
Date: October 29, 2010 **MEPD Policy Bulletin Number: 11-05**

To: Eligibility Services – Regional Director for MEPD
Regional Attorneys
Hearings Officers

From: Dee Church
Interim Associate Commissioner
Family Services
State Office 2073

Subject: New Birth Certificates for Residents of Commonwealth of Puerto Rico

The information in this bulletin is for **MEPD**. If you have any questions regarding the policy, follow regional procedures. The information in this bulletin is available at the following websites:

- Family Services - <http://ofs.hhsc.state.tx.us/mepd/mepd-bulletins.aspx> , and
- MEPD Handbook - http://www.dads.state.tx.us/handbooks/mepd_policy/index.htm.

The addition of this policy is not more restrictive than eligibility standards, methodologies, or procedures that were in effect as of July 1, 2008.

Policy/Procedure Update

This is new policy and will be added to Chapter D, Citizenship and Identity.

Legislation enacted by the Commonwealth of Puerto Rico requires a re-issuance of certified birth certificates for its residents. This law invalidates all birth certificates for Puerto Ricans issued prior to July 1, 2010. The Commonwealth has established a transition period extending the validity of birth certificates issued prior to July 1, 2010, through October 31, 2010.

Applications

New applicants, whose birth place is Puerto Rico, applying for benefits on or after November 1, 2010, must provide a birth certificate issued July 1, 2010, or later, if a copy of the birth certificate is used for citizenship/identity documentation.

Reminder: A person who is entitled to or enrolled in Medicare Part A or B is not required to provide evidence of citizenship. Medicare serves as verification for both the citizenship and identity requirement. Ensure the case record contains adequate documentation of Medicare when using Medicare as verification of citizenship and identity

Active Cases/Redeterminations

No special reviews are required based on these changes to Puerto Rican law. An individual currently certified for Medicaid that used a Puerto Rican birth certificate issued prior to July 1, 2010, as proof of citizenship, is not required to provide a birth certificate issued on July 1, 2010, or later. Documentation of citizenship and identity is a one-time activity. Once documentation of citizenship is established and documented in the case record, do not request again even after a break in eligibility. The documentation must be available and the case information must not be purged.

Reasonable Opportunity

Due to the large number of birth certificates that Puerto Rico may need to re-issue, it is possible that individuals will experience a delay in obtaining a new birth certificate. If an individual is providing a birth certificate as a form of citizenship documentation, allow a reasonable opportunity for the individual to submit the documentation if the person is making a good faith effort to provide documentation of citizenship and identity

The reasonable opportunity period is until the first complete redetermination of eligibility.

If all other eligibility factors are met except for verification of citizenship and identity, do not delay certifying the application. As part of the notice of eligibility, inform the person that documentation must be provided by the next complete redetermination in order to continue receiving benefits.

Assisting Individuals

If an individual requests information about how to obtain a new birth certificate, refer the individual to www.prfaa.com/birthcertificates/ and www.prfaa.com/certificadosdenacimiento/. The instructions for requesting a birth certificate are available in English and Spanish.

Effective Date

November 1, 2010