

GENERAL INFORMATION SYSTEM

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DIVISION: Office of Health Insurance Programs

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GIS 07 MA/010

TO: Local District Commissioners, Medicaid Directors, Temporary Assistance Directors, Directors of Services, Foster Care Supervisors, and Adoption Supervisors

FROM: Judith Arnold, Director, Division of Coverage and Enrollment

SUBJECT: Social Security Number as a Condition of Medicaid Eligibility for Children

EFFECTIVE DATE: Immediately

CONTACT PERSON: Local District Liaison
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This is to provide local districts with clarification regarding Medicaid eligibility for children whose parents fail to furnish a Social Security Number (SSN) for their applying/eligible child.

Federal law requires that all applicants for Medicaid, including children, furnish their SSN as a condition of eligibility.

Previously, Medicaid applicants age 21 or over who failed to furnish an SSN, or proof that they have applied for an SSN, were determined ineligible for Medicaid. However, if a parent/caretaker relative was denied or discontinued, eligibility continued for children under 21 for whom there was no SSN. This is no longer the case. Children under age 21 will be denied or discontinued if the parent/caretaker relative (or the child applying on his or her own behalf) does not provide or apply for an SSN for the child.

The SSN requirement also applies to adopted children and children in foster care. Medicaid staff should work with Child Welfare staff to ensure that an SSN is obtained for all Medicaid eligible children in the care and custody of the local Commissioner of Social Services.

Note: The SSN requirement applies to adult immigrants as well as their immigrant children. However, there are special rules for immigrants who are class members in M.K.B et. al. V. Eggleston, Doar and Novello, and who apply for public benefits at New York City Job Centers. These rules are described in OTDA INF 07-INF-01.

Other exceptions to the SSN rules are explained below:

- **PREGNANT WOMEN:**

Pregnant women are exempt through the end of the month in which the sixtieth (60th) day following the end of the pregnancy occurs. However, a pregnant woman who is initially authorized Medicaid coverage without providing an SSN or applying for an SSN is required to do so for herself at the end of the 60-day post-partum period for coverage to continue. If the mother does not comply with SSN requirements at this time, she is discontinued with timely notice.

- CHILDREN UP TO AGE ONE WHO ARE BORN TO A MOTHER IN RECEIPT OF MEDICAID:
The newborn's Medicaid coverage cannot be discontinued prior to age one (1). While an SSN may be requested for an infant less than age one who is born to a mother with Medicaid, it is not a requirement for this information to be provided until the child's first birthday. This includes children born to mothers with Medicaid who are in foster care or in adoptive homes prior to the finalization of the adoption. However, the SSN requirements must be met after the child turns age one.
- UNDOCUMENTED/TEMPORARY NON-IMMIGRANTS:
Undocumented immigrants and temporary non-immigrants applying for the treatment of an emergency medical condition are not required to provide an SSN.

A Medicaid application for benefits must not be denied or delayed pending issuance of a social security number. Local district staff must follow up with the recipient if the SSN has not been provided within four months after the SSN application is filed. Upstate districts must use Anticipated Future Action Code 327 - "Follow-up on Application for SSN" on screen 4 in WMS. If the child's SSN is not provided upon request at that time, the child and the parent/caretaker relative, if active, must be closed with timely notice. New York City (NYC) instructions are forthcoming.

TA/MA Cases

When an adult fails to provide an SSN, proof of application for an SSN, or validation of an SSN for a child, the needs of both the adult and the child are deleted from the TA household's needs and the Medicaid case may also be denied/closed (with the exception of pregnant women and newborns up to age one). System modifications have been made to accommodate this change in the separate determination process in NYC and are pending upstate.

Effective immediately, districts must implement this policy for new applications and renewals for ongoing eligibility.