



**THE NELSON A.
ROCKEFELLER
INSTITUTE
OF GOVERNMENT**

UNIVERSITY AT ALBANY
State University of New York

Mini Summit IV Health Reform: What is the Future for Undocumented Aliens?

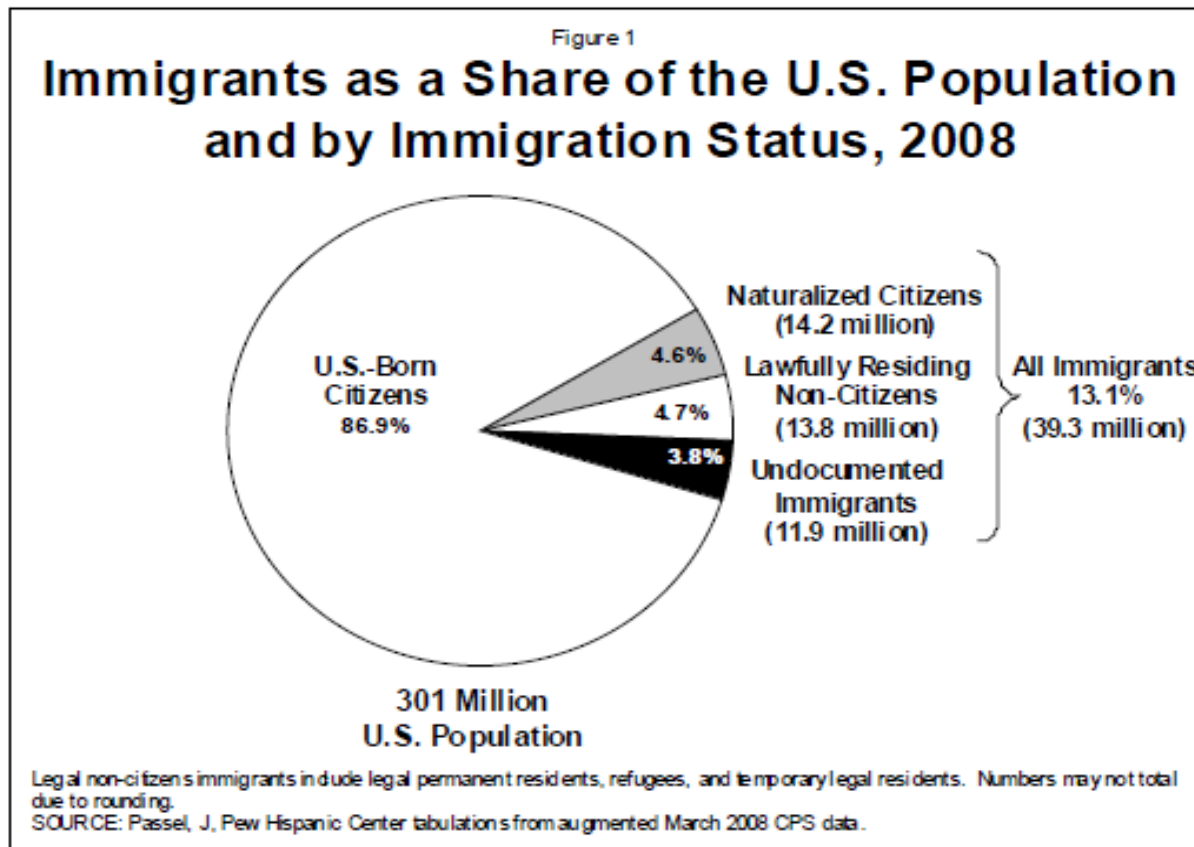
National Congress on Health Insurance Reform

Presented by Courtney Burke
January 20, 2011

Terms and Definitions

- ❖ Immigrants
- ❖ Citizens
- ❖ Non-citizens
 - Lawfully residing non-citizens
 - Undocumented immigrants

