

NATIONAL SENIOR CITIZENS LAW CENTER

1709 WEST 8th STREET  
LOS ANGELES, CALIFORNIA 90017  
TELEPHONE (213) 483-3990

May 23, 1977

Executive Director  
PAUL S. NATHANSON

BRANCH OFFICE:  
Edward C. King  
Directing Attorney  
1200 - 15th Street, N.W.  
Washington, D.C. 20005  
(202) 872-1404

FOR YOUR IMMEDIATE ATTENTION

TO: PERSONS CONCERNED WITH THE SSI PROGRAM  
FROM: NATIONAL SENIOR CITIZENS LAW CENTER  
(Phil Goar)  
SUBJECT: Exclusion of elderly aliens from SSI (H.R. 7200,  
Section 115)

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An amendment to the SSI program which will deny benefits to most elderly aliens will be voted on by the House Ways & Means Committee within the next two weeks.

This amendment (Sec. 115 of H.R. 7200) would provide that the income and resources of an alien applying for SSI shall include all of the income and resources of a sponsor who has executed an "affidavit of support" on the alien's behalf. The inclusion of the sponsor's income and resources is limited to three years. However, it is not clear whether the three years runs from the date permanent residence begins, or from the date the alien applies for SSI. It is clear, however, that the alien is considered to have the income and resources of the sponsor whether or not such income and resources are actually available to the alien.

The amendment is intended to deny SSI to elderly aliens immigrating to the United States in order to join their families. Since most sponsors will have income in excess of \$177.80 per month (the federal SSI payment level as of 7/1/77), and/or resources in excess of \$1,500.00, SSI benefits will be denied the alien.

Those wishing to comment on this proposed legislation may wish to consider the following points:

- \* income and resources of the sponsor are considered available to the alien regardless of the fact that they are not available,
- \* all of the sponsor's income and resources are counted; there is no allowance for the sponsor's needs, or the needs of other family members,
- \* the "affidavits of support" referred to in the bill are not enforceable in courts,

- \* current law already requires the consideration of income and resources actually available to the alien,
- \* aliens who receive SSI benefits are not considered "public charges" by INS,
- \* the amendment singles out elderly aliens and their sponsors for unequal treatment.

A list of members of the Ways & Means Committee is attached, along with a copy of the amendment.

For further information, contact Phil Goar, NSCLC Los Angeles office.

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\*\* Chairman, Subcommittee on Public Assistance

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(202) 225-2536

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Washington, D.C. 20515  
(202) 225-2915

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223 Cannon House Office Bldg.  
Washington, D.C. 20515  
(202) 225-5761

Bill Gradison, Ohio\*  
1519 Longworth House Office Bldg.  
Washington, D.C. 20515  
(202) 225-3164

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\* Member, Subcommittee on Public Assistance

Attribution of Sponsor's Income  
and Resources to Aliens

Sec. 115. Section 1614 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"Income and Resources of Alien's  
Sponsor

"(g) For purposes of determining eligibility for and the amount of benefits for any individual who is an alien and whose permanent residence in the United States begins after the date of the enactment of this subsection, there shall be imputed to such individual the income and resources of any person who, as a sponsor of such individual's entry into the United States, executed an affidavit of support or similar agreement with respect to such individual, for the duration of the assurances of support contained in such affidavit or agreement; \* except that the preceding provisions of this subsection shall not apply with respect to any individual who is an 'aged, blind, or disabled individual' for purposes of this title by reason of blindness (as determined under subsection (a)(2)) or disability (as determined under subsection (a)(3)), from and after the onset of the impairment involved, if such blindness or disability commenced after the date of such individual's admission to the United States."

\* "not in excess of three years" added by Subcommittee on Public Assistance to version of bill reported to Ways & Means Committee

WHEREAS, AB 1147, as introduced by Assemblyman Lanterman (R-La Canada) would repeal Sections 1442 and 1442.5 of the Health and Safety Code, known as the "Beilensen Act," and

WHEREAS, the Beilensen Act currently requires that "the board of supervisors in each county, prior to closing a county hospital or other medical facility,... (or) eliminating any area of service ... or reducing the level of services provided to indigents, ... shall ... provide not less than 90 days public notice ... of public hearings to be held by the board prior to their decision to proceed ... (and) shall make findings based on these hearings that their proposed action will not have a detrimental impact on the health care needs of the indigents of the county,"and

WHEREAS, three times during the last two years, public hearings, held pursuant to the requirements of the Beilensen Act, have provided a forum in which the impact of the proposed cuts in county health services on the health of indigent persons has been documented, and

WHEREAS, these hearings have resulted in the withdrawal by the Los Angeles County Board of Supervisors of proposed cuts in health services to thousands of indigent persons,

BE IT THEREFORE RESOLVED THAT,

The Los Angeles County Democratic Central Committee goes on record as opposing AB 1147 or any other attempt to repeal the "Beilensen Act."

