

E. DRIVER'S LICENSE DOCUMENTATION TO ESTABLISH BOTH CITIZENSHIP AND IDENTITY

Section 6036(a)(3)(B)(iv) of the DRA permits the use of a valid state-issued driver's license or other identity document described in Section 274A(b)(1)(O) of the Immigration and Nationality Act, only if the state issuing the license or such document requires proof of United States citizenship before issuance of such license or obtains a Social Security Number from the applicant and verifies, before certification, that such number is valid and assigned to the applicant who is a citizen. West Virginia does not have these processes in place at this time. The West Virginia driver's license is valid for identity verification only.

F. REASONABLE OPPORTUNITY

At the time of application or upon redetermination of benefits all applicants and recipients must be given a reasonable opportunity **period** to provide documents to establish U. S. citizenship or nationality and identity.

Applicants are not approved until the required verification is supplied. For applicants, the verification must be supplied within the appropriate application processing time frame(s). **This is the reasonable opportunity period for applicants.**

Current recipients continue to receive benefits until determined ineligible. Medicaid is closed only after the recipient is given **a reasonable opportunity period of 45 days** to present evidence. **This is the reasonable opportunity period for recipients.**

The Worker may make an exception to the time limit when an applicant or recipient is making a good faith effort to provide the verification, but is unable to do so. **The extension period may not exceed 45 days.** Any exception must be recorded thoroughly in RAPIDS. The Worker must assist the client to secure verification if necessary.

NOTE: Individuals who are ineligible for Medicaid coverage due to failure to supply citizenship/identity documentation cannot be approved for WV CHIP. These are individuals who qualify for Medicaid financially and otherwise, but lack the required documentation.

G. APPLICANTS OR RECIPIENTS WHO REQUIRE ASSISTANCE

If the applicant or recipient is homeless, an amnesia victim, mentally impaired, or physically incapacitated and lacks someone who can act for the individual, and

cannot provide evidence of U.S. citizenship or identity, the Worker **must** assist the applicant or recipient to document U.S. citizenship and identity.

H. NOTIFICATION AND FAIR HEARINGS

An applicant or recipient who fails to cooperate with presenting documentary evidence of citizenship may be denied or terminated. Current notification procedures and appeal rights must be given if the individual has failed to cooperate with the requirement to provide documentary evidence of citizenship. Current recipients require advanced notification.