



**State of New Jersey**

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

P.O. Box 712  
Trenton, NJ 08625-0712  
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JON S. CORZINE  
*Governor*

JENNIFER VELEZ  
*Commissioner*

JOHN R. GUHL  
*Director*

**MEDICAID COMMUNICATION NO. 09-16**

**DATE: October 21, 2009**

**TO:** CWA Directors  
Statewide Eligibility Determination Agencies

**SUBJECT:** REASONABLE OPPORTUNITY - Modification in Citizenship Documentation Procedures

As you are aware, effective July 1, 2006, a provision included in the federal Deficit Reduction Act (DRA) required all U.S. citizens initially applying for or renewing their Medicaid to provide documentation of their citizenship status and identity. This DRA provision was originally interpreted to require that new applicants not be approved for eligibility until they submitted the required documentation of their declared U.S. citizenship and identity.

The Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA) enacted an important modification to this requirement. Under a provision in CHIPRA, a new applicant who declares that he is a United States citizen (or national) and meets all other eligibility requirements must be approved immediately and then given a "reasonable opportunity" to submit required documentation. This also applies to otherwise eligible non-citizens needing to provide satisfactory documentation of their qualified alien immigration status.

New Jersey has determined that the reasonable opportunity period shall be six months from the time that the applicant declares the citizenship status and is informed of the need to provide citizenship/identity documentation, as long as the applicant is making a good faith effort to submit the required documentation.

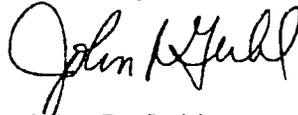
Applicants will need to be properly noticed during the reasonable opportunity period. If, after approximately three months, the applicant has not submitted the required documentation, the eligibility agency shall provide written notice to the client (similar to "missing information" notices – see attached example letter) advising of the six month deadline and setting forth the specific document(s) that are still needed for this applicant to comply with the documentation requirement. When the applicant(s) have not submitted the required documentation towards the end of the fifth month of the reasonable opportunity period then a timely termination notice shall be sent to the applicant informing them of their termination to be effective at the end of the six month period. The notices must clearly identify which household members have not complied and for which the adverse action is applicable. The termination notice shall also inform them that they may re-apply when they have the required documentation.

Individuals already enrolled in Medicaid who are renewing their eligibility, shall also be given a reasonable opportunity to submit documentation if they have not already done so. They will remain eligible as long as they continue to make a good faith effort to submit the required documentation.

The eligibility agency will continue to assist applicants and recipients as needed in providing documentation, including verification using appropriate databases and assisting individuals who need special help and lack someone who can act on their behalf (e.g., the homeless, mentally impaired, or physically incapacitated).

If you have any questions regarding this information, please contact the Division's Office of Eligibility Policy field representative assigned to your county at 609-588-2556.

Sincerely,



John R. Guhl  
Director

JRG:M

Attachments

c: Jennifer Velez, Commissioner  
Department of Human Services

William Ditto, Executive Director  
Division of Disability Services

Kevin Martone, Deputy Commissioner  
Department of Human Services

Jeanette Page-Hawkins, Director  
Division of Family Development

Kenneth W. Ritchey, Assistant Commissioner  
Division of Developmental Disabilities

Kimberly S. Ricketts, Commissioner  
Department of Children and Families

Heather Howard, J.D., Commissioner  
Kathleen M. Mason, Assistant Commissioner  
Patricia Polansky, Assistant Commissioner  
Department of Health and Senior Services

COUNTY LETTERHEAD

**SECOND NOTICE**

[DATE]

**Case Num.:** Case/ID Number

*Head of Household*  
Street Address  
Town, State, Zip

**Re:** [RECIPIENT]  
[RECIPIENT]  
[RECIPIENT]  
[RECIPIENT]

Dear [Head of Household],

On your application you declared that the individual(s) listed above are either a citizen(s), national(s) or qualified alien(s), but as of today we have not received documentation verifying their citizenship or alien status. Please be aware that this documentation is needed in order for the individual(s) to retain their Medicaid benefits. Failure to provide this information by [MONTH] [DAY], [YEAR] could result in the termination of their Medicaid/NJ FamilyCare benefits.

The County Welfare Agency will work with you if you are having trouble securing these documents. Please make sure to contact the worker listed below if you are having any difficulties. It is important that you contact this office in a timely manner in order to assist you in attaining this information quickly so that you do not lose your benefits.

Enclosed is a list which includes, but is not limited to, acceptable documents that will satisfy proof of client's citizenship or qualified alien status. If you have any questions or concerns please contact this agency using the information listed below.

Sincerely,

[NAME], [TITLE]  
[PHONE NUMBER]  
[CWA OFFICE ADDRESS]  
[EMAIL]

# **PROVIDING DOCUMENTATION OF U.S. CITIZENSHIP OR QUALIFIED ALIEN FOR NJ FAMILYCARE/MEDICAID**

You must show that you are a U.S. citizen, national or qualified alien and who you are. Below is a list of some, but not all, acceptable forms and documents that can be used to verify citizenship, alien status and/or identity.

## **If you are a...**

### **Citizen, you can provide one of these documents:**

- ★ A U.S. Passport (Can be used to verify identity as well)
- ★ A Certificate of Naturalization (DHS Forms N-550 or N-570, can be used to verify identity as well)
- ★ A Certificate of U.S. Citizenship (DHS Forms N-560 or N-561, can be used to verify identity as well)
- ★ Your birth certificate
- ★ A Report or Certification of Birth Abroad of a U.S. Citizen (Form FS-240 or FS-545)
- ★ U.S. Citizen I.D. Card (DHS Form I-197)
- ★ Adoption Papers
- ★ Military Record if it shows where you were born

### **Qualified alien, you can provide one of these documents:**

- ★ Form I-551 (Alien Registration Receipt Card, commonly known as a "green card")
- ★ Form I-94 annotated with stamp showing grant of asylum or admission
- ★ Form I-688B (Employment Authorization Card), or Form I-766 (Employment Authorization Document) annotated "A3", "A5", or "A10"
- ★ Grant letter from the Asylum Office of the U.S. Citizenship and Immigration Service
- ★ U.S. Citizenship and Immigration Service petition and supporting documentation

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**AND**

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### **Identify who you are with:**

- ★ Your picture on your current State driver's license or State identity card
- ★ School identification card
- ★ A Federal, State or local government identification card
- ★ A U.S. Military identification card