



Department of Human Resources
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FIA INFORMATION MEMO

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**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT
FAMILY INVESTMENT SUPERVISORS AND CASE MANAGERS**

FROM: KEVIN M. MCGUIRE, EXECUTIVE DIRECTOR

RE: CITIZENSHIP AND IMMIGRATION STATUS REMINDER

PROGRAM AFFECTED: FOOD STAMP PROGRAM

ORIGINATING OFFICE: OFFICE OF PROGRAMS

Recently, we have received complaints about how some local offices are handling food stamp cases that include ineligible or undocumented immigrants who are applying only for children or other persons who are eligible. We are issuing this information memo to clarify the policy.

Case managers cannot deny benefits to eligible citizen or immigrant household members simply because other household members do not disclose their citizenship or immigration status or provide a social security number (SSN).

To establish eligibility, household members must declare their citizenship or establish satisfactory immigration status. They must also provide a social security number (SSN) or apply for one. When a household member does not disclose his or her citizenship or immigration status or does not provide an SSN, that person is ineligible but it does not affect the eligibility of the rest of the household.

We base food stamp eligibility and benefits on the circumstances of all household members. Therefore, the ineligible or undocumented immigrant is required to provide information about his/her income, deductions and resources. However, the ineligible or undocumented immigrant is not required to disclose their citizenship or immigration status or provide a SSN.

On the Application for Assistance (9701) In the first column of Section A, and on the new 9711 Request for Assistance, households are given the opportunity to indicate which household members are applying for benefits. Individuals who are not applying are "non-applicant" household members. **If the household is not applying for an individual you cannot require disclosure of that person's immigration status.**

Also, the case manager cannot require “non-applicants” to provide social security numbers, although some non-applicants provide the number voluntarily.

“Non-applicants ” still have to answer questions that affect the eligibility of the eligible household members, such as information about income, resources and deductions. The case manager must consider the income, resources and deductions of all “non-applicant” members when determining the household’s eligibility and benefit level.

Examples

Ms. A files an application and is interviewed for food stamps. The application lists her three citizen children as applicants and herself as a non-applicant. The case manager asks her to volunteer her SSN but she refuses. The case manager continues to process the application. Ms. A is required to provide information regarding her income, resources (unless categorically eligible) and deductions. She is not required to provide information on her citizenship or immigration status or her SSN. If determined eligible the application will be approved for a HH of 3 (the children).

Mr. B applied for FS for himself and his wife. Mr. B stated on the application that neither he nor his wife is a citizen. He stated that his wife is a refugee. Mrs. B provided her I-94 to prove her status. The case manager asked for an alien number for Mr. B. Mr. B said that he did not have one. The case manager completed a SAVE verification to verify Mrs. B’s status as a refugee. If eligible, the food stamp household will include Mrs. B only.

CARES Procedures:

If you use the following procedures, CARES will:

- Code the ineligible or non-applicant immigrant as a “**ND 202**” (failed citizenship) on the **STAT** and **ELIG** screens and prorate their income toward the eligible members of the household.
- Code the ineligible customer who refuses to supply or apply for a SSN as a “**ND 208**” (failed to supply or apply for a SSN) on the **STAT** and **ELIG** screens and prorate their income toward the eligible members of the household.

- ◆ During Option “**O**” (Interview) from the **AMEN**, enter on the **STAT** Screen, the respective relationship codes for each household member and financial responsibility as “**PN**”.

- ◆ On the **DEM1** screen, in the **SSN Referral** field, enter:
 - “**R**” – Refused to supply or apply for an SSN - if the non-applicant does not provide or is not willing to apply for an SSN.

- ◆ On the **DEM2** screen, in the **Citiz** (Citizenship) field, enter:
 - “**I**” for all ineligible immigrants. This includes immigrants who are non-applicants and customers who refuse to disclose citizenship/immigration status or provide a SSN. Enter “**NO**” in the **V** (Verification) field. (CARES will prorate any earned or unearned income, other than TCA, of the ineligible individual),

- “L” for all immigrants who are eligible for food stamps and provide their immigration information and provide or apply for a SSN,
 - “C” for all citizens who provide or apply for a SSN.
- ◆ If immigration status information is provided:
 - ◆ On the **ALAS** screen, enter the actual:
 - INS Status Code and verification type.
 - “Y” or “N” for Sponsored Alien
 - Country of Origin
 - Entry date (This date should reflect the date of entry for refugees and Amerasians. For all other qualified immigrants it should reflect the date status was obtained.)
 - INS Number, Verification, and Verification Date.
 - ◆ Enter assets and income on the appropriate household member’s screens.
 - ◆ On the **SHEL** screen:
 - Prorate off-line the shelter costs (other than utility costs) that an ineligible member is responsible for paying and enter this amount in the appropriate field.
 - Do not prorate the Utility Standards (SUA or LUA).
 - Do not enter utility standards as actual utilities.

Policy note:

The case manager prorates off-line the rent, mortgage, ground/lot rent, condo fees, homeowner’s insurance, property tax, and actual utility (for a single utility expense) and enters it on the SHEL screen.

If the household is entitled to the standard or limited utility allowance or the phone allowance, the household is entitled to the full amount. Never prorate SUA, LUA or the telephone allowance, even if the ineligible member pays the expense.

- ◆ Process (Option “P” from the **AMEN**) each month, making sure to review the:
 - **DEM1**, **DEM2**, and **ALAS** screens to ensure proper coding,
 - Assets and income to ensure accuracy,
 - **SHEL** screens to ensure the shelter expenses are entered only on the head of household’s **SHEL** screen.
- ◆ Finalize (Option “Q” from the **AMEN**) the application for each month:
 - Review the **ELIG** screen to ensure the status of all ineligible adults and children is “ND” with a denial code of “202” (failed citizenship) or “208” (failed to supply or apply for a SSN).
 - Enter “Y” to confirm eligibility.
 - Review the **FSFI** screen to ensure correct household size and benefit amount.
 - Enter “Y” to confirm the benefit amount.
 - Press PF13 and add the following freeform text:

“You did not to tell us your citizenship or immigration status.”

or

“You did not give us your social security number.

COMAR 07.03.17.11”

Policy Note: CARES is not currently programmed to prorate the TCA. Although the procedure to calculate the countable TCA portion off-line is complex, we do not anticipate that these situations will occur often. We have developed an Excel spreadsheet to help calculate the amount to be entered on CARES. Case managers should call DHR Policy for assistance in prorating the TCA when children are no longer eligible for food stamps or to get a copy of the Excel spreadsheet.

NARRATE ALL CASE ACTIVITY

INQUIRIES:

Please direct policy questions to Kay Finegan at 410-767-7939. Direct CARES questions to Joyce Westbrook at 410-238-1299.

cc: FIA Management Staff
Constituent Services
DHR System Support Center