

**SECTION: 5 CHAPTER: 1400**

**POLICY: 1403, Verification of U.S. Citizenship or Lawful Presence for Public Behavioral Health Benefits**

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**1. PURPOSE:**

- a. In the State of Arizona, verification of United States (U.S.) Citizenship or Lawful Presence of non-citizens is mandatory prior to a person being able to receive public health benefits ([A.R.S.1-502](#)).
- b. In addition to citizenship/lawful presence, the Arizona Health Care Cost Containment System (AHCCCS) requires verification of a person's identification in order to determine eligibility.
- c. A person who has verified both citizenship/lawful presence and identification and has been found eligible for AHCCCS may:
  - i. Be eligible for Title XIX (Medicaid) or Title XXI (KidsCare) covered services; or
  - ii. Not qualify for Title XIX/XXI entitlements, but be eligible for services.
- d. Tribal and Regional Behavioral Health Authorities (T/RBHAs) and T/RBHA providers must verify U.S. citizenship or lawful presence in the U.S. of all persons applying for publicly funded behavioral health services.

**2. TERMS:**

Definitions for terms are located online at <http://www.azdhs.gov/bhs/definitions/index.php>. The following terms are referenced in this section:

Lawful Presence  
U.S. Citizen

**3. PROCEDURES:**

- a. The following individuals are eligible for public behavioral health services:
  - i. Persons determined to be eligible for AHCCCS; and
  - ii. Persons not eligible for AHCCCS but determined to have a Serious Mental Illness (SMI) AND can provide documentation of citizenship/lawful presence see [Policy Attachment 1403.5, Requirement to Verify Citizenship For Non-AHCCCS Eligible Individuals \(Department of Economic Security\)](#).
- b. Persons eligible to receive public behavioral health services without verification.
  - i. Persons not eligible for AHCCCS and NOT determined as SMI but who qualify to receive behavioral health services funded through the Substance Abuse Prevention and Treatment (SAPT) Block Grant or the Projects for Assistance in Transition from Homelessness (PATH) Program are eligible to receive services in accordance with [Policy 110, Special Populations](#). However, persons receiving services funded by SAPT or PATH must still be screened for AHCCCS eligibility in accordance with [Policy 101, Eligibility Screening for AHCCCS Health Insurance, Medicare Part D Prescription Drug Coverage and the Limited Income Subsidy Program](#).

**SECTION: 5 CHAPTER: 1400**

**POLICY: 1403, Verification of U.S. Citizenship or Lawful Presence for Public Behavioral Health Benefits**

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- ii. Persons presenting for and receiving crisis services are not required to provide documentation of eligibility with AHCCCS nor are they required to verify U.S. citizenship/lawful presence prior to or in order to receive crisis services.
- c. Completing an AHCCCS Eligibility Determination Screening as part of the verification process
  - i. If a person is currently enrolled with AHCCCS and has been assigned to a T/RBHA, verification of citizenship/lawful presence has already been completed.
  - ii. For an illustration on how the verification process works, see Attachment 3.27.4, Flowchart for the Citizenship/Lawful Presence Verification Process Through [Health-e-Arizona PLUS](#).
  - iii. For a list of those persons who are exempt from citizenship verification, see [Policy Attachment 1403.3, Persons Who Are Exempt From Verification of Citizenship During the Prescreening and Application Process](#).
  - iv. Providers must complete an eligibility determination screening for all persons who are not identified as being currently enrolled with AHCCCS using the subscriber version of the [Health-e-Arizona PLUS online application](#). An eligibility screening will be conducted:
    - (1) Upon initial request for behavioral health services;
    - (2) At least annually thereafter, if still receiving behavioral health services; and
    - (3) When significant changes occur in the person's financial status.
- d. The process for completing the eligibility screening using Health-e-Arizona PLUS
  - i. The T/RBHA or behavioral health provider meets with the person and completes the [Health-e-Arizona PLUS online application](#). Once the online application screening has been completed, the Health-e-Arizona PLUS online application tool will indicate:
    - (1) If the person is potentially AHCCCS eligible the T/RBHA or behavioral health provider must obtain, from the applicant:
      - (2) Documentation of identification and U.S. Citizenship needed if the person claims to be a U.S. citizen (see [Policy Attachment 1403.1, Documents Accepted by AHCCCS To Verify Citizenship and Identity](#)); or
      - (3) Documentation needed of identification and lawful presence in the U.S. if the applicant states that he/she is not a U.S. citizen (see [Policy Attachment 1403.2, Non-Citizen/Lawful Presence Verification Documents](#)).
    - (4) The required U.S. citizenship/lawful presence documents are considered "permanent documents". Permanent documents include proof of age, Social Security Number, U.S. citizenship or immigration status. These are eligibility factors that typically do not change and only need to be verified once.
    - (5) When providers use the online member verification system and enter a member's social security number, the member's photo, if available from the Arizona Department of Motor Vehicles (MVD), will be displayed on the AHCCCS eligibility

