

The Health Equity and Access under the Law (HEAL) for Immigrant Women and Families Act (H.R. 4701/S. 3799)

The Problem:

Current U.S. policy limits access to critical health care and coverage for im/migrant communities. Many im/migrants are barred from public health coverage programs, including Medicaid and CHIP, and are excluded from participating in the health exchanges established by the Affordable Care Act (ACA). As a result, many im/migrants are forced to navigate a complicated patchwork of coverage, that often requires them to pay out-of-pocket for basic health care.

These legal and policy barriers push affordable, quality health care, including sexual and reproductive health care, further out of reach. Twenty-three percent of authorized im/migrants and forty-five percent of undocumented im/migrants are uninsured compared to nine percent of citizens.ⁱ Furthermore, nearly half of noncitizen im/migrant women of reproductive age who would otherwise qualify for Medicaid are uninsured.ⁱⁱ

The spread of COVID-19 has laid bare the ways in which our health care system has failed our communities who already face greater barriers to accessing care. Many im/migrants are on the frontlines of this pandemic as essential workers and yet are more likely to work jobs that don't provide health insurance, paid sick leave or a fair wage, and they are facing some very difficult decisions to continue to make ends meet and support their families. Denying individuals the ability to access care and coverage has a devastating impact on their families and on public health.

The Solution:

The HEAL for Immigrant Women and Families Act will remove unnecessary barriers to health care access for im/migrant communities. Specifically, the bill:

- ▶ **Restores enrollment to full-benefit Medicaid and the Children's Health Insurance Program (CHIP) to all federally authorized im/migrants who are otherwise eligible**, including Deferred Action for Childhood Arrivals (DACA) recipients. The bill would eliminate the five-year waiting period and outdated list of "qualified" im/migrants for Medicaid and CHIP eligibility imposed by the 1996 Personal Responsibility and Work Opportunity and Reconciliation Act (PRWORA). Through these changes, the bill ensures all individuals granted federally authorized presence are eligible for federally funded health care programs.
- ▶ **Removes the unjustifiable exclusion of undocumented immigrants from accessing health insurance coverage on the ACA's Health Insurance Exchanges.** The bill would allow all individuals' immediate eligibility to purchase qualified health insurance coverage, obtain premium tax credits and cost-sharing reductions, and enroll in the Basic Health Program, in accordance with existing income eligibility requirements.
- ▶ **Ensures access to public and affordable health coverage for DACA recipients** and ensures that those who will gain new forms of administrative relief via a deferred action program will not be similarly excluded.
- ▶ **Reinstates Medicaid eligibility for Compact of Free Association (COFA) migrants.**ⁱⁱⁱ

The HEAL for Immigrant Women and Families Act would eliminate several policies that block immigrants from affordable health insurance coverage

	Medicaid		CHIP		ACA marketplace plans			
					Subsidized		Unsubsidized	
	Current	HEAL Act	Current	HEAL Act	Current	HEAL Act	Current	HEAL Act
Lawfully present immigrants	🚫	✅	🚫	✅	✅	✅	✅	✅
DACA recipients	🚫	✅	🚫	✅	🚫	✅	🚫	✅
Undocumented immigrants	🚫	🚫	🚫	🚫	🚫	✅	🚫	✅

KEY 🚫 Banned for first five years of lawful status 🚫 Blanket ban on coverage ✅ Eligible for coverage

Source: [Gutmacher Institute](https://www.gutmacherinstitute.org/)

How Can You Support the HEAL for Immigrant Women and Families Act?

The HEAL for Immigrant Women and Families Act is a proactive and lasting solution that will help us move forward to build an equitable nation. The HEAL Act was recently introduced in the Senate for the first time in its history, reached a landmark 259 organizational endorsements, and boasts 71 cosponsors in the House. We hope that you will consider joining us in this historic moment to continue fighting for immigrant communities, in a time of unprecedented attacks on the dignity and agency of im/migrant families.

If you are interested in becoming a cosponsor, please contact:

- 📧 **House:** Jazmine Garcia Delgadillo with Rep. Pramila Jayapal (Jazmine.GarciaDelgadillo@mail.house.gov) or Alejandro Oms with Rep. Deb Haaland (alejandro.oms@mail.house)
- 📧 **Senate:** Kimberly Miller-Tolbert (kimberly_miller-tolbert@booker.senate.gov) with Senator Booker's office

References

- ⁱ *Health Coverage of Immigrants*, KAISER FAMILY FOUND. (Mar. 18, 2020), <https://www.kff.org/disparities-policy/fact-sheet/health-coverage-of-immigrants/>.
- ⁱⁱ Ruth Dawson & Adam Sonfield, *Conservatives Are Using the Intersection of Immigration, Health Care and Reproductive Rights Policy to Undermine Them All*, GUTTMACHER INST. (Apr. 30, 2020), <https://www.guttmacher.org/gpr/2020/04/conservatives-are-using-intersection-immigration-health-care-and-reproductive-rights>.
- ⁱⁱⁱ COFA migrants, or citizens of the Republic of the Marshall Islands, Federated States of Micronesia, and the Republic of Palau, were inadvertently barred from the Medicaid program by the 1996 welfare law. Compact of Free Association (COFA), an international agreement between the US and these three Pacific Islands, originally allowed their citizens to receive federally funded health care coverage.