

18.6 SPONSORED ALIENS

A. INTRODUCTION

The requirements for deeming income and assets do not apply to sponsors of immigrants who entered the United States before December 19, 1997.

Deeming of income and assets applies to immigrants with equally enforceable Affidavit of Support for sponsorship affidavits filed on or after December 19, 1997. All federal means-tested programs must count the income and resources of an alien's sponsor and that of the sponsor's spouse in determining the alien's eligibility for WV WORKS, SNAP benefits, and Medicaid. The sponsor's/sponsor spouses income and resources are considered to be available to the sponsored alien in determining the sponsored alien's eligibility for these benefits.

NOTE: The sponsor is an individual, not an organization, institution, or group.

B. DEEMING SPONSORS' INCOME AND ASSETS

The sponsor and the sponsor's spouse's income and assets are counted in their entirety and are considered available to the sponsored alien in determining the sponsored alien's eligibility for benefits. See item C,3 for countable assets and income requirements of an ineligible sponsored alien. No allowances are made for the needs of the sponsor, his spouse, or the sponsor's family, or other sponsored alien families. The sponsor's income and assets are counted in their entirety for all aliens sponsored by the specific sponsor. Deeming applies to all non citizens sponsored by individuals.

Most aliens who are sponsored by an Affidavit of Support are not eligible for SNAP benefits, Medicaid, and WV WORKS. Deeming ends when an alien has 40 quarters of work. See Section 18.5.

- Deeming will apply for SNAP benefits purposes only to those who qualify under the military service provision.
- Medicaid and WV WORKS have no 40 Qualifying Quarters requirement and deeming applies for WV WORKS. Deeming applies for Medicaid except for MAGI groups.

NOTE: In Medicaid cases where the alien is eligible by the MAGI methodology, no asset tests of any individual may be used.