



JIM GIBBONS  
Governor

STATE OF NEVADA  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
**DIVISION OF WELFARE AND SUPPORTIVE SERVICES**

1470 College Parkway  
Carson City, Nevada 89706-7924  
(775) 684-0504 • Fax (775) 684-0646

MICHAEL J. WILLDEN  
Director

NANCY KATHRYN FORD  
Administrator

March 21, 2007

*Sent via E-Mail*

Chairman McDermott  
The Subcommittee on Income Security and Family Support  
Committee on Ways and Means  
U.S. House of Representatives  
Washington, DC

RE: Questions posed at the Hearing on Recent Changes to Programs Assisting Low-Income Families, March 6, 2007

Dear Chairman McDermott:

At the hearing held March 6, 2007 three questions were asked that required specific research to provide a comprehensive answer to the subcommittee. It was indicated we would provide responses by March 22, 2007. Below are responses to the questions posed. I have repeated the questions below with responses and reference to the pertinent attachments.

Congressman Weller asked I provide the number of days it takes to establish a child support enforcement case in Nevada. It takes an average of five days from the date an application is received in one of our offices to have it entered in our system and start the course of action toward collecting child support. Federal regulations mandate this process be completed within 20 days.

Congressman Porter asked for an explanation as to why Nevada appears to have almost 50% of our TANF Block Grant going to administrative expenses. My analysis suggests that Congressman Porter may have misinterpreted the report he was looking at. As you can see from the attached spreadsheet, Attachment A, the total Block Grant expenditure was \$72 million and \$17 million is reported therein as administrative expenses. Solely the cash assistance was \$33 million. Further analysis indicates that the author of the report, Congressional Research Services (CRS) combined what the Administration for Children and Families (ACF) considers "Administration" with "Systems" to come up with what they describe as "Administrative Expenditures." This explains why our "Administrative Expenditures" percentage shown on page CRS-28 appears to exceed the 15% ACF cap on "Administration". As the attached spreadsheet indicates, actual administrative costs are 14.7%.

Finally, you as Chair asked for a response as to what impact the requirement to provide proof of citizenship before children can receive Medicaid, will have on our ability to provide health care

*Working for the Welfare of ALL Nevadans*

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to newborns in this country. Proof of citizenship will have a significant impact on the provision of health care to newborns in this country. In the case of citizen mothers who receive Medicaid for the birth of the baby, the baby is automatically eligible for Medicaid for one year. At the end of that year period, the eligibility of the baby must be reevaluated for ongoing Medicaid. This redetermination includes a requirement that citizenship be proven. Although the baby has been eligible for Medicaid for one year and the birth was paid for by Medicaid, citizenship and identity must still be verified. This creates an additional burden to confirming eligibility when the baby is known to be a citizen born in the United States.

In the case of illegal immigrants or legal immigrants who have not been legally in this country for five years, the burden is greater. Medicaid law requires coverage of an emergency birth and under prior interpretations by the Center for Medicare and Medicaid Services (CMS) the newborn baby was automatically eligible for Medicaid for one year. In the preamble to the regulations adopted as a result of the citizenship and identity requirements, CMS has changed that interpretation to require citizenship and identity of the newborn be separately established before the baby is eligible for Medicaid. This requires a new application for the newborn, even though the birth was paid for by Medicaid and it is known the baby is a citizen as born in the United States. Nevada has opted not to change its policy on these newborns unless and until we receive specific direction from CMS. It is our understanding the preamble to the regulations does not have the force and effect of law. We have the prior interpretation in writing from CMS. Therefore, until we receive additional direction, we have not changed our newborn policy for illegal immigrants or legal immigrants who have not been legally in this country for five years.

We did receive information on or about March 20, 2007 indicating CMS proposes to revert to their prior interpretation and issue an interim final rule regarding verification of citizenship to newborns born in this country. However, this anticipated clarification does not address the need to verify citizenship and identity of those infants when considering ongoing Medicaid eligibility after one year.

I want to thank you for the opportunity to present before the Subcommittee. If there are additional questions or additional information required, please feel free to contact me. My e-mail address is [nkford@dwss.nv.gov](mailto:nkford@dwss.nv.gov) and my telephone number is (775) 684-0504. Thank you.

Sincerely,



Nancy Kathryn Ford  
Administrator

Attachment

cc: Mike Willden, Director, Department of Health and Human Services

**ATTACHMENT A**

**SUMMARY OF PAGES CRS 26 AND CRS 28**

Nevada Millions of \$	Percent	CRS REPORT COMBINED ADMINISTRATION AND SYSTEMS EXPENDITURES							Total		
		Basic (cash) assistance	Administrative expenditures	Work program expenditures	Child care expenditures	Transfers to CCDF	Other work supports	Family formation expenditures		Other expenditure s	Transfers to SSBG
33.1	46.6%		16.6	1.3	4.0	-	5.6	0.3	8.9	1.2	71.0
			23.4%	1.8%	5.6%	0.0%	7.9%	0.4%	12.5%	1.7%	100.0%

**AS REPORTED ON NEVADA'S ACF-196 REPORT FOR FFY 2005**

Nevada Millions of \$	Percent	AS REPORTED ON NEVADA'S ACF-196 REPORT FOR FFY 2005							Total		
		Basic (cash) assistance	Administration plus Systems expenditures	Work program expenditures	Child care expenditures	Transfers to CCDF	Other work supports	Family formation expenditures		Other expenditure s	Transfers to SSBG
33.4	46.3%		10.6	1.3	4.0	-	6.1	0.4	8.9	1.2	72.1
			14.7%	1.8%	5.6%	0.0%	8.5%	0.5%	12.3%	1.7%	100.0%