

# Bulletin

May 23, 2007

Minnesota Department of Human Services ■ PO Box 64943 ■ St. Paul, MN 55164-0943

**OF INTEREST TO**

- County and Tribal Social Services Directors
- Social Services Supervisors and Staff

**ACTION**

Please review and implement.

**EXPIRATION DATE**

May 23, 2009

## New Citizenship and Immigrant Status Verification Requirements For Children in Foster Care

**TOPIC**

Verification of citizenship and immigration status for children in foster care.

**PURPOSE**

To share new federal requirements as a result of The Tax Relief and Health Care Act of 2006 (Public Law (P. L. 109-432) which provided technical corrections to the Deficit Reduction Act of 2005, and more specifically amends Sections 471 and 1123A of Title IV-E of the Social Security Act.

**CONTACT**

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**SIGNED**

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CHARLES E. JOHNSON  
Assistant Commissioner  
Children and Family Services

New legislation (Public Law 109-432), requires state agencies to have procedures to verify the citizenship or immigration status of any child in foster care or receiving adoption assistance under the responsibility of the State under Title IV-E or IV-B. This requirement applies to all children in foster care, regardless of whether Title IV-E foster care maintenance payments are made on their behalf. These changes go into effect June 20, 2007. A state's conformity with this new requirement will be a part of future federal Child and Family Service Reviews (CFSR).

Minnesota has a screen in the Social Services Information System (SSIS) that satisfies this new requirement. Counties are **strongly** encouraged to use the Citizenship/MA/SSI Eligibility screen in SSIS. The citizenship screen is found under the Client Eligibility Log for each participant in a workgroup. Clicking on "New Citizenship" will bring up the citizenship screen displayed on page 3.

Counties need to make social workers and other staff aware of this new verification requirement, and ensure that appropriate procedures and documents are in place to verify citizenship and/or immigration status. Be aware that services cannot be withheld from a child due to lack of citizenship or immigration status verification. If parent(s) does(do) not or cannot provide citizenship and or immigration status documents, services still must be provided.

### **Citizenship Definitions**

**U.S. National** - a native-born or naturalized citizen or a person born in American Samoa or Swains Island who does not derive U.S. citizenship from a parent or acquire it from a spouse.

**Qualified non-national** - a person who is not a citizen but does have documentation supporting their legal presence in the U.S.

**Non-qualified non-national** - a person who is not a citizen and has no documentation supporting their legal presence in the U.S.

### **Method**

- The dropdowns available for method of citizenship verification are as follows:
- Adoption finalization papers
- American Indian card
- Birth certificate
- Census record
- Certificate of citizenship
- Certificate of naturalization
- Immigration/naturalization records
- Military records
- Report of birth abroad to U.S. citizen
- U.S. Consular statement

Citizenship/MA/SSI Eligibility			
Client: Name			
Citizenship			
<input type="radio"/> U.S. National (Includes citizens)			
<input type="radio"/> Qualified non-national			
<input type="radio"/> Non-qualified non-national			
Method:			Date Verified:
Legacy Health Care Programs			
MA Eligible	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> Unknown
			Date Verified:
MN Care Eligible	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> Unknown
			Date Verified:
SSI Eligible Status			
SSI Eligible	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> Unknown
			Date Verified:
		OK	Cancel

### Special Needs

This information is available in other forms to persons with disabilities by calling (651) 431-4660), or contact us through the Minnesota Relay Service at (800) 627-3529 (TTY) or (877) 627-3848 (speech-to-speech relay service).