

Testimony on HB 2576 concerning immigration; public benefits

Chair Brunk and members of the committee, thank you for the opportunity to provide testimony on HB2576. The Kansas Association of Local Health Departments (KALHD) does not support the bill as currently written as it is unclear as to what public programs it will impact and implementation will place a significant financial burden on local health departments.

The bill requires individuals to provide proof of citizen or resident status by providing documentary evidence. Further, it states "no governmental entity shall provide any public benefit to any alien without verifying that the alien is lawfully present in the United States..." The bill also requires state, county, and local agencies to pay for verification that an alien is lawfully in the US through the Systematic Alien Verification for Entitlements (SAVE) programs at the time of application for public benefits.

Our concerns with the bill as written are:

- Determination of which programs qualify as "public benefits" is very complicated. Generally, federal regulations determine whether a program would be exempted (not a public benefit) from the verification requirement or not exempted (a public benefit). It may vary from agency to agency; the US Dept of Health and Human Services considers population-based services (i.e. vaccines) not to be public benefits and they are therefore exempt. However, programs like Medicaid are not exempt.
- It is unclear how programs with mixed funding (exempted federal or private funds combined with nonexempt state or local funds) would be impacted by this bill.
- Determining which programs and services are exempt versus nonexempt could be very complicated and will require investment of significant resources for training for staff on how to determine which programs are exempt and nonexempt.
- Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, national origin, gender, religion, age, and disability. As such, health departments should not differentiate among individuals on the basis of race, color, or national origin in the course of service delivery; meaning, individuals should not be singled out to provide additional documentation of citizenship or immigration status because they look or sound different. This means they will likely have to verify status of all individuals over the age of 18 seeking a nonexempt service.
- The bill requires all governmental entities providing public benefits to cooperate with and provide information to Homeland Security in the verification process. Since health departments do provide exempt services (such as vaccines), they will be providing such services to individuals whose status is exempt from verification. It will require a s

House Federal & State Affairs

Date: 2-16-12

Attachment # 26



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investment of resources to provide training to staff regarding what information may and may not be shared according to state and federal privacy laws.

- Local health departments will incur costs to register and use the SAVE system. The SAVE system requires a registration fee plus a per verification fee. Depending on which and how many programs are deemed to be nonexempt public benefits, the resulting costs for use of the SAVE system could be very costly for local health departments.

Because the bill as written is unclear regarding which programs verification is applicable to and because of the financial impact to local health departments, KALHD opposes passage of HB 2576.

Thank you for the opportunity to provide testimony. If you have any questions or would like to discuss in more detail, please contact Michelle Ponce, executive director at 785-271-8391.



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