff, if necessary, to ensure that original documents are reviewed, copied and returned as soon as possible while the person is waiting.

- When original or certified copies of documents are brought to the county in person, copying documents while individuals are in the office is advised, so that the originals can be returned immediately.

Counties must use the "Proof of Citizenship or Identity Received" form (Enclosure 5) and keep it in the file with a copy of the original document. A copy of the declaration should be returned to the individual with the original document.

Evidence of citizenship obtained by mail

When an applicant or beneficiary provides photocopies of original citizenship or identity documents by mail, the county must review MEDS and county records to determine if the evidence of citizenship/identity requirements has already been met. If not, contact the applicant or beneficiary and request original documents or copies certified by the issuing agency.

"Proof of Citizenship or Identity Received" Form

Enclosure 5 is a document declaration form that counties must complete and provide to applicants and beneficiaries as proof that they have provided original and acceptable documents as evidence of citizenship and identity. Contact information for staff who viewed and copied the document must be provided on the form. Counties must also maintain a signed copy of this form in the case file for each citizenship/identity document provided in accordance with this letter.

A copy of a signed "Proof of Citizenship or Identity Received" form (even from another county) is acceptable evidence of citizenship/identity. When this form is provided as evidence of citizenship or identity, the county should take the steps necessary to ensure that MEDS includes the proper citizenship tracking information, including the specific documents received, the county who originally viewed them, and other required information.

Evidence of citizenship is only required once

Providing evidence of citizenship/identity is only required one time. Specifically, once the citizenship/identity requirements are documented, recorded in the case file for a Medi-Cal beneficiary, and reported to MEDS, counties must not request evidence of citizenship/identity status again, even when a new application or redetermination is submitted due to subsequent changes in eligibility or breaks in aid, or if transferring to or applying in a new county.

- This also applies to applicants who have met the citizenship/identity requirements for Medicaid in another state. For these instances, counties need to obtain copies of the documentation that was used from the other state.

When paper documents of citizenship and identity are provided, the county must keep copies of these documents in the case file in addition to reporting the citizenship and identity documentation data to MEDS. The Department has modified MEDS to store information about documents of citizenship and identity that is based on an electronic match to State records or is provided by beneficiaries. For paper documents, MEDS will also show which county reported that they have copies of the documentation. If MEDS shows that the required evidence of citizenship and identity was provided at any time in the past, counties must not request it again.

NOTE: Documentation in the case file that was provided prior to the release of this letter must still meet all of the requirements described in this letter to be acceptable. Additionally, the DRA citizenship/identity document requirements do not change the current policy for acceptable identity documents in verifying the identity of applicants/beneficiaries in other Medi-Cal eligibility matters not involving the DRA citizenship/identity document requirements.

Using affidavits as evidence of citizenship

Affidavits may be used in circumstances where no other acceptable documentary evidence of citizenship is available. In order for an affidavit to be acceptable to establish citizenship, the following requirements must be met:

- No other evidence of citizenship can be obtained by the applicant or beneficiary.
- The affidavit(s) must be signed under penalty of perjury by at least two individuals who have personal knowledge of the event(s) establishing the applicant's or beneficiary's claim of citizenship.
- At least one of the individuals providing an affidavit must not be related to the applicant or beneficiary who is the subject of the affidavit.
- The individuals making the affidavit must provide proof of their own citizenship and identity.
- If the affidavits do not explain why other evidence is unavailable, an additional affidavit, signed by the applicant or beneficiary or other knowledgeable individual which includes this information, must be obtained.
- The applicant or beneficiary and the affiants must provide acceptable evidence of identity (see Table 2)
- Affidavits may not be used for both citizenship and identity.

NOTE: Because individuals making the affidavit must provide proof of their own citizenship and identity, copies of those documents and forms for the persons signing an affidavit must be maintained in the case file with the affidavit.

Using an affidavit as evidence of identity for children

As described in Table 2, an affidavit signed under penalty of perjury by a parent or guardian, stating the date and place of birth of the child, may be used to establish the identity of children who are under 16 years of age if no other acceptable evidence of identity is provided at the time of application or at redetermination. (See "Affidavit of Identity for U.S. Citizen or National Children Under 16" (Enclosure 11) for suggested affidavit format).

- A non-citizen parent or guardian may provide an affidavit of identity for a child under 16.
- Please note that an affidavit may not be used to establish the identity of a child if an affidavit was used to establish the child's citizenship.

Also, children born in the U.S. to foreign sovereigns or diplomatic officers are not U.S. citizens. The following is a summary of the identity documentation for children:

- If the child is less than 16 years of age, the parent or guardian may sign an affidavit as to the identity of the child. The signature on the application (MC 210 or MC 321), signed under penalty of perjury, stating the place and date of birth of a child under 16 years of age, serves as an affidavit to establish the identity of the child if no other acceptable evidence of identity is provided at the time of application or redetermination.
- If the child is 16 or older, an affidavit is not acceptable to document the identity of the child because other acceptable forms of identification are available (such as a driver's license with a photograph or a school identification card with a photograph).

Documentation of Citizenship/Identity For CalWORKs Cases

The CalWORKs citizenship and identity documentation requirements fulfill the DRA requirements. Compliance with the DRA citizenship requirements will follow current CalWORKs program rules, including Manual of Policies and Procedures Section 42-433.2.

Personal Care Services Program (PCSP) and In-Home Supportive Services (IHSS) Plus Waiver Recipients

PCSP and IHSS Plus Waiver services are Medi-Cal benefits and recipients of these services will also be subject to the citizenship/identity documentation requirements. Since PCSP and IHSS Plus Waiver services are not emergency services, before discontinuing PCSP and IHSS Plus Waiver services, and reducing the Medi-Cal eligibility from full-scope to restricted benefits, Medi-Cal eligibility workers must contact the appropriate IHSS county staff for documentation that may be in the IHSS case file relevant to citizenship eligibility requirements (as described in this ACWDL).

If IHSS case records include documents of citizenship or identity, those documents must be provided to the Medi-Cal eligibility worker.

- If the IHSS case file contains no documentation of citizenship or identity, the IHSS county staff person will inform the Medi-Cal eligibility worker, and the Medi-Cal eligibility worker will help the IHSS recipient obtain the required documentation, as required by this ACWDL. Only the Medi-Cal eligibility worker may document the case record and only county Medi-Cal staff may enter the appropriate codes into MEDS.

Please note: If a PCSP or an IHSS Plus Waiver beneficiary is receiving SSI, SSDI, and/or Medicare, the citizenship/identity requirements are not applicable since SSI, SSDI, and Medicare beneficiaries are exempt from the citizenship/identity requirements of the DRA.

Using evidence of citizenship/national status from existing case files

Counties must check existing county case files for documentation of citizenship/identity to alleviate hardship to individuals who are required to provide documentation of citizenship/identity at the time of application and redetermination. If the county already has evidence of citizenship and identity on file that is acceptable to the Medi-Cal program as described in this letter, then further documentary evidence is not required.

When reviewing county case files from other programs for acceptable evidence of citizenship and identity, copies of documents may be accepted by the county if the county can show that the procedure used by the agency initially accepting the documents ensures the documents are originals or certified copies.

Using a State birth record match as evidence of citizenship

CDHS has already run several automated birth record matches for Medi-Cal eligibles and applicants already known to MEDS using data from MEDS, the Statewide Client Index, and county systems. Beneficiaries and applicants for whom a matching birth record was found in one of these matches will not be required to provide evidence of citizenship since CDHS has confirmed the information electronically.

At annual redetermination, the county will notify the beneficiary of the results of the birth record match. The county will indicate on the form "Proof of Citizenship or Identity Needed For Medi-Cal Applicants and Beneficiaries Who Are U.S. Citizens or Nationals" (Enclosure 6) if citizenship information has been received and whether an identity or citizenship document is still required.

- Also, the county can inform the beneficiary that the birth record was not found and give the beneficiary the opportunity to complete the "Request for California Birth Record" (Enclosure 4). Using this information, the county can then request a birth record match through MEDS.
- If a California-born client presents a non-certified copy of a birth certificate, the information on it can be used to by the county to increase the probability of a successful birth record match.

CDHS has also implemented MEDS changes so that counties can provide birth information and request an automated match against California birth records for beneficiaries and applicants who were born in California. When an automated birth record match is requested, counties will be notified via a MEDS alert whether an acceptable match is found or whether other evidence of citizenship is required. Documentation of an acceptable birth record match meets the evidence of citizenship requirement.

- Applicants or beneficiaries for whom a matching birth record is found are still required to provide an identity document to meet the evidence of identity requirement unless they are exempt from the citizenship/identity requirements or have already provided acceptable evidence of identity.

