Date: January 6, 2015

To: Eligibility Services – Regional Directors
    Program Managers
    Eligibility Services Supervisors
    Regional Attorneys
    Hearings Officers

From: Stephanie Stephens, Director
      Policy Strategy, Analysis, and Development
      State Office 2115

Subject: Budgeting of Alien Sponsor’s Income and Resources

Bulletins are sent to supervisors and other regional managers, who must share the information with eligibility staff. Please ensure that copies are provided to staff without access to email. For questions regarding the information in this memo, follow regional procedures. Find active bulletins at the following respective handbook websites:

- Medicaid for the Elderly and People with Disabilities (MEPD):
  http://www.dads.state.tx.us/handbooks/mepd_policy/index.htm
- Texas Works:
  http://www.dads.state.tx.us/handbooks/texasworks_bulletins/index.htm

Budgeting of Alien Sponsor’s Income and Resources

Background

A sponsored alien is a Legal Permanent Resident (LPR) who has been sponsored by an individual who signed an affidavit of support (USCIS I-864 or I-864A) on or after December 19, 1997. Federal law requires counting the income and resources of an alien sponsor and the sponsor's spouse (if the spouse also signed the affidavit of support for the alien) when determining eligibility. The policy does not apply to Emergency Medicaid programs.
Current Policy

Deeming of the sponsor’s income and resources does not apply if the sponsored alien meets one of the following exceptions:

- Is ineligible for benefits;
- Is or becomes a U.S. citizen;
- Has 40 qualifying quarters;
- Has refugee status;
- Has asylee status;
- Has a deportation that has been withheld;
- Is sponsored by an organization or is not required to have a sponsor;
- Is a battered alien spouse, or a child or parent of a battered alien;
- Is indigent (unable to obtain both food and shelter).

Sponsor-to-alien deeming does not apply if the alien sponsor is deceased.

Please refer to MEPD Handbook Section D-9000 for more information regarding this policy.

New Policy

There are no changes to the policy related to Alien Sponsor’s Income and Resources.

Most verification sources for exceptions to deeming an alien sponsor’s income and resources are not changing. However, when a sponsor is deceased, client statement is not an acceptable verification source. Acceptable verifications for the death of an alien sponsor are the same as those required for deprivation (TWA A-1081) and are listed on the Form H1020 as well.

Current Process

The Texas Integrated Eligibility Redesign System (TIERS) does not accurately calculate the income and resources of an alien sponsor and sponsor’s spouse (if applicable) when determining eligibility for a sponsored alien.

New Process

When required, TIERS accurately calculates and includes the income and resources of an alien sponsor and sponsor’s spouse (if applicable) when determining eligibility and applies the appropriate alien sponsor exemptions and deductions.

Permissible purpose is required when accessing an individual’s ELDS information. Staff must request a sponsor’s and sponsor’s spouse’s (if applicable) permission to retrieve information using ELDS by requesting Form H0004, Consent for a Person Sponsoring an Immigrant. TIERS now supports the retrieval and display of electronic data sources (ELDS) for alien sponsors and sponsor’s spouse (if applicable) from the Systematic Alien Verification for Entitlements (SAVE). Since these individuals may not be requesting aid, HHSC must request their permission to access their ELDS information for the case.
Note: Although a sponsored alien may meet an exception, specialists must enter the sponsor’s and sponsor’s spouse’s (if applicable) information into TIERS. TIERS correctly identifies whether they meet an exception during the budgeting process in EDBC.

Automation

Permission for ELDS Use

Effective December 13, 2014, TIERS receives information from ELDS SAVE to verify if an alien has a sponsor(s) or is likely to have a sponsor. This information will be received even whether an alien does not report a sponsor.

To record consent, staff must pend for Form H0004, Consent for a Person Sponsoring an Immigrant. The Form H0004 is also required for the sponsor’s spouse if applicable. TIERS now include pages and functionality to record and pend for Form H0004. The signature provides HHSC permissible purpose to access ELDS about the sponsor and (if applicable) the sponsor’s spouse.

Once the information regarding the sponsor and sponsor’s spouse (if applicable) along with their consent is received, TIERS accesses ELDS.

Sponsor(s)-Permission(s) provided for ELDS Service

The new page is located after the Initiate Interview LUW, and just before the Individual Information LUW in the driver flow. This page is queued in the driver flow for all MEPD and TW TOAs except MBCC and TWHP.

