

**GENERAL INFORMATION SYSTEM**

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**DIVISION:** Office of Health Insurance Programs**PAGE 1**

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**TO:** Local District Commissioners, Medicaid Directors

**FROM:** Judith Arnold, Director  
Division of Coverage and Enrollment

**SUBJECT:** Puerto Rican Birth Certificates: Medicaid Applications Received On  
or After October 1, 2010

**EFFECTIVE DATE:** October 1, 2010

**ATTACHMENTS:** Instruction Sheet  
Birth Certificate Application Form (RD-225) English  
Birth Certificate Application Form (RD-225) Spanish

**CONTACT PERSON:** Local District Support Unit  
Upstate (518)474-8887 NYC (212)417-4500

The purpose of this General Information System (GIS) message is to inform local departments of social services (LDSS) about a new law that was enacted by the government of Puerto Rico and how the law affects citizenship documentation requirements for New York State residents who were born in Puerto Rico and apply for Medicaid on or after October 1, 2010. Individuals born in Puerto Rico became U.S. citizens collectively through grants of citizenship made by the United States. Therefore, a U.S. birth certificate showing birth in Puerto Rico can be used to establish citizenship.

On January 1, 2010, Puerto Rico's Law 191, "Law Prohibiting Public and Private Entities from Retaining, Storing or Holding Certified Copies of Birth Certificates", went into effect. The new law requires new security enhanced certificates be issued beginning July 1, 2010, to address the unlawful use of Puerto Rico-issued birth certificates to combat theft and fraud. Initially, individuals born in Puerto Rico were subject to have their birth certificates invalidated as of July 1, 2010. However, on June 28, 2010, the government of Puerto Rico approved an amendment that extends the validity of current Puerto Rican birth certificates through September 30, 2010. This extension will provide a transition period for individuals to apply for and receive the new document.

**INTERIM PROCEDURES**

To assist Medicaid applicants who do not have a new birth certificate from Puerto Rico or any other acceptable documents to verify U.S. citizenship, the following procedures have been developed. These procedures apply to:

- Medicaid-only applications received on or after October 1, 2010, (regardless of whether coverage is being sought for the three month retroactive period); and
- Medicaid separate determinations for Temporary Assistance/Medicaid applications filed on or after October 1, 2010.

If an applicant presents a Puerto Rican birth certificate issued prior to July 1, 2010, or the applicant states he/she is a U.S. citizen born in Puerto Rico and does not provide a document to support U.S. citizenship, Medicaid coverage must be authorized for a 12-month period, if the applicant is otherwise eligible.

An Alien Citizenship Indicator (ACI) code of "C" (Citizen) should be entered in to the Welfare Management System (WMS) with the appropriate coverage code. The Department will pull these individuals and verify citizenship status with the Social Security Administration (SSA) once the citizenship verification match process is established with SSA (on or about October 18, 2010). Further information will be issued regarding the SSA citizenship verification match process, including how the results of the match will be reported to districts.

In order to identify Puerto Rican born individuals, who have been authorized Medicaid coverage on or after October 1, 2010, and prior to verification of U.S. citizenship through the SSA citizenship match, Upstate districts must use a unique ANTICIPATED FUTURE ACTION (AFA) code of **914-"Puerto Rican Birth Certificate Validation Pending"** and enter the individual's line number with the new AFA. No Anticipated Future Action Date will be required.

Once the SSA citizenship verification match process is available, the Puerto Rican born individual's citizenship status will be verified through the SSA citizenship match. New York City applicants/recipients will also have citizenship status verified through a match process with SSA.

**NOTE:** Individuals born in Puerto Rico may continue to use their U.S. passport or New York State Enhanced Driver's License (EDL) as primary proof of citizenship and identity. When a primary document is unavailable, they may provide a secondary, third or fourth level document. (Refer to the DOH-4418 "Identity and Citizenship or Immigration Status for the Medical Assistance Program" for a list acceptable forms of documentation.)

#### **MANAGED CARE**

Otherwise eligible Puerto Rican born individuals awaiting verification of citizenship through the SSA citizenship match may be enrolled in a Managed Care Organization (MCO). Should eligibility for their Medicaid be terminated during the first six months of enrollment, the enrollee(s) may continue to receive health care benefits provided under the managed care guarantee.

#### **UNDERCARE**

The LDSS does not have to re-certify or re-determine eligibility for Puerto Rican born individuals, who presented their original birth certificate or certified copy of their birth certificate (issued prior to July 1, 2010), and applied for or received benefits prior to October 1, 2010. Once a person's citizenship is documented, it should not be re-documented unless that person's citizenship becomes questionable.

**LDSS ASSISTANCE IN OBTAINING A NEW PUERTO RICAN BIRTH CERTIFICATE**

Upon request, districts should make available to Puerto Rican born applicants the attachments to this GIS message. The attachments include instructions for applying for a new birth certificate and the required application forms in English and Spanish.

An individual born in Puerto Rico may obtain their own birth certificate as long as they are 18 years or older. Other persons may also obtain copies of an individual's Puerto Rican birth certificate if they are the individual's parent, legal guardian, or a person duly authorized by the courts.