SECTION: 5 CHAPTER: 1400

POLICY: 1403, Verification of U.S. Citizenship or Lawful Presence for Public Behavioral Health Benefits

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- verification screen along with other AHCCCS coverage information. The added photo image assists providers to quickly validate the identity of a member.
- ii. If the Health-e-Arizona PLUS online screening tool indicates that the person may not be eligible for AHCCCS, the person may:
    - (1) Choose to continue with the AHCCCS eligibility application, in which case the provider must assist the person in completing the application process and obtain the required identification and citizenship/lawful presence documents as indicated above or those required for Non-Title XIX Eligible individuals as outlined in [Policy Attachment 1403.5, Requirement to Verify Citizenship For Non-AHCCCS Eligible Individuals \(Department of Economic Security\)](#); or
    - (2) Decide to not continue with the online application process, the provider will need to determine if the person is eligible for behavioral health services as described in [Policy 110, Special Populations](#). The provider must continue to work with the person to obtain the required citizenship/lawful presence documents whenever possible for future eligibility status need.
  - e. The process for completing a person who is unable to provide the required identification or citizenship/lawful presence documents at the time of application
    - (1) To the extent that it is practicable, T/RBHAs or their contracted providers are expected to assist applicants in obtaining required documentation of identification and citizenship/lawful presence within the timeframes indicated by Health-e-Arizona PLUS (30 days from date of application submission unless otherwise stated).
    - (2) Persons who are unable to provide required documentation of citizenship or lawful presence are not eligible for publicly funded behavioral health services unless they meet the criteria in this policy. If the person obtains the required documentation at a later date he/she may reapply for AHCCCS eligibility using Health-e-Arizona PLUS (and submit all required documentation with the reapplication, with no waiting period).
    - (3) Pending the outcome of the AHCCCS eligibility determination, a person may be provided services in accordance with [Policy 110, Special Populations](#)
  - f. Documentation requirements
    - (1) Documentation of screening a behavioral health recipient through Health-e-Arizona PLUS must be included in the behavioral health medical record, including the Application Summary and final Determination of eligibility status notification printed from the Health-e-Arizona PLUS website.
    - (2) If a person has refused to participate in the screening process, the documented refusal to participate in the screening and/or application process must be maintained in accordance with [Policy 101, Eligibility Screening for AHCCCS](#)

**SECTION: 5    CHAPTER: 1400**  
**POLICY: 1403, Verification of U.S. Citizenship or Lawful Presence for Public Behavioral Health Benefits**

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[Health Insurance, Medicare Part D Prescription Drug Coverage and the Limited Income Subsidy Program.](#)

**4. REFERENCES:**

[42 CFR Part 400](#)  
[42 CFR Part 403](#)  
[42 CFR Part 411](#)  
[42 CFR Part 417](#)  
[42 CFR Part 422](#)  
[42 CFR Part 423](#)  
[A.R.S. § 1-502](#)  
[A.R.S. § 36-3408](#)  
[AHCCCS/ADHS Contract](#)  
[ADHS/RBHA Contracts](#)  
[ADHS/TRBHA Intergovernmental Agreements \(IGAs\)](#)  
[AHCCCS Eligibility Policy Manual Chapter 500](#)  
[Policy 101, Eligibility Screening for AHCCCS Health Insurance, Medicare Part D Prescription Drug Coverage and the Limited Income Subsidy Program](#)  
[Policy 106, SMI Eligibility Determination](#)  
[Policy 110, Special Populations](#)  
[Policy 601, Co-payments and Other Member Fees](#)  
[Policy 802, Behavioral Health Medical Record Standards](#)  
[Policy 1401, Confidentiality](#)  
[Health-e-Arizona PLUS](#)