

STATE DEPARTMENT OF SOCIAL  
REHABILITATION SERVICES  
Integrated Services Delivery  
Docking State Office Building  
Room 681 - West  
Topeka, Kansas 66612

**Final July 01, 2006**

To: Regional Directors  
Assistant Regional Directors  
Economic and Employment Support Program Administrators  
Economic and Employment Support Staff  
Other Staff

Re: Summary of Changes for Kansas Economic and Employment Support Manual  
(KEESM) Revision No. 28, Effective July 1, 2006

## **PURPOSE, BACKGROUND, and REASON FOR CHANGE**

The purpose of this document is to transmit Revision No. 28 of the Kansas Economic and Employment Support Manual effective July 1, 2006.

**Cash and Food Assistance** - This revision implements the provisions of Kansas Senate Bill 243 which allows persons convicted of a drug related felony to participate in the TAF, GA and food assistance programs if otherwise eligible. Passage of this bill allows the State of Kansas to opt out of Federal legislation passed with the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA).

**Medical Assistance/General Assistance** - This revision implements mandatory citizenship and identity verification requirements for Medical Assistance as required in the Deficit Reduction Act of 2005. Due to the upcoming implementation of Presumptive Disability, these requirements are also being implemented for General Assistance.

**Medical Assistance Only** - This revision also implements a change in the LTC income standard from \$30.00 to \$50.00 as approved by the 2005 Kansas Legislature. Changes in Medicare Part D enrollment effective dates are based on guidance from the Centers for Medicare Services.

### **I. CASH AND FOOD ASSISTANCE PROGRAMS**

#### **A. CHANGES**

- 1. Ineligibility for Drug - Related Convictions** - Kansas Senate Bill 243 was passed which allows the State to opt out of Federal legislation that requires ineligibility for TAF and food stamp participants with a drug-

related felony occurring on or after August 22, 1996. This policy changes is also being applied to the General Assistance Program. As a result, TAF and food stamp persons with a drug-related felony will now be allowed to participate in the TAF, GA and food stamp programs if otherwise eligible.

Section [2183](#) of the manual is being marked RESERVED. TAF, GA and food stamp persons currently disqualified based on this policy will need to be identified and included in active cases starting July 1, 2006. Further details about this and other implementation information will be provided in the Implementation Memo.

## II. MEDICAL ASSISTANCE

### A. CHANGES

1. **Kansas Health Policy Authority** - As required by House Substitute for Senate Bill 272 adopted by the 2005 Kansas Legislature, the Kansas Health Policy Authority (KHPA) is established. KHPA assumes responsibilities previously held within the Division of Health Policy and Finance. KHPA is an independent authority overseen by a seven member board appointed by the Governor and the Legislature. Forms and other documents will be updated with the new agency name and designation as revisions occur.

Sections [1121](#) and [2610](#) are updated with these changes.

2. **Verification of Citizenship and Identity** - As required by the Deficit Reduction Act of 2005, verification of both citizenship and identity are required for all medical assistance and General Assistance applicants and most current recipients. This requirement is applicable to all applications or redeterminations received on or after 07-01-2006. All Medicaid groups are impacted (e.g., MS, QMB, MA CM, Foster Care). These requirements are not applicable to TAF and other cash assistance. Persons approved for TAF assistance are not automatically eligible for Medicaid if acceptable citizenship and identity documentation is not provided. Such individuals may be eligible for cash assistance only, and ineligible for Medicaid.

Documentation for both citizenship and identity for all persons must be provided, or the individual is not eligible for coverage. Failure of a single individual to provide documentation does not render the entire assistance plan ineligible.

The documentation requirements for non-citizens are not changing. Verification of immigration status continues to be required for all Medicaid applicants. Additional information regarding acceptable forms of documentation and recipient requirements will be issued in a separate implementation memo.

Sections [1322](#) (3), [1322.1](#), [1321.2](#), [1322.3](#), [2141](#), [2141.1](#), and [2145](#) and subsections are updated with this revision.

