May 8, 2013

The Honorable Patrick Leahy
Chairman, Senate Judiciary Committee
437 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Charles Grassley
Ranking Member, Senate Judiciary Committee
135 Hart Senate Office Building
Washington, D.C. 20510

Re: Women’s Health in Immigration Reform and the Five Year Bar to Affordable Health Care

Dear Chairman Leahy and Ranking Member Grassley,

We welcome Senate consideration of comprehensive immigration reform – an issue that is greatly in need of attention. As advocates for women’s health, however, we have concerns about provisions in the “Border Security, Economic Opportunity, and Immigration Modernization Act” that would be deleterious to the health of women and their families. We urge the Senate Judiciary Committee to lift prohibitions on access to health coverage in the bill and affirm equitable access to health care for all. As a critical first step, we ask the Senate Judiciary Committee to remove the five-year bar on immigrant’s access to vital health care and family economic support programs. Women comprise the majority – 51% – of the immigrant population, yet issues of concern to women, particularly the need to advance access to quality and affordable health coverage and care have not been adequately addressed in this legislation.

Immigrant women are important contributing members of society who promote success at the workplace, in the home, and in their communities. Yet current federal policies governing immigrant women’s access to health care and family economic supports, like the five-year bar, defy sound public health policies; are based on harmful myths and stereotypes; and undermine immigrant women’s ability to fully contribute to the success of their families, communities, and our nation’s economy.

As such, we are concerned that the immigration reform bill produced by the bipartisan group in the U.S. Senate does nothing to address the current restrictions and will leave many immigrant women without access to affordable and quality health care. As currently written, an undocumented immigrant woman coming forward to obtain citizenship is barred from means-tested federal benefits like Medicaid for the minimum 10-year period she is a registered provisional immigrant (RPI). In addition to this 10-year restriction, she will also face an additional five-year wait under current law if she does not naturalize. As a registered provisional immigrant, she will also be ineligible for premium tax credits and subsidies to facilitate her participation in the health insurance marketplaces, placing these new health plans out of reach for many immigrant women. As such, an immigrant woman may have to wait up to 15 years or more before she can access affordable health coverage options.

This proposal is short-sighted and jeopardizes the health of women and their families. Health coverage for women can mean the difference between preventing and managing a treatable condition or, facing barriers to care, having those conditions exacerbated while going undetected and untreated. The latter circumstance can jeopardize a woman’s health and well-being across her lifespan. In addition, providing low-income immigrant women with Medicaid coverage will also help increase access to pregnancy-related services and family planning services, which are fundamental to improving maternal and infant health. For a woman without access to routine care for 15 years, for example, an undetected, untreated sexually transmitted infection may cause infertility. Tragically, for a woman with undiagnosed breast or cervical cancer, 15 years can be the difference between life and death.

Beyond the human costs associated with delaying health coverage for a decade or more, the health coverage exclusions in the bipartisan immigration reform bill are fiscally short-sighted and impact immigrant women’s ability to live as fully productive and independent members of society. Immigrant women are more productive when they have access to health care and are better able to work, care for their families, and pursue educational and employment opportunities. Additionally, when immigrant women and families don’t have health coverage, the need for medical attention does not go away. Immigrant women without health insurance may either delay treatment for a preventable disease like cervical cancer, leading to higher costs and greater suffering, or seek care through under-resourced and expensive emergency systems. This undermines immigrant women’s financial stability and increases health costs for the entire system. Expansions in health coverage have alleviated the costs of such emergency care by promoting preventive measures, detection, and early treatment; to exclude immigrants on the roadmap to citizenship is not only unfair, but fiscally irresponsible.

As such, we urge you to lift the five-year bar to accessing critical federal benefit programs such as Medicaid imposed on lawfully present immigrants. Doing so will improve immigrant women’s access to health coverage, utilization of preventive care, and management of health conditions — outcomes that serve to benefit immigrant women and families as well as the health and economic well-being of our communities.

Immigrant women and families on the path to citizenship are committed to being in America. They should have the same responsibilities, and access to supports for which they are eligible, as other Americans.

We thank you for your time and consideration to these issues.

Sincerely,

List of signatories on following pages

CC:

