



Date: June 27, 2017
To: Government Programs
From: Elizabeth Oseguera, Senior Policy Analyst
Re: Immigration Update

MEMORANDUM

Given the anti-immigrant rhetoric that has been perpetuated by the current administration, our members have asked CPCA to develop resources to help prepare them for the possibility of an immigration raid within their clinics. Additionally, many members have conveyed the anxiety and mental distress that patients and staff are experiencing due to fear of deportation for themselves or a loved one. Concerns about federal immigration policy have resulted in a significant increase in state activity and necessitated extensive California Health+ Advocates involvement on the issue.

I. Federal Immigration Update

On June 22, 2017, the President made comments that he will pursue legislation that would bar immigrants from being eligible for welfare for at least five years — though most already are. Some Immigration advocates are concerned that the President's comments may mean that he intends to make changes to the current rules governing public charge. If this legislation moves forward, California Health+ Advocates will be heavily engaged.

Additionally several executive orders (EO) have been issued by Donald Trump since he took office in January. Many of them are related, directly or indirectly, to immigration issues, and some have already led to litigation.

*Executive Orders on Immigration*Travel Ban

On March 6, 2017, a revised executive order was released that formally revoked the first order. Both orders have been perceived by many as a ban on people of the Muslim faith.

The travel restrictions under the new executive order were blocked by federal judges in mid-March, and the Fourth and Ninth Circuit Courts of Appeals refused to lift those stays in May and June. On June 26 the Supreme Court announced that it will hear the administration's appeal of lower court rulings blocking the ban in October and will also allow parts of the travel ban to go into effect during the interim. Specifically the Supreme Court will allow the ban to go into effect for foreign nationals who lack any "bona fide relationship with any person or entity

in the United States." Meaning that non-citizens with relationships with persons or entities in the United States can enter the country, others are banned per the order.

Sanctuary Jurisdictions

On April 25, 2017 U.S. District Judge William Orrick issued the preliminary injunction that blocked President Donald Trump's attempt to withhold funding from "sanctuary cities," saying the president has no authority to attach new conditions to federal spending. The injunction, which is still in effect, will prevent the administration from implementing the executive order while the lawsuits work their way through the judicial system.

New Executive Order – Nonimmigrant Visas

On June 22, 2017, the current administration signed an executive order that would no longer require the secretaries of state and homeland security to create a plan so that 80 percent of nonimmigrant visa applicants are interviewed within 3 weeks of receipt of application. This will most likely increase the length of time for approving a nonimmigrant visa to tourist, student, and business individuals.

II. State Legislative Update

California Health+ Advocates is closely monitoring legislation that impacts immigrants and is working with our immigration advocacy partners to support policy that ensures California has in place the proper safeguards to prevent patient information collected by a health center or public benefit programs from being shared with immigration enforcement. SB 244 (Lara, 2017) and SB 54 (De Leon, 2016) helps to accomplish this goal. Both bills have passed the Senate and are now in committee in the Assembly. Information on additional immigration bills that California Health+ Advocates is tracking can be found in the resources section below.

III. California Health+ Advocates Strategy to Address Immigration Issues

At the direction of members, California Health+ Advocates has been working diligently to develop materials that provide information on the legal rights of clinics, and their patients, in regards to Immigration enforcement.

Immigration Resources for Patients and Clinics

California Health+ Advocates has been leading an effort in collaboration with other state PCAs, NACHC, and immigration partners, to develop materials that can help health centers prepare themselves and patients for an encounter with immigration enforcement. Through this effort Ca. Health+ Advocates has developed six sample policies and procedures to help clinics prepare themselves and patients for the possibility of an immigration raid. We've been working with our immigration partners, including the Mexican American Legal Defense and Educational Fund (MALDEF) and the National Immigration Law Center (NILC), and Feldesman Tucker Leifer Fidell LLP (FTLF) to have these policies reviewed. The sample policies and procedures will be provided as a hand out during board and committee meetings.

As a reminder, California Health+ Advocates has developed FAQs that help answer many of the questions health centers have around immigration. The final FAQs are available on CaliforniaHealth+ Advocates immigration resource page (http://capca.nationbuilder.com/immigrant_resources) and under the resource section.

Immigration Workgroup

CPCA has created an Immigration workgroup to help gather member feedback on the immigration resources that we are developing as well as guide the work we are undertaking. This is also a great space for members to share the resources they've gathered/produced and to ask any questions that may be coming up for clinics and their patients.

Please contact Daisy Po'oi at daisy@healthplusadvocates.org if you would like to join the workgroup.

Upcoming Immigration Trainings for Members

Members have asked for trainings that provide guidance on the steps health centers can take to prepare themselves against an immigration raid. The first webinar, which took place in June, provided an overview of the FAQs and best practices for implementing the recommendations included in the FAQs. The National Immigration Law Center will also review best practices in implementing recommendations in both the FAQs and sample policies and procedures. The recording will be made available on the immigration resource page after July 11.

Below is more information on the upcoming webinar of the immigration series. During these webinars participants will learn how to review and identify valid warrants, how to best provide patients with know your rights (KYR) information, and how to prepare clinic staff and patients for potential raids by immigration enforcement (including having a preparedness plan in place). To register please visit CPCA's webinar registration page.

1. Overview of Policies and Procedures for Health Centers (July)
**Audience: clinic staff that are working / looking into creating policies and procedures that will help the clinic be prepared for an encounter with immigration officials.
2. Messaging Strategies and Techniques for Patients (July)
**Audience: Immigration Liaisons and advocacy / training staff.
3. Immigration Liaison Training for Clinic Staff (August)
** Audience: Immigration Liaisons in clinics

IV. Resources

- [Immigration Bill List](#)
- Handout: California Health+ Advocates Sample Policies and Procedures
- [California Health+ Advocates Immigration Patient FAQs](#)