



KANSAS

OFFICE OF THE GOVERNOR

KATHLEEN SEBELIUS, GOVERNOR

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AUG 24 2006

EXECUTIVE DIRECTIVE NO. 06-371

Kansas Health Policy Authority

**Validation of Lawful Presence in the United States
of Certain State Benefit Recipients Eighteen Years of Age or Older**

By virtue of the authority vested in the Governor as the head of the Executive Branch of the State of Kansas, the following actions are hereby directed:

Kansas executive branch agencies shall establish procedures to validate the lawful presence within the United States of all persons age eighteen years of age or older receiving public benefits for which the recipient is required to prove lawful presence within the United States. Such action is directed because although immigration reform is an issue that must be dealt with by our federal government; in a cooperative effort with such reform, the State of Kansas will hereby specifically address the challenges of undocumented immigration in Kansas.

Public benefits provided by Kansas executive branch agencies should be limited to those persons eligible to receive such benefits. Validation procedures will minimize state resources improperly being directed to undocumented immigrants in cases when such persons are not entitled to such benefits. Further, such validation will deter future undocumented immigration to the State of Kansas.

Except as otherwise provided by law, each Kansas executive branch agency shall develop and implement, in each State of Kansas program which makes such documentation a requirement to receive the benefit, compliance procedures to verify the lawful presence within the United States of each person eighteen years of age or older who applies for public benefits. Such compliance procedures shall not exceed any applicable requirements of federal law, and shall not be instituted where not required by federal law.

This Order shall be enforced without regard to race, religion, gender, ethnicity, or natural origin. Verification of lawful presence in the United States shall not be required:

- (a) For any purpose for which lawful presence in the United States is not required by law;
- (b) For obtaining health care items and services that are necessary for the treatment of an emergency medical condition;
- (c) For short-term emergency disaster relief; or
- (d) For prenatal care.

Capitol, 300 SW 10th Ave., Ste. 212S, Topeka, KS 66612-1590

Voice 785-296-3232

Fax 785-296-7973

www.ksgovernor.org

governor@state.ks.us

THE GOVERNOR'S OFFICE

By the Governor

William J. Sebelius

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Date

Ron Thornburgh

Secretary of State

Mark J. ...

Assistant Secretary of State

FILED
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RON THORNBURGH
SECRETARY OF STATE