

Legislative Analysis



RESTRICT CERTAIN SERVICES, GRANTS, AND PROGRAMS TO U.S. CITIZENS AND QUALIFIED ALIENS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4340 as introduced
Sponsor: Rep. Rylee Linting

Analysis available at
<http://www.legislature.mi.gov>

House Bill 4341 as introduced
Sponsor: Rep. Jamie Thompson

Committee: Government Operations
Complete to 4-23-25

SUMMARY:

House Bill 4340 would amend the Social Welfare Act to prohibit, except as otherwise provided under federal law, an individual who is not a United States citizen or a *qualified alien* as defined in federal law¹ from receiving services or grants or participating in a program under the act.

Proposed MCL 400.1d

House Bill 4341 would amend the State Housing Development Authority Act to prohibit, except as otherwise provided under federal law, an individual who is not a United States citizen or a *qualified alien* as defined in federal law from receiving services or grants or participating in a program under the act.

Proposed MCL 125.1413

FISCAL IMPACT:

House Bill 4340 would have an indeterminate fiscal impact on services described under the Social Welfare Act. Related to state Medicaid and public assistance programs, the bill would likely have no fiscal impact. Federal law prohibits non-legal residents from accessing Medicaid benefits, except in limited circumstances. Specifically, federal law allows for Medicaid reimbursements to medical providers for emergency services rendered to non-legal residents (who meet income eligibility requirements) only when a sudden onset of an acute physical or mental condition would, in the absence of immediate medical attention, reasonably place the individual's health in serious jeopardy, cause serious impairment to bodily functions, or cause serious dysfunction of any bodily organ or part. Federal law also requires these services to be rendered, pursuant to the Emergency Medical Treatment and Active Labor Act (EMTALA).

Similarly, federal law prohibits non-legal residents from accessing TANF, Supplemental Nutrition Assistance Program (SNAP), or Supplemental Security Income (SSI) benefits. While households including a non-legal resident may access benefits, assuming that the entire household meets the other eligibility criteria, department policy specifies that the benefits are

¹ <https://www.law.cornell.edu/uscode/text/8/1641>

prorated to only include the members of the household who are U.S. citizens or qualified non-citizens.

Related to child welfare services, federal Title IV-E funding, one of the largest federal funding sources for child welfare services, is only available to youth who are U.S. citizens or qualified non-citizens. According to department policy, in the event that a non-citizen child is removed from a home for abuse and neglect or adjudicated by the courts, it is determined whether to return the child their country of nationality or refer them to immigration services to remain in the country as a qualified non-citizen or work toward citizenship. The fiscal impact of the bill is unclear, as there is already department policy dictating the protocol for non-citizen children. It is currently unknown if any state general fund dollars are used to support non-citizen children in the child welfare space.

House Bill 4341 would not be expected to have any fiscal impact on the Michigan State Housing Development Authority or on other units of state and local government

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.