Undocumented Immigrants are 3.8 Percent of Population



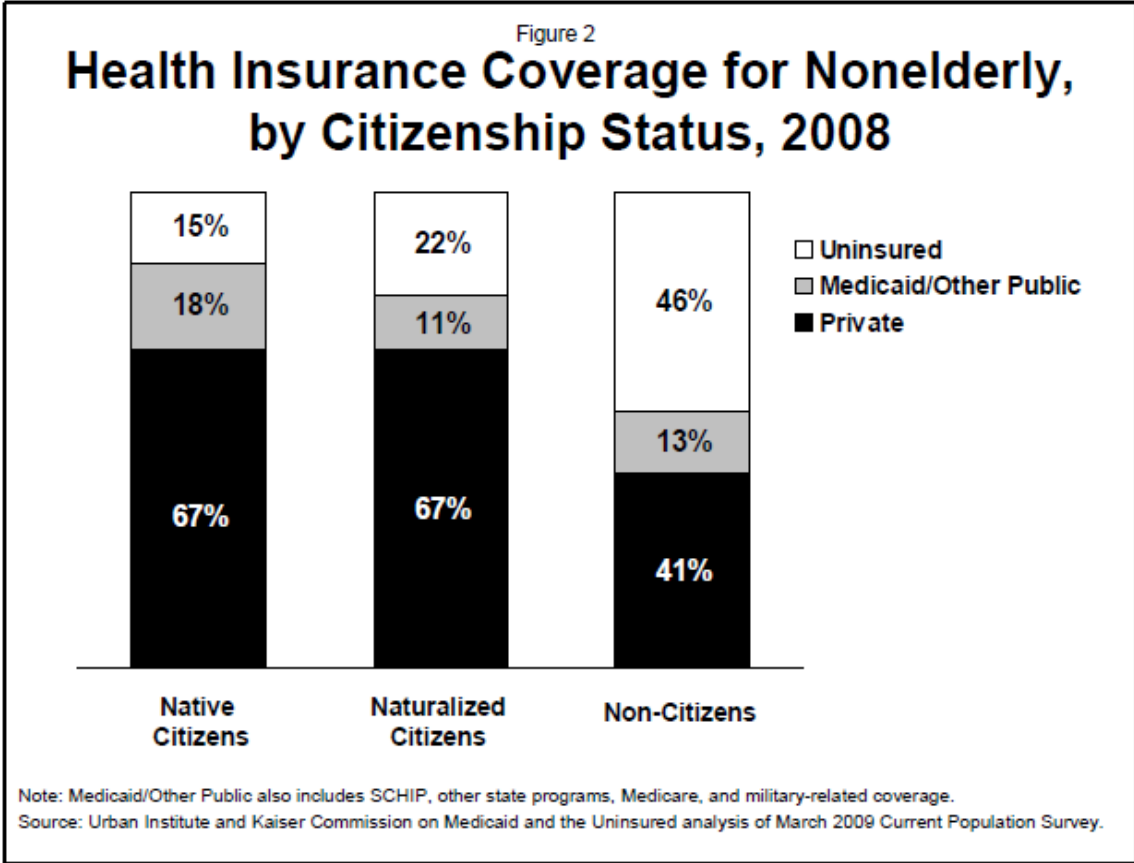
State Variation in Number of Unauthorized Immigrants

Table 1
States with Largest Unauthorized Immigrant Populations, 2008
(population in thousands)