Enclosure 4 ("Request for California Birth Record") is a camera-ready form that the counties must use at application or redetermination to obtain the data that is necessary for a valid birth record match when the current MEDS record does not show that the applicant or beneficiary has met the citizenship requirement.

This form should be included in Medi-Cal application and redetermination packets when evidence of citizenship is required so that applicants and beneficiaries will have the opportunity to provide the necessary information.

- If it is not possible to include this form in the application or redetermination packet, send it to the applicant/beneficiary after the application/redetermination forms are received whenever a data match is needed.
- If an applicant or beneficiary does not provide all of the requested information, counties should still submit the request.
- If a California-born client presents a non-certified copy of a birth certificate, counties can use the information on it to request an automated birth record match. The State will determine if there is sufficient information to obtain a valid match and notify the county of the results.

Mandatory data fields

Because it is essential that the four automated welfare systems obtain the data that is necessary to get a valid birth records match, the SAWS systems will need to be programmed to make the required data elements mandatory. CDHS will work with the SAWS consortia to identify these mandatory fields. Until the SAWS systems are updated, counties should include as much of the information requested on the "Request for California Birth Record" (Enclosure 4) as possible in the information that is entered into the automated welfare systems at application and/or redetermination.

- Until the systems are programmed to require the mandatory data, it will be especially important for the counties to collect the birth name and birth place. This information will increase the number of valid birth record matches CDHS is able to obtain.

MEDS coding for citizens/nationals

NOTE: Until a long-term automated process can be implemented, counties shall implement the following interim process IMMEDIATELY to ensure the correct level of Medi-Cal benefits is established as determined by an individual's citizenship/identity verification status. The long-term process will be sent to counties in a later ACWDL.

Appropriate aid codes and the Citizen/Alien indicator (a.k.a. Refugee/Alien Indicator) codes must be used to report an individual's Medi-Cal benefits coverage and citizenship status to MEDS.

For otherwise-eligible U.S. citizens/nationals who were given a reasonable opportunity to provide evidence of citizenship/identity but who fail to provide it and who are not making a good faith effort to provide it, counties must:

- Report aid code 5W for all cash aid-based Medi-Cal cases for restricted-scope eligible citizens who:
 - are not otherwise exempt from the citizenship/identity requirement and
 - who have established cash-aid eligibility. An example would be a Tribal Temporary Assistance for Needy Families program beneficiary.
- Report the appropriate restricted-scope aid code for emergency and pregnancy-related services based on the restricted-scope Medi-Cal coverage the citizen is eligible to receive for Medi-Cal only persons or families. Examples are aid code 3V (for a person or family eligible under 1931(b)); and aid codes 58 or 5F (for a medically needy person or family).
- Report aid code 55 for restricted-scope otherwise-eligible citizens who need long-term care services.
- Report a "B" in the Citizen/Alien Indicator field (alleged U.S. citizen)

For eligible citizens/nationals who provide evidence of citizenship and identity:

- Use the appropriate full-scope or citizen pregnancy-related services aid code
- Report an "A" in the Citizen/Alien Indicator field (verified U.S. citizen)

NOTE: Because U.S. nationals are treated the same as citizens for Medi-Cal eligibility purposes, they should be coded as an "A" or a "B" as appropriate in the Citizen/Alien indicator field. Counties must update MEDS to show the most current citizenship status if it has changed or is not currently reflected in MEDS.

MEDS changes to satisfy the citizenship/identity verification requirements

CDHS has already implemented MEDS changes so that counties can:

- report information on citizenship and identity documentation provided by applicants and beneficiaries,
- provide birth information, and
- request an automated match against California birth records for applicants and beneficiaries who were born in California.

A new AP19 Citizenship Status/Identity Verification transaction for online and batch reporting was developed to handle these new requirements. The AP19 online screen will also be accessible from the existing AP18 Pending Application screen. Detailed information on these changes was already provided to County MEDS Coordinators via the MEDS Change Cycle notification process.

The changes allow MEDS to show what information was provided as evidence of citizenship and identity and which county has copies of any paper documents used to satisfy the requirements. Counties are required to update MEDS at the time of application or redetermination with the appropriate information.

The use of MEDS for this purpose is required to ensure that an applicant or beneficiary who provides evidence of citizenship and identity will not be required to provide it again in the future, and to identify citizens who are receiving restricted Medi-Cal because they failed to meet the evidence of citizenship/identity requirements.

- **However, careful file clearance is critical to avoid linking citizenship information to the wrong Medi-Cal record; for example when two people have the same name and birth date.**
- **Further, it is critical to avoid inappropriately linking an individual to a MEDS record that shows citizenship verification; for example when two people have the same name and birth date.**

In addition, the federal government has advised the states that it will develop a process for verifying the citizenship of persons using Tier Three or Tier Four documentation of citizenship. Reporting of the citizenship/identity documentation data to MEDS will also allow CDHS to identify cases that may be subject to additional verification when this new federal system is in place.

U.S. citizenship for collectively naturalized individuals and persons born in Guam

See "U.S. Citizenship for Collectively Naturalized Individuals" (Enclosure 7).

Performance Standards

For performance standards, 90 percent of initial eligibility determinations must be completed within 45 days for persons not applying on the basis of disability and within 90 days for persons applying on the basis of disability. The county will have met the performance standards of 45 or 90 days if the county completed a determination of Medi-Cal eligibility, *except for citizenship and identity documentation*, by the 45 or 90 days.

For performance standards, 90 percent of the annual redeterminations shall be completed within 60 days of the recipient's annual redetermination date for those redeterminations based on forms that are complete and have been returned to the county by the recipient in a timely manner. An annual redetermination shall be determined completed for purposes of the performance standards if the redetermination is complete, *except for the citizenship or identity documentation*, within 60 days.

Outreach to Medi-Cal applicants, beneficiaries, and stakeholders

Counties must take steps to alert Medi-Cal applicants and beneficiaries as soon as possible about the requirement to provide acceptable documentary evidence of U.S. citizenship/identity upon application or redetermination and how to meet the requirements.

- CDHS will be mailing the “Changes in Medi-Cal Proof of Citizenship and Identity Requirements For U.S. Citizens and Nationals” (Enclosure 9) to all current Medi-Cal beneficiaries, except for Minor Consent beneficiaries, informing them of the new federal law.
- Mailing a notice to current beneficiaries who have a successful birth records data match (Enclosure 12). This notice will not be sent to Minor Consent beneficiaries or to beneficiaries who are exempt from the DRA.

In order to inform Medi-Cal applicants and beneficiaries about acceptable documentary evidence of citizenship/identity under the new federal requirement, CDHS has developed an information notice for the counties’ use, “Acceptable Citizenship and Identity Documents (Enclosure 8). This notice provides general information about the new requirement and is intended for anyone who wants information about the new requirement.

CDHS has also prepared the “U.S. Citizens and Nationals Applying for Medi-Cal Must Show Proof of Citizenship and Identity” (Enclosure 1A) and the “Proof of Citizenship and Identity New Requirements for Medi-Cal Beneficiaries Who Are U.S. Citizens or Nationals” (Enclosure 1B) notices that counties must provide to all applicants and beneficiaries to inform them of the new evidence of citizenship/identity requirements. This supplemental form provides detailed information about the new requirements and informs applicants and beneficiaries about the reasonable opportunity to provide documents and about their potential eligibility for restricted Medi-Cal services if they fail to provide evidence of citizenship/identity information.

Applicants and beneficiaries should also be provided with a copy of the "Request for California Birth Record" (Enclosure 4) so they are informed that a birth records match is available as a potential means of providing evidence of citizenship. Applicants and beneficiaries are not required to complete this form, but the requested information, if available, will increase the chances of obtaining a valid match.

CDHS has prepared a table which describes the DRA enclosures. The table explains the purpose of each DRA enclosure and provides instructions on processing of the enclosures. (See Enclosure Table below)

CDHS is also preparing to implement a multifaceted outreach plan to notify current beneficiaries, new applicants, providers, health plans, stakeholders, and the public. CDHS' outreach will include a variety of materials and outreach efforts including, but not limited to:

- Mailing information about the evidence of citizenship/identity requirement to all current Medi-Cal Beneficiaries, including non-citizens, SSI, and Medicare recipients (Enclosure 9). This notice will not be sent to Minor Consent beneficiaries. This notice will also advise non-citizens, SSI, SSDI and Medicare recipients, OASI beneficiaries based on entitlement to insurance for their own disability, CalWORKS recipients, deemed infants, abandoned babies, Foster Care children, Kin-GAP recipients, and Adoption Assistance children that the new federal law does not apply to them.
- Implementing a supplemental notice to be included in application and annual redetermination packets (Enclosure 1A) (Enclosure 1B).
- Revising materials included in the application package, including the current publication "Medi-Cal - What It Means To You".
- Informing applicants that their Medi-Cal/Healthy Families Joint Application has been referred to the county for Medi-Cal processing and providing a supplemental notice, "Proof of Citizenship and Identity Requirements For Children Who Are U.S. Citizens or Nationals Filling out the Healthy Families/Medi-Cal Joint Application" (Enclosure 10).
- Providing a general information notice (Enclosure 8) for social service agencies to provide to potential applicants and other interested parties.
- Making fliers available regarding the new citizenship requirements, the reasonable time period, and children's requirements.

