

Center for **Children's** Advocacy
Medical-Legal Partnership Project

Immigration Landscape for Patients

Immigration and Public Benefits

What Has NOT Changed

- U.S. citizen children are entitled to public benefits regardless of parents' status; parents should continue signing children up for Medicaid, CHIP, SNAP, etc. as necessary.
- Patients with visitors' visas have always been at risk of losing their visas if they accept publicly-funded medical care in the U.S.
- If a patient wants to apply for a family-based green card, they might be denied if they receive any of these:
 - Supplemental Security Income (SSI)
 - cash assistance
 - long-term medical care at government expense
- Earned benefits, or non-cash benefits (e.g. food stamps) will not affect a person's ability to obtain a family-based green card or deportability.

What Has Changed

- Visitors who give birth in the U.S. or receive other medical care at taxpayer expense might be more likely to lose their visas; at this point there is no way to know.
- New executive orders prioritize those who "abuse" public benefits (meaning of "abuse" is unknown) and direct the State Department to "combat birth tourism."
- Signing of the *Border Security Executive Order* has
 - expanded immigration detention
 - increased obstacles to seeking asylum at the border
 - increased/renewed cooperation with local law enforcement
 - prompted construction of a border wall
- Signing of the *Interior Enforcement Executive Order* has
 - renewed/increased cooperation between local police and ICE
 - increased use of expedited removal of incarcerated noncitizens convicted of certain crimes
 - expanded immigration detention for noncitizens awaiting Immigration Court hearings or removal
 - created fines and/or criminal prosecution for those noncitizens whose immigration violations carry criminal penalties

Green Card Holders

- If a patient already has a green card, receiving benefits will not affect their ability to naturalize.
- If a patient is already a U.S. citizen or has a green card, s/he can receive any public benefit and it will not affect his/her ability to sponsor family members for a green card.
- If a patient does not have status but his/her children are U.S. citizens or have lawful status, the parent can apply for any benefits for the children. Doing so will not make the parent ineligible to apply for any lawful status in the future.

President Trump's Immigration Policies

It is uncertain how, or if, the Trump administration will change the policies affecting noncitizens who receive public benefits like Medicaid.

There is no evidence that the use of state or city agencies and benefits triggers Immigration and Customs Enforcement (ICE) action.

Various laws, regulations, policies, and protocols protect immigrants in the healthcare setting, but there are exceptions to these laws and policies. In general, HIPAA protects health information gathered on an undocumented patient, unless disclosure is required by another law or court order.

State & Local Resources

**Center for Children's Advocacy
Medical-Legal Partnership Project**
cca-ct.org/mlpp
860-570-5327

**Governor Dannel Malloy's Immigration Resources and
CT's Family Preparedness Plan**
portal.ct.gov/FamilyPreparedness

Connecticut's Health Care for Children and Adults
ct.gov/hh/site/default.asp
1-877-CT-HUSKY
1-877-284-8759

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