

National Immigration Policy and Access to Health Care

Summary of Position Paper Approved by the ACP Board of Regents, April 2011

What is ACP's Policy on Immigrant Access to Health Care?

ACP recognizes our country's interest in ensuring that everyone residing within our borders has access to adequate health care. Accordingly, immigrants' access to health care should be addressed as a national issue rather than through a patchwork of state laws, some of which could result in discriminatory policies that conflict with physicians' ethical responsibility to treat all patients without regard to their legal documentation status.

National immigration policy must balance several important factors. It should differentiate treatment of persons who fully comply with the law in establishing legal residency from that of persons who break the law in the determination of access to subsidized health coverage and treatment. At the same time, national immigration policies should ensure that all residents of the United States, without regard to their legal residency status, have access to medical care, especially for primary and preventive care and vaccinations against communicable diseases.

Why Is It Important to Develop National Legislation on Immigrant Access to Care?

National policy on immigrant access to care is essential to protecting public health. Discriminatory laws can magnify fears that seeking health care will result in exposure of immigration status. Such policies are detrimental to public health since they can result in delayed treatment and a greater burden on the health care system.

Further, the pressures on the health care system require national legislation, as the current patchwork of differing state-by-state policies to cover immigrants creates another barrier for obtaining health coverage and accessing health care services. Differing policies create confusion among those trying to obtain health care in the already daunting U.S. health care system, and variance among states could result in varying population growth since states with more generous policies could become inundated.

Consequently, ACP sees the need for national immigration policy on health care that balances legitimate needs and concerns to control our borders and to equitably differentiate in publicly supported services between those who fully comply with immigration laws and those who do not, while recognizing that society has a public health interest in ensuring that all resident persons have access to health care.

Key Findings and Recommendations from the Paper

ACP's positions on national immigration policy are organized around several principles:

Access to Care

- Access to health care for immigrants is a national issue and needs to be addressed through national policy.
- Access to health care should not be restricted based on immigration status, and people should not be prevented from paying out-of-pocket for health insurance coverage. In addition, U.S.-born children of parents who lack legal residency should have the same access to health coverage and government-subsidized health care as any other U.S. citizen. Undocumented immigrants should not be able to receive public subsidies to purchase health care, but they should be allowed to purchase health care coverage using their own funds.

Delivery of Care

- National immigration policy should recognize the public health risks associated with undocumented persons not receiving medical care because of concerns about criminal or civil prosecution or deportation. Accordingly, increased access to comprehensive primary care and related services may make better use of public health funding by improving the health status of the population.
- The federal government should develop new and innovative strategies to support safety-net health care facilities, including helping to offset the costs of uncompensated care provided by these facilities. Strengthening the primary care workforce is essential to this support.

Eliminating discrimination in health care and professionalism

- Immigration policy should not interfere with physicians' and other health care professionals' ethical and professional obligation to care for the sick, and should not foster discrimination against a class or category of patients in the provision of health care.

For More Information

This issue brief is a summary of *National Immigration Policy and Access to Health Care*. The full paper is available at

http://www.acponline.org/advocacy/where_we_stand/policy/natl_immigration.pdf.