



Chief Justice Earl Warren  
Institute on Race,  
Ethnicity and Diversity

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# **Federal Health Care Reform**

## **The Impact on Immigrant Families**

Aarti Kohli

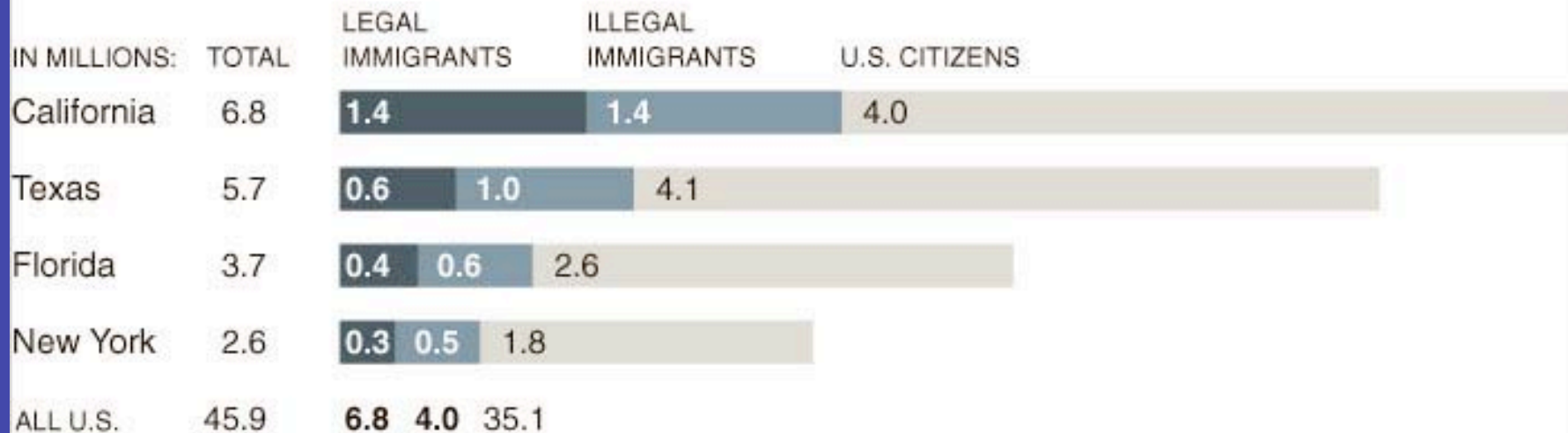


# How many uninsured are immigrants?

## A Population at Risk

How immigrants are covered under health care reform legislation will particularly effect those states with the largest uninsured immigrant populations. In California, for example, immigrants represent about 40 percent of the uninsured population under age 65.

### Number of uninsured people under age 65, in states with largest immigrant populations



Source: Migration Policy Institute



# Categories of Immigrants

- ❖ Lawfully Residing Immigrants
  - ❖ 12 million Lawful Permanent Residents in US
    - ❖ Approx. 4.2 million uninsured
    - ❖ Approx. 6 million have employer coverage
- ❖ Undocumented Immigrants
- ❖ Mixed Status Families



## Lawfully Residing Immigrants

- ❖ H.R. 3962 (House bill)
  - ❖ Subject to mandate to purchase
  - ❖ Eligible for Affordability Credits
  - ❖ Eligible for high-risk pools
  - ❖ Can participate in the exchanges
  - ❖ Verification Process
    - ❖ Based on Children's Health Insurance Program Reauthorization Act (CHIPRA)
    - ❖ Will differ based on declaration if USC or lawfully residing



# Lawfully Residing Immigrants

- ❖ H.R. 3962
  - ❖ Five-Year Waiting Period Still In Effect
    - ❖ Medicaid
    - ❖ Medicare
    - ❖ CHIP (maintains current law)



## Lawfully Residing Immigrants

- ❖ Reid bill (Senate)
  - ❖ Subject to mandate
  - ❖ Eligible for affordability tax credits
  - ❖ Eligible for reduced cost-sharing
  - ❖ Can participate in the Exchange



# Lawfully Residing Immigrants

- ❖ Reid bill (Senate)
  - ❖ Verification requirements
  - ❖ Five-Year Bar
    - ❖ Menendez Amendment— states have the option of providing Medicaid and Medicare coverage regardless of length of residency
      - ❖ Likely to be voted on soon
      - ❖ CBO score – negligible cost



## Undocumented Immigrants

- ❖ H.R. 3962 (House bill)
  - ❖ Barred from subsidies
  - ❖ Eligible to purchase from the Exchange
    - ❖ political backdrop
    - ❖ what will happen in Conference committee?



## Undocumented Immigrants

- ❖ Reid bill (Senate)
  - ❖ Barred from subsidies, tax credits and cost-sharing
  - ❖ Exempt from mandate to purchase
  - ❖ Barred from the Exchange



## Issues for Mixed-Status Families

- ❖ Verification Requirements
  - ❖ May have consequences of limiting access, esp. for USC children
  - ❖ Amendments will be offered in Senate bill
- ❖ Tax credits and cost-sharing reduction
  - ❖ Formula pro-rated in Senate bill to include only lawful members of the family



# RESOURCES

## 1. National Council of La Raza

<http://www.nclr.org/content/policy/detail/52293/>

More info on Menendez amendment contact Marco Murillo at [mmurillo@nclr.org](mailto:mmurillo@nclr.org)

## 2. National Immigrant Law Center

<http://www.nilc.org/immspbs/health/index.htm#reform>

## 3. Migration Policy Institute Report

Immigrants and Health Care Reform, What's Really At Stake?

<http://www.migrationpolicy.org/pubs/healthcare-Oct09.pdf>