- Making a poster available for social services offices to post in their waiting areas on the new citizenship/identity requirement.
- Revising CDHS' website to include information on the new evidence of citizenship/identity requirement.
- Providing information to providers about the new requirement.
- Coordinating with Managed Care plans for the disbursement of informing notices, fact sheets, and other information about the new requirement.

All of the enclosures (Notices and Forms) will be translated into 12 Threshold languages. Attached to this ACWDL are the English versions of the enclosures. The Spanish versions are now available on the Internet at www.dhs.ca.gov/mcs/dra, and the remaining 11 languages will be posted as they are completed. CDHS will also post three fliers and one poster at this Internet site, as they are completed.

Enclosure Table

Enclosure No.	Title	Purpose
1A *	U.S. Citizens and Nationals Applying for Medi-Cal Must Show Proof of Citizenship and Identity	<ul style="list-style-type: none"> • Counties will insert Encl 1A into the Medi-Cal application (MC 210) • If the county receives a Medi-Cal application without any proof of citizenship or identity, the county will mail Encl 1A to the applicant. • After receiving the Healthy Families/Medi-Cal joint application from SPE, the county will mail Encl 1A along with Encl 10 to the applicant
1B *	Proof of Citizenship and Identity New Requirements for Medi-Cal Beneficiaries Who are U.S. Citizens or Nationals	<ul style="list-style-type: none"> • County will insert Encl 1B into the annual redetermination packets (MC 210 RV).
2	Detailed Descriptions of Acceptable DRA Documents	<ul style="list-style-type: none"> • Provides detailed descriptions of citizenship and identity documents that may be used to comply with the DRA.
3	Affidavit of Reasonable Effort to get Proof of Citizenship	<ul style="list-style-type: none"> • The county may mail Encl 3 to the applicant/beneficiary to document his efforts to obtain citizenship documents. • In lieu of Encl 3, the county may receive verbal statements from the applicant/beneficiary regarding his efforts. Case file must reflect applicant's/beneficiary's efforts.
4	Request for California Birth Record	<ul style="list-style-type: none"> • The county will mail Encl 4 to applicant/beneficiary when the county is unable to find birth record. Encl 4 will be mailed along with Encl 6. • The county may complete Encl 4 for the applicant/ beneficiary by phone or in the office.

Enclosure No.	Title	Purpose
5	Proof of Citizenship or Identity Received	<ul style="list-style-type: none"> The county, FQHC and DSH providers will use Encl 5 to confirm the type of citizenship and identity document presented by the applicant/beneficiary.
6	Proof of Citizenship or Identity Needed for Medi-Cal Applicants and Beneficiaries Who Are U.S. Citizens or Nationals	<ul style="list-style-type: none"> After attempting to obtain a birth record match based on the information in the MC 210, MC 210 RV or other information provided by the applicant/beneficiary, county will mail Encl 6 to applicant/beneficiary to indicate what information is still needed.
7	U.S. Citizenship for collectively naturalized individuals	<ul style="list-style-type: none"> Provides information about naturalized citizens in Puerto Rico, U.S. Virgin Islands, Northern Mariana Islands, and Guam.
8	Acceptable Citizenship and Identity Documents	<ul style="list-style-type: none"> The county will provide Encl 8 to applicant/beneficiary upon request to inform him of what is acceptable proof of citizenship and identity.
9 **	Changes in Medi-Cal Proof of Citizenship and Identity Requirements for U.S. Citizens and Nationals	<ul style="list-style-type: none"> CDHS will mail Encl 9 to all Medi-Cal beneficiaries (excluding Minor Consent) informing them of the new DRA requirements upon release of the ACWDL. Mailed by CDHS four weeks after release of ACWDL
10 *	Proof of Citizenship or Identity Requirements for Children Who Are U.S. Citizens or Nationals Filling out the Healthy Families/Medi-Cal Joint Application	<ul style="list-style-type: none"> After receiving the Healthy Families/Medi-Cal joint application from SPE, the county will mail the Encl 10 along with Encl 1A to the applicant.

Enclosure No.	Title	Purpose
11	Affidavit of Identity for U.S. Citizen or National Children Under 16	<ul style="list-style-type: none"> • Parent/guardian can use Encl 11 for their U.S. citizen children under 16 if an affidavit was not submitted for citizenship. • At annual redetermination, the county will require the parent/guardian to complete Encl 11 if the original Medi-Cal application or the Healthy Families/ Medi-Cal application did not show the child's date and place of birth.
12 **	Birth Record Match	<ul style="list-style-type: none"> • After mailing Encl 9, CDHS will mail Encl 12 to Medi-Cal beneficiaries (excluding Minor Consent) informing them that the State has found their birth record match. • Mailed by CDHS at the same time as the release of enclosure #9

* These DRA enclosures are mandatory. Counties may not alter them.

** CDHS will be sending these enclosures to the beneficiaries.

Note: Changes to the wording in any of the documents enclosed with this letter must have CDHS approval.

If you have any questions, please feel free to contact Mr. Steve Watson at (916) 552-9457.

Original Signed By

Maria Enriquez, Chief
 Medi-Cal Eligibility Branch

Enclosures

U.S. Citizens and Nationals Applying for Medi-Cal Must Show Proof of Citizenship and Identity

A new law says *most* U.S. citizens or nationals applying to Medi-Cal must show proof of citizenship *and* proof of identity. Read below to see if this law applies to you.

If you are not a U.S. citizen, this law does not apply to you.

The new law does *not* apply to U.S. citizens or nationals in any of these categories:

- Anyone with:
 - Supplemental Security Income (SSI) (past or present)
 - Medicare
 - Social Security Disability Insurance (SSDI)
 - Social Security Retirement and Survivors Insurance (RSI – Title II) based on their own disability
- Anyone under 21 asking for Minor Consent Services
- Babies born to women on Medi-Cal
- Children in Foster Care or Adoption Assistance
- Babies in the Abandoned Baby Program
- CalWORKs Beneficiaries

What if I am not one of the above people?

If you are a U.S. citizen or national, you must provide proof of citizenship and identity to be eligible for Medi-Cal. (See page 3 for a list of acceptable proof of citizenship and identity.)

You cannot receive full-scope Medi-Cal benefits until you provide the proof.

U.S. nationals include people born in American Samoa (including Swains Island) and certain people from the Commonwealth of the Northern Mariana Islands.

What if I am NOT a U.S. citizen?

If you are not a U.S. citizen or national, you only need to provide the same documents that were required before. Nothing has changed.

How can I get proof of citizenship?

If you were born in California, the county may be able to get your birth record. (A birth record is proof of citizenship.)

Fill out a *Request for California Birth Record* to ask the county to request your birth record. Then, mail or take this form to your local social services office. If a birth record cannot be found, you will need to provide another proof of citizenship. See page 3 for list of acceptable documents.

Ask your county about getting proof of citizenship if you were not born in California. Contact the county to see if they have found a birth record match for you before you pay for a birth certificate.

What if I cannot provide proof of citizenship or identity?

You should still apply now and provide proof later.

Full scope Medi-Cal cannot begin until you provide proof of citizenship and identity. If you cannot provide your proof within a reasonable amount of time, but you meet all other eligibility requirements, you can only get *limited* benefits. Limited benefits cover emergency, pregnancy-related, and long-term care services.

If you provide proof within one year of your application date, your Medi-Cal benefits will be changed to full-scope starting from the date of your application.

If you incurred health costs while getting your citizenship and identity documents, Medi-Cal may pay for your bills. Call the Beneficiary Services at Department of Health Care Services for answers to your questions: (916) 403-2007.

Do children have to provide proof of citizenship and identity, too?

Yes. If your child was born in California, ask your county to request the birth record as proof of citizenship.

If your child is under 16 and you have filled out and signed the Medi-Cal application or the Healthy Families/Medi-Cal joint application with your child's date and place of birth, you do not need to provide proof of identity. (This signed application is proof of your child's identity.) You will still have to provide proof of citizenship.

If your child is 16 or over, you will still need to provide proof of identity for your child. See page 3.

If your child applies through CHDP Gateway, a School Lunch Program, or the Healthy Families/Medi-Cal joint application, you do not have to provide proof until your county social services office asks you for it.

What if I need Medi-Cal right away?

Many pregnant women and children can get Medi-Cal temporarily while the county reviews your application.

