

# AGRICULTURAL WORKER STATUS VERIFICATION: INTRODUCTION & POINTS TO REMEMBER

## INTRODUCTION

The Migrant Health Act of 1962 and the Health Centers Consolidation Act of 1996 authorized grants to migrant/community health centers and migrant voucher programs in order to provide health services to migratory and seasonal agricultural workers (farmworkers), their families, and to migratory workers that are no longer working in agriculture due to age or disability.

Agencies that receive migrant health funds under Section 330g of the Public Health Service Act must assure that grant funds are used to provide health services to the agricultural worker population. One way to ensure compliance with this requirement is to establish a standard process for verifying agricultural worker status for new health center patients. Status verification is the process by which Health Center Program grantees determine whether an individual seeking primary health care services can be classified as a migratory or seasonal agricultural worker, as defined by [Program Legislation](#) and interpreted by the Health Resources and Service Administration, Bureau of Primary Health Care on its [2012 Uniform Data System Manual](#).

The Bureau of Primary Health Care (BPHC) expects every health center grantee to develop a policy and procedure for verifying “Special Population” designation of its users, including agricultural workers. It is important to note that the Program Statute and Regulations in the Migrant Health Act are silent on the definitions of some key terms such as seasonality, family, and principal employment, among others. Therefore, in creating this toolbox, it is NCFH’s intent to provide practical recommendations based on our understanding of Congress’ intent when this Law was enacted, as well as the current barriers to care faced by the target population.

## POINTS TO REMEMBER

When establishing your agricultural worker status verification policy and procedure, please remember that:

- Identification and verification of Special Population (SP) Status and determining how services provided will be paid for are two separate functions that are often confused at the front desk during the intake process.
- Identification and documentation of SP Status (e.g., Migrant or Seasonal, Homeless, Public Housing, or Veteran) is important for the purposes of reporting and for treatment and follow up. Health Centers are required to report the number of patients that they serve who meet



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Special Population criteria. Special Population status is not an indication of insurance coverage or a third party payment source.

- Verifying insurance coverage, and/or income status for determination [of sliding fee scale](#) eligibility determines who and how services will be paid.
- Brief screening questions should be asked of all patients to identify special population status. ([See sample registration form](#)) If there is an indication of SP status, additional questions should be asked to verify Migrant or Seasonal status (See [Status Verification Migratory and Seasonal Agricultural Workers](#) and [Verificando el Estatus de los Trabajadores Agricolas Migratorios y Temporales](#)). These questions should be asked of everyone, regardless of their insurance coverage.
- These questions need to be asked of the parent/guardian if the patient is a minor or a dependent.
- Since Special Population status is independent of health insurance and/or eligibility for sliding fee scale, agricultural workers and family members are broadly defined as an extended family and the term is not restricted to immediate family relationships such as mother, father, son, daughter, etc. “Family” may include grandparents, domestic partners, common law relationships, and other extended family members living together.
- Workers who are seeking employment in agriculture can also be classified as migrant or seasonal agricultural workers, even if they have not worked in agriculture within the last 2 years.
- When describing their occupation, the majority of the agricultural (farmworkers) do not identify themselves with the terms migrant, seasonal, aged or disabled. They tend to describe themselves either by the crop they are working on, by the task they are performing, or by the location of their employment (see [How Farmworkers Identify Themselves](#)).
- The term agriculture means farming in all its branches as defined by the Office of Management and Budget-developed North American Industry Classification System and includes those workers employed in crop production, animal production and aquaculture, as well as support activities for both crop and animal production (See [North American Industry Classification System Codes Accepted by HRSA to Verify Status of Agricultural Workers for Health Center Program Grantees](#)).
- Agricultural workers are generally employed in agriculture for less than 30 weeks out of the year. When there is no employment in agriculture (see [Agricultural Tasks Performed by Migratory and Seasonal Agricultural Workers](#)), these workers will seek any kind of available temporary employment, such as landscaping, construction, meat processing plants, etc.
- More than three-fourths of all agricultural workers have either limited English proficiency or are monolingual in Spanish. A small number speak Indigenous languages.
- The average literacy level among the agricultural worker population is the 6th grade.



- Mobile populations such as migratory or recently settled seasonal agricultural workers may not have access to the documentation that your health center may require for clients from the more established population.
- A migrant health program can establish reasonable rules for “deeming” agricultural worker eligibility. For example: “All those residing in a migrant farmworker camp may be deemed to be qualified migratory agricultural workers when it has previously been established that most do qualify.” (Source: [Program Expectations for Voucher Programs: PIN 94-07](#), page # 12, E. Patient Eligibility, Fee Schedules, and Collections.)
- Throughout their careers, aged agricultural workers may have had taxes deducted from their salary but not forwarded to the Social Security Administration, which may make them unable to qualify for Social Security benefits, including Medicare.
- Some agricultural workers suffer disabling job-related injuries but do not receive workers’ compensation benefits and do not have a way to demonstrate that they are officially disabled.