

HEALTH EQUITY & ACCESS UNDER THE LAW (HEAL) FOR IMMIGRANT WOMEN & FAMILIES ACT

NCJW Message: NCJW has long worked for quality, comprehensive, confidential, nondiscriminatory health care coverage and services, including mental health, that are affordable and accessible to all. As such, NCJW works against efforts to separate out individuals and families from affordable and accessible care and coverage on the basis of immigration status. Many immigrants and their families are currently denied the ability to participate in affordable health coverage programs like Medicaid, the Children's Health Insurance Program (CHIP), and the health insurance marketplace (also known as the exchange) created under the Affordable Care Act (ACA). NCJW supports the Health Equity and Access under the Law (HEAL) for Immigrant Women and Families Act as a way to eliminate legal barriers to accessible and affordable health care services and coverage based solely on immigration status.

TALKING POINTS:

- ▶ **This is about fair treatment.** Immigrants should be treated fairly by the health care system to which they contribute. They shouldn't face political interference in their health coverage simply because of their immigration status. Anyone could get sick or hurt, so everyone should have access to health care. Under current law, immigrants with status as lawful permanent residents (green card holders) must wait five years before they are eligible to access affordable health coverage programs like Medicaid, CHIP, and health insurance exchanges. Five years can be the difference between life and death, especially given the importance of early childhood health and preventive treatment of chronic conditions.
- ▶ **Everyone benefits when we all have access to health coverage.** We can all better afford health insurance coverage when immigrants can participate in the system that their tax dollars support. Denying coverage doesn't eliminate the need for health care, and barriers to insurance can lead immigrant communities to delay treatment for preventable diseases or seek care through expensive and under-resourced emergency systems. Additionally, our workforce is healthier and our economy stronger when more of us have health coverage. Health insurance is essential to workers' productivity and the opportunity for all to realize their full potential.
- ▶ **Immigrants are important members of our communities.** Immigrants work hard, pay taxes and help support our communities and economy. They should have the same responsibilities and opportunities to participate in health care as their friends and neighbors. Denying coverage or imposing waiting periods for coverage unfairly hinders the ability of immigrants to take responsibility for their and their families' health and economic well-being. Access to health care is fundamental to fully and productively participating in society. For women, this must include access to the services necessary to plan whether and when to have children and to parent with dignity.
- ▶ **Health care access is critical for women and families.** Immigrant women are more likely to be low-income, of reproductive age, and uninsured — and thus are disproportionately harmed by current barriers to affordable health care. Barriers to affordable health insurance coverage increase the risk of harmful sexual, reproductive, and maternal health outcomes, with lasting health and economic consequences for women, their families and all of our communities.

FREQUENTLY ASKED QUESTIONS: The Health Equity & Access under the Law (HEAL) for Immigrant Women and Families Act

Why is the Health Equity and Access under the Law (HEAL) for Immigrant Women and Families Act necessary?

Almost two decades ago, politicians began enacting harmful restrictions that put affordable health coverage out of reach for many immigrants authorized to live and work in the US. Although they are lawfully present, these individuals and families are barred from accessing Medicaid and the Children’s Health Insurance Program (CHIP) for five years, based solely on their immigration status. Additionally, undocumented immigrants brought to the US as children who obtain legal status through the Deferred Action for Childhood Arrivals (DACA) program are barred from eligibility for the financial help (in the form of subsidies or tax credits) provided under the Affordable Care Act (ACA). This helps eligible individuals afford coverage in the health insurance marketplace.

What will the Health Equity and Access under the Law (HEAL) for Immigrant Women and Families Act do?

This legislation would ensure that *all* lawfully present immigrants have access to Medicaid, CHIP, private coverage through health insurance marketplaces, and tax credits (also called subsidies) to make that coverage affordable. The bill removes discriminatory barriers to health coverage for lawfully present immigrants that were imposed by the 1996 welfare law, including the five-year waiting period and the restrictive and outdated list of “qualified” immigrants. Such barriers and delays are arbitrary and inhumane; no one should be forced to wait five years for the health care they need.

Do young people who are lawfully present already have health care access?

No. Under current law, young people who are lawfully present through the Deferred Action for Childhood Arrivals (DACA) program are specifically excluded from accessing Medicaid and CHIP coverage, and from participating in the health insurance marketplace established under the ACA. The HEAL Act would remove this unnecessary and harmful exclusion. It would grant those who are otherwise eligible the ability to buy a qualified health plan in the health insurance marketplace, obtain financial help (in the form of subsidies or tax credits, and cost-sharing reductions), or access Medicaid or CHIP.

How would the Health Equity and Access under the Law (HEAL) for Immigrant Women and Families Act help to advance reproductive justice?

The ACA reduces barriers to health care in a variety of ways by helping to advance health equity and as such, it takes steps towards achieving reproductive justice. However, immigrants living in the US — both with and without documentation — face significant obstacles and barriers to insurance coverage and health care. Imposing unnecessary barriers to needed care, including the full spectrum of sexual and reproductive health services, interferes with the ability to lead a healthy and productive life — all due to an individual’s immigration status. Each person, regardless of immigration status, must have the right to have the political and economic power and social supports to make their own, informed decisions about their body, sexuality, and future; this principle is explicitly upended by political interference to deny access to accessible and affordable health care on the basis of immigration status.