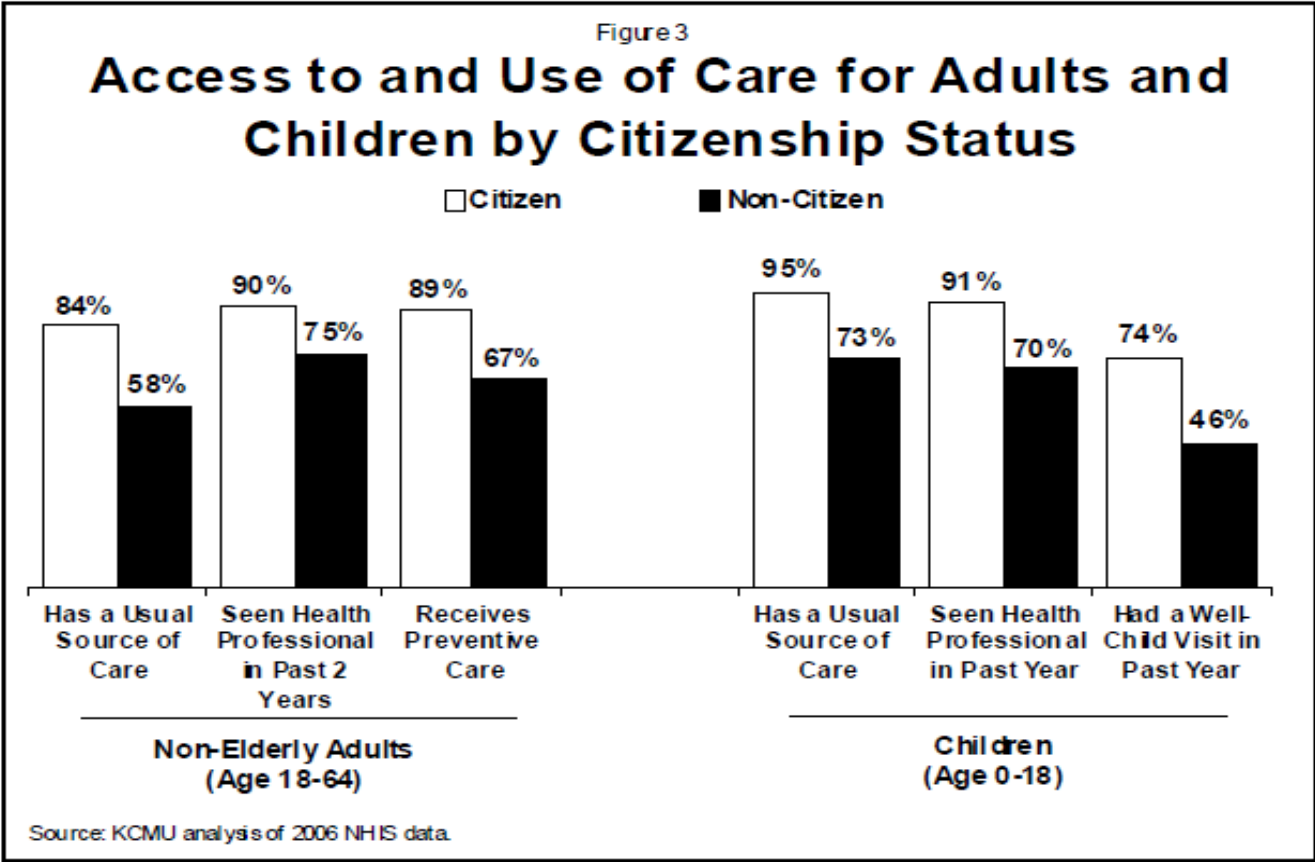
	Estimated Population	Range
U.S. Total	11,900	(11,400 - 12,400)
California	2,700	(2,500 - 2,850)
Texas	1,450	(1,300 - 1,550)
Florida	1,050	(950 - 1,150)
New York	925	(800 - 1,050)
New Jersey	550	(500 - 600)
Arizona	500	(475 - 550)
Georgia	475	(425 - 500)
Illinois	450	(375 - 525)
North Carolina	350	(300 - 400)
Virginia	300	(275 - 325)

Source: Pew Hispanic Center estimates based on augmented March Current Population Surveys for 2006-08. See Table B1

