



**Catholic Legal Immigration Network, Inc. (CLINIC), testimony before the
Maryland State Senate Finance Committee/House Health and Government Operations
Committee**

SB 365/HB 588, Access to Care Act

Submitted February 14, 2023

Position: Support

“Now is the time for real health care reform. It is a matter of fundamental justice. For so many, it is literally a matter of life and death, of lives cut short, and dignity denied.”

(A Framework for Comprehensive Health Care Reform, United States Conference of Catholic Bishops Resolution, June 18, 1993)

About CLINIC

As the nation’s largest charitable immigration legal services network, Catholic Legal Immigration Network, Inc, or CLINIC, provides substantive legal and program management training and resources as well as advocacy support at state, local and national levels. CLINIC serves over 450 affiliate organizations across 49 states and the District of Columbia that provide crucial legal services to hundreds of thousands of low-income and otherwise vulnerable immigrants every year.

Embracing the Gospel value of welcoming the stranger, CLINIC cultivates projects that promote the dignity and protect the rights of vulnerable immigrant populations. CLINIC’s national office is in Silver Spring, Maryland. The organization’s work focuses on five core areas: advocacy, capacity building, national partnerships, religious immigration services, and training and legal support. In serving our network of affiliates, many who provide health care to communities that have been excluded, CLINIC has particular knowledge of the life-changing — and at times life-saving — effect that access to healthcare can have in the life of an immigrant.

Position

The Catholic Legal Immigration Network, Inc., or CLINIC, supports SB 365/HB 588, the Access to Care Act. Adoption of this legislation in Maryland is critical for the common good and social justice. Health care is not a commodity but a human right that should be afforded to every person. Health care access should not depend on an individual’s income, the type of job they have, where they live, their age, nationality, or any other factor. This bill helps migrants and our communities as a whole by preserving the stability of families, neighborhoods, and employers. The purpose of the bill is to ensure that everyone, regardless of immigration status, is allowed to access the Maryland Health Benefit Exchange.

Problem

1) Immigrants face many challenges to their health.

There are many obstacles facing immigrants that make them more vulnerable to issues related to health. These include the following:

- Immigrants are overrepresented in industries such as healthcare, construction, and food services that place them in contact with people on a regular basis, which increases their exposure to COVID-19 and other diseases/illnesses.¹
- Undocumented immigrants are also more likely to experience continued poor working conditions, as some employers use threats of reporting these vulnerable workers to Immigration and Customs Enforcement in order to maintain their silence.
- Refugees and migrants arrive to the United States with a lot of trauma affecting their mental health, not only because of the arduous journey to get to safety, but also because most of them often leave their home countries because of war, conflict, natural disasters, environmental degradation, or economic crisis.²
- The majority of undocumented immigrants, as well as those with certain pending applications, are excluded from social safety nets. They cannot receive unemployment, despite paying an estimated 308 million in Maryland state and local taxes per year, in addition to sales and excise taxes, property taxes, and rent. If there are health-related emergencies, so many are left without protection.³
- Public health messages, warnings and updates may not be translated into the necessary languages so immigrants might miss out on crucial information.⁴

2) Undocumented immigrants have limited healthcare coverage options.

Undocumented immigrants are less likely to have jobs that give them health care, vacation, and sick days. Because of this, they are less likely to seek medical help except in the direst of circumstances.

Most undocumented immigrants and other groups are excluded from participating in Medicare, Medicaid (except for emergency care), the Children's Health Insurance Program (CHIP), and the Affordable Care Act (ACA) Marketplaces. A study in 2017 by American Community Services showed that

¹ American Immigration Council, "Immigrants in Maryland," Aug. 6, 2020, at <https://www.americanimmigrationcouncil.org/research/immigrants-in-maryland>.

² World Health Organization, "Refugee and Migrant Health," May 2, 2022, at <https://www.who.int/news-room/fact-sheets/detail/refugee-and-migrant-health>.

