

Florida SB 1718:

Hospitals Collecting Immigration Data



CATHOLIC LEGAL
IMMIGRATION
NETWORK, INC.

Information on a new Florida law from CLINIC's State and Local Project

For information on other sections of the law, please visit: bit.ly/FloridaSB1718

Provisions in the Law

- Requires hospitals that accept Medicaid to collect patient immigration status data information on admission or registration forms.
- These forms must contain a statement that “the response will not affect patient care or result in a report of the patient’s immigration status to immigration authorities.”
- The forms will list whether the patient is a U.S. citizen, is lawfully present or is not lawfully present. Hospitals will provide the number of responses for those statuses, along with the number who declined to answer.
- Hospitals are required to submit quarterly reports to the Agency for Health Care Administration (The Agency).
- The Agency will submit an annual report by March of each year to the Florida governor, president of the Senate, and the Speaker of the House of Representatives.
- The Agency may establish guidelines for hospitals regarding how the information is collected. It cannot require disclosure of patient names or other personal identifying information.

Who Is Impacted

- Patients visiting hospitals that accept Medicaid.
- Hospitals that accept Medicaid.

Important Information for the Community

- Hospitals still are required to provide emergency care to undocumented migrants – whether the migrants answer or refuse to answer the question on immigration status.
- There is a push in Florida by immigration advocates and others for everyone to decline to answer the immigration status on the hospital forms. No one can be retaliated against for declining to answer.
- The information collected is only focusing on the number of undocumented migrants that are being served at these particular hospitals. The information should not be shared with ICE or other immigration authorities. The hospitals should be sharing numbers but not names with the Agency.

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Want more information on CLINIC's State and Local Immigration Project? Contact Viviana Westbrook at vwestbrook@cliniclegal.org

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Important Information for the Community (Continued)

- Hospitals are protected areas so immigration enforcement can only occur there in very specific situations where safety is concerned. This law does not change that. There should be no new risks to accessing care at hospitals.

Actions to Take

- Hospitals receiving Medicaid should establish a policy and process around this section. They should receive trainings that assist them in understanding the scope of this law and ensuring that the migrant communities do not feel more fear over accessing life-saving treatment.
- If any hospital is spreading misinformation, it is important to communicate this to a trusted nonprofit so that they can advocate and educate on this issue.