

**Arizona Department of Health Services
Division of Behavioral Health Services
PROVIDER MANUAL
NARBHA Edition**

Section 3.27 **Verification of U.S. Citizenship or Lawful
Presence for Public Behavioral Health Benefits**

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3.27.1 **Introduction**

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](#)).

In addition to citizenship/lawful presence, the Arizona Health Care Cost Containment Service (AHCCCS) requires verification of a person's identification in order to determine eligibility.

A person who has verified both citizenship/lawful presence and identification and has been found eligible for AHCCCS may:

- Be eligible for Title XIX (Medicaid) or Title XXI (KidsCare) covered services, Not qualify for Title XIX/XXI entitlements, but be eligible for services as a person determined to have a Serious Mental Illness (SMI) (See [PM 3.21, Service Package for Non-Title XIX/XXI Persons Determined to Have a Serious Mental Illness](#)); or
- Not qualify for Title XIX/XXI entitlements, but be eligible for services.

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.

3.27.2 **References**

The following citations can serve as additional resources for this content area:

- [42 CFR Part 400](#)
- [42 CFR Part 403](#)
- [42 CFR Part 411](#)

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[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 \(IGAs\)](#)

[Section 3.1, Eligibility Screening for AHCCCS Health Insurance, Medicare Part D](#)

[Prescription Drug Coverage and the Limited Income Subsidy Program](#)

[Section 3.4, Co-payments](#)

[Section 3.10, SMI Eligibility Determination](#)

[Section 3.19, Special Populations](#)

[Section 3.21, Service Package for Non-Title XIX/XXI Persons Determined to Have a](#)

[Serious Mental Illness \(SMI\)](#)

[Section 4.1, Disclosure of Behavioral Health Information](#)

[Section 4.2, Behavioral Health Medical Record Standards](#)

[Assisting Behavioral Health Recipients with AHCCCS Eligibility Manual](#)

[Health-e-Arizona](#)

3.27.3 Scope

To whom does this apply?

T/RBHA providers must obtain documentation to verify citizenship/lawful presence for persons who are:

- Potentially eligible for AHCCCS (Title XIX or Title XXI) behavioral health services; and
- Not eligible for AHCCCS, but who may be eligible for services as a person determined to have SMI (see [Section 3.21, Service Package for Non-Title XIX/XXI Persons Determined to Have a Serious Mental Illness \(SMI\)](#));
- 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.¹
- Temporary documents include proof of income, expenses, assets or pregnancy.

3.27.4 Did you know...?

Persons who present for crisis services in the public behavioral health system are not required to verify U.S. Citizenship/Lawful Presence to receive needed services.

¹ If the persons who are applying have received AHCCCS Health Insurance since July 2006, AHCCCS and/or DES may already have this documentation on file.

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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.

The Arizona Health Care Cost Containment System's (AHCCCS) online application for Health Insurance titled Health-e-Arizona, (see the [Assisting Behavioral Health Recipients with AHCCCS Eligibility Manual](#)) was designed to simplify the application process. Applicants can complete an application and verify U.S. citizenship/lawful presence with the assistance of a provider using the subscriber version of the [Health-e-Arizona online application](#). Once completed, the application will be routed to the correct eligibility determination agency. The application also permits a person to apply for all AHCCCS programs and other public benefits for all family members on one application form. As such, all family members will be required to verify citizenship/lawful presence and identification through the same application.

As part of the eligibility process, applicants must submit verification of documents requested by the Health-e-Arizona program based on their individual living and financial situations. The requested information is saved in the Health-e-Arizona system for future review.

