

**Immigrant Health:
Current Issues and Advocacy**

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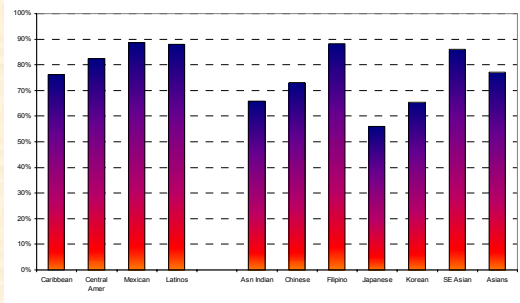
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**Overview of Access to Health
Care for Immigrants**

Immigrants in California

- The foreign-born population grew nearly fivefold in California between 1970 and 2005
- There were 2.5 million Asian immigrant in California in 2003 and 4.8 million Latino immigrants
- Two third of the Asian population in California was born abroad and 44 percent of the Latinos in California

For the Most Part, Immigrants Live in Mixed Status Households



Percent of non-citizens who live with US citizens 4

Some Facts About Immigrants

- The majority of the foreign-born population in California were legally admitted into the country
- Most foreign born residents are not recent arrivals
- Most are from Latin American
 - 56% are from Latin America and 33% from Asia
 - Largest groups are from Mexico, the Philippines and Vietnam

5

Some facts about Immigrants and Access to Health care

- Most immigrants, including undocumented immigrants, are employed but do not have access to employer health coverage.
- Not every undocumented person is eligible for Emergency Medi-Cal.
- Many lawfully residing immigrants are eligible for Medi-Cal and Healthy Families but are not enrolled.

6

Some facts about Immigrant Children and Access to Health care

- 1 out of every 4 low-income children live in an immigrant family
 - Often consists of a mixed status family with citizen children as well as children in other immigration statuses.
- Over the past 10 years, health insurance coverage rose for low-income citizen children but fell for low-income immigrant children.
- In 2005, 48% of low-income immigrant children were uninsured, compared to 15% of citizen children in native-born families.

7

Issues Affecting Immigrant Access to Health Care

- Not aware of available public health programs
- Confusing eligibility rules
 - Mixed-status families
- Difficult application process (how to apply, what's required to apply)
- Fear of being required to pay for services
- Staff are uninformed or unhelpful
 - Provide misinformation

8

Issues Affecting Immigrant Access to Health Care

- The “climate”
 - Fear of being reported to immigration authorities
 - Chilling effect on accessing services
- Lack of materials and assistance in appropriate language
- Lack of knowledge of legal rights
 - Privacy rights
 - Appeal rights
- Public Charge concerns
- Fear of harming sponsor

9

Immigrant Eligibility to California Programs

- ### Medi-Cal
- Categorical linkage to Medi-Cal
 - e.g., children under age 21, pregnant women
 - Income and resource requirements
 - California resident (different from immigration status)
 - Immigration Status
 - Determines SCOPE of benefits, not eligibility
 - Full-scope (comprehensive care)
 - Restricted-scope (more than emergency)

11

- ### PRUCOL
- NOT Immigration category
 - Category for government benefits
 - Permanently Residing in the U.S. Under the Color of Law
 - Persons living in the United States with the knowledge of Department of Homeland Security (formerly known as INS) AND DHS is not taking steps to deport.
 - Examples include persons:
 - who have filed an application for adjustment to LPR status
 - granted suspension of deportation
 - in deferred action status (e.g., U-visas)

12

California benefit programs available regardless of immigration status

- Emergency Medi-Cal (includes labor and delivery)
- Prenatal care under Medi-Cal
- Access for Infants and Mothers (AIM)
- Long-term care
- Breast and Cervical Cancer Treatment
- California Children's Services (CCS)
- Children's Health Initiatives
- Education
- Child Health and Disability Prevention Program (CHDP) and CHDP "Gateway"
- Minor consent services
- Mental health services
- Regional Center Services
- Women Infants and Children (WIC)
- School lunch and breakfast
- Workers Compensation
- Some Local/County Health Programs

