

The Oregon Health Plan (OHP): CITIZENSHIP AND IDENTITY VERIFICATION

U.S. citizens and many non-citizens can get OHP benefits. A federal law now requires most U.S. citizens who are applying for or receiving medical benefits to show proof of U.S. citizenship and proof of identity. Non-citizens must show proof of their immigration status.

If you think you or your children might be eligible for Medicaid or the Oregon Health Plan, *do not let lack of documentation stop you from applying*. The law gives you time to get the documentation you need. Meanwhile, your case worker can be working on other parts of your application. DHS or OHA can approve your application and begin your medical benefits before you show proof of citizenship. Your case worker can also help you get the documentation you need.

DO I HAVE TO BE A U.S. CITIZEN IN ORDER TO RECEIVE MEDICAL BENEFITS?

NO. Many non-citizens are eligible for medical benefits. Apply at your local Department of Human Services (DHS) office. If you are not a citizen, you will be required to document your immigration status.

If you have questions, call the **Public Benefits Hotline (1-800-520-5292)** or your local Legal Aid office. Go to www.oregonlawhelp.org for a directory of legal aid programs.

DO THE NEW REQUIREMENTS APPLY TO ME?

You DO NOT have to provide this documentation if you are:

- Not a U.S. citizen

- Receiving Medicare
- Receiving Supplemental Security Income (SSI)
- Receiving Social Security Disability Insurance (SSDI)
- A child receiving healthcare coverage through the State Children's Health Insurance Program (SCHIP). Ask your case worker if this is the program that provides your child's health coverage.
- A child in foster care or receiving adoption services. Some citizenship verification requirements may apply in these cases, but DHS should be more flexible.

The requirements only apply to people who will receive medical benefits:

- Only the person who is applying for benefits needs to provide the documentation. For example, a family applying for medical benefits for the children only needs to provide *the children's* proof of citizenship and identity.
- The requirements only apply to medical benefits. For example, a family that is only applying for food stamps does not have to provide proof of citizenship and identity for any family members.

HOW CAN I SATISFY THE REQUIREMENTS?

The law requires proof of both U.S. citizenship and identity. In most cases, applicants will need to use different documents to prove each.

Legal Aid Services of Oregon and Oregon Law Center

Public Benefits Hotline – 1-800-520-5292

This pamphlet is for general educational use ONLY. It is not a substitute for individual legal advice. Consult an attorney for more information or advice. Please remember the law is always changing.

www.oregonlawhelp.org

How can I prove my citizenship and identity?

- You can prove both your citizenship and your identity with a:
 - U.S. Passport, or
 - Certificate of Naturalization, or
 - Certificate of U.S. Citizenship

If you don't have one of these documents . . .

1. You can prove your U.S. Citizenship with:

- Your U.S. birth certificate, or
- A Report or Certificate of Birth Abroad of a U.S. citizen, or
- U.S. Citizen ID card, or
- Final adoption decree showing child's name and place of birth, or
- A Military Record that shows a U.S. place of birth.

If you do not have or you cannot get one of these documents, there are other forms of proof that DHS or the Oregon Health Authority (OHA) should consider. Some examples include:

- Medical records or life, health, or other insurance records, if they
 - were created at least 5 years before the initial application; and
 - indicate a U.S. place of birth.
- Admission papers from a nursing home or other institution that show a U.S. place of birth.
- Affidavits by two individuals (one of whom must not be related to you) who can prove their own citizenship, and who have personal knowledge of your birth. If using this form of proof, you must also sign an affidavit explaining why no other form of proof was available.

If you were born in Oregon after 1920, your DHS or OHA case worker may be able to look up your birth certificate on the computer. In that case, you won't have to provide other proof of your citizenship.

2. You can prove your Identity with:

- State issued driver's license or ID card, or
- School ID card, or
- Federal, State or local ID card, or
- U.S. Military ID card or draft record, or
- Native American Tribal document

If you do not have one of the documents listed above, there are other forms of proof that DHS or OHA should consider. Ask your worker if she can verify your identity through data matches with other agencies.

Children under 16 who do not have the documents listed above can prove identity with:

- School or daycare records showing the date and place of birth, and parent's name; or
- An affidavit signed by the parent or guardian stating the date and place of birth.

You can find a full list of acceptable documentation at: www.oregonlawhelp.org.

WHAT IF I HAVE A PROBLEM?

What if I cannot obtain the documents listed above?

The lists above do not include every possible way of proving your citizenship and identity. If you are having trouble getting the required documents:

- Explain the problem to your worker;
- Ask DHS or OHA to help (DHS can give you out-of-state Vital Records contacts and may be able to help you with costs);
- Ask for more time to get the documents you need;
- Call the **Public Benefits Hotline (1-800-520-5292)** or your local Legal Aid office. Go to www.oregonlawhelp.org for a directory of legal aid programs.

Can DHS help me pay for the costs of getting the required documents?

Yes, DHS may be able to help you pay for citizenship documentation. DHS will pay for costs of obtaining documentation if you are unable to pay because:

- You have extremely limited income and/or resources; or
- You are homeless; or
- You are experiencing domestic violence.

Note that DHS will pay in advance, but will not reimburse you if you have already paid.

Do I have to show DHS or OHA the original documents?

Yes, DHS must see the original documents. You may take them to your local DHS office, or mail them to DHS or OHA.

You may also be able to take your documentation to your health care clinic. Your clinic will then complete a form for DHS or OHA stating that they have verified your documentation. Ask your clinic whether they can do this for you.

HOW MUCH TIME DO I HAVE?

When do I have to provide the verification?

- If you are a new medical benefits applicant:
 - You will be asked for the documentation when you apply for medical benefits.
 - DHS or OHA will give you 45 days from the date of request to provide the documentation. If you are not able to obtain it within that amount of time, DHS or OHA can still give you medical benefits while you try to get your documents. *Remember, you can give DHS your application and begin the process without providing any documentation.*

- If you are currently on OHP:
 - You must provide documentation of citizenship and identity at your next recertification in order to keep your OHP benefits.
 - DHS or OHA will give you 45 days from the date of review to provide the documentation. If you are not able to obtain it within 45 days, talk to your worker. As long as you are working on getting the documentation, DHS or OHA should give you as much time as you need.
 - DHS can also help you get the documents.

What if I have an immediate medical need?

Explain your medical need to DHS or OHA and ask them to begin your medical benefits while you are trying to get the documents.

Will I have to provide the documentation more than once?

No. You only have to provide the documentation once. If, however, your OHP coverage stops for some reason, you may have to show your documentation again when you reapply.

If you have questions or you run into problems, call the **Public Benefits Hotline (1-800-520-5292)** or your local Legal Aid office. Go to www.oregonlawhelp.org for a directory of legal aid programs.