STATE OF COLORADO

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Bill Ritter, Jr.
Governor

D 2010-002

EXECUTIVE ORDER

Directing the streamlining of the Medicaid and Children's Basic Health Plan (CBHP) Application Process through Data Sharing Agreements among certain State Agencies

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I, Bill Ritter, Jr., Governor of the State of Colorado, hereby issue this Executive Order directing the Department of Health Care Policy and Financing (HCPF), the Department of Revenue (DOR), the Department of Public Health and Environment (DPHE), and the Governor's Office of Information Technology (OIT) to enter into data sharing agreements for the purpose of electronically verifying citizenship and identity of persons applying for Medicaid and CBHP in compliance with the Deficit Reduction Act (DRA) of 2005.

I. Background, Need, and Purpose

Section 6036 of the DRA requires states to obtain satisfactory documentary evidence of an applicant's or client's citizenship and identity in order to receive Federal Financial Participation (FFP). Effective July 1, 2006, individuals must provide satisfactory documentary evidence of citizenship and identity when initially applying for Medicaid or upon a client's first Medicaid re-determination. The statute and interim final regulation provide states with guidance on acceptable documentary evidence, including alternative forms not explicitly named in statute. The statute and regulation also give states guidance on the processes that may be used to minimize the administrative burden on states, applicants, and clients. The Centers for Medicare and Medicaid Services (CMS) have encouraged states to utilize automated matching systems to verify citizenship and identity in order to satisfy these requirements. The Children's Health Insurance Program Reauthorization Act (CHIPRA) of 2009 extended the citizenship documentation requirements in Medicaid to CBHP effective January 1, 2010.

Many national studies have found that the citizenship and identity requirements under the DRA make acquiring and maintaining children's and families' coverage more difficult. The new requirements increase the complexity, administrative burden, and costs of enrollment and renewal. As a result, the number of uninsured citizens, as well as the amount of uncompensated care provided by hospitals and other health care providers to low-income individuals, has increased.

The federal regulations permit states to use a cross-match with state vital statistics agencies to document an individual's birth record and to match records with other government agencies to establish an individual's identity and citizenship. These regulations allow states to use information technology to reduce the paperwork burdens that the new citizenship requirement imposes on citizens, current beneficiaries, and state eligibility workers alike. That, in turn, can reduce uninsured and uncompensated care.

The Center on Budget and Policy Priorities reported that of all persons eligible for public programs in the State of Colorado, seventy-eight percent of children and forty-three percent of adults between the ages of eighteen and sixty-four were born in Colorado and appear in the state's vital statistics database. Families report that the administrative burdens to and the costs of acquiring birth certificates prevent them from completing their Medicaid and CHBP applications. Thus, facilitating data matches with vital statistics data could simplify citizenship verification for the majority of applicants.

In Colorado, there is a clear need to develop a structured, well-coordinated approach to making the verification process more efficient and effective. In addition to achieving these goals, improving the application process by facilitating direct access to state databases with verifiable information reduces the likelihood of applicants and clients submitting documentation that is not factual or authentic. The availability of electronic data sharing between various State and federal agencies to verify income, citizenship, and identity results in a streamlined process that is beneficial to the applicants applying for Medicaid and CBHP and the citizens of the State of Colorado. The State would greatly benefit from establishing such a partnership of state agencies for this purpose.

II. Directives

A. The Executive Directors and staff of HCPF, DOR, and DPHE, in collaboration with OIT, shall be responsible for implementing the electronic data sharing of citizenship and identity documentation.

B. The initial tasks shall include the following:

1. Convene a committee of relevant state departments to establish priorities, develop strategies, and begin identifying the business requirements and associated costs of implementing electronic data sharing between the state departments.

2. Develop interagency data-sharing agreements to determine what information and how such information shall be shared between HCPF and DPHE and between HCPF and DOR.

3. Pilot the sharing of Vital Statistics electronic data managed by DPHE for twenty medical assistance sites and/or county department of social/human

services eligibility technicians trained to conduct the application process in the Colorado Benefits Management System (CBMS).

4. Pilot the sharing of drivers license-related electronic data managed by DOR with HCPF.

5. Pilot the sharing of vital statistics data with the Driver License System to update its data for individuals with driver licenses and identification cards.

III. Deliverables

Based on the above outlined directives, the Executive Director of the Colorado Department of Health Care Policy and Financing shall deliver a report to the Governor's Office no later than December 31, 2010, which shall include the following:

A. A set of identified priorities and strategies for electronic data sharing;

B. An update on the progress made with respect to the pilot data sharing efforts;

C. An update on the high level business requirements and associated costs of implementing electronic data sharing on a statewide basis; and

D. An update on the status of the interagency agreements between the respective state departments.

IV. Staffing and Resources

Any of the agencies subject to this directive shall have the power to accept money and in-kind contributions from private entities and persons only to the extent such donations are necessary to cover its expenses. Any money contributed shall be directed to the Office of the Governor and deposited with the Treasurer of the State of Colorado in an account within the Office of the Governor's budget.

V. Duration

This Executive Order shall remain in force until modified or rescinded by future Executive Order of the Governor.

GIVEN under my hand and the Executive Seal of the State of Colorado this eleventh of February, 2010.

Bill Ritter, Jr.
Governor