13

Medi-Cal Citizenship Verification

Medi-Cal Citizenship Documentation Rule

- **U.S. Citizens** (US born or naturalized) who have or will apply for Medi-Cal will need to show proof of citizenship and identity
 - Previously, could self-declare citizenship
 - Wait for county Medi-Cal agencies to request documents before submitting anything.
- **IMPORTANT: This rule should not prevent immigrants from applying for or receiving Medi-Cal**
 - Immigrants already must show proof of immigration status; their status is verified through the SAVE system
- **Immigrants are still eligible for Medi-Cal**
 - There is NO change in immigrant eligibility for Medi-Cal; only a new requirement for citizens to verify their status
 - Immigrants can still get regular Medi-Cal if eligible; if not, they may be eligible for Restricted Medi-Cal

15

What will change?

Before the new rule:

- Citizens could self-declare citizenship or provide proof of their citizenship
- Immigrants seeking Medi-Cal had to provide proof of immigration status, except if seeking Emergency Medi-Cal

After the new rule:

- Citizens must provide proof of citizenship
- Immigrants must continue to provide proof of immigration status except if seeking Emergency Medi-Cal

What will NOT change?

- Citizenship is not required to get medical services
- Citizens can get Medi-Cal
- Immigrants can get regular Medi-Cal
- Undocumented immigrants can get Emergency Medi-Cal
- Newborns born to mothers on Emergency Medi-Cal can get 1 year automatic coverage under deemed eligibility
- Parents who are not citizens CAN apply for their children or themselves.
- No change to PRUCOL

What immigrants should know about the new Medi-Cal rule

- They can continue to get medical care in California.
- They can continue to receive full-scope Medi-Cal or restricted Medi-Cal, if otherwise eligible.
- Immigrants seeking full-scope Medi-Cal are already required and will continue to give proof of immigration status.
- Immigrant parents applying for benefits for their citizen children do not need to give their own immigration information if they are not applying for benefits for themselves.

18

Resources on Medi-Cal citizenship verification rule

Impact to citizens:

- California Department of Health Services
<http://www.dhs.ca.gov/mcs/dra/>
- Western Center on Law & Poverty (WCLP) www.wclp.org
- National Health Law Program (NHeLP) www.healthlaw.org
- Health Consumer Alliance (HCA) www.healthconsumer.org

Impact to immigrants:

- National Immigration Law Center (NILC) www.nilc.org
- California Immigrant Policy Center (CIPC)
www.caimmigrant.org

19

Other Verification Concerns

- Health care providers are not required to report undocumented patients
 - Providers should avoid recording and collecting unnecessary or harmful information
- Immigration enforcement authorities cannot enter into private areas of public facilities, such as medical clinics, without the consent of a responsible person or a warrant
- Individuals have the right to refuse to answer questions from immigration enforcement authorities

20

Pending Federal Legislation

- **Immigrant Children's Health Improvement Act (ICHIA)** (S 764 and HR 1308)
 - Part of 2007 SCHIP Reauthorization
- **Federal fix to Medicaid citizenship documentation**
 - Part of 2007 SCHIP Reauthorization
- **SSI extension** for Humanitarian immigrants (S 821)
- **Immigration Reform:**
 - Secure Borders, Economic Opportunity and Immigration Reform Act of 2007 (S 1348)
 - Security Through Regularized Immigration and a Vibrant Economy (STRIVE Act) (HR 1645)
 - Development, Relief, and Education for Alien Minors Act (DREAM Act)(HR 1275)

21

CA Health Care Reform and Immigrants

- Coverage of kids regardless of status
- Other issues affecting immigrant families
 - Employment based coverage
 - Access to state insurance pool
 - Individual mandate
 - Affordability
 - Protection of safety net
 - And more
- To get involved:

Having Our Say Coalition: mbergstrom@cpehn.org

It's Our Healthcare: www.itsourhealthcare.org

22

Resources

Resources on immigrants:

- National Immigration Law Center: www.nilc.org
- CA: California Immigrant Policy Center (CIPC): www.caimmigrant.org

Individual legal assistance for health care:

www.healthconsumer.org

Legal Services:

www.lawhelpcalifornia.org

23
