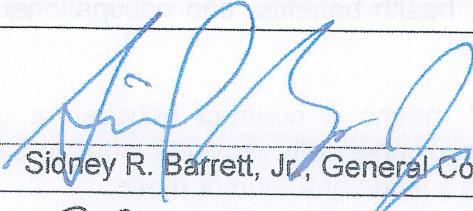
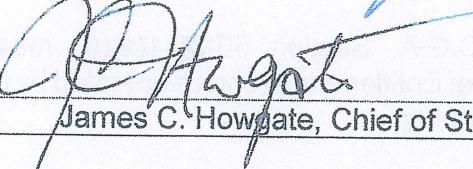




GEORGIA DEPARTMENT OF PUBLIC HEALTH  
POLICY # GC-09008  
ALIEN RESIDENCY VERIFICATION POLICY

Georgia Department of Public Health

Approval:		16 July 2013
	Sidney R. Barrett, Jr., General Counsel	
		8/1/13
	James C. Howgate, Chief of Staff	

## 1.0 PURPOSE

1.1 **AUTHORITY** – The Georgia Department of Public Health (DPH) Alien Residency Verification Policy is published under the authority of DPH and in compliance with the following:

1.1.1 Official Code of Georgia Annotated (OCGA), Sections:  
13-10-90 et seq; 36-91-2(12); 50-36-1 et seq.

1.1.2 The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 8 U.S.C. Sections 1601 through 1646

## 2.0 SCOPE

This policy applies to all applications for employment with DPH; to all contracts let by DPH for the physical performance of services; and to the issuance of licenses and non-exempt “public benefits” by DPH and by the Health Districts.

## 3.0 POLICY

The policy of the Department of Public Health is to verify that contractors and applicants for a license or public benefit are lawfully present in the United States where required by law to do so. This requirement is in addition to any other program eligibility requirements applicable to that license or public benefit.

## 4.0 DEFINITIONS

4.1 “**Applicant**” as defined by O.C.G.A. Section 50-36-1(a)(3) means a person 18 years of age or older who has made application for access to public benefits on behalf of an individual, business, corporation, partnership, or other private entity.

4.2 “**Public benefit**” as defined by O.C.G.A. Section 50-36-1(a)(4) means a federal, state or local benefit for which application is made by a person 18 years of age or older, including without limitation the following: adult education, authorization to conduct a commercial enterprise or business, business license, certificate, or

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## 6.2 EMPLOYMENT WITH DPH.

All applicants for employment with DPH shall be required to demonstrate United States citizenship, or lawful presence in the United States and legal eligibility to hold employment. Verification shall be made through the *E-Verify* system. DPH shall publish on its website the federally issued *E-Verify* user identification number and the date of authorization.

## 6.3 REPORTING

The Division of General Counsel shall be responsible for timely filing on or before 31 December of each year a report to the Department of Audits and Accounts certifying compliance with O.C.G.A. Sections 50-36-1 *et seq.* and 13-10-91, with DPH's federal work authorization program verification user number and, for each public services contract let by DPH that year, the date of issuance, the vendor's legal name, address, and federal work authorization verification user number.

## 6.4 PUBLIC BENEFITS AND LICENSES.

6.4.1 DPH program managers shall be responsible for identifying and reporting to General Counsel any license issued by DPH and any public benefit offered upon application by an applicant, whether that benefit is offered directly by DPH or through a contractor, grantee, or vendor working under contract to DPH.

6.4.1.1 General Counsel shall determine whether or not an applicant for a particular license or public benefit is legally subject to the requirement of verification. An applicant shall be subject to verification unless it is determined that:

6.4.1.1.1 lawful presence within the United States is not required by law, ordinance, or regulation for that benefit;

6.4.1.1.2 the benefit is assistance for health care items or services that are necessary for the treatment of an emergency medical condition of the applicant as defined in 42 U.S.C. Section 1396b(v)(3) and are not related to an organ transplant procedure;

6.4.1.1.3 the benefit is short-term, non-cash, in-kind emergency disaster relief;

6.4.1.1.4 the benefit is public health assistance for immunization with respect to immunizable diseases, and for testing or treatment of symptoms of communicable diseases, whether or not such symptoms are caused by a communicable disease;

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**6.4.1.2.4** An applicant applying for or renewing an application for a public benefit who has previously submitted a secure and verifiable documents and a signed and sworn affidavit that he or she is a United States citizen shall not be required to resubmit such documentation.