Members of the Senate Judiciary Committee
National Organizations

9to5
Abortion Care Network
Advocates for Youth
AIDS United
Alliance for a Just Society
America's Voice Education Fund
American College of Nurse-Midwives
American Congress of Obstetricians and Gynecologists
American Federation of State, County and Municipal Employees
American Medical Student Association
Americans for Immigrant Justice, formerly Florida Immigrant Advocacy Center
Asian & Pacific Islander American Health Forum
Asian American Justice Center, Member of Asian American Center for Advancing Justice
ASISTA Immigration Assistance
Association of Asian Pacific Community Health Organizations
Association of Reproductive Health Professionals
Black Women's Health Imperative
Border Network for Human Rights
Breakthrough
Center for Immigrant Healthcare Justice
Center for Reproductive Rights
Civil Liberties & Public Policy
Coalition of Labor Union Women
Columbian Center for Advocacy and Outreach
Ella Baker Center for Human Rights
Family Equality Council
Health Care for America Now
Hispanic Federation
Immigration Equality Action Fund
Institute for Science and Human Values
Jewish Labor Committee Western Region
Latino Commission on AIDS
Law Students for Reproductive Justice
Lutheran Immigration and Refugee Service
Methodist Federation for Social Action
Mexican American Legal Defense and Educational Fund
Midwives Alliance of North America
MomsRising.org
National Abortion Federation
National Asian American Pacific Islander Mental Health Association
National Asian Pacific American Women's Forum
National Association of Certified Professional Midwives
National Association of Social Workers
National Center for Law and Economic Justice
National Council of Jewish Women
National Council of Women's Organizations
National Family Planning & Reproductive Health Association
National Gay and Lesbian Task Force Action Fund
National Health Law Program
National Immigrant Justice Center
National Immigrant Solidarity Network
National Immigration Law Center
National Immigration Project of the National Lawyers Guild
National Korean American Service & Education Consortium (NAKASEC)
National Latina Institute for Reproductive Health
National Minority AIDS Council
National Organization for Women
National Partnership for Women & Families
National Women's Health Network
National Women's Law Center
People for the American Way
Physicians for Reproductive Health
Planned Parenthood Federation of America
Pre-Health Dreamers
Presbyterian Church (U.S.A.)
Raising Women's Voices for the Health Care We Need
Religious Coalition for Reproductive Choice
Reproductive Health Access Project
Reproductive Health Technologies Project
Senior Moments
Sexuality Information and Education Council of the U.S. (SIECUS)
Sin Fronteras
Sisters of Mercy South Central Community
The Advocates for Human Rights
The Association of Filipinas, Feminists Fighting Imperialism Re-feudalization, & Marginalization (AF3IRM)
The Hat Project
The United Methodist Church, General Board of Church and Society
Transgender Law Center
Trust for America's Health
Turning Anger into Change
Union for Reform Judaism
Unitarian Universalist Association
United Methodist Women
Women's Refugee Commission
YWCA USA

State and Local Organizations
Arizona
Border Action Network

California
ACCESS Women’s Health Justice
Asian Law Alliance
Asian Pacific American Legal Center, member of Asian American Center for Advancing Justice
Asian Pacific Policy & Planning Council
Bay Area Communities for Health Education
Center on Reproductive Rights and Justice at UC Berkeley School of Law
California Latinas for Reproductive Justice (CLRJ)
California National Organization for Women
California Pan-Ethnic Health Network
California Partnership
California Primary Care Association
California Religious Coalition for Reproductive Choice
California Women Lawyers
Coalition for Humane Immigrant Rights of Los Angeles
Immigration Center for Women and Children
JAG-ed
Korean Community Center of the East Bay
Korean Resource Center
Latino Coalition for a Healthy California
Methodist Federation for Social Action, Cal-Pac Chapter
National Network for Immigrant and Refugee Rights
Northeast Valley Health Corporation
Services, Immigrant Rights and Education Network
Silicon Valley Alliance for Immigration Reform
St. John's Well Child & Family Center
Vision y Compromiso

Colorado
Colorado Organization for Latina Opportunity and Reproductive Rights
Safehouse Progressive Alliance for Nonviolence

Connecticut
Social Justice Council of Unitarian Universalist Church in Meriden

District of Columbia
DC Chapter of the National Organization for Women
National Asian Pacific American Women’s Forum – D.C. Chapter

Georgia
Women Watch Afrika, Inc.

Illinois
Campaign for Better Health – IL
Illinois Coalition for Immigrant and Refugee Rights
National Council of Jewish Women, Illinois State Policy Advocacy Committee

Iowa
Northeast Iowa Peace & Justice Center, Inc.

Louisiana
Gulf Coast Center for Law & Policy
National Council of Jewish Women, Louisiana State Policy Advocacy Committee

Maine
Maine Women's Lobby
National Council of Jewish Women, Maine Section

Maryland
Centering Healthcare Institute
Maryland Women's Coalition for Health Care Reform

Massachusetts
Disability Policy Consortium
Massachusetts Immigrant and Refugee Advocacy Coalition

Minnesota
Interfaith Coalition on Immigration (ICOM)
Immigrant Law Center of Minnesota

Missouri
National Council of Jewish Women - Missouri State Policy Advocacy Committee
Religious for Immigration Reform

Michigan
Washtenaw Interfaith Coalition for Immigrant Rights

New Jersey
National Council of Jewish Women, New Jersey State Policy Advocacy Network
Reformed Church of Highland Park

New Mexico
New Mexico Asian Family Center
Southwest Women's Law Center

New York
African Services Committee
Coalition for Asian American Children & Families
Long Island wins
National Council of Jewish Women – New York State Policy Advocacy Committee
New York Lawyers for the Public Interest
New Sanctuary Coalition
Northern Manhattan Coalition for Immigrant Rights
Violence Intervention Program

North Carolina
Raleigh Episcopal Campus Ministry

Oregon
Oregon Foundation for Reproductive Health

Pennsylvania
Pennsylvania Council of Churches
Pennsylvania Immigration and Citizenship Coalition

South Carolina
Lowcountry Immigration Coalition

Texas
Lesbian Health Initiative
National Council of Jewish Women, Texas State Policy Advocacy Committee

Utah
National Council of Jewish Women, Utah State Policy Advocacy Committee

Vermont
Vermont Workers Center

Washington
First United Methodist Church of Wenatchee, WA
Northwest Immigrant Rights Project
Northwest Health Law Advocates
OneAmerica

West Virginia
WV FREE

Wisconsin
Voces de la Frontera
Wisconsin Alliance for Women's Health

International Organizations

Ministry of Health Republic of Armenia