SPONSORED NONCITIZENS AND PUBLIC BENEFITS

More Clarity in Federal Guidance and Better Access to Federal Information Could Improve Implementation of Income Eligibility Rules

What GAO Found

The number of sponsored noncitizens potentially affected by sponsor deeming is unknown; however, federal restrictions on their eligibility for TANF, Medicaid, SNAP, and SSI, as well as other factors, likely limit the number affected. The most recent data available suggest that 11 percent (473,000) of sponsored noncitizens applied for TANF, Medicaid, or SNAP during the course of 2007, and less than 1 percent (29,000) applied for SSI. In addition to federal restrictions, benefit agency officials reported that applicants' reluctance or inability to obtain sponsor income information further reduces instances of deeming.

Nationwide, most benefit administering agencies have established sponsor deeming policies for TANF, SNAP, and SSI. However, agencies in 20 states have not done so for Medicaid, due in part to the lack of federal guidance for Medicaid on this requirement. Yet, even among administering agencies that have established policies, many expressed the desire for more federal guidance on various aspects of deeming. For example, over 60 percent of state officials reported that additional clarification on applying an exception to deeming when noncitizen applicants are indigent would be useful. Local officials also reported difficulties accessing information from the Department of Homeland Security needed to determine whether an applicant is sponsored—an essential part of the deeming process.

Few agencies have taken steps to implement sponsor repayment of TANF, Medicaid, SNAP, and SSI, due in part to inconsistent federal guidance. While law requires that agencies administratively pursue repayment, federal regulations and guidance suggest it is optional. In total, only two states have pursued sponsor repayment. Benefit agency officials reported that several factors discourage pursuit of repayment. Specifically, they reported that the process involves high relative costs since noncitizens who receive benefits after deeming only qualify because both they and their sponsors have very low incomes. Officials also reported that local staff who pursue repayment for these benefits sometimes have competing priorities.

What GAO Recommends

GAO recommends that the Secretary of Health and Human Services (HHS) provide additional guidance on sponsor deeming and the Secretary of Homeland Security improve access to information on who is sponsored. Both agencies generally agreed with the recommendations, although HHS disagreed that additional guidance specifically for TANF was needed.

To view the full product, including the scope and methodology, click on GAO-09-375. For more information, contact Kay Brown at (202) 512-7215 or brownke@gao.gov.