

Rite Care and Non-Citizen Children

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RItE Care is a statewide managed care program in Rhode Island that was created in 1994 under a Title XIX waiver of the federal Medicaid program and approved by the Health Care Financing Administration. The goal behind RItE Care’s creation was to increase access to primary and preventative health care for low-income families, children, and pregnant women who were uninsured and did not have access to affordable health care coverage. The Rhode Island Department of Human Services operates RItE Care. As of August 2006, there were 122, 346 individuals enrolled in RItE Care.

Families that have an income of up to 150% of the federal poverty level (FPL) are eligible for RItE Care and do not have to pay a monthly premium (**Table 1**). Families with incomes between 150% and 250% of the FPL pay a monthly premium that is based on their income level. The premiums range from \$61 to \$92 per month. There is no co-pay requirement for preventative and prenatal services.

Table 1. Income Eligibility

FAMILY SIZE	150% FPL	200% FPL	250% FPL
1	\$14, 700	\$19, 600	\$24, 500
2	\$19, 800	\$26, 400	\$33, 000
3	\$24, 900	\$33, 200	\$41, 500
4	\$30, 000	\$40, 000	\$50, 000
5	\$35, 100	\$46, 800	\$58, 500

Pregnant women with incomes up to 250% of the FPL and persons under the age of twenty one who are in foster care may receive RItE Care benefits. Disabled individuals under the age of twenty-one who are receiving SSI can enroll in RItE Care. Katie Beckett children, who are defined as requiring a high level of care that can only be provided by a hospital, skilled nursing home, or an ICF-MR (Intermediate Care Facility for the Mentally Retarded), are entitled to RItE Care.

RIte Care offers insurance coverage through one of three health plans: United Healthcare of New England, Blue Cross Blue Shield of Rhode Island, and Neighborhood Health Plan of Rhode Island. Participants can choose the plan they want. RIte Care covers all medical and dental services. Childbirth education, interpreter services, parenting education classes, smoking cessation programs, transportation, and nutrition services are offered through RIte Care.

It is necessary at this time to discuss a recent change to the federal Medicaid program that has caused some confusion on a local level. On February 8, 2006 President Bush signed the Deficit Reduction Act. This law mandates that after July 1, 2006 all United States citizens who currently receive Medicaid, and future Medicaid beneficiaries, need to prove their citizenship or they risk loss of their benefits. Currently 49 million citizens born in the United States and two million naturalized citizens receive Medicaid benefits. Individuals who are in receipt of SSI or Medicare benefits do not have to worry about the new citizenship documentation requirement. In the application processes for Medicare and SSI, applicants must already provide proof of citizenship.

Beginning November 1, 2006, Medicaid applicants in Rhode Island must provide proof of citizenship. Beginning on February 1, 2007, Medicaid beneficiaries will need to provide proof of citizenship when they recertify for Medicaid benefits. Recertification occurs every year.

It needs to be stressed that the Deficit Reduction Act only applies to United States citizens; there is no mention in the Act of non-citizen Medicaid beneficiaries. The penalty for not complying with the mandate is the loss of matching funds from the federal government, which comprise 52% of RIte Care's state match. However, the state

has always paid 100% of RItE Care costs for non-citizen children and pregnant women; there were never matching federal funds for these populations.

The state was faced with a \$164 million deficit at the time Governor Carcieri's 2006 budget was submitted to the Legislature. At a press conference to discuss the budget prior to its submission, the Governor stressed that the state's human services programs need to be run more efficiently and that only "eligible" individuals should receive state entitlements. The budget called for the restriction of RItE Care to legal citizens only and proposed that \$4 million would be saved per year by eliminating an estimated 3,000 non-citizen children from the program. The governor is hoping to save less than \$1,500 a year per child. The Legislature approved the budget by a wide margin.

Non-citizen children have always been able to receive RItE Care, although their parents were not eligible for benefits. Beginning on January 1, 2007, non-citizen children will no longer be able to receive RItE Care. This includes children who are undocumented immigrants. Some children who are legal residents will no longer qualify for RItE Care. Children who hold green cards will not be eligible for RItE Care unless they were already in receipt of the benefits prior to December 31, 2006 or have lived in the United States for at least five years. Children who are refugees or have been granted asylum will remain eligible for Rite Care.

