

**SB61 INTRODUCED**



1 SB61  
2 NRXZ988-1  
3 By Senator Orr  
4 RFD: Finance and Taxation General Fund  
5 First Read: 13-Jan-26



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4     SYNOPSIS:

5                 Under existing law, the Alabama Medicaid Agency  
6     (the agency) conducts eligibility determinations for  
7     Medicaid.

8                 Also under existing law, certain households are  
9     categorically eligible for Supplemental Nutrition  
10   Assistance Program (SNAP) benefits because of their  
11   eligibility for other public assistance, benefits, or  
12   services, including certain noncash or in-kind  
13   benefits.

14                This bill would prohibit the Alabama Medicaid  
15   Agency from accepting certain self attestations or  
16   eligibility determinations for Medicaid.

17                This bill would require the agency to enter into  
18   data matching agreements with certain state agencies to  
19   cross-check Medicaid eligibility with other data  
20   relating to income, employment, assets, and other  
21   relevant information.

22                This bill would require the State Department of  
23   Human Resources (the department) to enter into data  
24   matching agreements with certain state agencies to  
25   cross-check food assistance eligibility with other data  
26   relating to income, employment, assets, and other  
27   relevant information.

28                This bill would require the agency and the



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29 department to regularly review certain related federal  
30 data to assess continued eligibility for public  
31 assistance and, if necessary, act on any changes.

32 This bill would require the agency and the  
33 department to regularly publish data relating to  
34 investigations of fraud and noncompliance.

35 This bill would prohibit the department from  
36 granting categorical eligibility for SNAP benefits,  
37 except as where required by federal law.

38 This bill would prohibit the department from  
39 applying gross income standards or allowable financial  
40 resources standards for eligibility for food assistance  
41 at an amount higher than as specified in federal law.

42 This bill would require the department to assign  
43 certification periods for SNAP benefits, with the  
44 length of the period dependent on certain household  
45 characteristics.

46 This bill would also require the agency and the  
47 department to adopt rules.

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49

50 A BILL

51 TO BE ENTITLED

52 AN ACT

53

54 Relating to public assistance; to provide further for  
55 eligibility determinations for Medicaid; to prohibit certain  
56 self attestations for Medicaid eligibility; to require the

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57 Alabama Medicaid Agency to enter into data matching agreements  
58 with certain state agencies to cross-check Medicaid  
59 eligibility; to require the State Department of Human  
60 Resources to enter into data matching agreements with certain  
61 state agencies to cross-check food assistance eligibility; to  
62 prohibit the department from granting categorical eligibility  
63 for SNAP benefits; to further provide for gross income  
64 standards and allowable financial resource standards for  
65 eligibility for food assistance; to require the agency and the  
66 department to regularly review certain federal data for  
67 purposes of confirming eligibility for public assistance; to  
68 require the agency and the department to publicize data  
69 related to investigations of fraud; to provide for  
70 certification periods for SNAP benefits; and to require the  
71 agency and the department to adopt rules.

72 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

73         Section 1. (a) For the purposes of this section, the  
74 term "eligibility" refers to eligibility for participation in  
75 or receipt of benefits from Medicaid.

76             (b) (1) The Alabama Medicaid Agency may not accept  
77 eligibility determinations from an Exchange established under  
78 42 U.S.C. § 18041(c).

79             (2) The agency may accept assessments from an Exchange  
80 established under 42 U.S.C. § 18041(c), provided that the  
81 agency verifies eligibility and makes eligibility  
82 determinations.

83             (c) Except where required by federal law, the Alabama  
84 Medicaid Agency may not:



85 (1) Accept self-attestation of income, residency, age,  
86 household composition, caretaker or relative status, or  
87 receipt of other coverage without verifying that information  
88 prior to enrollment; or

89 (2) Request the authority to waive or decline to  
90 periodically check any available income-related data sources  
91 to verify eligibility.

92 (d) The Alabama Medicaid Agency shall enter into data  
93 matching agreements to receive and review information that may  
94 indicate a change in circumstances that may affect eligibility  
95 and cross-check households enrolled in Medicaid with other  
96 state data sets, including all of the following:

97 (1) On at least a monthly basis, information from each  
98 of the following:

99                   a. The Alabama Department of Public Health, including,  
100                   but not limited to, death records.

101                   b. The State Department of Human Resources, including,  
102                   but not limited to, potential changes in residency as  
103                   identified by out-of-state electronic benefit (EBT)  
104                   transactions.

105 c. The Department of Corrections, including, but not  
106 limited to, incarceration status.

107 (2) On at least a quarterly basis, information from  
108 each of the following:

109                   a. The Department of Workforce, including, but not  
110                   limited to, changes in employment, income, wages, assets, or  
111                   disability status.

112 b. The Department of Revenue, including, but not



113 limited to, potential changes in income, wages, or residency  
114 as identified by tax records.

115 (e) At least once a month, the Alabama Medicaid Agency  
116 shall assess continued eligibility and act on any changes that  
117 may affect eligibility based on a review of data from the  
118 following federal sources:

119 (1) From the United States Social Security  
120 Administration, earned income information, death register  
121 information, incarceration records, supplemental security  
122 income information, beneficiary records, earnings information,  
123 and pension information.

124 (2) From the United States Department of Health and  
125 Human Services, income and employment information maintained  
126 in the National Directory of New Hires database and child  
127 support enforcement data.

128 (3) From the United States Department of Housing and  
129 Urban Development, payment and earnings information.

130 (4) From the United States Federal Bureau of  
131 Investigation, national fleeing felon information.

