

2026 Regular Session

SENATE BILL NO. 194

BY SENATORS MIGUEZ AND HODGES

FUNDS/FUNDING. Requires the referral of applicants who fail citizenship or immigration verification to U.S. Immigration and Customs Enforcement. (8/1/26)

1 AN ACT

2 To amend and reenact R.S. 46:233.4, relative to public assistance; to provide for referral of
3 applicants for assistance who are not valid citizens or immigrants; to require
4 notification to federal authorities; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 46:233.4 is hereby amended and reenacted to read as follows:

7 §233.4. Verification of citizenship of applicants for public benefits

8 A. Except as prohibited by federal law, a state agency or political subdivision
9 shall verify that each applicant who applies for federal, state, or local public benefit
10 is a person who has been recognized as a citizen of the United States by birthright,
11 naturalization, or any other method provided for under applicable federal law or has
12 satisfactory immigration status as a qualified alien as defined in 8 U.S.C. 1641(b).

13 **B. For the purposes of Medicaid, Medicare, the Supplemental Nutrition**
14 **Assistance Program (SNAP), and any health plan offered through the**
15 **Affordable Care Act marketplace, the term "qualified alien" shall be limited to:**

16 **(1) An alien lawfully admitted for permanent residence as an immigrant,**
17 **as defined in 8 U.S.C. 1101(a)(15) and 1101(a)(20), excluding alien visitors,**

1 tourists, diplomats, students, and other individuals admitted temporarily
2 without intent to abandon a foreign residence.

3 (2) An alien granted the status of Cuban or Haitian entrant, as defined
4 in Section 501(e) of the Refugee Education Assistance Act of 1980 (Pub. L.
5 96-422).

6 (3) An individual lawfully residing in the United States pursuant to a
7 Compact of Free Association, as referenced in 8 U.S.C. 1612(b)(2)(G).

8 ~~B.C.~~ For an applicant claiming United States citizenship or satisfactory
9 immigration status under 8 U.S.C. 1641(b), the state agency or political subdivision
10 shall make every reasonable effort to ascertain verification of the applicant's
11 citizenship or immigration status.

12 D.(1) For any applicant seeking enrollment in Medicaid, the Louisiana
13 Department of Health shall provide a single reasonable opportunity period, not
14 to exceed the minimum period required under federal law, for verification of
15 United States citizenship or satisfactory immigration status as a qualified alien,
16 as defined in Subsection B of this Section, when such status cannot be verified
17 through available data sources.

18 (2) Medicaid coverage may be provided provisionally during the
19 reasonable opportunity period where required by federal law.

20 (3) Failure to submit acceptable documentation within the reasonable
21 opportunity period required under federal law shall result in denial or
22 termination of Medicaid eligibility, subject to required notice.

23 (4) No additional reasonable opportunity period shall be granted to any
24 applicant who has previously been denied eligibility at any time due to a failure
25 to verify citizenship or satisfactory immigration status.

26 (5) The department shall seek any state plan amendment or waiver from
27 the Centers for Medicare and Medicaid Services necessary to carry out the
28 provisions of this Section.

29 ~~C.E.~~ Upon the termination of any reasonable opportunity period to verify

1 citizenship status or receipt of a final verification that indicates that the applicant is
2 not a United States citizen or lacks satisfactory immigration status and has entered
3 the United States without inspection or admission or remained beyond the expiration
4 of his authorized period of stay, the state agency or political subdivision shall:

5 (1) Refer the applicant's information, including unsatisfactory immigration
6 status, to United States Immigration and Customs Enforcement.

7 (2) Provide a monthly report compiling the information pursuant to Paragraph
8 (1) of this Subsection to the secretary of state for voter list maintenance purposes.

9 (3) Terminate any recurring federal, state, or local public benefits as defined
10 in Subsection ~~E~~**H** of this Section.

11 **F. The entire income and financial resources of any individual rendered**
12 **ineligible for participation in SNAP under 7 U.S.C. 2015(f) and Subsections A**
13 **and B of this Section shall be considered available to the household and shall be**
14 **included in determining the eligibility and benefit allotment of the household of**
15 **which such individual is a member.**

16 ~~D.G.~~ A state agency or political subdivision that administers federal or state
17 public benefits shall report at the end of each fiscal year to the president of the
18 Senate, speaker of the House of Representatives, governor, and David R. Poynter
19 Legislative Research Library on the results of the citizenship verification
20 requirements of this Section. The report shall include but not be limited to the
21 number of individuals reported to United States Immigration and Customs
22 Enforcement and the number of individuals who had public assistance terminated in
23 accordance with this Section.

24 ~~E.H.~~ For the purposes of this Section, a federal, state, or local public benefit
25 shall include any retirement, welfare, health, disability, public or assisted housing,
26 food assistance, unemployment benefit, or any other similar benefit for which
27 payments or assistance are provided to an individual, household, or family eligibility
28 unit by an agency of the United States, this state, or a political subdivision of this
29 state or by appropriated funds of the United States, this state, or a political

1 subdivision of this state.

2 ~~F.I.~~ For purposes of any benefits paid by any public pension or retirement
3 system, fund, or plan, the verification of a public employee's United States
4 citizenship or satisfactory immigration status at the time of their enrollment in a
5 public pension or retirement system, fund, or plan shall satisfy the verification
6 requirements of Subsection A of this Section.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

DIGEST

SB 194 Engrossed

2026 Regular Session

Miguez

Present law requires a state agency or political subdivision to verify that each applicant for a federal, state, or local public benefit is recognized as a United States citizen or has satisfactory immigration status as a qualified alien defined in federal law.

Proposed law retains present law and provides that for purposes of Medicaid, Medicare, the Supplemental Nutrition Assistance Program (SNAP), and any health plan offered through the Affordable Care Act marketplace, the term qualified alien shall be limited to any one of the following:

- (1) An alien lawfully admitted for permanent residence as an immigrant, as defined in 8 U.S.C. 1101(a)(15) and 1101(a)(20), excluding alien visitors, tourists, diplomats, students, and other individuals admitted temporarily without intent to abandon a foreign residence.
- (2) An alien granted the status of Cuban or Haitian entrant, as defined in section 501(e) of the Refugee Education Assistance Act of 1980 (Pub. L. 96-422).
- (3) An individual lawfully residing in the United States pursuant to a Compact of Free Association, as referenced in 8 U.S.C. 1612(b)(2)(G).

Proposed law requires that the Louisiana Department of Health (LDH) provide a reasonable opportunity for an applicant for enrollment in Medicaid not to exceed the minimum time from required by federal law to verify citizenship or immigration status when the status cannot be verified through available data sources.

Proposed law provides that Medicaid coverage may be provided provisionally during the reasonable opportunity period where required by federal law and that failure to submit acceptable documentation within the reasonable opportunity period shall result in denial or termination of Medicaid eligibility.

Proposed law provides that no additional reasonable opportunity period is to be granted an applicant who has previously been denied eligibility at any time due to a failure to verify citizenship or satisfactory immigration status.

Proposed law requires LDH to seek any state plan amendment or waiver from the Centers from Medicare and Medicaid Services necessary to carry out the provisions of proposed law.

Proposed law provides that the entire income and financial resources of any individual rendered ineligible for participation in SNAP pursuant to federal law shall be considered available to the household and included in determining the eligibility and benefit allotment of the household of which the individual is a member.

Effective August 1, 2026.

(Amends R.S. 46:233.4)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Requires LDH to seek a state plan amendment or waiver from CMS as necessary.
2. Provides that the income and financial resources of an ineligible individual is included the determining the eligibility and benefit allotment to other members of the individual's household.