Each case individual is displayed on this page, along with following two questions, each with the selection of YES, NO or PEND.

- Is Permission Required?
- Individual Provided Permission for ELDS Service?

Depending on the individuals in the case, the questions on this page may be mandatory. Permission is required from the sponsor if the alien indicates he/she has a sponsor (and spouse is applicable) and the sponsor is not requesting aid.

When the questions on the permissions page are set to PEND, TIERS pend the Form H0004 for permission from the sponsor to use ELDS.

If Form H0004 is not returned, TIERS will not retrieve or use ELDS information to verify the sponsor’s demographic and income information. Specialists must request verification of income and resources from the alien or the alien’s sponsor.
### Sponsor(s)-Permission(s) provided for ELDS Service

<table>
<thead>
<tr>
<th>Case Individual</th>
<th>Is Permission Required?</th>
<th>Individual Provided Permission for ELDS Service</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td></td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td></td>
<td>PEND</td>
<td></td>
</tr>
<tr>
<td></td>
<td>NO</td>
<td>NO</td>
</tr>
</tbody>
</table>

**Case Name:** [Redacted]
**Case #:** [Redacted]
**Case Mode:** Approved
**Case Status:** Complete Action
Note: During add-a-person, permission is collected in the Individual LUW. In an add-a-person scenario, these questions are activated on the Individual Information page.

Alien/Refugee-Details

When the alien indicates he/she has a sponsor, the specialist must answer the question on the Alien/Refugee-Details page accordingly. If there is a sponsor, to pend for the sponsor’s demographic, income, and resources information, set the question, Is there a VolAg or a sponsor for this Alien? to PEND. TIERS pends for the necessary information from the sponsor.
Form H1020, Request for Information or Action, will be mailed to the household requesting the following information:

- Alien sponsor name
- Alien sponsor DOB
- Alien sponsor SSN
- Alien sponsor earned income
- Alien sponsor unearned income
- Alien sponsor self-employment income
- Alien sponsor resources

If permission to use ELDS information is received for the sponsor and/or sponsor’s spouse, ELDS may retrieve the same information requested by the Form H1020.

If the sponsored alien does not return Form H0004 with the missing information, specialists must return to the Sponsor(s)-Permission(s) provided for ELDS Service page to update the question, Individual provided permission for ELDS service? to NO. This ensures the VCL is cleared and TIERS knows not to use ELDS information for the alien sponsor. Process the case/EDG using only the information provided by the sponsored alien.

**Alien Sponsor ELDS Information**

When TIERS retrieves ELDS information for an alien, this includes information indicating whether he or she may be a sponsored alien. The SAVE information may be available in real time or ELDS processing timelines may delay this information and it will not be available in real time.

An ELDS block will display on both the Alien/Refugee - Summary and the Alien/Refugee - Details pages. There are two new pieces of information displayed in this block:

- Alien Sponsor Info Returned?
- Is Alien Sponsor Info Likely?
If SAVE information is returned and indicates there is an alien sponsor, the question, *Alien Sponsor Info Returned?* is set to YES. When ELDS SAVE alien sponsor information is not available or is delayed and it is likely that sponsor information exists, the question, *Is Alien Sponsor info Likely?* is set to YES. The specialist is notified via a missing information task when the information is returned from ELDS.

TIERS sets the answer to the question, *Is there a VolAg or Sponsor for this alien?* according to the information received from ELDS SAVE. TIERS hard pends this question when ELDS SAVE alien sponsor information is delayed, but it is likely that sponsor information exists.

If ELDS SAVE alien sponsor information is not returned by the final due date and the client states he/she does not have a sponsor, the specialist must clear the hard pend and certify the EDG if all other eligibility criteria is met.
Alert #837, Missing Information Received

TIERS may receive alien sponsor information from ELDS SAVE through a delayed response from Data Broker. When TIERS receives this information from Data Broker, TIERS generates Alert #837 - Missing Information Received. This alert generates a task with the same name, Alert #837, Missing Information Received. This task requires specialists to navigate to the Alien/Refugee LUW to view and process the alien sponsor information received from ELDS.

