

SECTION .0200 – APPLICATION PROCESSING, MONITORING AND CORRECTIVE ACTION

10A NCAC 23C .0201 APPLICATION PROCESSING STANDARDS

- (a) The county department of social services shall comply with the following standards in processing applications:
- (1) A decision shall be made within the timeframes set out in G.S. 108A-70.37;
 - (2) Only require information or verification to establish eligibility for assistance;
 - (3) Make a minimum of two requests for all information from the applicant or third party;
 - (4) Allow a minimum of 12 calendar days between the initial request and a follow-up request and at least 12 calendar days between the follow-up request and denial of the application;
 - (5) Inform the client in writing of the right to request help in obtaining information requested from the client. The county department of social services shall not discourage any client from requesting such help;
 - (6) An application may pend up to six months for verification that the deductible, as defined in 10A NCAC 23A .0102 has been met or disability established; and
 - (7) When a hearing decision reverses the decision of the county department of social services on an application, pursuant to 10A NCAC 21A .0303, the application shall be reopened within five business days from the date the final appeal decision is received by the county department of social services. If the county department of social services has all of the information needed to process the application, the application shall be processed within five additional business days. If additional information is needed pursuant to the final decision, the county shall make such requests in accordance with this Rule. The first request for the additional information shall be made within five business days of receipt of the final appeal decision. The application shall be processed within five business days of receipt of the last piece of required information.
- (b) The county department of social services shall obtain verification, as defined by 10A NCAC 23A .0102, other than the applicant's statement for the following:
- (1) Any element requiring medical verification. This includes verification of disability, incapacity, emergency dates for aliens referenced in the Medicaid State Plan, incompetence, and approval of institutional care;
 - (2) Proof a deductible has been met;
 - (3) Legal alien status;
 - (4) Proof of the rebuttal value for resources and of the rebuttal of intent to transfer resources to become eligible for Medicaid. When a client disagrees with the determination of the county department of social services on the value of an asset, then the client must provide proof of what the value of the asset is;
 - (5) Proof of designation of liquid assets for burial;
 - (6) Proof of legally binding agreement limiting resource availability;
 - (7) Proof of valid social security number or application for a social security number;
 - (8) Proof of reserve reduction when resources exceed the allowable reserve limit for Medicaid;
 - (9) Proof of earned and unearned income, including deductions, exclusions, and operational expenses when the applicant or caseworker has or can obtain the verification; and
 - (10) Any other information for which the applicant does not know or cannot give an estimate.
- (c) The county department of social services shall be responsible for verifying or obtaining an item of information when:
- (1) A fee must be paid to obtain the verification;
 - (2) It is available within the agency;
 - (3) The county department of social services is required by federal law to assist or to use interagency or intra-agency verification aids;
 - (4) The applicant requests assistance; or
 - (5) A representative has not agreed to obtain the information and the applicant is:
 - (A) physically or mentally incapable of obtaining the information;
 - (B) unable to speak English or read and write in English; or
 - (C) housebound, hospitalized, or institutionalized.

History Note: Authority G.S. 108A-54; 108A-54.1B; 42 C.F.R. 435.911; 42 C.F.R. 435.912; 42 C.F.R. 435.952; *Alexander v. Flaherty, V.S.D.C., W.D.N.C., File No. C-C-74-183, Consent Order Filed 15*

December 1989; Alexander v. Flaherty Consent Order filed February 14, 1992; Alexander v. Bruton Consent Order dismissed Effective February 1, 2002; Eff. September 1, 1984; Amended Eff. April 1, 1993; August 1, 1990; Temporary Amendment Eff. March 1, 2003; Amended Eff. August 1, 2004; Transferred from 10A NCAC 21B .0203 Eff. May 1, 2012; Readopted Eff. June 1, 2019.