

The Boston Globe

Calif. asks to let undocumented adults buy insurance

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September 16, 2016

In a move that is sure to draw the ire of Republicans, California officials are asking the Obama administration this week to approve a plan that would allow undocumented immigrants to buy health insurance on the state's public exchange.

Officials say up to 30 percent of the state's 2 million undocumented adults could be eligible for the program, and about 17,000 people are expected to participate in the first year, if the plan is approved. But the proposal faces serious hurdles in Washington, where it must be approved by both the Treasury and the Health and Human Services departments.

During debates on health care in his first term, and again when Congress considered an immigration overhaul in 2013, President Obama made it clear that health insurance subsidies under the Affordable Care Act would not go to immigrants who are living in the United States illegally. And two provisions of the health care law limit coverage to residents who are here legally. But advocates of California's initiative argue that the plan should be approved under what is known as an "innovation waiver," which allows states to have provisions of the federal law modified, because no federal dollars will be used to fund the program.

"This really represents the next step in health for all," said state Senator Ricardo Lara, a Democrat and the author of the bill, who was in Washington this week to garner support for the measure. "We're simply asking Washington to allow California to once again allow more people to pay into the system. We're reaffirming once again our desire to make affordable preventative care available to everyone and our belief that health care is a human right not a privilege."

California is the first state to propose such a plan. Immigrants living here illegally represent the largest share of the uninsured in California, and public health officials have been working for years to find ways to provide them with preventive health care. California already offers immigrants more care than other states do. Many counties here provide some basic care through community clinics. And children who are undocumented can now receive Medi-Cal, the state's public health insurance for low-income residents, under a law that took effect this spring.

More than 135,000 children have enrolled so far, but public health officials estimate that the number of those eligible is even higher. Many so-called mixed households, in which some family members are here legally and others are not, have been reluctant to sign up, fearing that they would put themselves at risk for deportation, health officials say.

"We have been saying to people, 'We can sign up your child, but we can't sign you up,'" said Anthony Wright, the executive director of Health Access California, an advocacy

group. “There’s a symbolic issue of having a state agency that cannot serve an important part of society, even when they are ready to use their own resources.”

Wright said he believed the administration would approve the plan because the state was no longer receiving federal subsidies for the operation of its health insurance exchange, Covered California, which is widely seen as one of the best-run exchanges in the country.

Michael F. Cannon, the director of health policy studies at the Cato Institute and a frequent critic of the health care law, said, “Obama has already broken promises about the law, and doing this would be another broken promise.” While undocumented immigrants should have the right to purchase health insurance on the private market, they should not be allowed to do so on public exchanges, Cannon said, adding: “This certainly has the potential to become a welfare magnet. You could easily imagine families with high medical expenses moving to California.”

While the proposal will most likely meet resistance in Washington, it is widely supported in California, where public health advocates have been laying the groundwork for such a policy for years. Several Republicans in the state Legislature voted to approve the legislation in June, and Governor Jerry Brown signed it into law in July. Covered California then drafted an application for the waiver, which it will submit to the federal government this month. This week, the state’s Democratic congressional delegation wrote a letter urging the Obama administration to approve it.