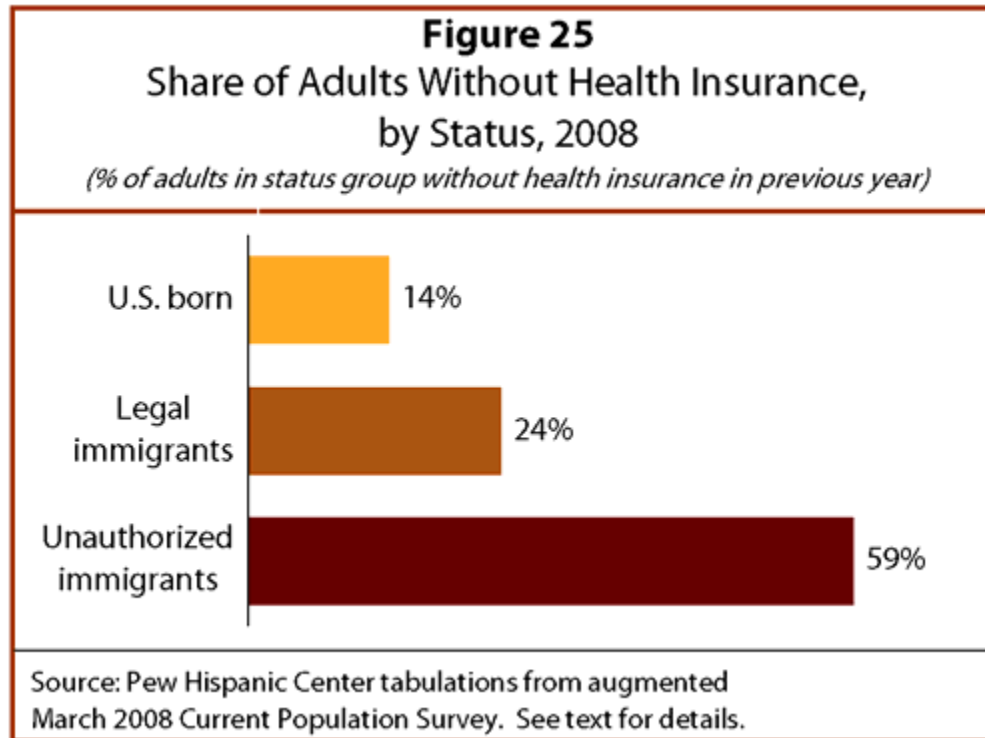
Non-Citizens are the Highest Percent of Uninsured



