

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2147-02
Bill No.: HB 889
Subject: Elderly; Public Assistance; Social Services Department
Type: Original
Date: February 21, 2007

Bill Summary: This proposal prohibits illegal aliens from receiving public assistance.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Elementary and Secondary Education, Office of the Secretary of State, Department of Social Services - Division of Youth Services** and the **Department of Insurance, Financial Institutions & Professional Registration** each assume the proposal would have no fiscal impact on their respective agencies.

Officials from the **Department of Mental Health (DMH)** assumes that services provided by the DMH are not considered "public assistance" under Chapter 208 and therefore, assumes that this proposal would have no fiscal impact.

Officials from the **Department of Health and Senior Services** states the Medicaid program requires documentation of citizenship or legal status within the United States. The Division of Senior and Disability Services (DSDS) assumes that the Family Support Division documents this status at the time of application for Medicaid benefits. As a result, DSDS assumes no effect on Medicaid programs operated by the division. Additionally, non-Medicaid home and community-based programs within the Division are currently frozen (i.e. the division is not accepting new applicants). Individuals currently classified as "dual authorized" must be Medicaid eligible, and would as a result be subject to the same requirement noted above. All consumers within the Non-Medicaid Eligible (NME) program are required to apply for Medicaid and be rejected. To date, none have been rejected due to issues relating to their citizen or legal status within the United States.

This leaves approximately 1,000 clients receiving services through the division's "state-only" program, which has been frozen for several years. These clients, mostly in their eighties, do not qualify for Medicaid, generally due to assets or income in excess of Medicaid requirements, but do meet level of care requirements for nursing home placement. There are no rules that require verification of legal status within the United States prior to receiving services. The division assumes that no more than 1% (100) of these individuals would be classified as illegal aliens. The average client in this program receives services that total \$300/month, or \$3,600/year. Therefore, total savings as a result of this language for the program would be unknown, but less than \$36,000.

The Division also assumes that adult protective service cases will qualify as "emergency assistance" as listed in section 208.009.1 of this bill, and as such will not be affected by any changes made through this legislation.

ASSUMPTION (continued)

Oversight assumes the 100 “state-only” program individuals that might be illegal aliens is speculative and therefore, have not included the estimate in the fiscal note.

Officials from the **Department of Higher Education** stated the following:

Assuming the intent of this proposal is to impose requirements as set forth in Section 208.009 RSMo, there would be no fiscal impact on the Missouri Department of Higher Education (MDHE). However, if the identification provisions set forth in this proposal apply to any public benefit, then it could have an unknown fiscal impact in relation to student assistance financial programs administered by the MDHE.

Oversight assumes if a fiscal impact were to result to the MDHE, funds to support the program would be sought through the appropriations process.

Officials from the **Department of Social Services - Family Support Division (FSD)** states the proposal allows exceptions to citizenship requirements that Federal law does not allow for Income Maintenance (IM) programs. This proposal also allows providing confidential information to agencies that are not directly connected with the administration of a federal or federally assisted program that provides assistance, cash or in kind, or services directly to the individuals on the basis of need that Federal law does not allow for IM programs. Therefore, there is no fiscal impact to FSD.

Officials from the **Department of Social Services - Division of Medical Services (DMS)** assumes there is no impact to the DMS. The Family Support Division (FSD) states that Federal law requires FSD to verify United States citizenship and immigration status during the Medicaid application process. Therefore, DMS assumes there will be no change in Medicaid eligibles.

Officials from the **Department of Social Services - Division of Legal Services** assumes the amount of hearings that would be generated by this proposal should be small enough to be handled by existing staff; therefore, there would not be a fiscal impact to the division.

Officials from the **Department of Social Services - Children’s Division (CD)** state that currently the CD ascertains a child's citizenship when childcare subsidy is applied for on behalf of the child. Therefore, there is no fiscal impact to CD.

FISCAL IMPACT - State Government

FY 2008
(10 Mo.)

FY 2009

FY 2010

\$0

\$0

\$0

FISCAL IMPACT - Local Government

FY 2008
(10 Mo.)

FY 2009

FY 2010

\$0

\$0

\$0

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

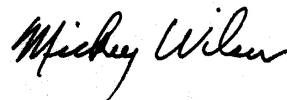
FISCAL DESCRIPTION

The proposed legislation appears to have no fiscal impact.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Higher Education
Department of Elementary and Secondary Education
Department of Insurance, Financial Institutions and Professional Registration
Department of Mental Health
Department of Health and Senior Services
Department of Social Services
Office of the Secretary of State



Mickey Wilson, CPA
Director

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