Organization Questions

There are two new fields on the Alien/Refugee - Details page:

- Is there verification the organization no longer exists?
- Did the organization provide income and resources information?

These fields capture information about an alien who is applying for TANF and is sponsored by an organization. These questions do not apply to an alien applying for only MEPD programs.

ELDS Information and File Clearance

Specialists must perform inquiry prior to doing file clearance to avoid assignment of duplicate individual numbers.

If there is ELDS sponsor information, the following message appears at the top of the Alien/Refugee - Sponsor page:

“Before accept, please add the sponsor on the Individual LUW or identify the sponsor as an existing individual with the FC button.”

Before accepting any ELDS information into TIERS, the specialist must make sure the individual exists in TIERS. There are two ways to do this.

The first option requires the advisor to:

- Enter the individual in the Individual Information LUW and perform File Clearance following current processes.
- Use the File Clearance option on the ELDS block on the Alien/Refugee-Sponsor page to perform File Clearance from the Alien/Refugee LUW.

The second option requires staff to perform File Clearance from the Alien/Refugee-Sponsor page, which may be useful if the applicant has not yet reported a sponsor, but SAVE information indicates a sponsor exists.
To perform File Clearance from the Alien/Refugee-Sponsor page, first select the FC hyperlink for the appropriate Alien Sponsor Name. The sponsored alien applying for benefits may have
multiple sponsors, so SAVE may return more than one record. Selecting the FC hyperlink opens the Sponsor(s)-Alien Sponsor FC Match page.

Sponsor(s)-Alien Sponsor FC Match page

This page displays the following information for individuals already in TIERS that may match the information returned from SAVE:

- The Sponsor column lists the name of the sponsor that was returned from SAVE
- The Existing Individual(s) column lists the name, age, and gender of the existing TIERS individual that may match this SAVE information
- The Score column shows a match score for the individual, which TIERS uses to indicate the quality of the match between the SAVE individual and the existing TIERS individual
- The FC Match Individual column displays the individual number for the existing TIERS individual
- The Individual Exists in Current Case column shows YES if the existing individual is already in the sponsored alien’s case and NO if the existing individual is not already in the sponsored alien’s case

Match

If there is a match between the SAVE information and an existing TIERS individual, verify that it is the correct individual, select the matching individual, and Submit to perform File Clearance. At that time, the SAVE information will populate the Alien/Refugee-Sponsors page with the
applicable sponsor information and the existing individual’s information will also be associated to the sponsored alien’s case.

**IMPORTANT:** When adding a sponsor or a sponsor’s spouse as a case individual, the specialist must return to the **Individual Household Status** page to make sure that:

- *Out of Household* is selected for the *Household status?* field.
- *NO* is selected for the fields *Is still part of MAGI household?* and *Temporarily Absent?*

The answers to these questions determine how the individual is counted in the sponsored alien's budget group. If the sponsor or sponsor's spouse is not indicated as *Out of Household*, TIERS will not apply alien sponsor budgeting rules.

**No Match**

If the sponsor information from SAVE does not match any existing TIERS individual, select *Cancel* to return to the **Alien/Refugee - Sponsor** page.

If the individual provided by SAVE appears to be new to TIERS, return to the **Individual Information** LUW and accept the ELDS information there to establish the sponsor as a new individual in TIERS.

**Alien Sponsor/Spouse Information**

Specialists must enter the alien sponsor and alien sponsor’s spouse information on the **Alien/Refugee-Sponsor** page. The alien sponsor must be added to the case as an individual. If the alien sponsor’s spouse has signed an affidavit of support (USCIS I-864 or I-864A), add the alien’s sponsor’s spouse to the case as well. See MEPDH Section D-9230 for more policy information.

If the spouse is not also a sponsor, do not enter the spouse as a case individual. Specialists must enter the spouse in the **Alien Sponsor's Spouse Information** section of the **Alien/Refugee - Sponsor** page. If the sponsor’s spouse does not live with the sponsor, do not enter the sponsor’s spouse into TIERS.

1st Example: Jean is a sponsored alien applying for benefits. She is sponsored by David, who lives outside Jean's household with his wife, Linda. Both David and Linda have signed an affidavit of support for Jean. Since they both signed the affidavit, David and Linda are entered as individuals in the **Individual Information** LUW and added to the case. TIERS will count the income and resources of both David and Linda in Jean's budget.