Do I have to provide proof of citizenship and identity every year?

No. You only have to provide this information once – either when you first apply or on your next annual eligibility review.

Does this law affect my Food Stamps, CalWORKs, or Healthy Families benefits?

No. The new citizenship and identity requirements apply to Medi-Cal only.

Do you need *original* citizenship and identity documents?

Yes. We need the *original* citizenship and identity documents, or copies that have been certified by the issuing agency.

Can I mail my proof?

Yes. The county will make copies and mail them back to you. Or, you can *take* your documents to your local social services office. Ask them to make copies and give them back right away.

Acceptable Citizenship and Identity Documents

The easiest way for U.S. citizens or nationals to provide *both* proof of citizenship and identity is with **one** of these documents:

- U.S. Passport issued without limitation (expired ones are acceptable)
- Certificate of Naturalization (N-550 or N-570)
- Certificate of U.S. Citizenship (N-560 or N-561)

– OR –

If you do not have one of the documents above, provide...

One citizenship document from this column **AND** **One** identity document from this column

- | | |
|--|---|
| <ul style="list-style-type: none"> ❖ U.S. Birth Certificate ❖ Certification of Report of Birth (<i>DS-1350</i>) ❖ Report of Birth Abroad of a U.S. Citizen (<i>FS-240</i>) ❖ State Department Certification of Birth (<i>FS-545</i> or <i>DS-1350</i>) ❖ U.S. Citizen Identification Card (<i>I-197</i> or <i>I-179</i>) ❖ American Indian Card (<i>I-872</i>) ❖ Northern Marianas Card (<i>I-873</i>) ❖ Final adoption decree showing a U.S. place of birth ❖ Proof of employment by the U.S. civil service before June 1, 1976 ❖ U.S. military service record that shows a U.S. place of birth ❖ U.S. hospital record established at the time of the person's birth * ❖ Life, health, or other insurance record * ❖ Federal or State census record that shows the applicant's age and U.S. citizenship or place of birth ❖ Seneca Indian tribal census record * ❖ Bureau of Indian Affairs tribal census record of the Navajo Indians * ❖ U.S. State Vital Statistics birth registration notification* ❖ An amended U.S. public birth record (amended more than 5 years after the person's birth) * ❖ Statement signed by doctor or midwife present at the time of birth * ❖ Admission papers from a nursing or skilled care facility, or other institution that shows a U.S. place of birth ❖ Medical record (not an immunization record) * | <ul style="list-style-type: none"> ❖ Driver's license issued by a U.S. State or Territory with a photograph or other identifying information ❖ School Identification card with a photograph ❖ U.S. Military I.D. card or draft record ❖ Federal, state or local government I.D. card with same identifying information as a driver's license ❖ U.S. Military dependent identification card ❖ A U.S. passport (issued with limitation) ❖ Certificate of Degree of Indian Blood or other U.S. American Indian/Alaska Native Tribal document ❖ U.S. Coast Guard Merchant Mariner Card ❖ School, daycare, or nursery school records for a child under 16 |
|--|---|

For a child under 16 who did not provide an *Affidavit of Citizenship*, you may submit:

- ❖ An Affidavit of the child's identity signed by the child's parent or guardian.
- ❖ A Medi-Cal application or the Healthy Families/Medi-Cal joint application that shows the child's date and place of birth, and is signed by the child's parent or guardian.

Note: Expired identity documents are acceptable proof of identity.

* *Must be dated at least 5 years before your 1st Medi-Cal application and show a U.S. place of birth.*
You must provide a document as high on the list as you can

*If you **cannot** provide any of these citizenship documents...*

Ask two adults to fill out and sign an *Affidavit of Citizenship*. Both adults must have proof of their own identity and U.S. citizenship, and only one of them may be related to you.

Proof of Citizenship and Identity

New Requirements for Medi-Cal Beneficiaries Who Are U.S. Citizens or Nationals

A new law says *most* Medi-Cal beneficiaries who are U.S. citizens or nationals must show proof of citizenship *and* proof of identity. Read below to see if this law applies to you.

If you are not a U.S. citizen, this law does not apply you.

The new law does *not* apply to U.S. citizens or nationals in any of these categories:

- Anyone with:
 - Supplemental Security Income (SSI) (past or present)
 - Medicare
 - Social Security Disability Insurance (SSDI)
 - Social Security Retirement and Survivors Insurance (RSI – Title II) based on their own disability
- Anyone under 21 asking for Minor Consent Services
- Babies born to women on Medi-Cal
- Children in Foster Care or Adoption Assistance
- Babies in the Abandoned Baby Program
- CalWORKs Beneficiaries

What if I am not one of the above people?

If you are a U.S. citizen or national, you must provide proof of citizenship and identity to continue to be eligible for Medi-Cal. (See *page 3 for a list of acceptable proof of citizenship and identity.*)

U.S. nationals include people born in American Samoa (including Swains Island) and certain people from the Commonwealth of the Northern Marianas Islands.

What if I am NOT a U.S. citizen?

If you are not a U.S. citizen or national, you will need to provide the same documents that were required before. Nothing has changed.

How long will my coverage continue?

Your Medi-Cal benefits will continue if you meet all other eligibility requirements and make a reasonable effort to provide the proof of citizenship and identity. You must tell your eligibility worker you are trying to get the proof.

How can I get proof of citizenship?

If you were born in California, the county may be able to get your birth record. (A birth record is proof of citizenship.)

Fill out a *Request for California Birth Record* to ask the county to request your birth record. Then mail or take this form to your local social services office. If a birth record cannot be found, you will need to provide another proof of citizenship. See page 3 for list of acceptable documents.

Ask the county about getting proof of citizenship if you were not born in California. Contact the county to see if they have found a birth record match for you before you pay for a birth certificate.

What if I cannot provide proof of citizenship and identity?

You will have a reasonable amount of time to provide your proof.

If you cannot provide your proof but you continue to meet all other eligibility requirements, you will be changed to *limited* benefits. Limited benefits cover emergency, pregnancy-related, and long-term care services.

If you provide proof within one year of the redetermination month, your Medi-Cal benefits will be changed to full-scope starting from the month that your limited benefits began.

If you incurred health costs while getting your citizenship and identity documents, Medi-Cal may pay for your bills. Call the Beneficiary Services at Department of Health Care Services for answers to your questions: (916) 403-2007.

Do children have to provide proof of citizenship and identity, too?

Yes. If your child was born in California, ask your county to request the birth record as proof of citizenship. You will still need to provide proof of identity. See page 3.

If your child is under 16 and you have filled out and signed the Medi-Cal application or the Healthy Families/Medi-Cal joint application with your child's date and place of birth, you do not need to provide proof of identity. (This signed application is proof of your child's identity.) You will still have to provide proof of citizenship.

If your child is 16 or over, you will need to provide proof of identity for your child. See page 3.

Do I have to provide proof of citizenship and identity each time I renew?

No. You only have to provide this information once – either when you first apply or on your next annual eligibility review.

Does this law affect my Food Stamps, CalWORKs, or Healthy Families benefits?

No. The new citizenship and identity requirements apply to Medi-Cal only.

Do you need *original* citizenship and identity documents?

Yes. We need the *original* citizenship and identity documents, or copies that have been certified by the issuing agency.

Can I mail my proof?

Yes. The county will make copies and mail them back to you. Or, you can *take* your documents to your local social services office. Ask them to make copies and give them back right away.

Acceptable Citizenship and Identity Documents

The easiest way for U.S. citizens or nationals to provide *both* proof of citizenship and identity is with **one** of these documents:

- U.S. Passport issued without limitation (expired ones are acceptable)
- Certificate of Naturalization (N-550 or N-570)
- Certificate of U.S. Citizenship (N-560 or N-561)

– OR –

If you do not have one of the documents above, provide...