WHEREAS, President Carter is actively planning to introduce legislation which will provide for amnesty for many persons without documents residing in the United States on or before a cut-off date, and

WHEREAS, the California Senate is currently considering including a provision which would require a screening procedure to exclude persons without documents from receiving county health care services as part of a health appropriation bill (SB 660) intended to support financially troubled county hospitals throughout California, and

WHEREAS, SB 660, currently under consideration in the California Senate, includes a provision which would require county health programs to treat residents and non-residents alike in determining eligibility for health care services, and

WHEREAS, the County Board of Supervisors is considering a proposal by the Department of Health Services which would institute such a screening procedure for the purpose of denying county health services to persons without documents, and

WHEREAS, such a screening procedure would increase administrative costs and cause inconvenience and delays to all people trying to obtain county health services, and

WHEREAS, people of Latin American background would be subjected to special harassment in such a procedure, and

WHEREAS, county health services should be available to all who need them,

HEREFORE BE IT RESOLVED THAT,

The Los Angeles County Democratic Central Committee goes on record as opposing any attempt to deny county health services to anyone in need of them.

WHEREAS, the Los Angeles County Board of Supervisors has proposed major cuts in county health services three times in the last two years, and

WHEREAS, public hearings conducted by the Board of Supervisors pursuant to the requirements of the Beilensen Act, to determine the impact of these proposed cuts on the health of indigent persons have concluded that the proposed cuts would have a substantial, detrimental impact on the health of indigent persons, and

WHEREAS, these public hearings have resulted in the withdrawal by the Board of Supervisors of most (in two cases) or all (in one case) proposed cuts in health services to thousands of indigent persons, and

WHEREAS, the Board of Supervisors, with one notable exception among its five members, has nevertheless condoned the indirect reduction of county health services to indigent persons through hiring freezes imposed on the County Department of Health Services, and

WHEREAS, the Board of Supervisors, with one notable exception among its five members, has made no efforts at the state level during the last two years to obtain relief for financially troubled county hospitals comparable to its efforts to cut health care services to indigent persons,

Therefore Be It Resolved That,

the Los Angeles County Democratic Central Committee goes on record as opposing any further proposals by the Board of Supervisors for cuts in or any further indirect reductions through freezes on hiring of staff for county health services to indigent persons until the Board can demonstrate that it has made comparable efforts at the state level to obtain relief for financially troubled county hospitals.



- WHEREAS, the Health Systems Agency for Los Angeles County, Inc. (HSA), is currently being developed pursuant to the National Health Planning and Resources Development Act of 1974, (PL 93-641), and
- WHEREAS, the two major goals of the HSA are to control health care costs and provide for a more equitable distribution of health care resources, and
- WHEREAS, the HSA will have broad powers to achieve its goals, including review and approval authority over all capital expenditures for health care greater than \$150,000 and over most federal grants for health care in Los Angeles County, and
- WHEREAS, many health planners believe that the HSA will become the local, countywide planning body for any national health program which may be developed by the Carter Administration, and
- WHEREAS, the HSA for Los Angeles County will be governed by a 30-member (16 consumers and 14 providers) countywide HSA governing body and five similarly composed 30--member Sub-Area Council (SAC) governing bodies, and
- WHEREAS, eighteen members (11 consumers and 7 providers of health care services) of each 30-member SAC governing body will be directly elected by the membership of each SAC, and
- WHEREAS, any person of voting age may appear in person at any SAC meeting and register as a member of the SAC in the supervisorial district in which s/he resides at one of the four remaining SAC meetings prior to May 21, 1977, and vote for 18 representatives to the SAC governing body at polling places throughout the county on Saturday, June 21, 1977, and
- WHEREAS, the majority of the HSA/SAC members currently registered are health care providers who have strong conflicts of interest with the goals of the HSA and many of whom were strongly urged by their employers to register or even transported to HSA headquarters in busses provided at their employers' expense, and
- WHEREAS, the election of representatives to the HSA/SAC governing bodies is, in effect, an election of a quasi-government for health care services in Los Angeles County, and
- WHEREAS, the delegates to the Democratic Central Committee and the Democratic Club members and grass-roots democrats whom they represent are, as a group, largely free of the conflicts of interest which characterize the motives of the majority of current HSA/SAC members,

THEREFORE BE IT RESOLVED THAT,

the Los Angeles County Democratic Central Committee goes on record as urgently requesting all Democrats in Los Angeles County to mobilize immediately and participate in the election of representatives to HSA/SAC governing bodies just as they would mobilize and participate in any other election of representatives to any other governing body which will have far-reaching effects on their lives.

attachment: