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GENERAL INFORMATION SYSTEM

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DIVISION: Office of Medicaid Management

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TO: Local District Commissioners, Medicaid Directors

FROM: Ann Clemency Kohler, Deputy Commissioner
Office of Medicaid Management

SUBJECT: Retraction of Letter to MOMS and PCAPS Regarding Motor Voter
Registration

EFFECTIVE DATE: Immediately

CONTACT PERSON: Sharon Burgess, 518-473-5536

This is to inform social services districts that a letter is being sent to Prenatal Care Assistance Programs (PCAPS) and Medicaid Obstetrical and Maternal Services (MOMS) providers retracting the November 18, 1996 letter regarding the National Voter Registration Act of 1993 (NVRA) which informed these providers of the requirement to offer voter registration.

New York State is currently defending litigation commenced by the United States Department of Justice in which the Department contends that Medicaid providers, including hospitals, nursing homes, clinics and community organizations, are not required to offer voter registration assistance to Medicaid applicants because such locations are not "offices in the state that provide public assistance" within the meaning of the NVRA statute. Pending the outcome of the litigation, PCAPS and MOMS will not be required to offer voter registration. However, nongovernmental Medicaid providers including MOMS and PCAPS may offer voter registration if they voluntarily agree to do so. Current procedures will continue for those providers who choose to offer voter registration with Medicaid applications.

If you have any questions, please contact Sharon Burgess at 518-473-5536.