

TO: Local District Commissioners, Medicaid Directors

FROM: Gabrielle Armenia, Director
Division of Eligibility and Marketplace Integration

SUBJECT: U.S. Citizenship and Identity Requirements for Citizens and Non-citizens

ATTACHMENT: New York State Medicaid Identity Documentation Requirements pamphlet

EFFECTIVE DATE: Immediately

CONTACT PERSON: Local District Support Unit
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The purpose of this General Information System (GIS) message is to remind local departments of social services (LDSS) of citizenship and identity documentation requirements.

Most U.S. citizens will have their citizenship and identity verified using an electronic data match with the Social Security Administration (SSA). The electronic verification process sends the individual's Social Security Number (SSN) to the SSA to confirm the individual's U.S. citizenship and identity. If the SSA confirms that the person is a U.S. citizen, then the appropriate code will be returned immediately. Citizens who have their citizenship and identity verified electronically through the SSA data match will not need to provide documentation. Additionally, if an individual is receiving Medicare or receiving Social Security Disability but is not yet eligible for Medicare, that individual will not need to provide documentation of citizenship or identity.

U.S. citizens whose U.S. citizenship and identity cannot be confirmed through the SSA data match must be provided a reasonable opportunity to provide satisfactory documentation of U.S. citizenship and identity. There are various levels of documentation to prove citizenship and identity. Stand-alone documents, such as a U.S. passport, prove both U.S. citizenship and identity. However, a document that only proves U.S. citizenship, such as a U.S. birth certificate, must be accompanied by an identity document, such as a driver's license. There are various documents that can be used to prove identity. Below are the documents that are considered stand alone documents that prove only U.S citizenship and documents that prove identity.

Stand-alone Documentation includes:

- U.S. passport;
- Certificate of Naturalization (N-550 or N-570);
- Certificate of U.S. Citizenship (N-560 or N-561);
- New York State Enhanced Driver's License (EDL) or Enhanced Non-Driver Identity card;
- Native American Tribal Documentation issued by a Federally Recognized Tribe:
 - A tribal census document;
 - A document issued by an Alaskan Native village/tribe, or an Alaskan Native.
 - Claims Settlement Act (ANCSA) Corporation;
 - A certificate of degree of Indian blood issued by the Bureau of Indian Affairs; or

- Any tribal document indicating affiliation with the tribe.

Documentation to prove U.S. Citizenship includes:

- U.S. public birth certificate;
- Certification of Report of Birth issued by the Department of State (DS-1350, FS-545);
- Report of Birth Abroad of a U.S. Citizen (FS-240);
- U.S. Citizen Identification Card (I-197 or I-179);
- Northern Mariana Identification Card (I-873);
- Final adoption decree showing U.S. place of birth;
- Evidence of U.S. civil service employment before 6/1/1976;
- Military record of service showing U.S. place of birth (i.e., DD-214);
- Evidence of qualifying for U.S. citizenship under Child Citizenship Act of 2000;
- An extract of hospital record which must show a U.S. place of birth;
- Life Health, or other insurance record, if it shows a U.S. place of birth;
- Religious record recorded in the U.S. showing a U.S. place of birth;
- Federal or State census record showing a U.S. citizenship or a U.S. place of birth;
- Medical (clinic, doctor, or hospital) record if it shows a U.S. place of birth;
- U.S. Vital Statistics official notification of birth registration if it shows a U.S. place of birth;
- School record (pre-school, Head Start, daycare) showing a U.S. place of birth;
- Institutional admission papers from a nursing facility, skilled care facility/institution showing a U.S. place of birth; or
- An affidavit or statement signed by someone who can attest under penalty of perjury to the applicant's citizenship, and contains the applicant's name, date of birth, and place of U.S. birth (including a physician or midwife or a statement from the adoption agency). The document does not need to be notarized.

Documentation to prove Identity includes:

- A driver's license issued by a state or U.S. territory;
- U.S. school identification card with a photograph of the individual;
- U.S. military card or draft record;
- Identification card issued by federal, state, or local government with the same information included on the driver's license;
- U.S. military dependent's identification card; U.S. Coast Guard or Merchant Mariner card; Or
- A cross match with a federal or State governmental, public assistance, law enforcement, or corrections agency's data system.

If none of the above identity documents are available, a combination of two or more corroborating documents such as, but not limited to, a marriage certificate, divorce decree, high school or college diploma, employer identification (ID) card or property deed/title, may be used.

Disabled individuals in residential care facilities may have identity attested to by the facility director or administrator on behalf of the individual in the facility, when the individual does not have or cannot get any document listed above. This affidavit must be signed under penalty of perjury but does not need to be notarized.

Children under age 19 may have their identity documented using other means including the following:

- Clinic, doctor, or hospital record;
- School records including report card, day care or nursery school record; or
- If no other documents are available, an affidavit signed under penalty of perjury by a parent, guardian, or caretaker relative may be used. The affidavit must include the date and place of the child's birth.
 - An identity affidavit cannot be used if a citizenship affidavit was used. Identity affidavits do not need to be notarized.
 - Identity affidavits may be used for children under 19 years of age when a school ID card or driver's license is not available to the child until he/she is 19 years of age.

Documentation to Prove Immigration and Identity

Many immigration documents can prove both a non-citizen's immigration status and their identity. Below are immigration documents that can prove both immigration status and identity.

- I-551 Permanent Resident Card;
- I-766 Employment Authorization Card;
- I-571 Refugee Travel Document;
- I-327 Re-entry Permit; or
- I-94 Arrival/Departure Record and a U.S. Visa.

Similar to U.S. Citizens, if a non-citizen does not have a document that proves both immigration status and identity, the non-citizen can provide an immigration document and an identity document from the list of identity documents above. Below is a list of some immigration documents that prove immigration status, but not identity.

Documentation to Prove Immigration Status

- I-797 Notice of Action;
- I-220B Order of Supervision;
- I-130 Petition for Alien Relative;
- I-140 Immigrant Petition for Alien Worker; or
- Correspondence between the applicant and the federal immigration agency.

It has come to the Department's attention that homebound individuals are requesting assistance from the Department of Motor Vehicles (DMV) to obtain non-driver ID cards for the purpose of proving identity when applying for Medicaid. While a non-driver ID card can be used to prove identity for individuals who must provide documentation, it is not the only document that could be used. To assist the DMV when individuals request home visits, the Department created the New York State Medicaid Identity Documentation Requirements pamphlet. This pamphlet is a summary of the various documents' individuals may use to prove their identity, citizenship or immigration status included in this directive.

Please direct any questions to your local district support liaison.