

# MISSISSIPPI DIVISION OF MEDICAID

## Eligibility Policy and Procedures Manual

### **100.03 RIGHTS OF APPLICANTS AND RECIPIENTS**

Any individual applying for and/or receiving assistance has certain rights relating to receipt of Medicaid benefits, which are addressed in this section.

#### **100.03.01 OPPORTUNITY TO APPLY**

Any individual, who requests assistance, including those who are clearly ineligible, must be allowed to apply immediately. Medicaid Specialists must make a reasonable effort to assist the applicant in establishing eligibility.

#### **100.03.02 CIVIL RIGHTS AND NON-DISCRIMINATION**

The Division of Medicaid complies with all state and federal policies which prohibit discrimination on the basis of race, age, sex, national origin, handicap or disability as defined through the Americans with Disabilities Act of 1990, the Rehabilitation Act of 1973 and the Civil Rights Act of 1964. All complaints of discrimination will be investigated in accordance with state and federal laws and regulations.

#### **100.03.03 ACCESS TO INFORMATION**

The applicant, recipient or his authorized/designated representative may have access to information in the eligibility case record to either review the file or request copies of information from the file, at no charge, in the following types of situations:

- In connection with a request for a hearing as otherwise provided in the regulations relating to administrative hearings. Refer to the Section 100.03.05, Right to Appeal and Fair Hearing, for more information.
- Information regarding amounts of Medicaid received by a recipient when requested by a person filing a federal or state income tax return and when authorized in writing by the recipient. A signed authorization is also required to release information to the Internal Revenue Service (IRS).
- Information supplied by the applicant or recipient or obtained by the specialist that the applicant or recipient needs in order to be able to qualify for other benefits which he has requested. This includes medical reports, as the examining physician must release this information to his patient. It includes proof of age, documents relating to real and personal property, and other factual material that will assist an applicant or recipient in obtaining a service or a benefit.