One citizenship document from this column **AND** **One** identity document from this column

- | | |
|--|---|
| <ul style="list-style-type: none"> ❖ U.S. Birth Certificate ❖ Certification of Report of Birth (<i>DS-1350</i>) ❖ Report of Birth Abroad of a U.S. Citizen (<i>FS-240</i>) ❖ State Department Certification of Birth (<i>FS-545</i> or <i>DS-1350</i>) ❖ U.S. Citizen Identification Card (<i>I-197</i> or <i>I-179</i>) ❖ American Indian Card (<i>I-872</i>) ❖ Northern Marianas Card (<i>I-873</i>) ❖ Final adoption decree showing a U.S. place of birth ❖ Proof of employment by the U.S. civil service before June 1, 1976 ❖ U.S. military service record that shows a U.S. place of birth ❖ U.S. hospital record established at the time of the person's birth * ❖ Life, health, or other insurance record * ❖ Federal or State census record that shows the applicant's age and U.S. citizenship or place of birth ❖ Seneca Indian tribal census record * ❖ Bureau of Indian Affairs tribal census record of the Navajo Indians * ❖ U.S. State Vital Statistics birth registration notification* ❖ An amended U.S. public birth record (amended more than 5 years after the person's birth) * ❖ Statement signed by doctor or midwife present at the time of birth * ❖ Admission papers from a nursing or skilled care facility, or other institution that shows a U.S. place of birth ❖ Medical record (not an immunization record) * | <ul style="list-style-type: none"> ❖ Driver's license issued by a U.S. State or Territory with a photograph or other identifying information ❖ School Identification card with a photograph ❖ U.S. Military I.D. card or draft record ❖ Federal, state or local government I.D. card with same identifying information as a driver's license ❖ U.S. Military dependent identification card ❖ A U.S. passport (issued with limitation) ❖ Certificate of Degree of Indian Blood or other U.S. American Indian/Alaska Native Tribal document ❖ U.S. Coast Guard Merchant Mariner Card ❖ School, daycare, or nursery school records for a child under 16 |
|--|---|

For a child under 16 who did not provide an *Affidavit of Citizenship*, you may submit:

- ❖ An Affidavit of the child's identity signed by the child's parent or guardian.
- ❖ A Medi-Cal application or the Healthy Families/ Medi-Cal joint application that shows the child's date and place of birth, and is signed by the child's parent or guardian.

Note: Expired identity documents are acceptable proof of identity.

* *Must be dated at least 5 years before your 1st Medi-Cal application and show a U.S. place of birth.*
You must provide a document as high on the list as you can

*If you **cannot** provide any of these citizenship documents...*

*Ask two adults to fill out and sign an **Affidavit of Citizenship**. Both adults must have proof of their own identity and U.S. citizenship, and only one of them may be related to you.*

Detailed Descriptions of Acceptable DRA Documents

Note: References in the tables below to documents issued by the U.S. Department of Homeland Security (DHS) include documents issued by the former Immigration and Naturalization Services (INS), which is now known as the U.S. Citizenship and Immigration Services (USCIS) within DHS.

Detailed description of Primary (Tier 1) evidence of citizenship documents	
Primary Documents	Explanation
U.S. passport issued without limitation.	<p>The Department of State issues this. A U.S. passport does not have to be currently valid to be accepted as evidence of U.S. citizenship, as long as it was originally issued without limitation.</p> <p>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.</p> <p>Exception: Do not accept any passport as evidence of U.S. citizenship when it was issued with a limitation. However, such a passport may be used as proof of identity.</p>
Certificate of Naturalization (DHS Forms N-550 or N-570)	Department of Homeland Security issues for naturalization.
Certificate of Citizenship (DHS Forms N-560 or N-561)	Department of Homeland Security issues certificate of citizenship to individuals who derive citizenship through a parent.

Detailed Descriptions of Acceptable DRA Documents

Detailed description of Secondary (Tier 2) evidence of citizenship document	
California Department of Health Services' electronic verification of birth record information meets the requirement of citizenship documentation. No further citizenship documentation is necessary, however identity will still need to be verified.	
Secondary Documents	Explanation
<p>A U.S. public birth certificate showing birth in:</p> <ul style="list-style-type: none"> • One of the 50 . States; • District of Columbia; • American Samoa • Swains Island • *Puerto Rico (if born on or after January 13, 1941); • *Virgin Islands of the U.S. (on or after January 17, 1917); • *Northern Mariana Islands (after November 4, 1986 (NMI local time)); or • Guam (on or after April 10, 1899) 	<p>The birth record document may be issued by the State, Commonwealth, Territory or local jurisdiction. It must have been issued before the person was 5 years of age.</p> <p>An amended birth record document that is amended after 5 years of age is considered fourth level evidence of citizenship.</p> <p>Note: If the document shows the individual was born in Puerto Rico, Guam, the Virgin Islands of the U.S., or the Northern Mariana Islands before these areas became part of the U.S., the individual may be a collectively naturalized citizen. Collective naturalization occurred on the dates listed for each of the Territories. *See additional requirements for Collective Naturalization</p>
Certification of Report of Birth (DS-1350)	The Department of State issues a DS-1350 to U.S. citizens in the U.S. who were born outside the U.S. and acquired U.S. citizenship at birth, based on the information shown on the FS-240. When the birth was recorded as a Consular Report of Birth(FS-240), certified copies of the Certification of Report of Birth Abroad (DS-1350) can be issued by the Department of State in Washington D.C. The DS-1350 contains the same information as that on the current version of Consular Report of Birth FS-240. The DS-1350 is not issued outside the U.S.
Report of Birth Abroad of a U.S. Citizen (Form FS-240)	The Department of State consular office prepares and issues this. A consular Report of Birth can be prepared only at an American consular office overseas while the child is under the age of 18. Children born outside the U.S. to U.S. military personnel usually have one of these.
Certification of Birth issued by the Department of State (Form FS-545 or DS-1350)	Before November 1, 1990, Department of State consulates also issued Form FS-545 along with the prior version of the FS-240. In 1990, U.S. consulates ceased to issue Form FS-545. Treat an FS-545 the same as the DS-1350.

Detailed Descriptions of Acceptable DRA Documents

Detailed description of Secondary (Tier 2) evidence of citizenship documents (Continued)	
Secondary Documents	Explanation
U.S. Citizen I.D. Card (I-197) or the prior version I-179 (Note that section 1903(x) of the Act incorrectly refers to the same document as an I-97)	INS issued the I-179 from 1960 until 1973. It revised the form and renumbered it as Form I-197. INS issued the I-197 from 1973 until April 7, 1983. INS issued Form I-179 and I-197 to naturalized U.S. citizens living near the Canadian or Mexican border who needed it for frequent border crossings. Although neither form is currently issued, either form that was previously issued is still valid.
American Indian Card (I-872)	DHS issues this card to identify a member of the Texas Band of Kickapoos living near the U.S./Mexican border. A classification code "KIC" and a statement on the back denote U.S. citizenship.
Northern Mariana Identification Card (I-873)	The former Immigration and Naturalization Service (INS) issued the I-873 to a collectively naturalized citizen of the U.S. who was born in the Northern Mariana Islands before November 4, 1986. The card is no longer issued, but those previously issued are still valid.
Final adoption decree	The adoption decree must show the child's name and U.S. place of birth. In situations where an adoption is not finalized and the State in which the child was born will not release a birth certificate prior to final adoption, a statement from a State approved adoption agency that shows the child's name and U.S. place of birth is acceptable. The adoption agency must state in the certification that the source of the place of birth information is an original birth certificate.
Evidence of U.S. Civil Service employment	The document must show employment by the U.S. government before June 1, 1976. Individuals employed by the U.S. Civil Service prior to June 1, 1976 had to be U.S. citizens
U.S. Military Record	The document must show a U.S. place of birth (for example a DD-214 or similar official document showing a U.S. place of birth)

Detailed Descriptions of Acceptable DRA Documents

Detailed description of Third Level (Tier 3) evidence of citizenship documents	
Third Level Documents	Explanation
Extract of hospital record on hospital letterhead established at the time of the person's birth that was created 5 years before the initial application date and that indicates a U.S. place of birth	Do not accept a souvenir "birth certificate" issued by the hospital. Note: For children under 16 the document must have been created near the time of birth or 5 years before the date of application.
Life, health, or other insurance record showing a U.S. place of birth that was created at least 5 years before the initial application date and that indicates a U.S. place of birth	Life or health insurance records may show biographical information for the person including place of birth; the record can be used to establish U.S. citizenship when it shows a U.S. place of birth.

Detailed description of fourth level (Tier 4) evidence of citizenship documents	
Fourth Level Documents	Explanation
Federal or state census record showing U.S. citizenship or a U.S. place of birth (Generally for persons born 1900 through 1950)	The census record must also show the applicant's age. Note: Census records from 1900 through 1950 contain certain citizenship information. To secure this information, the applicant, recipient, or State should complete a Form BC-600, Application for Search of Census Records for Proof of Age. Add in the remarks portion "U.S. citizenship data requested." Also, add that the purpose is for Medicaid eligibility. This form requires a fee.
One of the documents as listed in the explanation that show a U.S. place of birth and was created at least 5 years before the application for Medicaid	This document must be one of the following and show a U.S. place of birth: <ul style="list-style-type: none"> • Seneca Indian tribal census record • Bureau of Indian Affairs tribal census records of the Navajo Indians • U.S. State Vital Statistics official notification of birth registration • An amended U.S. public birth record that is amended more than 5 years after the person's birth • Statement signed by the physician or midwife who was in attendance at the time of birth
Institutional admission papers from a nursing facility, skilled care facility, or other institution	Admission papers generally show biographical information for the person including place of birth; the record can be used to establish U.S. citizenship when it shows a U.S. place of birth.

