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**Health Care & Wellness  
Committee**

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**HB 1848**

**Brief Description:** Requiring identification from health services applicants.

**Sponsors:** Representatives Curtis, Cody, Hinkle, Condotta, Orcutt, Fromhold, Moeller and Campbell.

**Brief Summary of Bill**

- Requires individuals applying for the first time for health services through the Basic Health Plan or state medical assistance programs to provide one of several specified forms of identification.

**Hearing Date:** 2/15/07

**Staff:** Chris Cordes (786-7103).

**Background:**

Medical assistance is available to low-income state residents from the Department of Social and Health Services (DSHS), primarily through the Medicaid program. It is also available through the Basic Health Plan (BHP), a state-sponsored program administered by the Health Care Authority (Authority) to provide subsidized health insurance coverage to low-income state residents who are not eligible for Medicare or institutionalized at the time of enrollment.

Document Requirements - Basic Health Plan

Among other requirements, an enrollee in the Basic Health Plan must be a Washington resident. To prove residency, Authority rules require applicants to provide documentation that displays both the applicant's name and address, such as utility bills or rent receipts. If the applicant does not have a physical residence, he or she may submit a signed statement from a person who is providing temporary shelter. In practice, the Authority accepts driver's licenses, voter registration cards, car registrations, mortgage statements, benefits statements from the DSHS, or labels on federal income tax returns.

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Authority rules allow it to require additional information for purposes of establishing or verifying eligibility. The rules do not explicitly address providing proof of the applicant's identity.

#### Document Requirements - Medical Assistance Programs

*State Requirements - State Medical Assistance.* By statute, state general assistance applicants, including those applying for state medical assistance programs, generally must be state residents and U.S. citizens or lawfully admitted aliens. Although specific requirements vary for medical assistance programs that are funded only by state funds, most programs require proof of residency and identity. DSHS policies allow applicants to use any proof that is accurate and consistent. As examples, residency may be shown by rental agreements or statements from a landlord, mortgage papers, or utility bills. Identity may be proven by such records as driver's licenses or state ID cards, birth certificates, passports, school records, alien registration cards.

*Federal Requirements - Medicaid.* Under federal Medicaid law, applicants who are not otherwise exempt must show acceptable evidence of citizenship, or legal immigrant status, and identity.

The federal Deficit Reduction Act of 2005 added a new requirement for those applicants declaring to be U.S. citizens. Beginning July 1, 2006, these applicants must provide specified documents for eligibility. Under a guidance letter from the Centers for Medicare and Medicaid Services, satisfactory documentary evidence is prioritized in the following tiers:

- Primary documentation (used to establish both identity and citizenship) includes a U.S. passport, a certificate of naturalization, or a certificate of U.S. citizenship.
- Secondary documentation (used to establish citizenship only) includes various types of U.S. birth certificates, a U.S. citizen ID card, an American Indian card, a final adoption decree, and other specified records of federal employment or military service.
- Third level documentation (used to establish citizenship only): includes five-year old hospital records on letterhead that indicates a U.S. place of birth or life or health insurance records showing a U.S. place of birth.
- Fourth level documentation (used to establish citizenship only): includes various records indicating a U.S. place of birth, including census records and five-year old records from institutional admissions or medical records, and written affidavits by at least two individuals not related to the applicant.

If using documents from the second through fourth tiers, the applicant must also provide proof of identity, which could include various picture ID (driver's licenses, school ID, military or draft cards, and government issued ID cards) or Native American tribal documents. The state may use a cross match with a governmental data system to establish identity under some circumstances.

Applicants who are not declaring citizenship must show that they are qualified aliens by providing original documents of immigration status (such as Green Card, arrival/departure record, or work permit card), work eligibility, age, and identity. Identity must be shown with a current document having name, identifying information, and photograph.

These federal requirements do not apply to Medicare recipients, to persons receiving certain Social Security Income benefits, or to eligible persons receiving emergency medical treatment.

#### Identification Documents issued by the Department of Licensing

The Department of Licensing issues driver's licenses or identicards to applicants that establish identity by providing a valid document with both signature and photo, such as an expired driver's license or instruction permit that includes the individual's birth date, an identicard from any state, federal government employee identification, military identification card, U.S. passport, or immigration form. Minors may establish identity using an affidavit from a parent or guardian who can prove identity and relationship to the minor. The Department of Licensing also has discretion to review other documents that clearly establish the identity of the applicant.

**Summary of Bill:**

The first time that an individual applies for health services through the Basic Health Plan or through the state medical assistance programs of the Department of Social and Health Services, the individual must provide identification. This requirement is met by one of the following:

- valid photo identification from the Department of Licensing;
- valid enrollment card of a federally recognized Indian tribe; or
- a government document showing both the individual's name and address.

**Appropriation:** None.

**Fiscal Note:** Requested on February 13, 2007.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.