



Policy Clarification 2017-03-03

Title: Assisting the Consumer with Verification

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Program impacted: All Medical Assistance Programs

KEESM 1321.2 and KFMAM 1323 indicate that the agency shall offer assistance to the household in obtaining documentary evidence when it is difficult or next to impossible for the household to obtain it. If the consumer is having difficulty obtaining verification, they or their representative can notify the agency/Clearinghouse that assistance is needed. It is appropriate for the agency to provide additional information or other options for obtaining the necessary information as an initial step.

If a significant barrier to providing the information is communicated, it is then appropriate for the agency/Clearinghouse to assist the consumer with obtaining the verification. This could be accomplished by making a collateral contact, sending requests for verification from the agency or other methods. Collateral Contact forms on the Standard Text for Copy and Paste Spreadsheet can be used for this purpose. Note: the obligation of the agency to assist does not release the consumer of their responsibility to report/provide information.

The agency has the same obligation to assist the consumer for requests that come in during an IROD period. Note that the IROD period is rarely extended, but the agency may accept verification received outside of the IROD period when approved by policy. If there are exceptional situations presented, Policy may grant an extension to the IROD period. These are considered on a case by case basis and should be submitted through the Policy Mailbox, following standard submission procedures.

In the event the agency is unable to obtain required verification, self-attestation may be used for verification of income. For other types of verification, such as for Resources, alternate verification may be utilized when approved by policy. Again, these are on a case by case basis and should be submitted through the Policy Mailbox.

Staff can grant up to 20 days additional time for a consumer to provide information. Requests for an extension beyond 20 days shall be submitted to the Policy team for evaluation. See also, "Did you Know – Clarification on Extension Policy" issued on February 10, 2017.

The following examples demonstrate various levels of assistance provided by the agency.

1. Life insurance – Consumer has an old policy. The original company has been sold to another company. Consumer doesn't know who to contact to verify the current cash surrender value of the policy. Consumer contacts the agency for help. The agency can either refer them to the Kansas Insurance Department (KID) for

assistance or search for the new company online to obtain contact information (address, phone number). The agency may need to extend the deadline to provide information.

2. Bank account statement – Consumer contacts the agency and states they cannot provide verification of their bank account because they don't keep their bank statements and the next one won't come for 2 weeks. The agency informs the consumer of alternative forms of acceptable verification – printout from their online bank account, going to the bank and asking for a copy of their statement, etc. The caller indicates they can provide that information. The agency may need to extend the deadline to provide information.

3. Wage information – Consumer does not keep paystubs and reports that the employer will not provide any information because he/she was fired due to alleged theft of company property. Consumer contacts the agency for help. The wage verification was requested to determine actual income in the prior medical months. The agency determines the customer cannot provide the information and the agency must assist. The agency contacts the employer and explains the situation/need for the information. If unable to reach the employer by telephone, a Collateral Contact letter shall be sent to the Employer. If the employer fails to return the request for information, self-attestation of the income earned in each prior medical month shall be used for the prior medical determination.

4. Legal impediment – Application received for a nursing home resident who is unable to act in own behalf. The application was submitted by the nursing home administrator. The application reports a checking and savings account and two life insurance policies – but values are not provided. The NF Administrator contacts the agency because he/she cannot verify the value of any of the resources. He also indicates the consumer has no known family or friends who can help. The agency reviews the case file and other available information. Nothing helpful is found. The agency considers the NF Administrator a reputable source. An Adult Protective Services (APS) referral to have a guardian/conservator named is completed. APS documents the resources are currently unavailable due to a temporary legal impediment. Without a signature from the client, we are unable to send Collateral Contact letters. An email would be sent to the Policy Mailbox for direction.

5. Incompetent individual – Elderly consumer contacts the agency because he/she is confused about the request for information letter received. It becomes clear that the consumer is very confused and unable to follow through on the request for information. The agency inquires as to whether there is a family member or a close friend who can assist. Failing that, the agency may attempt to obtain the information through the use of a release form or by initiating a three way call with the consumer and the verification source. If unable to obtain the information verbally, a Collateral Contact letter shall be sent to obtain all requested information. A referral to APS may also be appropriate.

6. Obstinate consumer – Consumer contacts the agency to report they have no intention of providing the requested information, stating “If you want it, you can get it yourself!” Since the consumer has not demonstrated an inability, but rather an unwillingness, to provide the requested information, the agency has no obligation to offer assistance to obtain the information.

7. Uber ride – Consumer contacts the agency because he/she needs a ride to the bank to receive verification of his/her bank statement. The agency informs the consumer of alternate ways to verify the information – online bank statement, monthly bank statement, or call to the bank. Failing that, the agency suggests that a family member or friend drive the consumer to the bank. The client agrees to try another method. Additional time may be granted to provide the information.

8. Verification delay – Consumer contacts the agency to report he/she cannot provide the requested verification and is afraid his/her application will be denied. The consumer is frantically asking for help. Further inquiry by the agency reveals that the consumer will be able to obtain the information, but not by the deadline. The verification source is simply out of town for a few days. The agency grants additional time to provide the verification.

9. Uncooperative source – Consumer contacts the agency because she is unable to verify the monthly alimony paid by her ex-husband. She states he pays her in cash and he refuses to write out a statement for her. They are not on good terms. The agency refers her to the county courthouse where her divorce action was filed to obtain a copy of the court order. Additional time is granted to provide the information. Note: Self-attestation of alimony income is accepted for MAGI programs.