Detailed Descriptions of Acceptable DRA Documents

Detailed description of level 4 (Tier 4) evidence of citizenship documents (Continued)	
Fourth Level Documents	Explanation
<p>Medical (clinic, doctor, or hospital) record created at least 5 years before the initial application date that indicates a U.S. place of birth</p>	<p>Medical records generally show biographical information for the person including place of birth; the record can be used to establish U.S. citizenship when it shows a U.S. place of birth.</p> <p>Note: An immunization record is not considered a medical record for purposes of establishing U.S. citizenship.</p> <p>Note: For children under 16, the document must have been created near the time of birth or 5 years before the date of application.</p>
<p>Written Affidavit</p>	<p>Affidavits may be used in circumstances where no other acceptable documentary evidence of citizenship is available. In order for an affidavit to be acceptable to establish citizenship the following requirements must be met:</p> <ul style="list-style-type: none"> • No other evidence of citizenship can be easily obtained by the applicant or beneficiary. • The affidavit(s) must be signed under penalty of perjury by at least two individuals who have personal knowledge of the event(s) establishing the applicant's or beneficiary's claim of citizenship. • At least one of the individuals providing an affidavit must not be related to the applicant or beneficiary who is the subject of the affidavit. • The individuals making the affidavit must provide proof of their own citizenship and identity. • If the affidavits do not explain why other evidence is unavailable, an additional affidavit should be requested from the applicant or beneficiary which includes that information. • The applicant or beneficiary whose citizenship is addressed in the affidavit must provide acceptable evidence of identity.

Detailed Descriptions of Acceptable DRA Documents

Detailed description of identity documents (tier 5)	
Documents to Establish Identity	Explanation
Certificate of Degree of Indian Blood, or other U.S. American Indian/Alaska Native Tribal document.	Acceptable if the document carries a photograph of the applicant or recipient, or has other personal identifying information relating to the individual.
Identity documents described in 8 CFR 274a.2(b)(1)(v)(B)(1)	<p>8 CFR 274a.2(b)(1)(v)(B)(1) describes the following acceptable documents :</p> <ul style="list-style-type: none"> • Driver's license issued by State or Territory either with a photograph of the individual or other identifying information of 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 identification card or draft record • Identification card issued by the Federal, State, or local government with the same identifying information included on driver's licenses • U.S. military dependent's identification card • Native American Tribal document • U.S. Coast Guard Merchant Mariner card <p>Expired identity documents are acceptable for proof of identity.</p> <p>For children under 16, school records may include nursery or daycare records.</p> <p>Exception: Do not accept a voter's registration card or Canadian driver's license as listed in 8 CFR 274a.2(b)(1)(v)(B)(1).</p>
U.S. passport issued with limitation.	The Department of State issues this. Do not accept any passport as evidence of U.S. citizenship when it was issued with a limitation. However, such a passport may be used as proof of identity. Such a passport does not have to be currently valid to be acceptable evidence of identity.
Special identity rules for children	For children under 16, school records may include nursery or daycare records. If none of the above documents in the preceding groups are available , an affidavit may be used. An affidavit is only acceptable if it is signed under penalty of perjury by a parent or guardian stating the date and place of birth of the child and cannot be used if an affidavit for citizenship was provided.

Affidavit of Reasonable Effort to Get Proof of Citizenship

Fill out below (print)

I am trying to get proof of citizenship for (name):

First

Middle

Last

I have tried to get proof of citizenship from the people or agencies listed below.
(Also list dates of contact and how long it will take to get the proof of citizenship.)

Name of person or agency contacted	Document requested	Date contacted	Date they will respond

Explain below any other information about your efforts to get proof of citizenship:

Your name (print)

▶ _____
Your signature

Date

If you need help with this form, please call your local social services office.

County fills out this box	
Case No: _____	Case Name: _____
If this Affidavit is taken on the phone, fill out below:	
_____ County worker's name and signature	_____ Date

Request for California Birth Record

Medi-Cal can ask for a birth record for people born in California — for free!

Case No:
County fills out this box

Case Name:

<p>Here's how:</p> <ul style="list-style-type: none"> • Fill out this form. Type or print neatly. You may use the information from a copy of a birth certificate to complete this form. • Take or mail your completed form to your local social services office. • If you have difficulty filling out this form, call your local social services office. <p>We may not be able to get the birth record you are asking for. If this happens, you must provide other proof of citizenship.</p> <p>If we get the birth record you are asking for, you must still provide proof of identity.</p> <p><i>The county social services office needs the information requested to search for a California birth record to prove citizenship. You do not have to provide this information. But if you do not, the county may not be able to find the birth record.</i></p>	Today's date:	Month:	Day:	Year:
	Name of person filling out this form:	First:	Middle:	Last:
	Whose birth record do you want? Name on birth certificate:	First:	Middle:	Last:
	If this person was adopted , write adopted name:	First:	Middle:	Last:
	Sex:	Male	Female	
	Date of birth:	Month:	Day:	Year:
	City and County of birth:	City:	California county:	
	Mother's maiden name:	First:	Middle:	Last:
	Father's name:	First:	Middle:	Last:
	Birth Certificate # (if you know it):			
	Name of <i>next</i> person whose birth record you want:	First:	Middle:	Last:
	If this person was adopted , write adopted name:	First:	Middle:	Last:
	Sex:	Male	Female	
	Date of birth:	Month:	Day:	Year:
	City and County of birth:	City:	California county:	
	Mother's maiden name:	First:	Middle:	Last:
	Father's name:	First:	Middle:	Last:
	Birth Certificate # (if you know it):			

If you need more than two birth records, fill out another form.

Proof of Citizenship or Identity Needed For Medi-Cal Applicants and Beneficiaries Who Are U.S. Citizens or Nationals

A new law says *most* Medi-Cal applicants and beneficiaries who are U.S. citizens or nationals must provide proof of citizenship *and* proof of identity. Please provide the information checked below

Name of Applicant or Beneficiary (*First – Middle – Last*): _____

- This person is exempt or has met the requirements. We do not need any other proof.
- Please provide proof of *identity* for this person.
- Please provide proof of *citizenship* for this person.
- Please provide proof of *citizenship and* proof of *identity* for this person.
- We were not able to find this person's birth record. If this person was born in California, please fill out the enclosed *Request for California Birth Record* form.

Name of Applicant or Beneficiary (*First – Middle – Last*): _____

- This person is exempt or has met the requirements. We do not need any other proof.
- Please provide proof of *identity* for this person.
- Please provide proof of *citizenship* for this person.
- Please provide proof of *citizenship and* proof of *identity* for this person.
- We were not able to find this person's birth record. If this person was born in California, please fill out the enclosed *Request for California Birth Record* form.

Name of Applicant or Beneficiary (*First – Middle – Last*): _____

- This person is exempt or has met the requirements. We do not need any other proof.
- Please provide proof of *identity* for this person.
- Please provide proof of *citizenship* for this person.
- Please provide proof of *citizenship and* proof of *identity* for this person.
- We were not able to find this person's birth record. If this person was born in California, please fill out the enclosed *Request for California Birth Record* form.

Name of Applicant or Beneficiary (*First – Middle – Last*): _____

- This person is exempt or has met the requirements. We do not need any other proof.
- Please provide proof of *identity* for this person.
- Please provide proof of *citizenship* for this person.
- Please provide proof of *citizenship and* proof of *identity* for this person.
- We were not able to find this person's birth record. If this person was born in California, please fill out the enclosed *Request for California Birth Record* form.

County fills out this box

Case No: _____	Case Name: _____
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U.S. citizenship for collectively naturalized individuals

Some individuals are “collectively naturalized” based on when and where they were born. Persons who provide acceptable evidence of citizenship and identity that meets the criteria below for collective naturalization are U.S. citizens. The following will establish U.S. citizenship for collectively naturalized individuals:

Puerto Rico

- Evidence of birth in Puerto Rico on or after April 11, 1899 and the applicants statement that he or she was residing in the U.S., a U.S. possession or Puerto Rico on January 13, 1941; or
- Evidence that the applicant was a Puerto Rican citizen and the applicant’s statement that he or she was residing in Puerto Rico on March 1, 1917 and that he or she did not take an oath of allegiance to Spain.

U.S. Virgin Islands

- Evidence of birth in the U.S. Virgin Islands, and the applicants statement of residence in the U.S., a U.S. possession or the U.S. Virgin Islands on February 25, 1927; or
- The applicants statement indicating residence in the U.S. Virgin Islands as a Danish citizen on January 17, 1917 and residence in the U.S., a U.S. possession or the U.S. Virgin Islands on February 25, 1927, and he or she did not make a declaration to maintain Danish citizenship; or
- Evidence of birth in the U.S. Virgin Islands and the applicant’s statement indicating residence in the U.S., a U.S. possession or territory or the Canal Zone on June 28, 1932.