2nd Example: Alan is a sponsored alien applying for benefits. He is sponsored by Janet, who lives outside Alan’s household with her husband, Edward. Janet has signed an Affidavit of Support for Alan, but Edward has not. Janet is added to the case as a case individual. Edward is not added as a case individual. Edward’s information is only recorded in the **Alien Sponsor's**
**Spouse Information** section of the **Alien/Refugee - Sponsor** page. TIERS will count only the income and resources of Janet in Alan's budget.

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**Contributed Income/Resources**

In the **Sponsor Information** section of the **Alien/Refugee - Sponsor** page, the field, **Contributed amount for this individual**, has been replaced with the following two fields:

- *Monthly income amount contributed for this individual*
- *Monthly resources contributed for this individual*

Specialists must complete these fields when a sponsor is contributing income and/or resources to the sponsored alien. The information must be provided by the alien or the alien's sponsor and will be used to determine if the alien meets indigent criteria. For SNAP, the information is used to determine the sponsor's gross countable income.

**Note:** TIERS does not have VCLs for these questions. If the alien does not provide the required information, attempt to contact the individual by telephone to confirm these amounts. If unable to contact the individual, create an unearned income record for the sponsored alien and select **Not Verified** on the **Unearned Income-Payments** page. TIERS will pend the EDG for the income information. Document in the following places:

- On the **Form H1020** indicate the alien must provide information about the income and resources that their sponsor gives them;
- In case comments, document that the EDG has been pended for information about contributed income and resources.

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**Sponsor Expenses**

There are three other new fields on the **Alien/Refugee - Sponsor** page:

- Total alimony expenses the sponsor pays to persons living outside the home
- Total amount the sponsor pays to a claimed tax dependent living outside the home
• Total child support expenses the sponsor pays to persons living outside the home

These questions refer to an individual who is living outside of the sponsor’s home.

TIERS deducts these expenses when determining the income of the sponsor and the sponsor’s spouse for TW programs. TIERS does not use these fields for MEPD programs. For existing cases, these new fields will be defaulted to $0. MEPD specialists do not need to update these fields.

**Note:** TIERS does not have VCLs for these questions. The EDG must be manually pended to collect this information.

**Recording Multiple Sponsors**

Once the **Alien/Refugee - Sponsor** page is completed for an alien sponsor, click **Add** to save the record. If the sponsored alien has multiple sponsors, complete the page and click **Add** again to add another sponsor. The specialist must repeat these steps until all applicable sponsors are added to the page. Use the **Edit** icon to update a sponsor record or the **Delete** icon to remove a sponsor record.

The **Alien/Refugee** LUW creates records based on the sponsored alien. If an individual sponsors multiple immigrants in the case, complete the **Alien/Refugee—Sponsor** page for each sponsored alien.

**New RC Result**

At redetermination, a new RC result, **No Permission Granted**, may appear on the **EDG Summary** page when the question, **Individual Provided Permission for ELDS Service?**, is set to **NO** on the **Sponsor(s)-Permission(s) provided for ELDS Service** or **Individual Information** page.
The RC result of *No Permission Granted* indicates the Alien Sponsor did not give HHSC permission to use their ELDS information. TIERS will run the regular financial rules since it cannot compare the ELDS information to the client statement for the RC process.

For example: Gloria is a sponsored alien who is applying for benefits. Daisy, her cousin who lives in another city, is her sponsor. Daisy does not provide permission to use ELDS information. The specialist must select *NO* for the question, *Individual Provided Permission for ELDS Service*?

However, Gloria provides paper verification of Daisy’s demographic, income, and resource information. Since TIERS cannot use ELDS information for Daisy, it does not run the RC process and only runs regular financial rules. The RC result is *No Permission Granted*.

Since Gloria provided all necessary verification, including Daisy’s information, she may be eligible for benefits.
<table>
<thead>
<tr>
<th>Name</th>
<th>Certified Group</th>
<th>Relationship</th>
<th>Indigent Alien</th>
<th>Participation Status</th>
<th>Type of Assistance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Walker, Johnny</td>
<td>Y</td>
<td>Self</td>
<td>N</td>
<td>Eligible Adult</td>
<td>ME - State Group Home</td>
</tr>
<tr>
<td>Walker, Jane</td>
<td>N</td>
<td>Wife</td>
<td>N</td>
<td>Other Adult</td>
<td>ME - State Group Home</td>
</tr>
</tbody>
</table>

**Medicaid Eligibility-EDG Summary page**

**Indigent Alien Field**
At the bottom of the **EDG Summary** page, new information, **Indigent Alien**, appears for each individual. TIERS will set this field to **Y**, if the individual is a sponsored alien whose total income in the month of application does not exceed the SSI income limit for an individual.