³ Mark Scott, "Undocumented Immigrants Pay Hundreds of Millions in State Taxes; Full Citizenship Would Benefit the State Even More," Maryland Center on Economic Policy, March 24, 2016, at <https://www.mdeconomy.org/undocumented-immigrants-pay-hundreds-of-millions-in-state-taxes-full-citizenship-would-benefit-the-state-even-more/>.

⁴ Eva Clark, Karla Fredericks, Laila Woc-Colburn, Maria Elena Bottazzi, and Jill Weatherhead, "Disproportionate impact of the COVID-19 pandemic on immigrant communities in the United States," PLOS Journal, July 13, 2020, at <https://journals.plos.org/plosntds/article?id=10.1371/journal.pntd.0008484>.

45% of undocumented immigrants are uninsured, whereas only 8% of U.S. citizens do not have coverage.⁵

3) Undocumented immigrants are not allowed to access the Maryland Health Benefit Exchange.

Since the passing of the ACA, undocumented immigrants in Maryland have not been eligible to purchase coverage through the ACA Marketplaces. States can pass laws and then request a waiver that allows them to enroll residents in qualified health and dental plans through the state Marketplace.

4) Even if access is granted, subsidies need to exist in order for inequities to be addressed and to encourage participation.

Several states and the District of Columbia have taken steps to provide health care to low-income residents regardless of immigration status.⁶ Washington was the first state to have their waiver approved to allow undocumented immigrants to access health and dental plans. Washington is providing state-funded subsidies, as undocumented immigrants are ineligible for federal premium subsidies in the Marketplace. Without some economic assistance like these subsidies, the majority of undocumented immigrants who are currently uninsured will be unable to take advantage of any new avenues to access health insurance.

Solution

Opening up access to Maryland's Marketplace while providing subsidies will enable undocumented immigrants, a very vulnerable population, to obtain health care —a basic human right.

Action

CLINIC urges you to vote for this bill:

1) To ensure members of Maryland's immigrant population can get their basic health care needs met.

When people have regular checkups, they are much more likely to catch medical issues early on. This ensures for fewer life-threatening emergencies that require extensive resources from immigrants, their families, the health care system, and their communities.

⁵ Samantha Artiga and Maria Diaz, "Health Coverage and Care of Undocumented Immigrants," Jul. 15, 2019, at <https://www.kff.org/racial-equity-and-health-policy/issue-brief/health-coverage-and-care-of-undocumented-immigrants/>.

⁶ KFF, "Health Coverage and Care of Immigrants," Dec. 20, 2022, at <https://www.kff.org/racial-equity-and-health-policy/fact-sheet/health-coverage-and-care-of-immigrants/#:~:text=Undocumented%20immigrants%20are%20not%20eligible,coverage%20through%20the%20ACA%20Marketplaces.>

2) It upholds equity for immigrants.

As mentioned above, there are significant and particular needs within the immigrant community for adequate health care. By denying access to affordable health care, we further exacerbate the challenges and inequities faced by our migrant communities.

3) Because it reflects Catholic values of the equal dignity of all life.

The equitable provision of health care reflects our Catholic value to affirm the dignity of all life. Every person should have access to basic necessities, including health care — no exceptions. As Pope Francis stated at a meeting on Sept. 27, 2021, at the Vatican, “We affirm that life and health are equally fundamental values for all, based on the inalienable dignity of the human person, but if this affirmation is not followed by an appropriate commitment to overcome the inequalities, we in fact accept the painful reality that not all lives are equal, and health is not protected for all in the same way.”⁷

Access to health care protects people’s lives, keeps families together, helps businesses keep a healthy work force, and makes communities healthier overall.

⁷ Cindy Wooden, “Defend life, promote access to health care for all, pope says,” National Catholic Reporter, Sept. 27, 2021, at <https://www.ncronline.org/news/vatican/defend-life-promote-access-health-care-all-pope-says>.