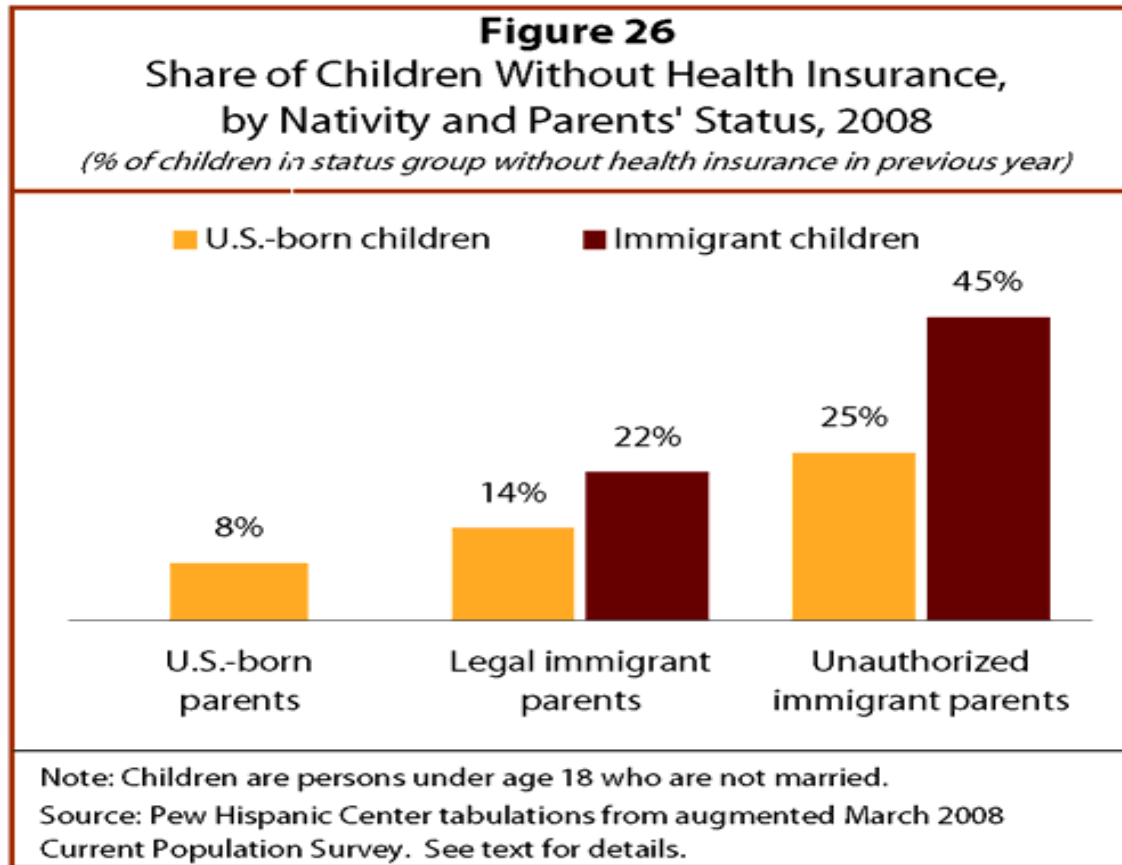
Non-Citizens Less Likely to Get Care



Unauthorized: Highest Percent of Uninsured



Children of Unauthorized Immigrants Get Less Care



Recent Statutes Affecting Immigrant Health Coverage

- ❖ 1996: Permanently Residing Under Color of Law (PRUCOL) doctrine abolished under Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA)
- ❖ 2002: Children's Health Insurance Plan – State option to cover prenatal care
- ❖ 2005: Balanced Budget Act of 2005 – New paperwork requirements
- ❖ 2009: Children's Health Insurance Program Reauthorization Act (CHIPRA) state option to eliminate “five-year bar for lawfully residing immigrants”

Immigrants' Use of Health System

- ❖ **Not much is known** – “Hospitals generally do not collect information on their patients’ immigration status, and as a result, an accurate assessment of undocumented aliens’ impact on hospitals’ uncompensated care costs—those not paid by patients or by insurance—remains elusive.

—GAO

Ways Illegal Immigrants Get Care

- ❖ EMTALA – Emergency Medical Treatment and Active Labor Act
- ❖ Medicaid – Low-income children and pregnant women
- ❖ DSH – Disproportionate share hospital payments
- ❖ Charity care
- ❖ Community health centers

Sources of Funding for Care of Illegal Immigrants

Federal Funding Sources That Have Been Available to Help Cover Costs of Treating Undocumented Aliens

Program	Description
Medicaid	Covers emergency medical services for undocumented aliens who meet Medicaid eligibility requirements
Medicaid disproportionate share hospital payments	Provides supplemental payments to certain hospitals serving a larger number of low-income patients
Balanced Budget Act of 1997	Made \$100 million available to 12 states in fiscal years 1998 through 2001 for emergency services furnished to undocumented aliens

Source: GAO.

States and Care for Undocumented Immigrants

- ❖ State Medicaid officials in 10 states reported spending more than \$2 billion in fiscal year 2002 for emergency Medicaid expenditures
- ❖ According to data provided by state Medicaid officials in 5 of the 10 states, at least half of emergency Medicaid expenditures in these states were for labor and delivery services for pregnant women

Definition of Hospital Uncompensated Care

- ❖ Care for which the hospital receives no payment from either the patient or an insurer. Uncompensated care costs include:
 - Costs of providing charity care; that is, care for which the hospital never expected to receive payment because of the patient's inability to pay
 - Bad debt incurred for services for which the hospital expected to receive payment, but did not because patients were unable or unwilling to pay

States' Expenditures for Emergency Medicaid

Source: GAO

Table 1: Federal and State Emergency Medicaid Expenditures for 10 States, Fiscal Year 2002

Dollars in millions	
State	Expenditures
Arizona	84
California ^a	776
Florida	223
Georgia	62
Illinois	75
New Jersey	27
New Mexico ^b	4
New York	474
North Carolina	43
Texas	265
Total	2,034^c

Source: State Medicaid officials.

^aCalifornia emergency Medicaid expenditures do not include expenditures for lawful permanent resident aliens.

