

May 8, 2013

The Honorable Patrick Leahy
Chairman, Senate Judiciary Committee
437 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Charles Grassley
Ranking Member, Senate Judiciary Committee
135 Hart Senate Office Building
Washington, D.C. 20510

Re: Women's Health in Immigration Reform and the Five Year Bar to Affordable Health Care

Dear Chairman Leahy and Ranking Member Grassley,

We welcome Senate consideration of comprehensive immigration reform – an issue that is greatly in need of attention. As advocates for women's health, however, we have concerns about provisions in the "Border Security, Economic Opportunity, and Immigration Modernization Act" that would be deleterious to the health of women and their families. We urge the Senate Judiciary Committee to lift prohibitions on access to health coverage in the bill and affirm equitable access to health care for all. As a critical first step, we ask the Senate Judiciary Committee to remove the five-year bar on immigrant's access to vital health care and family economic support programs. Women comprise the majority – 51% – of the immigrant population, yet issues of concern to women, particularly the need to advance access to quality and affordable health coverage and care have not been adequately addressed in this legislation.

Immigrant women are important contributing members of society who promote success at the workplace, in the home, and in their communities. Yet current federal policies governing immigrant women's access to health care and family economic supports, like the five-year bar, defy sound public health policies; are based on harmful myths and stereotypes; and undermine immigrant women's ability to fully contribute to the success of their families, communities, and our nation's economy.

As such, we are concerned that the immigration reform bill produced by the bipartisan group in the U.S. Senate does nothing to address the current restrictions and will leave many immigrant women without access to affordable and quality health care. As currently written, an undocumented immigrant woman coming forward to obtain citizenship is barred from means-tested federal benefits like Medicaid for the minimum 10-year period she is a registered provisional immigrant (RPI). In addition to this 10-year restriction, she will also face an additional five-year wait under current law if she does not naturalize. As a registered provisional immigrant, she will also be ineligible for premium tax credits and subsidies to facilitate her participation in the health insurance marketplaces, placing these new health plans out of reach for many immigrant women. As such, an immigrant woman may have to wait up to 15 years or more before she can access affordable health coverage options.

This proposal is short-sighted and jeopardizes the health of women and their families. Health coverage for women can mean the difference between preventing and managing a treatable condition or, facing barriers to care, having those conditions exacerbated while going undetected and untreated. The latter circumstance can jeopardize a woman's health and well-being across her lifespan. In addition, providing low-income immigrant women with Medicaid coverage will also help increase access to pregnancy-related services and family planning services, which are fundamental to improving maternal and infant health. For a woman without access to routine care for 15 years, for example, an undetected, untreated sexually transmitted infection may cause infertility. Tragically, for a woman with undiagnosed breast or cervical cancer, 15 years can be the difference between life and death.

Beyond the human costs associated with delaying health coverage for a decade or more, the health coverage exclusions in the bipartisan immigration reform bill are fiscally short-sighted and impact immigrant women's ability to live as fully productive and independent members of society. Immigrant women are more productive when they have access to health care and are better able to work, care for their families, and pursue educational and employment opportunities. Additionally, when immigrant women and families don't have health coverage, the need for medical attention does not go away. Immigrant women without health insurance may either delay treatment for a preventable disease like cervical cancer, leading to higher costs and greater suffering, or seek care through under-resourced and expensive emergency systems. This undermines immigrant women's financial stability and increases health costs for the entire system. Expansions in health coverage have alleviated the costs of such emergency care by promoting preventive measures, detection, and early treatment; to exclude immigrants on the roadmap to citizenship is not only unfair, but fiscally irresponsible.

As such, we urge you to lift the five-year bar to accessing critical federal benefit programs such as Medicaid imposed on lawfully present immigrants. Doing so will improve immigrant women's access to health coverage, utilization of preventive care, and management of health conditions — outcomes that serve to benefit immigrant women and families as well as the health and economic well-being of our communities.

Immigrant women and families on the path to citizenship are committed to being in America. They should have the same responsibilities, and access to supports for which they are eligible, as other Americans.

We thank you for your time and consideration to these issues.

Sincerely,

List of signatories on following pages

CC:

Members of the Senate Judiciary Committee

National Organizations

9to5

Abortion Care Network

Advocates for Youth

AIDS United

Alliance for a Just Society

America's Voice Education Fund

American College of Nurse-Midwives

American Congress of Obstetricians and Gynecologists

American Federation of State, County and Municipal Employees

American Medical Student Association

Americans for Immigrant Justice, formerly Florida Immigrant Advocacy Center

Asian & Pacific Islander American Health Forum

Asian American Justice Center, Member of Asian American Center for Advancing Justice

