

## 7.8 COMMON ELIGIBILITY REQUIREMENTS

### A. RESIDENCE

The child must be a West Virginia resident. See Chapter 8.2. The child's status as a WV resident is not affected by the following situations:

- The child is out of the state to obtain vocational training or education, even if the child meets the residency requirement of the other state.
- The child is out of the state to obtain medical care or treatment, regardless of the availability of the care or treatment in WV.
- The child is out of the state visiting, but intends to return. There is no time limit applied to the visitation. However, when the child visits out-of-state on a regular basis, such as in joint-custody situations, the Worker must determine which state is the child's state of residence. This determination is based on the amount of time spent in each location. In cases of equal time spent in 2 or more states, the parent(s) must choose a state of residence for the child.
- An unemancipated student who attends college in WV, but whose parents live elsewhere are considered residents of the state in which his parents live. See Chapter 15.2 for the definition of an emancipated child.
- An unemancipated student who attends college outside of WV, but whose parent(s) lives in WV, is considered a WV resident. See Chapter 15.2 for the definition of an emancipated child.
- An emancipated college student is a resident of the state in which he lives. See Chapter 15.2 for the definition of emancipated child.

### B. CITIZENSHIP AND ALIEN STATUS

The Medicaid policy/procedures in Chapter 18.4 apply to WV CHIP. See Chapters 4.2 and 4.3 for citizenship verification requirements for WV CHIP.

### C. COOPERATION WITH QUALITY CONTROL

Quality Control does not review WV CHIP cases. However, selected WV CHIP AGs are subject to the Payment Error Rate Measurement (PERM) review process. There is no penalty for non-cooperation.

**D. LIMITATIONS ON RECEIPT OF OTHER BENEFITS**

WV CHIP coverage may be provided to individuals who receive any benefit administered by the Division of Family Assistance, except full-coverage Medicaid. An individual cannot receive full-coverage Medicaid and WV CHIP benefits at the same time.

At application and redetermination, ineligibility for MAGI Medicaid is an eligibility requirement for WV CHIP. If the applicant chooses to pursue eligibility for a non-MAGI Medicaid coverage group while enrolled in WV CHIP and is found to be eligible for a non-MAGI Medicaid coverage group, the applicant is no longer eligible for WV CHIP. See Chapter 16.3; the WV CHIP must be closed after adverse notice.

**EXAMPLE:** Jim and Susan are married and she has two children under age 19. The family applies for healthcare listing Jim's wages from employment as the only household income. The children are over the income limit for MAGI Medicaid, but pass for WV CHIP. The family asks to be considered for other healthcare benefits. The Worker knows that a stepparent's income cannot be used to determine AFDC-Related Medicaid, and runs eligibility based on these rules, pending for asset information. WV CHIP is continued while the information is gathered on the supplement to the application, the DFA-SLA-S1. If the DFA-SLA-S1 is returned and the children are found eligible, the children are approved for AFDC-Related and the WV CHIP is closed after adverse notice. If the family is over the asset limit, or fails to provide the required information to determine AFDC-Related eligibility, the WV CHIP continues for the children.

**E. NON-DUPLICATION OF BENEFITS**

A WV CHIP recipient is prohibited from receiving WV CHIP benefits in more than one WV county and/or more than one state at the same time. There is no disqualification penalty for receipt of duplicate benefits.

**F. ENUMERATION**

Only the individual seeking WV CHIP benefits is required to provide a SSN. Other members of the household or tax filing unit may provide this information on a voluntary basis when it is explained the reason for the request and how the SSN will be used. Regardless of whether they provide the number, their disclosure is not a condition of eligibility for the child.

When an individual seeking WV CHIP benefits does not have a SSN or has applied but not yet received one, the eligibility decision is not delayed for this reason alone but processed. The WV CHIP staff is responsible for obtaining the number.

**EXAMPLE:** A family applies for WV CHIP for their three-month old daughter who does not yet have a SSN. The application process continues without this non-financial verification and it is not necessary for either parent to provide their own. The Worker explains that financial information is needed in order to determine if the household's income is under the allowable income limit for WV CHIP and a SSN may allow him to match data regarding income from the federal hub. For this reason the father volunteers his SSN. IRS information is returned that is reasonably compatible with the client's self-attestation and the child is approved. WV CHIP staff contacts the family post-enrollment for the child's SSN.