

DEFICIT REDUCTION ACT FACT SHEET



BACKGROUND

The DRA requires nationals and U.S. citizens who are applying for Medicaid to prove their citizenship and identity using specific documents. The law was first implemented in Colorado on July 1, 2006.

PRIMARY EVIDENCE

Any of the documents below are valid for proof of both U.S. citizenship and identity. If a member does not have one of these documents, then they must provide one document that proves citizenship and one document that proves their identity.



U.S. PASSPORT



CERTIFICATE OF
NATURALIZATION



CERTIFICATE OF
CITIZENSHIP



DOCUMENT FROM
A FEDERALLY
RECOGNIZED
INDIAN TRIBE

EXEMPTIONS

If citizenship and identity have already been verified by another governmental agency, the member is not required to provide verification:

- Receiving SSA payments
- Receiving Medicare
- Foster Care Children
- Needy Newborns
- Applying for Presumptive Eligibility

RULES FOR CHILDREN

Children are treated differently than adults when it comes to proving identity. Children under age 16 may provide clinic, doctor, hospital, or school records.

If none of those records are available, an affidavit may be submitted on the child's behalf. Parents/guardians are not required to provide proof of their own citizenship when completing an affidavit for the child.



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AFFIDAVITS

Any applicant may submit written affidavits to establish citizenship if they are unable to present a document from the list. The affidavit option requires that two individuals with personal knowledge of the applicant's citizenship sign a sworn statement. The individuals must provide proof of their own U.S. citizenship and identity. The applicant must also provide an affidavit that explains why they are unable to document their citizenship.

These affidavits do not need to be notarized.

Note that only one affidavit is allowable. For example, if an applicant has submitted one for identity, they may not submit one to also establish citizenship.

HOW OFTEN

Once citizenship and identity verification has occurred, it does not need to be repeated unless later evidence raises a question about the individual's citizenship or identity, or there is a gap of more than 5 years since the applicant was last enrolled in Medicaid and CHP+, and the county has not retained evidence.

NAME CHANGES

Applicants who have changed their last name for any reason, are not required to supply additional documentation regarding the name change, unless:

- There is reasonable basis for doubt that the identity documents belong to the applicant
- If the applicant changes their first and/or middle name in addition to their last name
- With the exception of the last name, if the information contained in the citizenship and identity documents does not match

SPECIAL IDENTITY RULES

People who are disabled and live in an institutional care facility may also satisfy the identity verification requirement with an affidavit.

This is an option if no other evidence of identity is available. It must be signed by a residential care facility director or administrator under penalty of perjury.



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