

TO: Local District Commissioners, Medicaid Directors

FROM: Judith Arnold, Director
Division of Eligibility and Marketplace Integration

SUBJECT: Social Security Number for Non-Citizens

ATTACHMENT: Social Security Number Attestation Form

EFFECTIVE DATE: Immediately

CONTACT PERSON: Local District Support Unit
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The purpose of this General Information System (GIS) message is to inform local departments of social services (LDSS) of a change in Medicaid policy regarding non-citizens applying for Social Security Numbers (SSN).

Social Security Numbers are used to report a person's wages to the government and to determine a person's eligibility for Social Security benefits. In general, only non-citizens who are authorized to work in the United States by the Department of Homeland Security (DHS) are issued an SSN. The Social Security Administration (SSA) may sometimes issue an SSN to an individual for a valid non-work reason, for example, to qualify for a federally funded benefit. If an applicant is denied an SSN, he/she may receive notification from the SSA indicating such. As the SSA does not issue letters of denial to all SSN applicants, effective with the release of this GIS message, non-citizens are no longer required to document that they applied for and/or were denied an SSN. The LDSS must now allow non-citizens to attest to having applied for an SSN and to being ineligible for an SSN.

Although non-citizen applicants for Medicaid are still required to apply for an SSN if they do not have one, districts are no longer required to request an SSN as previously instructed in 08 OHIP/INF-2 by using Social Security Administration Letter Format for Immigrants Eligible for Federal Benefits (Attachment I) or Social Security Administration Letter Format for Immigrants Eligible for State Medicaid (Attachment II).

Effective immediately, when non-citizens apply for Medicaid they must:

- Provide an SSN, if they have one; or
- Attest that they will apply for an SSN; or
- Attest that they are in the process of applying for an SSN; or
- Attest that they are not eligible for an SSN, due to their immigration status.

Non-citizen applicants who do not provide an SSN must complete and return the attached Social Security Number Attestation Form, OHIP-0104. If an applicant does not return the form within the requested time period, the applicant should be denied for failure to provide an SSN. Upstate districts should use reason code V31 (Failure to Provide SSN) to deny the applicant. In New York City, a reason code is being developed to deny an applicant, at the line level. In the interim, pending the issuance of the new reason code, the Human Resources Administration (HRA) should use reason code Y99 (other) to deny the applicant for failing to provide an SSN.

If the attestation form is returned and the non-citizen applicant checks either number two, "I will apply for a Social Security Number" or number three, "I am in the process of applying for a Social Security Number" and the non-citizen is otherwise Medicaid eligible, coverage must be authorized for 12 months. Upstate local districts must follow up with these recipients within four months of the receipt of the attestation form if an SSN has not been provided to the district in the interim. Upstate districts must use Anticipated Future Action Code 327 – "Follow-up on Application for SSN" to track this four-month time period. If an SSN has not been provided, the district must request the SSN or attestation that the individual applied for and was denied an SSN using the attached attestation form. If the recipient fails to provide an SSN or attestation within 15 days, the recipient's Medicaid coverage must be discontinued with timely notice. If at the four month follow-up period the individual does not provide an SSN and submits the attestation with "I will apply for a Social Security Number" checked a second time, the recipients Medicaid coverage must be discontinued with timely notice. Upstate districts should use reason code V31 to discontinue the applicant's coverage. New York City (NYC) instructions are forthcoming.

Note: If a district follows-up on a recipient's SSN at renewal, the recipient must be given the Social Security Number Attestation form to complete if an SSN has not been provided.

If a non-citizen applicant checks number four on the attestation form, "I am not eligible for a Social Security Number, due to my immigration status" the LDSS must accept the applicant's attestation and if the individual is otherwise Medicaid eligible, authorize coverage.

As a condition of eligibility for Temporary Assistance, an applicant must either provide their SSN or apply for an SSN and provide proof of the application. However, the Office of Temporary and Disability Assistance will provide assistance to eligible aliens who are denied an SSN by SSA. If an individual fails to provide proof that he/she is unable to get an SSN, the individual would be denied Temporary Assistance. All individuals denied Temporary Assistance are to be referred to Medicaid for a separate Medicaid eligibility determination.

This change in Medicaid policy will align and conform to the application process on the New York State of Health.