## 7.0 REVISION HISTORY

REVISION #	REVISION DATE	REVISION COMMENTS
0	January 17, 2012	Initial Issue
1	July 24, 2012	Annual review and update. Reformat to new template
2	July 1, 2013	Updated to reflect House Bill 160, enacted in 2013

## 8.0 RELATED FORMS

**GC09008A – Contract Attachment "I" for Public Works Contracts**

**GC09008B – Affidavit for Public Benefits**

**GC09008C – Affidavit for License**

- An unexpired Employment Authorization Document that contains a photograph of the bearer [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- An unexpired passport issued by a foreign government, provided that such passport is accompanied by a United States Department of Homeland Security (“DHS”) Form I-94, DHS Form I-94A, DHS Form I-94W, or other federal form specifying an individual’s lawful immigration status or other proof of lawful presence under federal immigration law<sup>1</sup> [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- An unexpired Merchant Mariner Document or Merchant Mariner Credential issued by the United States Coast Guard [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- An unexpired Free and Secure Trade (FAST) card [O.C.G.A. § 50-36-2(b)(3); 22 CFR § 41.2]
- An unexpired NEXUS card [O.C.G.A. § 50-36-2(b)(3); 22 CFR § 41.2]
- An unexpired Secure Electronic Network for Travelers Rapid Inspection (SENTRI) card [O.C.G.A. § 50-36-2(b)(3); 22 CFR § 41.2]
- An unexpired driver’s license issued by a Canadian government authority [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- A Certificate of Citizenship issued by the United States Department of Citizenship and Immigration Services (USCIS) (Form N-560 or Form N-561) [O.C.G.A. § 50-36-2(b)(3); 6 CFR § 37.11]
- A Certificate of Naturalization issued by the United States Department of Citizenship and Immigration Services (USCIS) (Form N-550 or Form N-570) [O.C.G.A. § 50-36-2(b)(3); 6 CFR § 37.11]
- Certification of Report of Birth issued by the United States Department of State (Form DS-1350) [O.C.G.A. § 50-36-2(b)(3); 6 CFR § 37.11]
- Certification of Birth Abroad issued by the United States Department of State (Form FS-545) [O.C.G.A. § 50-36-2(b)(3); 6 CFR § 37.11]

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<sup>1</sup> Senate Bill 160 (Act No. 27), effective July 1, 2013, limited the use of passports issued by foreign nations to satisfy the requirements for submission of secure and verifiable documents to only those passports submitted in conjunction with a United States Department of Homeland Security (“DHS”) Form I-94, DHS Form I-94A, DHS Form I-94W, or other federal form specifying an individual’s lawful immigration status or other proof of lawful presence under federal immigration law.



Brenda Fitzgerald, MD, Commissioner | Nathan Deal, Governor

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## GEORGIA DEPARTMENT OF PUBLIC HEALTH

### Verification of Residency for Public Benefits O.C.G.A. Section 50-36-1(e)(2)

As part of my application for public benefits from the Georgia Department of Public Health, I hereby swear, under oath, that I am:

*[check one of the following]*

(1)  A citizen of the United States;

(2)  A legal permanent resident of the United States;

or

(3)  A qualified alien or non-immigrant under the Federal Immigration and Nationality Act. The alien number assigned to me by the United States Department of Homeland Security or other federal immigration agency is Alien Number \_\_\_\_\_.

I also swear that I am eighteen years of age or older, and that I have provided at least one secure and verifiable identity document with this affidavit, as required by O.C.G.A. Section 50-36-1(e)(1). That secure and verifiable document is my \_\_\_\_\_.

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In making these representations, I understand that any person who knowingly and willfully makes a false statement in an affidavit on any matter within the jurisdiction of state government shall be guilty of a violation of O.C.G.A. Section 16-10-20 and face the criminal penalties authorized by that statute.

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Signature of Applicant

Subscribed and sworn before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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Printed Name of Applicant

Notary Public  
My commission expires \_\_\_\_\_.