Let’s Talk: Protecting Immigrant Families
Webinar Housekeeping

• Everyone is in “listen-only” mode.
• Two listen options: phone or web (phone tends to be better!)
• Call in #: (415) 655-0003 access code: 663 504 414
• Type questions in "chat box" located in the sidebar to the right.
• If you are having technical difficulties please be sure to address the panelists and we will do our best to help you.
• The webinar is being recorded.
• Supporting materials will be available on our website within one week of this webinar.
Introductions

Aurora Garcia
The Children’s Partnership

Molly Baldridge
California School-Based Health Alliance

Peter Le
California School-Based Health Alliance
California School-Based Health Alliance

The California School-Based Health Alliance is the statewide non-profit organization dedicated to improving the health and academic success of children and youth by advancing health services in schools.

Our work is based on two basic concepts:

- Health care should be accessible and *where kids are*
- Schools should have the services needed to ensure that poor health is not a barrier to learning.
Join us in putting health care where kids are.

BECOME A MEMBER

By becoming a member of the California School-Based Health Alliance, you help us realize our goal of making school-based health care an integral part of the educational and health care systems.
The Children’s Partnership (TCP) is a California-based national children’s advocacy organization committed to improving the lives of underserved children where they live, learn, and play with breakthrough solutions at the intersection of research, policy, and community engagement.

Since 1993, TCP has been a leading voice for children and a critical resource for communities across California and the nation, working every day to champion policies that provide all children with the resources and opportunities they need to thrive.
Health Coverage Options for Immigrant Families

Options for Undocumented Families

Your Local County
Some counties provide free or low-cost services to everyone regardless of immigration status. To enroll and determine eligibility for you and your family contact:

California’s Health Care Options:
English: 1-800-430-4263
Spanish: 1-800-430-3003

Community Health Centers
Some Community Health Centers in your area offer low-cost care to everyone.
To find your closest Community Health Center, call: 1-888-895-0808

Medi-Cal
Medi-Cal may cover you during medical emergencies.
Medi-Cal: 1-800-300-1506
Denti-Cal: 1-800-322-6384

Coverage Options for ALL Families

The Affordable Care Act (ACA) and Medi-Cal are still the law!

All families in California, including immigrant and undocumented families, have options to enroll in coverage. Medi-Cal is a no cost or low-cost health program for low-income adults, seniors, pregnant women, and foster youth. Based on income, the following immigrant populations may also qualify for Medi-Cal:

- Newly Qualified Immigrants (legal permanent residents for less than 5 years, people granted parole for at least one year, and qualified battered immigrants)
- Permanent Resident Under Color of Law (PRUCOL)
- Deferred Action for Childhood Arrivals (DACA) recipients
- Medi-Cal covers ALL children, age 0–19, regardless of a child’s immigration status. You can enroll in Medi-Cal year-round.

Apply to find out if you are eligible for Medi-Cal or Covered California by calling this number:
Medi-Cal or Covered California: 1-800-300-1506
Protecting Immigrant Students

SB 54: “Sanctuary State”
Prevents engagement between law enforcement and immigration enforcement. Requires that certain places, like schools or health facilities, remain safe spaces.

AB 699 – Safe Schools for Immigrant Students
Establishes protections for undocumented students in K-12 schools.
AB 699 – Safe Schools for Immigrant Students

AB 699 requires schools to:

• Teach students about the harm of bullying students based on immigration status.
• Prohibit schools from collecting immigration status information from students or families.
• Notify your school board if police officers try to enforce immigration laws on campus.
• Schools should follow a family’s emergency plan and avoid referrals to Child Protective Services.
• Inform parents about children’s right to free public education and about school policies to resist assistance with ICE.
AB 699 Implementation

• March 30, 2018: The Attorney General provided a model policy for schools to adopt.
  • Includes procedures on what to do if an immigration-enforcement officer comes to your school and/or requests personal information about a student.

• July 1, 2018: Schools should have adopted a variation of the model policy that considers access to school grounds and student records, and procedures for reporting requests from immigration enforcement.
Information About DACA

- In California, DACA recipients are eligible for full-scope Medi-Cal.
- In California 220,000+ DACA recipients are eligible for full scope Medi-Cal.
- 25% of DACA recipients are parents.
- DACA recipient’s work eligibility makes them eligible for employer sponsored coverage.
DACA Updates

• January 10, 2018: Northern California Federal District Judge ruled decision to end DACA likely unlawful.

• February 13, 2018: Eastern District of New York Federal District Court issued similar order.

• February 26, 2018: US Supreme Court denied US Attorney General Jeff Sessions request to hear DACA case immediately.

• April 25, 2018: Federal Judge Ruled U.S. must keep DACA and accept new applications.

• August 31st, 2018: Texas court reject the plaintiff states’ motion for preliminary injunction.

• November 8, 2018: The Ninth Circuit Court of Appeals upheld a ruling against the Trump’s efforts to end DACA. This is significant because it is all but certain that the Supreme Court will take the case.
What is Public Charge?