Children who are no longer entitled to RItE Care will be able to receive emergency Medicaid, which covers the costs of emergency room care only. However, children who are currently receiving RItE Care benefits, even those who are undocumented, will be allowed to keep their medical coverage as long as they are enrolled in the program as of December 31, 2006. These children will be

“grandfathered” into the program under Budget Article. Pregnant women who are undocumented will continue to be entitled to RIte Care.

The new documentation mandate set forth by the Deficit Reduction Act applies to Rhode Island residents who are legal citizens who apply for RIte Care or are already in receipt of RIte Care benefits. After January 1, 2007, families who are initially applying for RIte Care, or are applying for recertification, will need to provide documentation to prove their citizenship. This documentation must be provided within thirty days of submission of the application, or within ninety days of recertification. Families must recertify for RIte Care every year. This requirement may result in delays and denials of RIte Care for individuals who are eligible but lack the necessary documentation. At recertification, non-citizen children will remain on RIte Care.

People who were born outside of Rhode Island, people over sixteen who do not have photo identification, and children born to women who are undocumented and/or not qualified for RIte Care will experience the most difficulty with the new documentation requirement. The documentation that is acceptable to prove citizenship includes a passport, certificate of naturalization, and certificate of citizenship. If one of those documents is unavailable, then two documents are necessary. One of them must prove identity, such as a driver’s license, state photo ID, school photo ID, United States military statement and signature on the RIte Care application will be sufficient proof of identity. The second type of documentation must confirm citizenship, such as a birth certificate, hospital record of birth, life or health insurance record, or medical record. However, these records must be at least five years old at the time of application or recertification.

We want to stress that Rhode Island did not have to enact this change to RIte Care. Why did the Legislature approve the Governor's 2006 budget that included the cuts to RIte Care for non-citizen children? The amount of money that will be saved is a "drop in the bucket" of the state's deficit. The Governor and the Legislature contend that the change to RIte Care is a compromised measure because non-citizen children who are already enrolled in the program will be allowed to keep their RIte Care benefits. Our Executive Director, Rick Harris, wonders what the resounding answer would be if one was to conduct a door-to-door survey of all Rhode Island households and ask the question, "Should all of children living in Rhode Island be guaranteed health care?" We assume the response would be an overwhelming "yes!" We believe that the current anti-immigration socio-political climate is the primary contributor to this regrettable policy. NASW-RI plans to work with its coalition partners to remedy the RIte Care cuts in the 2007 Legislative Session.

References

- Carcieri, D. (January 6, 2005). *Budget Press Conference* [Electronic version]. Retrieved October 21, 2006 from <http://www.projo.com>
- Gudrais, E. (2006, May 2). *RIte Care cuts could be costly* [Electronic version]. Retrieved September 20, 2006 from <http://www.projo.com>
- Katz, L. (2006). *Medical Assistance Documentation Rule* [Electronic version]. Retrieved September 20, 2006 from <http://www.povertyinstitute.org/matriarch/default.asp>
- Ku, Cohen-Ross, & Broaddus (2006). *Survey Indicates the Deficit Reduction Act jeopardizes Medicaid coverage for 3 to 5 million U.S. citizens.* [Electronic version]. Retrieved October 15, 2006 from <http://www.cbpp.org>
- Landis, B. (2006, March 6). RIPTA stands to lose revenue under proposed RIte Care cuts [Electronic version]. *The Providence Journal*. Retrieved October 21, 2006 from <http://www.projo.com>
- The Poverty Institute at the Rhode Island College School of Social Work (2006). *Keeping track of RIte Care changes* [Electronic Version]. Retrieved September 20, 2006 from <http://www.povertyinstitute.org/matriarch/default.asp>
- The Poverty Institute at the Rhode Island College School of Social Work (2006). *Help for low-income families* [Electronic version]. Retrieved September 20, 2006 from <http://www.povertyinstitute.org/matriarch/default.asp>
- Rhode Island Department of Human Services (2002). *RIte Care Enrollment-Special Populations* [Electronic version]. Retrieved October 15, 2006 from

<http://www.dhs.state.ri.us/dhs/pdingreg/spclneeds.htm>