If an individual is identified as an **Indigent Alien**, TIERS will not include the income of the alien sponsor in the budget. TIERS will use the information entered on the **Alien/Refugee Sponsor** page to calculate the budget. TIERS adds the income entered for **Monthly income amount contributed for this individual** to the sponsored alien’s total income.

For example, Vera is an immigrant being sponsored by her brother, Isaac, who lives in a different city. She makes $100 a month. Isaac is giving Vera a cash contribution of $200 monthly. When TIERS calculates the budget, it counts Vera’s own income, $100 a month, and adds the amount from the field **Monthly income amount contributed for this individual**. Vera’s total income is $300 a month, which is below the SSI FBR for an individual. Therefore, Vera is considered an indigent alien, and her sponsor’s income and resources are not deemed to her budget.

**Alien Sponsor Income Hyperlink**

On the **ME-Institutional/Waivers Income Results** page, a hyperlink appears for **Deemed Income from Alien Sponsor**. The amount for **Deemed Income from Alien Sponsor** is counted in the total income for an EDG with an alien sponsor. When the hyperlink is selected, a breakdown of the Alien Sponsor budget appears. If TIERS determines the sponsored alien is indigent, this link is disabled.
ME-Institutional/Waivers Income Results page

ME-EDG Alien Sponsor Group Income Results Page

The Deemed Income from Alien Sponsor hyperlink leads to the ME-EDG Alien Sponsor Group Income Results page. Here, TIERS displays the information for the Alien Sponsor’s Countable Income to be included in the Medicaid budget.

TIERS calculates and displays the earned and unearned income for the sponsor and the applicable allocations for the sponsor, sponsor’s spouse, and sponsor’s dependents on the ME-EDG Alien Sponsor Group Income Results page.

TIERS calculates the allocations using information from the Alien/Refugee-Sponsor page. The allocation for the sponsor is equal to the individual SSI FBR amount. The allocation for each dependent of the sponsor is equal to one-half of the individual SSI FBR. TIERS then subtracts the allocations from the sponsor’s gross income to arrive at the Alien Sponsor’s Countable Income.
On the **ME-Resource Results** page, a new item appears in the calculation of the EDG’s resources. The amount for Deemed Resources from alien sponsor is the amount of the alien sponsor’s resources that TIERS will count for the EDG.
FS-EDG Alien Sponsor Group Income Results

The Alien Sponsor Group Applied Income hyperlink on the FS Gross Income/165% Income Results page leads to the FS-EDG Alien Sponsor Group Income Results page. Here, TIERS displays information from the alien sponsor that is considered for the SNAP budget.

For SNAP, TIERS uses 20% of the Sponsor's monthly gross earned income for the Work Related Expense Deduction.

TIERS calculates a Needs Deduction using information from the Alien/Refugee-Sponsor page. TIERS allows a needs deduction that corresponds to the SNAP gross income limit for size of the alien sponsor's household. TIERS determines the sponsor's household size by adding together:
• The sponsor
• The sponsor’s spouse
• The total number of tax dependents of the sponsor and spouse, either living with or not living with the sponsor and/or spouse

TIERS then subtracts this *Needs Deduction* to arrive at the *Net Actual Income*.

TIERS then compares the *Prorated New Actual Income* to the *Monthly Contribution from Alien Sponsor*, which was entered on the *Alien/Refugee-Sponsor* page, and counts the larger of these two as the *Alien Sponsor’s Countable Income*. 
Effective Date

Changes are effective with the implementation of Release 92 scheduled on December 13, 2014 for actions processed effective January 2015 and ongoing.

Handbook

The Texas Works Handbook will be updated with the April 2015 revision.
Training

Training will be delivered via web-based courses and live webinars titled “Course D2: ACA – Alien Sponsor Income and Resources for MEPD.”