

**Service Chapter:** ACA Medicaid 510-03 and Non-ACA Medicaid 510-05

**Effective Date:** June 3, 2024

### **Overview**

Change in the limit of ROP period which is based on the final rule and aligning ACA/Non-ACA to be written the same.

### **Description of Changes**

#### **1. Citizenship and Alienage 510-03-35-45 - Change**

Updating policy to allow more than one ROP period.

#### **2. Citizenship and Alienage 510-05-35-45 - Change**

Updating policy to allow more than one ROP period.

### **Policy Section Updates**

#### **1. Citizenship and Alienage 510-03-35-45**

4. Verification Requirements: Applicants must provide satisfactory documentary evidence of citizenship or naturalization.
  - e. Reasonable Opportunity Period. Applicants who claim they are U.S. Citizens or qualified aliens are entitled to a reasonable opportunity period to provide verification of citizenship, qualified alien status, and identity. Medicaid is not permitted to deny, delay, reduce, or terminate eligibility while documentation is being gathered during the reasonable opportunity period. A reasonable opportunity period applies when all other information necessary to determine eligibility is available. If an individual is eligible for Medicaid and has met all other criteria except for citizenship or identity verification, that individual's eligibility may not be pended for verification of either citizenship or identity but must be approved. If the individual does not provide satisfactory documentation of citizenship and identity by the end of the reasonable opportunity period, the individual's eligibility must be terminated with advance (10-day) notice and without regard to continuous eligibility provisions.

A 'reasonable opportunity period' is defined as 90 days from the date the application is submitted and for the remaining days of the month in which the 90th day falls.

An extension of an additional 60 days from the 90th day may be granted if the individual has verifiable documented evidence, they have been making a good faith effort to obtain the verifications, but still have not received them.

~~A reasonable opportunity can only be allowed once for any individual. If granted a reasonable opportunity period but the requested verifications are not received and eligibility is terminated, a second reasonable opportunity period is not allowed at a later application. A reasonable opportunity period is not limited to one.~~

- **Example:** If granted a reasonable opportunity period but the requested verifications are not received and eligibility is terminated, upon reapplication, if needed, a new reasonable opportunity period will be allowed.

## 2. Citizenship and Alienage 510-05-35-45

3. Verification Requirements: Applicants must provide satisfactory documentary evidence of citizenship or naturalization.

- e. Reasonable Opportunity Period. Applicants who claim they are U.S. Citizens or qualified aliens are entitled to a reasonable opportunity period to provide verification of citizenship, qualified alien status, and identity. Medicaid is not permitted to deny, delay, reduce, or terminate eligibility while documentation is being gathered during the reasonable opportunity period. A reasonable opportunity period applies when all other information necessary to determine eligibility is available. If an individual is eligible for Medicaid and has met all other criteria except for citizenship or identity verification, that individual's eligibility may not be pended for verification of either citizenship or identity but must be approved. If the individual does not provide satisfactory documentation of citizenship and identity by the end of the reasonable opportunity period, the individual's eligibility must be terminated with advance (10-day) notice and without regard to continuous eligibility provisions.

A 'reasonable opportunity period' is defined as 90 days from the date the application is submitted and for the remaining days of the month in which the 90th day falls.

An extension of an additional 60 days from the 90th day may be granted if the individual has verifiable documented evidence, they have been making a good faith effort to obtain the verifications, but still have not received them.

~~An example of a good faith effort would be a letter from another state's vital statistics office that the documentation was requested timely (no later than 10 days after the latter of the application date or the earliest date the verification was requested by the county or state agency), but there will be a delay in providing the documentation.~~

~~**Example:** Mr. Brown applies for Medicaid on May 11, 2010. He claims he was born in California. He does not meet any of the exemptions from the verification requirements that are listed in the manual. Mr. Brown is determined to be eligible for Medicaid and the application approved for the prior months of March and April, the application month of May, and the future month of June. The worker has assisted him in requesting birth verification from California. The worker sets an alert to follow up in early August. The worker does not receive a response by August 20, so sends an advance notice to close. On August 23, Mr. Brown brings in a recent letter from the State of California, acknowledging receipt of his request for a birth certificate, and stating that it will take another 6 weeks for them to process it. In this case, an additional 2-month period may be granted. The worker would set an alert for a secondary follow up for October, 2010. If not received by October 20, 2010, advance notice to close must be sent.~~

~~A reasonable opportunity can only be allowed once for any individual. If granted a reasonable opportunity period but the requested verifications are not received and eligibility is terminated, a second reasonable opportunity period is not allowed at a later application. A reasonable opportunity period is not limited to one.~~

~~**Example:** If granted a reasonable opportunity period but the requested verifications are not received and eligibility is terminated, upon reapplication, if needed, a new reasonable opportunity period will be allowed.~~