



Department of Human Resources
311 West Saratoga Street
Baltimore MD 21201

Family Investment Administration
ACTION TRANSMITTAL

Control Number: 11-03

Effective Date: October 1, 2010

Issuance Date: September 7, 2010

**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT
FAMILY INVESTMENT SUPERVISORS AND ELIGIBILITY STAFF
DIVISION OF ELIGIBILITY WAIVER SERVICES
HEALTH OFFICERS, LOCAL HEALTH DEPARTMENTS
LOCAL HEALTH DEPARTMENT ELIGIBILITY STAFF**

**FROM: KEVIN M. MCGUIRE, EXECUTIVE DIRECTOR, FIA
DEBBIE RUPPERT, EXECUTIVE DIRECTOR, DHMH/OES**

**RE: PUERTO RICO INVALIDATES ALL BIRTH CERTIFICATES ISSUED
PRIOR TO OCTOBER 1, 2010**

PROGRAM AFFECTED: ALL PROGRAMS

**ORIGINATING OFFICE: OFFICE OF ELIGIBILITY SERVICES/FAMILY
INVESTMENT ADMINISTRATION**

BACKGROUND:

Puerto Rico Law 191 invalidates all Puerto Rican birth certificates issued prior to July 1, 2010. On June 28, the Government of Puerto Rico extended the validity of current Puerto Rico birth certificates through September 30, 2010. All birth certificates will remain valid through September 30, 2010. After this date, every birth certificate must have been reissued by the Puerto Rico Health Department Vital Statistics Record Office.

The law was enacted to address national security concerns that the U.S. Department of State calculates are the source of approximately 40 percent of its passport fraud cases. Law 191 establishes measures to reduce forgery and fraud, by strengthening Puerto Rico's vital statistics technology and by making it illegal for any public or private entity to retain an original copy of any Puerto Rico issued birth certificate.

ACTION REQUIRED:

Medical Assistance

Because DHMH requires individuals to provide documentation of citizenship and identity as a condition of eligibility (see AT 08-05), beginning October 1, 2010, Puerto Rican applicants (unless their citizenship can be verified on SVES per AT 10-27 Revised) will need a reissued birth certificate, with a date of issuance on or after October 1, 2010, in order to provide proof of citizenship. As U.S. citizens, applicants born in Puerto Rico

are allowed a “reasonable opportunity” period (as defined in AT 10-27 Revised) to produce a birth certificate document.

Food Supplement Program (FSP) and Temporary Cash Assistance (TCA) – Verification of Identity, Citizenship and Age

For the FSP, verification of an applicant's identity is mandatory. For TCA, it is required only if questionable. Identity is verified through readily available documentary evidence, or if this is unavailable, through a collateral contact. Due to the new law, as of October 1, 2010, you cannot use a voided Puerto Rican birth certificate to verify the identity of a household member. Accept any other documents that reasonably establish the applicant's identity. Do not deny a household member based solely on possessing a voided Puerto Rican birth certificate.

Verification of citizenship is required only if the customer's statement as to his or her citizenship status is questionable. Since Puerto Ricans are U.S. citizens, verification of the member's citizenship status is not required, unless questionable. Otherwise, the case manager must accept any reasonable documentary evidence provided by the household, including collateral statements and participation in another program, as acceptable verification of citizenship status.

Although verification of age is not mandatory, you may need this to determine whether an individual is elderly or subject to work requirements. While you cannot use voided Puerto Rican birth certificates for citizenship status, if you need verification of age and there is no other form of verification, you can use a voided Puerto Rican birth certificate for that purpose.

Note for all programs:

Puerto Rico-born citizens carrying U.S. passports, like those with citizenship verified by SVES, do not need new birth certificates to qualify for benefits.

Local offices may assist Puerto Rican applicants who need to acquire a new birth certificate. The English and Spanish versions of the mail-in application form are attached to this transmittal. In addition, a bilingual on-line application form is available at <http://www.pr.gov/>.

ENCLOSURES:

- BIRTH CERTIFICATE APPLICATION BY MAIL
- SOLICITUD DE CERTIFICADO NACIMIENTO POR CORREO

INQUIRIES:

Please direct Medical Assistance policy questions to the DHMH Division of Eligibility Policy or MCHP policy questions to the MCHP Division, both at 410-767-1463 or 1-800-492-5231 (select option 2 and request extension 1463). Please direct FSP questions to Phyliss Arrington at 410-767-7079 or Rick McClendon at 410-767-7307 and TCA question to Marilyn Lorenzo at 410-767-7333 or Gretchen Simpson at 410-767-7937.

cc: DHMH Executive Staff DHR Executive Staff
 FIA Management Staff DHMH Management Staff
 Constituent Services DHR Help Desk