132 (5) From the United States Postal Service, change of  
133 address information.

134 (f) Beginning not later than October 1, 2029, the  
135 Alabama Medicaid Agency shall submit enrollment information to  
136 the Centers for Medicare and Medicaid Services' national  
137 Medicaid enrollment database on a monthly basis for the  
138 purpose of identifying individuals who are enrolled in  
139 Medicaid in more than one state.

140 (g) On at least a quarterly basis, the Alabama Medicaid



141 Agency shall make available on its public website all of the  
142 following data from findings on noncompliance and fraud  
143 investigations, provided the data is presented in the  
144 aggregate and does not include confidential or personally  
145 identifying information:

146 (1) The number of Medicaid cases investigated for  
147 intentional program violations or fraud.

148 (2) The total number of Medicaid cases referred to the  
149 Attorney General's office for prosecution.

150 (3) Improper payments and expenditures.

151 (4) Monies received.

152 (5) Aggregate data concerning improper payments and  
153 ineligible recipients as a percentage of those investigated  
154 and reviewed.

155 (h) The Alabama Medicaid Agency shall adopt rules to  
156 implement and administer this section.

157 Section 2. (a) For the purposes of this section, the term  
158 "eligibility" refers to eligibility for food assistance,  
159 including the Supplemental Nutrition Assistance Program  
160 (SNAP).

161 (b) The State Department of Human Resources shall enter  
162 into data matching agreements to receive and review  
163 information that may indicate a change in circumstances that  
164 may affect eligibility and cross-check households enrolled in  
165 food assistance with other state data sets, including all of  
166 the following:

167 (1) On at least a monthly basis, information from each of  
168 the following:

169 a. The Alabama Department of Public Health, including,  
170 but not limited to, death records.

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171        b. The State Department of Human Resources, including,  
172 but not limited to, potential changes in residency as  
173 identified by out-of-state electronic benefit (EBT)  
174 transactions.

175        c. The Department of Corrections, including, but not  
176 limited to, incarceration status.

177        (2) On at least a quarterly basis, information from each  
178 of the following:

179        a. The Department of Workforce, including, but not  
180 limited to, changes in employment, income, wages, assets, or  
181 disability status.

182        b. The Department of Revenue, including, but not limited  
183 to, potential changes in income, wages, or residency as  
184 identified by tax records.

185        (c) At least once a month, the State Department of Human  
186 Resources shall assess continued eligibility and act on any  
187 changes that may affect eligibility based on a review of data  
188 from the following federal sources:

189        (1) From the United States Social Security  
190 Administration, earned income information, death register  
191 information, incarceration records, supplemental security  
192 income information, beneficiary records, earnings information,  
193 and pension information.

194        (2) From the United States Department of Health and Human  
195 Services, income and employment information maintained in the  
196 National Directory of New Hires database and child support  
197 enforcement data.

198        (3) From the United States Department of Housing and  
199 Urban Development, payment and earnings information.

200        (4) From the United States Federal Bureau of  
201 Investigation, national fleeing felon information.

202        (d) On at least a quarterly basis, the State Department  
203 of Human Resources shall make available on its public website



204 all of the following data from findings on noncompliance and  
205 fraud investigations, provided the data is presented in the  
206 aggregate and does not include confidential or personally  
207 identifying information:

208 (1) The number of households investigated for intentional  
209 program violations or fraud.

210 (2) The total number of households referred to the  
211 Attorney General's office for prosecution.

212 (3) Improper payments and expenditures.

213 (4) Monies received.

214 (5) Aggregate data concerning improper payments and  
215 ineligible recipients as a percentage of those investigated  
216 and reviewed.

217 (6) The aggregate amount of funds expended by EBT  
218 transactions in each state outside of Alabama.

219 (e) The State Department of Human Resources shall adopt  
220 rules to implement and administer this section.

221 Section 3. (a) Except as otherwise expressly required  
222 by federal law, the State Department of Human Resources may  
223 not do any of the following:

224 (1) Grant categorical eligibility for the Supplemental  
225 Nutrition Assistance Program (SNAP) under 7 U.S.C. § 2014(a)  
226 or 7 C.F.R. § 273.2(j)(2)(ii) for any noncash, in-kind, or  
227 other benefit.

228 (2) Apply gross income standards for SNAP higher than  
229 the standards specified in 7 U.S.C. § 2014(c) or allowable  
230 financial resources higher than the standards specified in 7  
231 U.S.C. § 2014(g)(1), except as provided in subsection (b).

232 (3) Grant categorical eligibility to exempt households  
233 from the gross income standards or allowable financial

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234 resource standards referenced in subdivisions (1) and (2) for  
235 any noncash, in-kind, or other benefit.

236 (b) The State Department of Human Resources may apply  
237 alternative vehicle allowance standards in accordance with 7  
238 U.S.C. §2014(g)(2)(D) when counting allowable financial  
239 resources and household income for purposes of determining  
240 SNAP eligibility.

241 Section 4. Unless otherwise prohibited under federal  
242 law, the State Department of Human Resources shall assign  
243 certification periods for the Supplemental Nutrition Program  
244 (SNAP) as follows:

245 (1) A period not longer than four months for: (i)  
246 households with zero net income; (ii) households that include  
247 an able-bodied adult without dependents; and (iii) households  
248 whose circumstances are determined by the department to be  
249 unstable.

250 (2) A period of one month or two months for households  
251 that the department determines will become ineligible for SNAP  
252 in the near future.

253 Section 5. This act shall become effective on October  
254 1, 2026.