



Rights for patients and healthcare providers in hospitals and clinics

- **Current policy keeps immigration officials away from hospitals and medical facilities.**
 - U.S. Immigration and Customs Enforcement (ICE) officers and agents are to refrain from enforcement actions at hospitals.
 - **Remain silent.** ICE can use anything you say against you in your immigration case; so, claim your right to remain silent! Say, "I plead the Fifth and choose to remain silent."
 - **Do not sign.** Don't sign anything ICE gives to you without first talking to an attorney.
- **Strong privacy rules protect families applying for health insurance, including families whose members have different immigration statuses.**
 - Any information provided in the process of applying for Medicaid, CHIP (Children's Health Insurance Program) or an Affordable Care Act Marketplace plan may be used only to determine the individual's eligibility for the program—not for immigration enforcement purposes.
 - Government workers, application assisters, and people who help with insurance applications are required by law to keep information private and secure.
- **If you don't have a Social Security number (SSN), you don't have to provide one.**
 - Whether you are applying for health insurance for yourself or on behalf of eligible family members, your health insurance application may not be delayed or denied because you don't have an SSN. Only people who have a valid SSN are required to provide one.
- **Everyone has the right to an interpreter, at no cost, when applying for health insurance or seeking healthcare.**
 - Regardless of your immigration status, you have the right to an interpreter at no cost, whether you are applying for Medicaid, CHIP or an ACA Marketplace insurance plan, or are seeking care at a hospital or community health center.
 - Children should not be asked to translate for their parents or other adults, especially in a healthcare setting.
 - Hospitals and community health centers may use bilingual staff, telephone interpretation services, or qualified in-person interpreters to provide language assistance services for patients.

Know your Rights

Information for healthcare providers and patients



American Federation of Teachers, AFL-CIO
555 New Jersey Ave. N.W. • Washington, DC 20001 • 202-879-4400



A Union of Professionals

AFT Nurses and Health Professionals ❤️

- **If you are uninsured, you have certain healthcare options, regardless of your immigration status.**
 - The following healthcare programs and services are available for undocumented immigrants, people with Deferred Action for Childhood Arrivals (DACA) status, and other uninsured people in all states:
 - Emergency care
 - Community health centers, migrant health centers and free clinics
 - To find a health center, go to <https://findahealthcenter.hrsa.gov>.
 - To find a free or charitable clinic, go to www.nafclinics.org/find-clinic.
 - Public and safety-net hospitals
 - Public health services (immunizations, mental health, screening and treatment for communicable diseases, such as tuberculosis, HIV, sexually transmitted infections)
 - Programs providing health services necessary to protect life or safety (emergency medical, food or shelter; mental health crisis; domestic violence; crime victim assistance; disaster relief)
 - Treatment for an emergency medical condition under “emergency Medicaid,” including labor and delivery for pregnancy
 - Financial assistance or “charity care” programs at community health centers and most hospitals
 - More options may be available in your state; check with a trusted local healthcare provider or with an immigrants’ rights or health advocacy group.
 - Note that five states (California, Illinois, Massachusetts, New York and Washington) and the District of Columbia currently provide state-funded Medicaid or CHIP coverage to children and youth regardless of immigration status; and 16 states and the District of Columbia provide pregnancy-related services to pregnant women, regardless of immigration status.
 - More information is available at www.nilc.org/healthcoveragemaps/ and www.nilc.org/medical-assistance-various-states/.
- **Healthcare providers should not ask for immigration status information.**
 - Under federal law, hospitals with emergency rooms must screen and treat people who need emergency medical services, regardless of whether they have insurance, how much money they have, or their immigration status.
 - Similarly, anyone can seek primary and preventive healthcare at community health centers, regardless of whether they are insured, their ability to pay, or their immigration status.
 - Neither citizenship, lawful immigration status, nor a Social Security number are required to receive healthcare services under federal law. Doctors, hospitals, clinics, health centers, or other medical providers may ask for this information to find out if you may be eligible for public health insurance, like Medicaid, and how you are going to pay for services. But they should not deny medical treatment based on assumptions about your immigration status that they may make because of the language you speak, your accent, what you look like, or whether you have a Social Security number. In fact, doing so may violate federal civil rights laws.
 - Even though healthcare workers have no duty to report your immigration status to law enforcement or federal immigration officials, if you are undocumented, you should not provide your immigration status information to workers at a hospital, health center or doctor’s office.
 - **If you don’t have health insurance, you may say, “I am not eligible for health insurance and do not want to apply.”**
- **You should not have to show a photo ID to receive medical treatment.**
 - Hospitals or doctors may ask for photo identification, but not for purposes of immigration enforcement.
 - A photo ID may be needed to show that the person getting care is the person whose name is on the medical record or on the prescription.
 - No one should be refused treatment because they do not have a photo ID.

Source: National Immigration Law Center (www.nilc.org)