

## **Questions And Answers On Health Center Voter Registration Activities**

**Q. Can a health Center participate in voter registration activities?**

Yes, provided that voter registration is handled in a completely nonpartisan manner. In fact, health centers that have outstationed Medicaid eligibility workers on site (either public employees or health center employees with delegated authority) may be required to do voter registration under the National Voter Registration Act, also known as "Motor Voter."

**Q. What are the risks if a health center does voter registration?**

A health center that does voter registration as a public service and remains nonpartisan has nothing to be concerned about. However, participating in partisan political activities will jeopardize a center's federal tax exemption and may violate the Federal Election Campaign Act. In addition, health centers that are part of a multi-service organization should keep in mind that some federal programs, e.g., Head Start, prohibit voter registration activities entirely. It is important, therefore, to assess whether there are any restrictions on voter registration imposed by a funding source.

**Q. What kind of nonpartisan voter registration activities are allowed?**

Health centers can make voter registration materials available for patients in waiting rooms and allow local voter registration officials or private nonpartisan organizations, such as the League of Women Voters, to do voter registration on-site. Health centers also can encourage patients to register to vote, help patients to complete registration forms, and send completed forms to the election authorities, as long as they do not suggest how patients should vote or that patients should register as members of a particular political party.

**Q. Are there other things to avoid when a health center does voter registration?**

Yes. A health center should be careful not to imply that its services are dependent in any way upon a patient's decision to register or not to register to vote. Centers should not permit candidates or political parties to post or to distribute campaign materials in connection with a voter registration drive.

**Q. Sometimes our local political parties conduct voter registration drives. Can a health center allow a political party to do voter registration at a center facility?**

This would be permitted only if the center gives all political parties an equal opportunity to do on-site voter registration. Otherwise, the center could be viewed as favoring one party or candidate over another. Even so, it is not advisable to allow political parties to do on-site voter registration unless the center can be completely assured that a political party will not use the opportunity to encourage registrants to vote for the party's candidates.

**Q. In our state, when persons register to vote they register as members of a political party, e.g., Democratic, Republican, etc. Is that type of voter registration nonpartisan?**

Voter registration is considered to be nonpartisan as long as it does not favor one candidate or party over another. For example, it is not advisable to do voter registration only in neighborhoods that are likely to support a particular candidate or party. A health center with multiple sites, if it conducts or permits voter registration activities on site, should do so at all of its sites.

**Q. Our center plans to dedicate a staff person to assist patients to register to vote during a month-long voter registration drive. Can we continue to charge her salary to our Section 330 grant?**

Probably. Under the federal cost principles (OMB Circular A-122), costs incurred in attempting to influence the outcome of an election or supporting a political party or committee in an attempt to influence the outcome of an election are unallowable. However, any costs incurred in supporting a completely nonpartisan voter registration drive, i.e., one that does not support a particular candidate or party, should be allowable.

However, in order to avoid any question of cost-allowability, health centers should consider charging voter registration expenses to non-grant income, such as program income or other unrestricted grants or contributions.

Prepared 1/2012 by:  
Feldesman Tucker Leifer Fidell LLP  
1129 20th Street, N.W. Fourth Floor  
Washington, DC 20036  
(202) 466-8960 tel  
(202) 293-8103 fax  
[www.ftlf.com](http://www.ftlf.com)