

Policy Clarifications – All

PCA-18950-122

PFS-18950-522

PMA-18950-322

Submitted: 5/25/18

Agency: CAOs

Citations: SNAP, TANF, AND MA

Subject: Households with an ineligible non-applying non-citizen

Does the CAO need to verify the immigration status of a non-applying mandatory household member who states that they are not a U.S. citizen or national and that they do not have an eligible immigration status for benefits?

Date: 5/29/18

**Response By: Division of Federal Programs,
Division of Family Assistance,
Division of Health Services**

No. The CAO does not need to verify immigration status of a non-citizen who is not applying for benefits even if they are a mandatory household member. Ineligible non-citizens may or may not have lawful immigration status. These individuals only need to declare that they are not eligible for benefits for SNAP and TANF. They are not required to make this declaration for MA.

Household members who are not applying for themselves do not need to provide or apply for a Social Security Number.

Ineligible non-citizens do not need to show or declare an immigration status or provide or apply for a Social Security Number when applying for Emergency Medical Assistance only.

NOTE: The CAO will not request verification of immigration status if a household member states they are an ineligible non-citizen, even if they are considered a mandatory household member. Asking for this information violates Title VI of the Civil Rights Act of 1964.

The CAO will not deny benefits to otherwise eligible individuals in the household simply because the ineligible non-applying member did not provide citizenship/immigration information or apply for a Social Security Number.

Example: A four-person household applies for SNAP, TANF, and MA benefits. The parents mark on the application that they are not applying for themselves but are applying for their two children. The children's Social Security Numbers are provided. During the SNAP & TANF interview, the parents state again that they are not applying and are not eligible and that they only want benefits for their children. The CAO explains to the parents that their income and resources will still be counted to determine eligibility for the children. No additional verification of immigration status or Social Security Numbers for the parents is needed. The CAO processes the case to determine eligibility for the children.

For more information please refer to MA Handbook Citizen/Non-Citizen Chapter 322.3, SNAP Handbook Chapter 522.3, Cash Assistance Handbook Chapter 122.3, and Supplemental Handbook Chapter 950.