Northern Mariana Islands (NMI) [formerly part of the Trust Territory of the Pacific Islands (TTPI)]

- Evidence of birth in the NMI, TTPI citizenship and residence in the NMI, the U.S., or a U.S. territory or possession on November 3, 1986 (NMI local time) and the applicants statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time); or
- Evidence of TTPI citizenship, continuous residence in the NMI since November 3, 1981 (NMI local time), voter registration prior to January 1, 1975 and the applicants statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time); or
- Evidence of continuous domicile in the NMI since before January 1, 1974 and the applicant’s statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time).

Note: If a person entered the NMI as a nonimmigrant and lived in the NMI since January 1, 1974, this does not constitute continuous domicile and the individual is not a U.S. citizen.

Guam

- Must show evidence of birth in Guam on or after April 10, 1899

Acceptable Citizenship and Identity Documents

A new law says *most* Medi-Cal applicants and beneficiaries who are U.S. citizens or nationals must show proof of citizenship *and* proof of identity. This form provides a list of acceptable documents.

The easiest way for U.S. citizens or nationals to provide *both* proof of citizenship and identity is with **one** of these documents:

- U.S. Passport issued without limitation (expired ones are acceptable)
- Certificate of Naturalization (N-550 or N-570)
- Certificate of U.S. Citizenship (N-560 or N-561)

– OR –

If you do not have one of the documents above, provide...

One citizenship document from this column **AND One** identity document from this column

- ❖ U.S. Birth Certificate
- ❖ Certification of Report of Birth (DS-1350)
- ❖ Report of Birth Abroad of a U.S. Citizen (FS-240)
- ❖ State Department Certification of Birth (FS-545 or DS-1350)
- ❖ U.S. Citizen Identification Card (I-197 or I-179)
- ❖ American Indian Card (I-872)
- ❖ Northern Marianas Card (I-873)
- ❖ Final adoption decree showing a U.S. place of birth
- ❖ Proof of employment by the U.S. civil service before June 1, 1976
- ❖ U.S. military service record that shows a U.S. place of birth
- ❖ U.S. hospital record established at the time of the person's birth *
- ❖ Life, health, or other insurance record *
- ❖ Federal or State census record that shows the applicant's age and U.S. citizenship or place of birth
- ❖ Seneca Indian tribal census record *
- ❖ Bureau of Indian Affairs tribal census record of the Navajo Indians *
- ❖ U.S. State Vital Statistics birth registration notification*
- ❖ An amended U.S. public birth record (amended more than 5 years after the person's birth) *
- ❖ Statement signed by doctor or midwife present at the time of birth *
- ❖ Admission papers from a nursing or skilled care facility, or other institution that shows a U.S. place of birth
- ❖ Medical record (not an immunization record) *

* Must be dated at least 5 years before your 1st Medi-Cal application and show a U.S. place of birth.

You must provide a document as high on the list as you can.

- ❖ Driver's license issued by a U.S. State or Territory with a photograph or other identifying information
- ❖ School Identification card with a photograph
- ❖ U.S. Military I.D. card or draft record
- ❖ Federal, state or local government I.D. card with same identifying information as a driver's license
- ❖ U.S. Military dependent identification card
- ❖ A U.S. passport (issued with limitation)
- ❖ Certificate of Degree of Indian Blood or other U.S. American Indian/Alaska Native Tribal document
- ❖ U.S. Coast Guard Merchant Mariner Card
- ❖ School, daycare, or nursery school records for a child under 16

For a child under 16 who did not provide an *Affidavit of Citizenship*, you may submit:

- ❖ An Affidavit of the child's identity signed by the child's parent or guardian.
- ❖ A Medi-Cal application or the Healthy Families/Medi-Cal joint application that shows the child's date and place of birth, and is signed by the child's parent or guardian.

Note: Expired identity documents are acceptable proof of identity.

If you *cannot* provide any of these citizenship documents...

Ask two adults to fill out and sign an *Affidavit of Citizenship*. Both adults must have proof of their own identity and U.S. citizenship, and only one of them may be related to you.

Changes in Medi-Cal Proof of Citizenship and Identity Requirements For U.S. Citizens and Nationals

If you are not a U.S. citizen, these changes do not apply to you.

A new law says *most* Medi-Cal beneficiaries who are U.S. citizens or nationals must show proof of citizenship and proof of identity. The proof must be original or copies that have been certified by the issuing agency.

The new law does *not* apply to U.S. citizens or nationals in any of these categories:

- Anyone with:
 - Supplemental Security Income (SSI) (past or present)
 - Medicare
 - Social Security Disability Insurance (SSDI)
 - Social Security Retirement and Survivors Insurance (RSI – Title II) based on their own disability
- Anyone under 21 asking for Minor Consent Services
- Babies born to women on Medi-Cal
- Children in Foster Care or Adoption Assistance
- Babies in the Abandoned Baby Program
- CalWORKs Beneficiaries

If you are a U.S. citizen or national, but not in one of the above groups, you must provide proof of citizenship and identity at the next annual redetermination of your Medi-Cal eligibility, unless the county already has the proof. See below.

Many kinds of proof of citizenship and identity are acceptable.

The easiest way to provide *both* proof of citizenship and identity is with **one** of these documents:

- U.S. Passport issued without limitation (*expired ones are acceptable*), or
- Certificate of Naturalization (*N-550 or N-570*), or
- Certificate of U.S. Citizenship (*N-560 or N-561*)

If you do *not* have one of these documents, you will have to provide both proof of citizenship and identity. See back for a list of acceptable kinds of proof of citizenship and identity.

Do U.S. nationals need to provide proof of citizenship and identity?

Yes. U.S. nationals include people born in American Samoa (including Swains Island) and certain people from the Commonwealth of the Northern Mariana Islands.

What if I am NOT a U.S. citizen?

If you are not a U.S. citizen or national, you only need to provide the same documents that were required before. Nothing has changed.

When do I have to provide proof of citizenship and identity?

You must provide this proof at the next annual redetermination of your Medi-Cal eligibility.

We may be able to get proof of citizenship for you.

If you were born in California, the county may be able to get your birth record. (A birth record is proof of citizenship.) If the county finds your birth record, you must still provide proof of identity.

Ask your county about getting proof of citizenship if you were not born in California.

Will my Medi-Cal benefits continue?

Your Medi-Cal benefits will continue if you meet all other eligibility requirements and make a reasonable effort to provide proof of citizenship and identity.

Important! You must tell your eligibility worker you are trying to get the proof.

Do I have to provide proof every year?

No. You only need to provide the proof once.

Questions?

If you have questions about proof of citizenship or identity, call your local social services office or eligibility worker.

Acceptable Citizenship and Identity Documents

The easiest way for U.S. citizens or nationals to provide *both* proof of citizenship and identity is with **one** of these documents:

- U.S. Passport issued without limitation (expired ones are acceptable)
- Certificate of Naturalization (N-550 or N-570)
- Certificate of U.S. Citizenship (N-560 or N-561)

– OR –

If you do not have one of the documents above, provide...

One citizenship document from this column **AND One** identity document from this column

- | | |
|--|---|
| <ul style="list-style-type: none"> ❖ U.S. Birth Certificate ❖ Certification of Report of Birth (<i>DS-1350</i>) ❖ Report of Birth Abroad of a U.S. Citizen (<i>FS-240</i>) ❖ State Department Certification of Birth (<i>FS-545 or DS-1350</i>) ❖ U.S. Citizen Identification Card (<i>I-197 or I-179</i>) ❖ American Indian Card (<i>I-872</i>) ❖ Northern Marianas Card (<i>I-873</i>) ❖ Final adoption decree showing a U.S. place of birth ❖ Proof of employment by the U.S. civil service before June 1, 1976 ❖ U.S. military service record that shows a U.S. place of birth ❖ U.S. hospital record established at the time of the person's birth * ❖ Life, health, or other insurance record * ❖ Federal or State census record that shows the applicant's age and U.S. citizenship or place of birth ❖ Seneca Indian tribal census record * ❖ Bureau of Indian Affairs tribal census record of the Navajo Indians * ❖ U.S. State Vital Statistics birth registration notification* ❖ An amended U.S. public birth record (amended more than 5 years after the person's birth) * ❖ Statement signed by doctor or midwife present at the time of birth * ❖ Admission papers from a nursing or skilled care facility, or other institution that shows a U.S. place of birth ❖ Medical record (not an immunization record) * | <ul style="list-style-type: none"> ❖ Driver's license issued by a U.S. State or Territory with a photograph or other identifying information ❖ School Identification card with a photograph ❖ U.S. Military I.D. card or draft record ❖ Federal, state or local government I.D. card with same identifying information as a driver's license ❖ U.S. Military dependent identification card ❖ A U.S. passport (issued with limitation) ❖ Certificate of Degree of Indian Blood or other U.S. American Indian/Alaska Native Tribal document ❖ U.S. Coast Guard Merchant Mariner Card ❖ School, daycare, or nursery school records for a child under 16 |
|--|---|

For a child under 16 who did not provide an *Affidavit of Citizenship*, you may submit:

- ❖ An Affidavit of the child's identity signed by the child's parent or guardian.
- ❖ A Medi-Cal application or the Healthy Families/Medi-Cal joint application that shows the child's date and place of birth, and is signed by the child's parent or guardian.

