

HB 2481 and SB 1616

Proposed New Documentation Requirements for Medicaid and SNAP

The Missouri General Assembly is considering legislation that would create unnecessary complications in Medicaid and SNAP. They would create costly administrative burdens for the State and cause citizens and eligible lawfully present immigrants to lose access to health care and nutrition assistance. The proposed changes also increase the likelihood of agency errors, fiscal sanctions, additional state costs, while some of the sections §§208.009.9, 208.009.7(3), 208.009.12(1), 208.009.12(3) also violate federal law.

§208.009.12 Requires agencies to use SAVE (Systemic Alien Verification for Entitlements Program operated by the United States Department of Homeland Security) to verify eligibility for public benefits for **all U.S. citizens**, U.S. national, or eligible alien status.

Impact: It would require beneficiaries to **re-prove their citizenship** at each eligibility reverification. This creates unnecessary work for caseworkers and will cause eligible individuals to lose Medicaid and SNAP benefits. U.S. citizenship is already verified through Social Security Administration and using SAVE for *citizens* substitutes unproven technology for one that works.

§208.009.9 Creates a duplicate verification requirement by requiring every applicant to provide documentary proof of U.S. citizenship, U.S. national, or eligible alien status to be eligible for public benefits even if citizenship and identity are already verified by electronic match like SSA and SAVE.

Impact: Both programs already require personally identifiable information and require all eligible immigrants to have their status verified through SAVE. **This legislation requires every Missourian applying for SNAP or Medicaid to provide documentation even if electronic sources can already verify their citizenship and identity.** It creates a burden on the agency and will cause eligible Missourians to lose Medicaid and SNAP benefits.

§208.009.7(3) Prohibits “reasonable opportunity periods” of eligibility for for any applicant who was previously denied public benefits at any time due to failure to verify U.S citizenship, U.S. national status or alien status eligible for such public benefits.

Impact: A reasonable opportunity period often is used in Medicaid when families need to acquire an out-of-state birth certificate. This legislation penalizes applicants and participants **in perpetuity** for failing to meet a procedural requirement at a single point in time.

§208.009.5 Eliminates prohibition on requesting information about legal status of **non-applicant** custodial parents or guardians applying for public benefits for their dependent children.

Impact: The legal status of custodial parents who are *not* applying to get benefits for themselves **irrelevant to the determination of their children’s eligibility.** This would deter ineligible parents from applying for Medicaid and SNAP for their **eligible children**, including but not limited to “unborn” children under the Show Me Healthy Babies program (SMHB).

§208.009.12(1) Requires the person applying for benefits with a minor child to provide documents proving their relationship to the child or proof of financial responsibility for the child.

Impact: All Missouri parents applying for benefits for their children would have to prove that they are their children's parents **even when the state already has access to the children's birth records**. Creates an unnecessary administrative burden for the state agency as well as the families. DSS estimates that it would require an additional 42 FTE staff to process the additional paperwork.

§208.009.12(3) If the agency is unable to determine the persons lawful presence after a SAVE query or other authorized verification, must suspend benefits and refer case to United States Department of Homeland Security.

Impact: Lack of a match only signals that more research is needed, which is why federal law requires a reasonable opportunity period to provide information. **It does *not* prove ineligibility or lack of acceptable immigration status and is not a reason to report to DHS** nor a reason to terminate benefits, it would chill participation by people who are eligible for Medicaid and SNAP.

§208.009.13 Adds questions for citizenship or immigration status to presumptive eligibility application and prohibits approval unless the applicant certifies that they are a U.S. citizen, U.S. national, or alien with eligible immigration status for MO HealthNet.

Impact: Health centers and hospitals would have to alter their presumptive eligibility process and would be put into a difficult position forcing staff to ask non-medical questions that could harm provider-patient relationships. It would chill participation by eligible individuals from pursuing presumptive eligibility and health care itself. The requirement may also negatively affect participation in the SMHB program.

§208.009.14(1)(2) Increases the amount of income counted for eligibility determination for "Mixed Households" (those with eligible and ineligible status) in SNAP. **It would require the state to count the entire income of the ineligible immigrant against the remaining household members including eligible children**, thereby adversely affecting their eligibility or reducing their allotment of SNAP benefits.

Impact: This revision would cause children and other remaining household members in "mixed" households to receive fewer benefits than they now receive by counting the entire income of the ineligible individual in determining the rest of the household's income.