- 3. Medicare Part D Auto Enrollment** - The Centers for Medicare Services have changed the effective date of Auto Enrollment of Medicare Part D full dual eligibles. The effective date of auto enrollment into a Medicare Part D plan is the first day of Medicaid eligibility, but not prior to 01-01-06. Because auto enrollment is not applicable to persons who have selected a plan, a special enrollment period for full duals is now available. The individual must have out of pocket drug expenses in the month and be a full dual eligible in the month in order for the special enrollment period to be applicable. Section [2911.10](#) is updated with this revision.
- 4. LTC Income Standard** - As approved by the 2005 Kansas Legislature, the LTC income standard is increasing from \$30.00 to \$50.00. Implementation instructions will be issued under separate cover.

Section [8160](#) (2), [8172](#) and Appendix item [F8](#) - **Medicaid and HealthWave Program Standards** are updated with this change.

## B. CLARIFICATIONS

- 1. Non-Citizen Qualifications** - Clarification is being added for persons who entered the country on or after August 22, 1996 who have since adjusted to a qualifying status (such as Legal Permanent Resident). The five year bar begins to run on the date the individual obtain the qualified status. The five year bar doesn't begin running on the date the individual entered the country unless he or she entered under a qualifying status. The actual date of entry is only relevant if it is prior to August 22, 1996. Section [2142.2](#) is updated with this revision.

## FORMS

- 1. [ES-3822](#) - Notice of Review, Medical Assistance - BCC Program** - This new form has been created to notify the current BCC- Medicaid recipient of a pending review.
- 2. [ES-3822A](#) - Statement of Continuing Cancer Treatment** - This new form has been created to capture ongoing treatment information for the current BCC recipient. The Early Detection Works program no longer captures ongoing treatment information and this information is necessary for continuation of coverage.
- 3. [ES-3850](#) - Record of Identity and Citizenship Documentation** - This form was created to support the new citizenship and identity verification requirements for medical assistance and general assistance. Information regarding the documents used to verify both citizenship and identity are to be recorded on this new form, with the documents attached. This form is used for all medical assistance programs. The form and supporting documentation are retained in the case file indefinitely.

## MISCELLANEOUS FORMS

None

## APPENDIX

1. **A-12 - Citizenship and Identify Verification for Medical Assistance and General Assistance** - This new item provides detailed information on documents that can be used to verify citizenship and identity. The hierarchal protocol for obtaining the verification is also explained here.
2. **F-8 - Medical Assistance Program Standards** - This item was updated to reflect an increase in the monthly protected income standard for institutional/nursing facility cases from \$30 to \$50.
3. **P7 - Affidavit of Citizenship** - This template affidavit may be used when an affidavit is needed to satisfy the citizenship verification requirement.
4. **P8 - Affidavit of Identity** - This template affidavit may be used when an affidavit is needed to satisfy the identity verification requirement.
5. **R1 - Medical Subrogation Referral - Adoption** - This form is being updated with the correct mailing address to KPHA Legal Division in Landon State Office Building.
6. **R2 - Medical Subrogation Referral - Injury** - This form is being updated with the correct mailing address to KPHA Legal Division in Landon State Office Building.

## EFFECTIVE DATE

All policies in this revision are effective July 1, 2006. Additional information about the implementation of these changes will be provided in the Implementation Memo.

## MATERIALS OBSOLETE BY THIS REVISION

None

## EFFECT ON LOCAL STAFF

Changes mandated by the Deficit Reduction Act requiring citizenship and identity verification for all applicants and recipients of Medicaid will have a major impact on staff.

## COORDINATION EFFORTS

The material in this manual revision have been coordinated with staff in Economic and Employment Support, the EES Program Administrators, the Implementation Planning Team, staff of the Kansas Health Policy Authority and the Department of Corrections.

Sincerely,

Bobbi Mariani, Director  
Economic and Employment Support

BM:PJ:jmm

[KEESM Home](#) | [Table of Contents](#) | [Index](#) | [EES Home](#) |  
Page Last Updated: 6/27/06 7:44 AM