Note: Expired identity documents are acceptable proof of identity.

* *Must be dated at least 5 years before your 1st Medi-Cal application and show a U.S. place of birth.*

You must provide a document as high on the list as you can

*If you **cannot** provide any of these citizenship documents...*

*Ask two adults to fill out and sign an **Affidavit of Citizenship**. Both adults must have proof of their own identity and U.S. citizenship, and only one of them may be related to you.*

Proof of Citizenship and Identity Requirements

For Children who are U.S. Citizens or Nationals

Filling out the Healthy Families/Medi-Cal Joint Application

If your child is not a U.S. citizen, this law does not apply to the child.

Your county Medi-Cal office is reviewing your child's application. During this time, your child is covered by Medi-Cal. To continue receiving full-scope Medi-Cal, your county office will need to obtain proof of citizenship *and* proof of identity for your child. Read below to learn more.

Do *all* children have to show proof of citizenship and identity?

No. These children do ***not*** have to provide proof:

- A child with:
 - Supplemental Security Income (SSI) (past or present)
 - Medicare
 - Social Security Disability Insurance (SSDI)
 - Social Security Retirement and Survivors Insurance (RSI – Title II) based on their own disability
- A child under 21 asking for Minor Consent Services
- Babies born to women on Medi-Cal
- Children in Foster Care or Adoption Assistance
- Babies in the Abandoned Baby Program
- CalWORKs Beneficiaries

What if my child is not a U.S. citizen?

If your child is not a U.S. citizen or national, you only need to provide the same documents that were required before. Nothing has changed.

U.S. nationals include people born in American Samoa (including Swains Island) and certain people from the Commonwealth of the Northern Mariana Islands.

What if I do not have proof of my child's citizenship?

If your child was born in California, your county office may be able to get a birth record. (A birth record is proof of citizenship.)

Fill out a *Request for California Birth Record* form. Then, mail or take this form to your local social services office. If a birth record cannot be found, you will need to provide another proof of citizenship. See page 2 for list of acceptable documents.

Ask your county about getting proof of citizenship if your child was not born in California. Contact the county to see if they have found a birth record match for your child before you pay for a birth certificate.

If the county gets my child's birth record, do I still need to provide proof of *identity*?

If your child is under 16 and you have filled out and signed the Healthy Families/Medi-Cal joint application with your child's date and place of birth, you do not need to provide proof of identity. (The signed application is proof of your child's identity.)

What if my child is 16 or older?

Children who are 16 or older must provide proof of citizenship and proof of identity. See page 2.

Do you need the *original* citizenship or identity documents?

Yes. The county office needs the *original* citizenship and identity documents, or copies that have been certified by the issuing agency.

Can I mail my proof of citizenship or identity?

Yes. The county will make copies and mail the originals back to you. Or, you can *take* your documents to your local social services office. Ask them to make copies and give them back right away.

Do I have to provide proof of citizenship or identity more than once?

No. You only have to provide proof of citizenship and identity once.

What If I paid for medical or dental care for my child while getting proof of citizenship and identity?

If you incurred health costs while getting your child's citizenship and identity documents, Medi-Cal may pay for bills. Call Beneficiary Services at the Department of Health Care Services for answers to your questions: **(916) 403-2007**

Acceptable Citizenship and Identity Documents

The easiest way for U.S. citizens or nationals to provide *both* proof of citizenship and identity is with **one** of these documents:

- U.S. Passport issued without limitation (expired ones are acceptable)
- Certificate of Naturalization (N-550 or N-570)
- Certificate of U.S. Citizenship (N-560 or N-561)

– OR –

If you do not have one of the documents above, provide...

One citizenship document from this column **AND** **One** identity document from this column

- ❖ U.S. Birth Certificate
- ❖ Certification of Report of Birth (*DS-1350*)
- ❖ Report of Birth Abroad of a U.S. Citizen (*FS-240*)
- ❖ State Department Certification of Birth (*FS-545 or DS-1350*)
- ❖ U.S. Citizen Identification Card (*I-197 or I-179*)
- ❖ American Indian Card (*I-872*)
- ❖ Northern Marianas Card (*I-873*)
- ❖ Final adoption decree showing a U.S. place of birth
- ❖ Proof of employment by the U.S. civil service before June 1, 1976
- ❖ U.S. military service record that shows a U.S. place of birth
- ❖ U.S. hospital record established at the time of the person's birth *
- ❖ Life, health, or other insurance record *
- ❖ Federal or State census record that shows the applicant's age and U.S. citizenship or place of birth
- ❖ Seneca Indian tribal census record *
- ❖ Bureau of Indian Affairs tribal census record of the Navajo Indians *
- ❖ U.S. State Vital Statistics birth registration notification*
- ❖ An amended U.S. public birth record (amended more than 5 years after the person's birth) *
- ❖ Statement signed by doctor or midwife present at the time of birth *
- ❖ Admission papers from a nursing or skilled care facility, or other institution that shows a U.S. place of birth
- ❖ Medical record (not an immunization record) *

* *Must be dated at least 5 years before your 1st Medi-Cal application and show a U.S. place of birth.*

You must provide a document as high on the list as you can

- ❖ Driver's license issued by a U.S. State or Territory with a photograph or other identifying information
- ❖ School Identification card with a photograph
- ❖ U.S. Military I.D. card or draft record
- ❖ Federal, state or local government I.D. card with same identifying information as a driver's license
- ❖ U.S. Military dependent identification card
- ❖ A U.S. passport (issued with limitation)
- ❖ Certificate of Degree of Indian Blood or other U.S. American Indian/Alaska Native Tribal document
- ❖ U.S. Coast Guard Merchant Mariner Card
- ❖ School, daycare, or nursery school records for a child under 16

For a child under 16 who did not provide an *Affidavit of Citizenship*, you may submit:

- ❖ An Affidavit of the child's identity signed by the child's parent or guardian.
- ❖ A Medi-Cal application or the Healthy Families/Medi-Cal joint application that shows the child's date and place of birth, and is signed by the child's parent or guardian.

Note: Expired identity documents are acceptable proof of identity.

*If you **cannot** provide any of these citizenship documents...*

*Ask two adults to fill out and sign an *Affidavit of Citizenship*. Both adults must have proof of their own identity and U.S. citizenship, and only one of them may be related to you.*

Affidavit of Identity for U.S. Citizen or National Children Under 16

To the parent or guardian:

- Fill out and sign below.
- Print neatly and submit to your county social services office.

Important! You cannot fill out this form if you have already filled out an Affidavit of Citizenship for this child.

Parent’s Information

Name of parent (or guardian): _____
first middle last

Other names used: _____
first middle last

Child’s Information

Name of child under 16: _____
first middle last

Child’s date and place of birth: _____
month / day / year city state (or foreign country)

Other Child’s Information

(if applicable)

Name of other child under 16: _____
first middle last

Other child’s date and place of birth: _____
month / day / year city state (or foreign country)

Other Child’s Information

(if applicable)


Name of other child under 16: _____
first middle last

Other child’s date and place of birth: _____
month / day / year city state (or foreign country)

Parent reads and signs below.

I declare under penalty of perjury under California state law that the foregoing is true and correct.

Date: _____


Signature of parent (or guardian)

Name
Address
City, CA zip

Dear Beneficiary:

A new law says most Medi-Cal beneficiaries who are U.S. citizens or nationals must show proof of citizenship and proof of identity.

Because we can use a birth record as proof of citizenship, we searched for California birth records for everyone in your household.

We found California birth records for the household members identified below:

- Beneficiary 1
- Beneficiary 2
- Beneficiary 3
- Beneficiary 4
- Beneficiary 6
- Beneficiary 7
- Beneficiary 9
- Beneficiary 9
- Beneficiary 10
- Beneficiary 11
- Beneficiary 12

These people do NOT have to show proof of *citizenship*. But, they still must show proof of *identity*.

If there are other people in your household who are not listed above, they must still show proof of citizenship *and* proof of identity. We were not able to find a birth record for them. We cannot search for birth records for people born outside of California.

If you have questions or need help, contact your local social services office.