

## **Cost sharing-protections guidance for Indians in Medicaid and the Children’s Health Insurance Program (CHIP):**

On January 22, 2010 CMS released a letter to all State Medicaid Directors (SMD) that provides guidance on the implementation of the American Recovery and Reinvestment Act of 2009 (Recovery Act), Public Law 111-5. Section 5006 of the Recovery Act provides certain premium and cost-sharing protections under Medicaid and exemption for certain Indian-specific property from consideration in determining Medicaid eligibility and from Medicaid estate recovery. It also provides certain Medicaid managed care protections for Indian health programs and Indian beneficiaries and establishes new requirements for consultation on Medicaid and CHIP with Indian health programs. The amendments made by this section were effective on July 1, 2009. To download a copy of this letter, please follow the link below.

Downloads:

[Cost Sharing Protections for Indians in Medicaid and CHIP SMD Letter](#)

## **CHIPRA Citizenship Documentation Requirement guidance letter released:**

On December 28, 2009, CMS released a letter to all State Health Officials (SHO) providing guidance on the implementation of section 211 regarding the citizenship documentation requirement for Medicaid and the Children’s Health Insurance Program (CHIP). Section 211 makes several changes to the citizenship documentation requirement for Medicaid and CHIP. Amongst other things, Section 211 clarifies the acceptance of documents issued by a federally recognized Indian Tribe for documentation of citizenship or nationality. It specifies that a document issued by a federally recognized Indian Tribe evidencing membership, enrollment in, or affiliation with such Tribe is satisfactory documentary evidence of an individual’s U.S. citizenship or nationality. The document must identify the Federally recognized Indian Tribe which issued it, identify the individual by name, and confirm the individual’s membership, enrollment in, or affiliation with that Tribe. Some examples include:

- Tribal enrollment and membership cards
- Certificate of degree of Indian blood issued by the Bureau of Indian Affairs
- Tribal census document
- Document issued by a Tribe indicating an individual’s affiliation with the Tribe

These documents are examples of documents that may be used, but do not constitute an all-inclusive list of such documents. Tribal documents are now considered to be as reliable as a passport and are treated as “Tier 1” documents under Federal regulations at 42 CFR 435.407.

Additional identity documentation is not required to be presented. It is important for States to recognize that Tribes are individual independent governments that may not have uniform methods of documenting membership, enrollment, or affiliation with a particular Tribe. CMS encourages States to contact Tribes located in their States for assistance in identifying documents used by those Tribes. CMS will provide technical assistance to States and Tribes to assist in the implementation of this provision. Section 211 also provides a new opportunity for States to verify citizenship for individuals applying for Medicaid and CHIP using a data file match with the Social Security Administration. To download a copy of the letter, please follow the link below:

Downloads:

[CHIPRA Citizenship Documentation Requirement SHO Letter](#)