ASISTA Immigration Assistance

Association of Asian Pacific Community Health Organizations

Association of Reproductive Health Professionals

Black Women's Health Imperative

Border Network for Human Rights

Breakthrough

Center for Immigrant Healthcare Justice

Center for Reproductive Rights

Civil Liberties & Public Policy

Coalition of Labor Union Women

Columbian Center for Advocacy and Outreach

Ella Baker Center for Human Rights

Family Equality Council

Health Care for America Now

Hispanic Federation

Immigration Equality Action Fund

Institute for Science and Human Values

Jewish Labor Committee Western Region

Latino Commission on AIDS

Law Students for Reproductive Justice

Lutheran Immigration and Refugee Service

Methodist Federation for Social Action

Mexican American Legal Defense and Educational Fund

Midwives Alliance of North America

MomsRising.org

National Abortion Federation

National Asian American Pacific Islander Mental Health Association

National Asian Pacific American Women's Forum

National Association of Certified Professional Midwives

National Association of Social Workers

National Center for Law and Economic Justice

National Council of Jewish Women
National Council of Women's Organizations
National Family Planning & Reproductive Health Association
National Gay and Lesbian Task Force Action Fund
National Health Law Program
National Immigrant Justice Center
National Immigrant Solidarity Network
National Immigration Law Center
National Immigration Project of the National Lawyers Guild
National Korean American Service & Education Consortium (NAKASEC)
National Latina Institute for Reproductive Health
National Minority AIDS Council
National Organization for Women
National Partnership for Women & Families
National Women's Health Network
National Women's Law Center
People for the American Way
Physicians for Reproductive Health
Planned Parenthood Federation of America
Pre-Health Dreamers
Presbyterian Church (U.S.A.)
Raising Women's Voices for the Health Care We Need
Religious Coalition for Reproductive Choice
Reproductive Health Access Project
Reproductive Health Technologies Project
Senior Moments
Sexuality Information and Education Council of the U.S. (SIECUS)
Sin Fronteras
Sisters of Mercy South Central Community
The Advocates for Human Rights
The Association of Filipinas, Feminists Fighting Imperialism Re-feudalization, & Marginalization (AF3IRM)
The Hat Project
The United Methodist Church, General Board of Church and Society
Transgender Law Center
Trust for America's Health
Turning Anger into Change
Union for Reform Judaism
Unitarian Universalist Association
United Methodist Women
Women's Refugee Commission
YWCA USA

State and Local Organizations

Arizona

Border Action Network

California

ACCESS Women's Health Justice

Asian Law Alliance

Asian Pacific American Legal Center, member of Asian American Center for Advancing Justice

Asian Pacific Policy & Planning Council

Bay Area Communities for Health Education

Center on Reproductive Rights and Justice at UC Berkeley School of Law

California Latinas for Reproductive Justice (CLRJ)

California National Organization for Women

California Pan-Ethnic Health Network

California Partnership

California Primary Care Association

California Religious Coalition for Reproductive Choice

California Women Lawyers

Coalition for Humane Immigrant Rights of Los Angeles

Immigration Center for Women and Children

JAG-ed

Korean Community Center of the East Bay

Korean Resource Center

Latino Coalition for a Healthy California

Methodist Federation for Social Action, Cal-Pac Chapter

National Network for Immigrant and Refugee Rights

Northeast Valley Health Corporation

Services, Immigrant Rights and Education Network

Silicon Valley Alliance for Immigration Reform

St. John's Well Child & Family Center

Vision y Compromiso

Colorado

Colorado Organization for Latina Opportunity and Reproductive Rights

Safehouse Progressive Alliance for Nonviolence

Connecticut

Social Justice Council of Unitarian Universalist Church in Meriden

District of Columbia

DC Chapter of the National Organization for Women

National Asian Pacific American Women's Forum – D.C. Chapter

Georgia

Women Watch Afrika, Inc.

Illinois

Campaign for Better Health – IL
Illinois Coalition for Immigrant and Refugee Rights
National Council of Jewish Women, Illinois State Policy Advocacy Committee

Iowa

Northeast Iowa Peace & Justice Center, Inc.

Louisiana

Gulf Coast Center for Law & Policy
National Council of Jewish Women, Louisiana State Policy Advocacy Committee

Maine

Maine Women's Lobby
National Council of Jewish Women, Maine Section

Maryland

Centering Healthcare Institute
Maryland Women's Coalition for Health Care Reform

Massachusetts

Disability Policy Consortium
Massachusetts Immigrant and Refugee Advocacy Coalition

Minnesota

Interfaith Coalition on Immigration (ICOM)
Immigrant Law Center of Minnesota

Missouri

National Council of Jewish Women - Missouri State Policy Advocacy Committee
Religious for Immigration Reform

Michigan

Washtenaw Interfaith Coalition for Immigrant Rights

New Jersey

National Council of Jewish Women, New Jersey State Policy Advocacy Network
Reformed Church of Highland Park

New Mexico

New Mexico Asian Family Center
Southwest Women's Law Center

New York

African Services Committee
Coalition for Asian American Children & Families
Long Island wins

National Council of Jewish Women – New York State Policy Advocacy Committee
New York Lawyers for the Public Interest
New Sanctuary Coalition
Northern Manhattan Coalition for Immigrant Rights
Violence Intervention Program

North Carolina

Raleigh Episcopal Campus Ministry

Oregon

Oregon Foundation for Reproductive Health

Pennsylvania

Pennsylvania Council of Churches
Pennsylvania Immigration and Citizenship Coalition

South Carolina

Lowcountry Immigration Coalition

Texas

Lesbian Health Initiative
National Council of Jewish Women, Texas State Policy Advocacy Committee

Utah

National Council of Jewish Women, Utah State Policy Advocacy Committee

Vermont

Vermont Workers Center

Washington

First United Methodist Church of Wenatchee, WA
Northwest Immigrant Rights Project
Northwest Health Law Advocates
OneAmerica

West Virginia

WV FREE

Wisconsin

Voces de la Frontera
Wisconsin Alliance for Women's Health

International Organizations

Ministry of Health Republic of Armenia