- The term “public charge” is a person who is likely to become primarily dependent on the government for subsistence.
- A public charge assessment is made when a person:
  - Applies to enter the U.S.
  - Applies to adjust status to become a Lawful Permanent Resident (LPR)
  - A green card holder that leaves the U.S. for more than 180 consecutive days (6 months) & reenters
Current Form of Public Charge

- Public charge assessment DOES NOT apply to the following:
  - When a lawful permanent resident (green card holder) applies for U.S. citizenship.
  - To various categories of immigrants such as refugees, asylees, self-petitioners under VAWA, special immigrant juveniles, survivors of human trafficking and domestic violence (T-visa/U-visa), TPS applicants, and a few others.
Current Benefits & Factors Included in a Public Charge Test

- Benefits considered (only two types):
  - Cash assistance for income maintenance
    - CalWORKs, SSI, CAPI
  - Institutionalization for long-term care, paid for by the government

- Factors Included:
  - Age
  - Health
  - Financial Resources
  - Dependents
  - Skills and Work Experience
  - Affidavit of Support
Changes Under Proposed Regulation

- New definition of “public charge”:
  - A person who receives one or more public benefits.
  - Maintains totality of circumstances test
- Adds certain federal non-cash benefits for consideration
- Adds new positively and negatively weighted factors (and “heavily” weighted factors)
- Foreign Affairs Manual changes
  - Already in effect
  - Impact applicants for admission from consulate abroad
Totality of Circumstances Test: New Criteria & Factors

- Age
- Health
- Family Status
- Income and Financial Status
- Education and Skills
- Future Immigration Status
- Affidavit of Support
Totality of Circumstances Test: New Criteria & Factors

**Totality of Circumstances Test:**
**Heavily Weighed Factors**

- Heavily Weighed Positive Factors
- Heavily Weighed Negative Factors

- Lack of job or job prospects
- Health condition w/o private insurance or $ to pay for care
- Receipt of public benefits

- Individual or Household income 250% of FPL or above
Public Benefits Included In Proposed Public Charge Rule

- SNAP (CalFresh/foods stamps)
- Housing assistance (e.g. Section 8 vouchers, rental assistance)
- Medicaid (Medi-Cal)
- Exceptions: emergency, school-based Medi-Cal for children
- Medicare Part D low-income subsidy
- Subsidized housing
Public Benefits Not Included in Proposed Rule

- Disaster relief
- Emergency and school based medical assistance
- Entirely state, local or tribal programs (other than cash assistance)
- Benefits received by immigrant’s family members
- Benefits received by members of military, their spouses & children
- Women Infants and Children (WIC)
- School Breakfast and Lunch
- Covered CA tax credits
- Public education (including Head Start)
- Federal Earned Income Tax Credit and Child Tax Credit
- Student Loans
- CHIP*
FOOD

Immigrants, fearing Trump crackdown, drop out of nutrition programs
Both documented and undocumented immigrants fear that accepting federal aid could make them ineligible for a green card if rules are changed.

By HELENA BOTTEMILLER EVICH | 09/03/2018 08:17 AM EDT | Updated 09/04/2018 01:29 PM EDT

PowerPost

The Health 202: Under Trump, immigrants back away from Medicaid, Obamacare subsidies

By Paige Winfield Cunningham
April 11

THE PROGNOSIS
Enrolling in Medicaid or an Obamacare plan doesn’t hurt immigrants’ chances of gaining permanent residency in the United States. That might change soon, under a major policy shift the Trump administration is considering that could curtail legal immigration.
Chilling Effect Continued

Defining the Population Affected for Federal Benefits

All Californians in a household with a non-citizen, with at least one member participating in a public program

California population of focus for our analysis

Californians who may potentially be denied a green card based on public benefit use as proposed in public charge test

Citizen child of non-citizen parent & program-eligible LPRs*

Program-eligible lawfully present immigrant

*LPR = Lawful permanent resident/green-card holder

www.healthpolicy.ucla.edu
Potential Impact on California

• Impact on CalFresh or Medi-Cal
  • ~ 765,000 would disenroll from either program (assuming 35% disenrollment scenario)
  • 70% would be children
  • 9 in 10 would be Latinx

• Economic impact (under 35% disenrollment scenario):
  • $718 million - $1.67 billion in lost federal funding
  • 17,700 lost jobs
  • $2.8 billion lost output
  • $151 million in lost state and local tax revenue
Take Action - Public Comments

Rulemaking process

- Oct 05: Proposed regulation published in Federal Register for public inspection
- Oct 10: Proposed regulation published on regulations.gov for public comment
- 60 Days: Opportunity for public comments
- Dec 10: Comment Period Ends
- ??: DHS Reviews and considers all comments
- ??: Final Regulation published in Federal Register
Public Comment Period Ends
December 10, 2018

Organizational Comments
• Who? Nonprofits, Direct Service Providers, local, state and national elected officials.
• What? Templates for 40+ sectors available soon, see Comment FAQ document.
• Where? Regulations.gov
• When? Submit closest to the end of the commenting period.

Individual Comments
• Who? You and your colleagues and friends and family.
• What? Text to edit on websites with a few clicks.
• Where?
  • Protectingimmigrantfamilies.org
  • OurAmericanStory.us
• When? Starting now and every day until December 10, 2018
Resources on Public Charge

Template comments, research summaries, and other resources are available via:

• National PIF Campaign - https://protectingimmigrantfamilies.org/
• California PIF Campaign - http://bit.ly/CommentCA
Stay Updated

• Get Social – Follow us, retweet, and share on Twitter and Facebook @KidsPartnership and @AllInForHealth
• #StayLoud – Share your personal story by visiting bit.ly/TCPShareYourStory
• Get Educated – Visit our allinforhealth.org website for up to date and user friendly materials

Contact Info:
Aurora Garcia-Barrera, Sr. Community Engagement Advocate
agarcia@childrenspartnership.org
213-341-1222
Questions?

Type questions in "chat box" located in the sidebar to the right.
Thank you!

Reminder: All materials and a recording of this webinar will be available by the end of this week.