

HB 2468 -- PUBLIC ASSISTANCE BENEFITS

SPONSOR: Phelps

This bill prohibits individuals that are not United States citizens or nationals from receiving assistance through the Supplemental Nutrition Assistance Program (SNAP) or through MO HealthNet, unless those individuals meet Federal definitions of eligible alien and qualified alien.

The bill modifies what proof must be submitted at the time of application to include proof that the applicant is a United States citizen, United States national, or alien with an immigration status eligible for public benefits. The bill repeals an existing provision of law that prohibits employees of agencies of state or local government from inquiring about the legal status of a custodial parent or guardian applying for a public benefit on behalf of his or her dependent child who is a citizen or permanent resident.

Current law provides that applicants who cannot provide proof required under current law can sign an affidavit under oath attesting to citizenship or classification as a lawfully admitted alien. This bill adds that the affidavit must attest to such applicant's eligibility for public benefits. Currently, an applicant who has provided the sworn affidavit described is eligible to receive temporary benefits for 90 days under certain conditions. This bill modifies that time frame to be the minimum period required under Federal law, or 90 days if no minimum period is required under Federal law.

The bill provides that failure to submit acceptable documentation establishing United States citizenship, national status, or alien status eligible for public benefits will result in denial or termination of public benefits, and that no additional period of eligibility for temporary benefits will be granted to any applicant that has previously been denied public benefits at any time due to a failure to verify citizenship, national status, or alien status eligible for benefits.

Currently, after an applicant's lawful presence has been verified through the Systematic Alien Verification for Entitlements Program through the United States Department of Homeland Security, no additional verification is required. This bill repeals that provision and provides that the system utilized for verification must include, but not be limited to, the Systematic Alien Verification for Entitlements Program.

This bill requires the MO HealthNet division to include a field for citizenship or immigration status on all presumptive eligibility applications, and that no such application will be approved unless the applicant certifies his or her status as a United States citizen, national, or alien with eligible status for public benefits. Additionally, the bill requires the MO HealthNet division to require hospitals, clinics, and other qualified entities that are authorized to conduct presumptive eligibility determinations to collect and transmit attestations of citizenship or eligible immigration status to the MO HealthNet division.

The bill provides that if any agency administering public benefits is unable to determine an applicant's or enrollee's lawful presence after authorized verification, the agency is required to suspend approval or continuation of benefits and refer the case to the Department of Homeland Security or other appropriate Federal agency.

The bill requires the Department of Social Services, when administering SNAP benefits, to consider the entire income and financial resources of any individual rendered ineligible to receive benefits under the provisions of this bill when determining the eligibility and benefit allotment of the household of which the individual is a member, and not to prorate or exclude the income or financial resources of ineligible individuals.