

Catherine A Cooper
Authorized Signature

Number: SPD-AR-04-043
Issue Date: 08/23/04

Topic: Medical Benefits

Due Date: Upon receipt

Subject: Noncitizens with Potential Eligibility for OSIPM or OHP

Applies to (check all that apply):

- | | | | |
|-------------------------------------|-------------------------------|-------------------------------------|--------------------------------------|
| <input type="checkbox"/> | All DHS employees | <input type="checkbox"/> | County Mental Health Directors |
| <input checked="" type="checkbox"/> | Area Agencies on Aging | <input type="checkbox"/> | Health Services |
| <input type="checkbox"/> | Children, Adults and Families | <input checked="" type="checkbox"/> | Seniors and People with Disabilities |
| <input type="checkbox"/> | County DD Program Managers | <input type="checkbox"/> | Other (please specify): |

Action Required: Review and act upon report described below. The report will be faxed to local offices. The report lists cases that are coded with the CWM (CAWEM) case descriptor. Cases should be reviewed to determine potential eligibility for OSIPM or OHP. If you do not receive a report for your local office, no action is required.

The report that will be distributed to SPD/AAA local offices list all clients with the CWM case descriptor. If the client is currently a **qualified** noncitizen, please review for OSIPM or OHP eligibility. Eligibility can be established back to May 11, 2004.

Nonqualified-noncitizens and noncitizens that have no legal status continue to be ineligible for OSIPM and OHP.

Please refer to OAR 461-115-0050 for information on the application process when changing programs.

If it is determined that a client is eligible for OSIPM or OHP, you will need to contact the client to determine whether or not they would like the additional medical coverage. If the client chooses the additional medical coverage, you will need to provide the client with the following:

- Rights and responsibilities
- Estate claim information
- Enrollment in managed care (client may also need to enroll in Medicare)

Reason for Action: Effective May 11, 2004, the noncitizen requirements in OAR 461-120-0125, section (4)(b) were revised with respect to all Medicaid programs:

- A qualified non-citizen meets the alien status requirements if he or she physically entered the United States before August 22, 1996, and was *continuously present* in the United States between August 22, 1996 and the date qualified-noncitizen status was obtained. A person is not continuously present in the United States if he or she is absent from the United States for more than 30 consecutive days or for a total of more than 90 days.

(Please refer to the OAR for all noncitizen requirements)

Prior to May 11, 2004, OSIPM policy stated that noncitizens who did not have a qualified-noncitizen status before August 22, 1996 were not eligible unless they met certain special conditions. OHP policy previously required a noncitizen to have resided in the United States continuously for five years immediately prior to the date he or she became a qualified noncitizen or meet other special conditions. The policy is now the same for both programs.

Field/Stakeholder review: Yes No

If yes, reviewed by: **Operations Committee**

If you have any questions about this action request, contact:

Contact(s):	Jennifer de Jong		
Phone:	503.945.5856	Fax:	503.373.7902
E-mail:	jennifer.d.dejong@state.or.us		