^bData for New Mexico are for state fiscal year 2002.

^cNumbers do not add to total shown because of rounding.

Affordable Care Act of 2010 (ACA)

- ❖ Nearly 40 percent of those who would still be uninsured under ACA are eligible for Medicaid or CHIP but may choose not to enroll.
- ❖ Just over one quarter would be undocumented immigrants who are ineligible for public insurance coverage or the coverage in new exchanges

Affordable Care Act of 2010 (ACA), cont.

- ❖ Undocumented immigrants are barred from the exchanges and exempt from the mandate
- ❖ A non-group market outside the exchange would almost certainly need more than demand from undocumented immigrants to remain viable; such coverage may vanish entirely outside of the exchange in some states

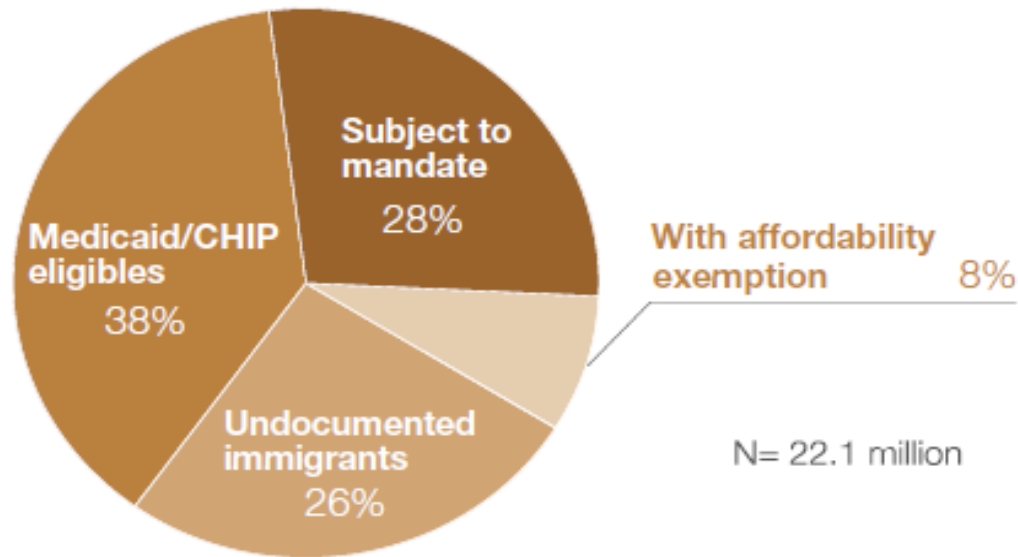
Affordable Care Act of 2010 (ACA), cont.

- ❖ Legal immigrants with incomes below 138 percent of the FPL who have been in the United States less than five years are not eligible for Medicaid but would be eligible for subsidies in the exchange

Uninsured Post ACA

Source: Urban Institute

Figure 3: Those Left Uninsured under Reform

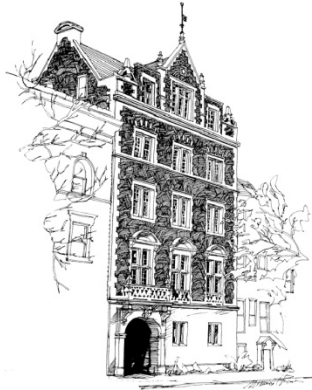


Looking Ahead

- ❖ Immigration may pick up again when economy recovers
- ❖ Federal funding for uncompensated care uncertain
- ❖ DSH payments will begin to phase out beginning in 2014
- ❖ States will treat the issue differently

Major Sources

- ❖ Kaiser Family Foundation – *Immigrants' Health Coverage and Health Reform: Key Questions and Answers*
- ❖ Pew Research Center – *A Portrait of Unauthorized Immigrants in the US*
- ❖ Government Accountability Office (GAO) – *Undocumented Aliens: Questions Persist About Their Impact on Hospitals' Uncompensated Care Costs*
- ❖ Urban Institute – *America Under the Affordable Care Act*



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