

TO: Local District Commissioners, Medicaid Directors

FROM: Lisa Sbrana, Director
Division of Eligibility and Marketplace Integration

SUBJECT: U.S. Citizenship or Immigration Status and Social Security Number Requirements for Pregnant Individuals

ATTACHMENT: Attachment I – DOH-5224, “Medicaid Presumptive Eligibility for Pregnant Individuals Screening Form”

EFFECTIVE DATE: March 1, 2023

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 policy regarding pregnant individuals providing their Social Security Number (SSN) and U.S. citizenship or immigration status.

Effective March 1, 2023, pregnant individuals, will be required to provide both an SSN, if eligible for one, and their U.S. citizenship or immigration status, consistent with guidance provided in 17 MA/02 “Social Security Numbers for Non-Citizens” and 10 OHIP/ADM-8, “Children’s Health Insurance Program Reauthorization Act (CHIPRA) of 2009: Citizenship Documentation Requirements.” Pregnant individuals who apply through NY State of Health have been, and will continue to be, required to provide their SSN and their U.S. citizenship or immigration status. These elements are verified electronically or with documentation if electronic verification is not successful.

Pregnant individuals who apply for ongoing coverage will continue to be entitled to full Medicaid coverage, regardless of their citizenship or immigration status, if otherwise eligible. Similarly, those screened by a provider as presumptively eligible will be eligible for presumptive coverage, regardless of their citizenship or immigration status.

This policy change will require individuals who apply through providers and any other pregnant individual whose eligibility is determined by the LDSS to provide their SSN, if eligible for one, and their U.S. citizenship or immigration status information on the Access NY application (DOH-4220). GIS 21 MA/22 introduced the revised Access NY which indicates both SSN and U.S. citizenship or immigration status are required for pregnant individuals and references this piece of guidance as forthcoming.

The DOH-5224 “Medicaid Presumptive Eligibility for Pregnant Women Screening” form (Attachment I) has been renamed and revised to include fields to accommodate SSN and U.S. citizenship or immigration status. Pregnant consumers who are screened for Presumptive Eligibility (PE) will be required to attest to their U.S. citizenship or immigration status. However, SSN continues to be optional for PE.

Changes to the Welfare Management System (WMS) have also been made to accommodate providing the appropriate presumptive or full coverage.

Presumptive Eligibility (PE) Screening Form

As a result of this policy change, Attachment I - DOH-5224 "Presumptive Eligibility for Pregnant Women Screening" form has been revised as follows:

- the title of the form has been changed to "Presumptive Eligibility for Pregnant Individuals Screening;"
- in Section 1, Applicant Information, there is a new field to capture SSN, which continues to be optional for PE; and
- in Section 1, there are new checkboxes related to U.S. citizenship or immigration status.

The individual's attested response will be marked for U.S. citizenship or immigration status on the DOH-5224 and will inform which Alien/Citizenship Indicator (ACI) code should be entered in WMS. LDSS staff must ensure the pregnancy Individual Categorical Code (ICC) 36 is used for presumptive coverage. The Date of Status field on the DOH-5224 will contain a date provided by the consumer. If the consumer is unsure of the date they obtained the status of Lawful Permanent Resident, provider staff will enter the date of screening in this field. Date of Status is only needed for consumers attesting to being immigrant non-citizens and is a required field in WMS when ACI 'K' is present.

The combination of the appropriate ACI code, Date of Status, ICC, and date of birth will drive the correct state/federal (s/f) charge code.

U.S. Citizenship/Immigration Status Response	ACI Code	State/Federal Charge Code
U.S Citizen or Naturalized Citizen	'C'	blank
Immigrant Non-Citizen	'K'	'60'
Non-immigrant Visa Holder	'P'	age 21 or older – '65'
		under age 21 – '66'
Not Lawfully Present	'E'	'72'

Applications for Ongoing Eligibility

Pregnant individuals who are otherwise eligible will continue to receive full coverage. Some non-citizens who are pregnant may be eligible for federal financial participation. Therefore, entering the correct ACI code, pregnancy ICC, and other immigration information, such as Date of

Status/Date Entered County (DOS/DEC), is imperative. If LDSS staff are presented immigration documents which indicate a DOS different from what was entered into the system from the DOH-5224, staff should request the date be changed using the process outlined in GIS 13 MA/03 "Changes to the Welfare Management System: Date of Status (DOS)/Date Entered Country (DEC)." LDSS staff should continue to utilize the OHIP-0046 "Documentation Guide to Citizen and Non-Citizen Eligibility for Health Insurance Coverage in New York State" to determine the appropriate ACI code for pregnant individuals based on the immigration documentation provided. Individuals who are pregnant but not lawfully present will receive ACI code 'E' which will systematically generate a new s/f charge code 72 "Pregnant Consumer with ACI = E." The presence of pregnancy and postpartum ICCs and ACI 'E' will systematically drive s/f charge code 72 and will also allow full coverage to be authorized.

Pregnant individuals will be required to provide their SSN if they have one. Citizens will provide their SSN which will be verified with the Social Security Administration (SSA). This verification can also verify U.S. Citizenship. Non-citizens will provide their SSN if they have one, consistent with the guidance in GIS 17 MA/02 "Social Security Numbers for Non-Citizens," which indicates the Social Security Administration (SSA) issues SSNs to non-citizens who are authorized to work in the United States and may sometimes issue an SSN to non-citizens for a valid non-work reason, for example, to qualify for a federally funded benefit. If an applicant is denied an SSN, the individual may receive notification from the SSA indicating such. However, as the SSA does not issue letters of denials to all SSN applicants, effective February 8, 2017, non-citizens are no longer required to document that they applied for and/or were denied an SSN. Non-citizens who do not provide an SSN must complete and return OHIP-0104, Social Security Number Attestation Form.

Pregnant individuals who are eligible for an SSN but refuse to provide it or who do not complete and return OHIP-0104 will not be eligible for Medicaid coverage. Pregnant individuals will also be required to provide documentation of their U.S. citizenship (if needed) or immigration status. Failure to provide this information will also result in the individual being determined ineligible for Medicaid coverage.

Please direct any questions to your local district support liaison.