Persons who are able but refuse to participate in the screening and/or application process using Health-e-Arizona are not eligible for behavioral health services ([A.R.S. § 36-3408](#)). See [PM Section 3.1, Eligibility Screening for AHCCCS Health Insurance, Medicare Part D Prescription Drug Coverage, and the Limited Income Subsidy Program, Subsection 3.1.6-D, for more information.](#)

3.27.5 Definitions

Lawful Presence

U.S. Citizen

3.27.6 Objectives

- To describe the procedures to verify U.S. citizenship/lawful presence through Health-e-Arizona, and to assist behavioral health recipients with applying for AHCCCS health insurance, when indicated;
- To identify methods for determining if a person has previously verified U.S. citizenship/lawful presence and identification;
- To determine what documents are accepted as verification of citizenship/lawful presence and identification for AHCCCS eligibility; and
- To describe expectations for assisting persons in obtaining the necessary documents to verify citizenship/lawful presence and/or identity.

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3.27.7 Procedures

3.27.7-A. Who is eligible to receive public behavioral health services with verification of U.S. citizenship/lawful presence?

The following individuals are eligible for public behavioral health services:

- Persons determined to be eligible for AHCCCS.

- Persons not eligible for AHCCCS but determined to have a Serious Mental Illness (SMI) **AND** can provide documentation of citizenship/lawful presence. (see [Section 3.21, Service Package for Non-Title XIX/XXI Persons Determined to Have a Serious Mental Illness \(SMI\)](#))

3.27.7-B. Who is eligible to receive public behavioral health services without verification?

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 [Provider Manual Section 3.19, Special Populations](#). However, persons receiving services funded by SAPT or PATH must still be screened for AHCCCS eligibility in accordance with [Provider Manual Section 3.1, Eligibility Screening for AHCCCS Health Insurance, Medicare Part D Prescription Drug Coverage and the Limited Income Subsidy Program](#).

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.

3.27.7-C. Completing an AHCCCS Eligibility Determination Screening as part of the verification process

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](#),

For a list of those persons who are exempt from citizenship verification, see [Attachment 3.27.3, Persons Who Are Exempt From Verification of Citizenship During the Prescreening and Application Process](#).

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 online application](#). An eligibility screening will be conducted:

- Upon initial request for behavioral health services,

- At least annually thereafter, if still receiving behavioral health services, and

- When significant changes occur in the person's financial status.

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What is the process for completing the eligibility screening using Health-e-Arizona?

The T/RBHA or behavioral health provider meets with the person and completes the [Health-e-Arizona online application](#). Once the online application screening has been completed, the Health-e-Arizona online application tool will indicate:

- If the person is potentially AHCCCS eligible the T/RBHA or behavioral health provider must obtain, from the applicant:
 - Documentation of identification and U.S. Citizenship needed if the person claims to be a U.S. citizen (see [Attachment 3.27.1, Documents Accepted by AHCCCS To Verify Citizenship and Identity](#)); or
 - 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 [Attachment 3.27.2, Non-Citizen/Lawful Presence Verification Documents](#)).

If the Health-e-Arizona online screening tool indicates that the person may not be eligible for AHCCCS, the person may:

- 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
- 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 [Section 3.19, Special Populations](#) and [Section 3.21, Service Package for Non-Title XIX/XXI Persons Determined to Have a Serious Mental Illness \(SMI\)](#). The provider must continue work with the person to obtain the required citizenship/lawful presence documents whenever possible for future eligibility status need.

What if a person is unable to provide the required identification or citizenship/lawful presence documents at the time of application?

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 (30 days from date of application submission unless otherwise stated).

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 outline in subsection [3.27.7-C](#). If the person obtains the required documentation at a later date he/she may reapply for AHCCCS eligibility using Health-e-Arizona (and submit all required documentation with the reapplication, with no waiting period).

Pending the outcome of the AHCCCS eligibility determination, a person may be provided services in accordance with [Section 3.19, Special Populations](#).

3.27.7-D Documentation Requirements

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Documentation of screening a behavioral health recipient through Health-e-Arizona 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 website.

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 [Provider Manual Section 3.1, Eligibility Screening for AHCCCS Health Insurance, Medicare Part D Prescription Drug Coverage and the Limited Income Subsidy Program.](#)