

MANUAL MATERIAL TRANSMITTED					
MANUAL: INCOME MAINTENANCE			CHANGE NUMBER: 130		
DELETE			INSERT OR CHANGE		
PAGES	CHAPTER	DATED	PAGES	CHAPTER	DATED
25	18	11/98	25	18	02/99
26	18	11/98	26	18	11/98
51a	18	11/98	26a	18	11/98
52	18	11/98	51a	18	11/98
			52	18	2/99
DATE: December 1998			TO: All Income Maintenance Manual Holders		

This change corrects omission regarding:

1. Emergency Medicaid for Illegal/Ineligible aliens - must meet eligibility requirements for AFDC Medicaid or for an SSI payment except for required immigrant status.
2. Regarding Alien Verification (SAVE) request - the alien's eligibility for benefits should not be delayed awaiting return of SAVE verification request IF alien meets all other eligibility requirements including proper documentation showing qualified alien status.

Questions should be directed to Cona Chatman, Projects Unit, Office of Family Support.

18.5 SYSTEMATIC ALIEN VERIFICATION OF ENTITLEMENT AND 40 QUALIFYING
QUARTERS OF COVERAGE.

A. SYSTEMATIC ALIEN VERIFICATION OF ENTITLEMENT

At the time of application, all individuals applying for benefits are required to declare in writing whether they are citizens or nationals of the United States or aliens.

NOTE: If the applicant satisfies the eligibility requirements for the benefits requested and, if the applicant provides documentation evidencing his or her status as a qualified alien and has completed the written declaration, under penalty of perjury, that he or she is a qualified alien, the applicants eligibility for benefits should not be delayed, denied, reduced or terminated under the program on the basis of the applicant's immigration status during the period of time it takes to verify his or her immigration status through the SAVE verification request to the State Office.

- This is accomplished by the completion of the ES-2, section III (or Declaration of Citizenship/Alienage);
 - If the applicant is an alien, he must present original documentation of alien registration. Aliens without documentation should be referred to the local INS Office in Pittsburgh, PA.
1. It should be determined whether an applicant otherwise meets specific program requirements for benefit eligibility before initiating the alien verification process, unless determining program eligibility would be considerable more complex and time consuming than verifying immigration status.
 - a. This will reduce verification inquiries that prove unnecessary because the applicant is not otherwise eligible for benefits requested.
 - b. Verification of identification of applicant should have been completed by appropriate procedures before submittal of alien status verification request.

spouse or parent received certain Federal means tested public benefits during the period for which the Qualifying Quarters was credited.

1. Determining The Number of Qualifying Quarters
 - a. Determine which Social Security number holders can be included in the Qualifying Quarters count. The following are individuals, and the conditions under which their Qualifying Quarters can be counted.

- b. the reason for the claim;
- c. how the sponsor may repay the claim (lump sum payment or regular installments). The standard repayment agreement (ES-FS-8) is to be used as the repayment agreement;
- d. that the sponsor will not be held responsible for repayment of the claim if he can demonstrate that he had good cause or was without fault for the incorrect information.

The collection action against a sponsor may be terminated by the Economic Service Supervisor any time it can be documented that the sponsor cannot be located or when the cost of pursuing the collection is likely to exceed the amount that can be recovered.

If good cause does not exist, the sponsor does not respond to the repayment letter or responds but indicated he will not repay and meets the criteria for a referral to Internal Fraud Management (IFM), the referral is to be made.

NOTE: Sponsors are entitled to the same rights to a Fair Hearing as any other person when a claim is established.

6. COLLECTING CLAIMS AGAINST THE ALIEN'S BENEFIT GROUP

Before initiating collection against the alien's benefit group, it must be determined whether an Intentional Program Violation or Unintentional Program Violation claim is appropriate. This determination must be made on the basis of whether or not the alien (not the sponsor) intentionally misrepresented the sponsor's situation. Once this determination is made, collection of the overissuance will proceed as for any other case in which a similar determination has been made.