



# COMMUNITY PREVENTION AND POPULATION HEALTH TASK FORCE COUNTY OF LOS ANGELES

COMMUNITY PREVENTION AND  
POPULATION HEALTH TASK FORCE  
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TASK FORCE CO-CHAIR

Veronica Flores, MS

July 5, 2018

The Honorable Board of Supervisors  
County of Los Angeles  
Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

## PROTECTING IMMIGRANT FAMILIES' ACCESS TO HEALTH AND SOCIAL SERVICES

Dear Supervisors:

As members of the Community Prevention and Population Health Task Force (Task Force), we write to express our collective concern regarding a U. S. Department of Homeland Security draft rule that would allow immigration officials to deny an individual the opportunity to become a legal permanent resident or bar an individual seeking admission to the U.S. simply because an immigrant or his or her family members enrolled in a public benefit program. These proposed changes threaten the health, security and safety of individual residents as well as the Los Angeles County community at large. We sincerely appreciate your leadership in preparing for the rule through the recent executive assignment to all Departments. As you move forward with preparing official public comment for when the rule is published in the Federal Register, we have included information for you to make clear the impacts that the changes would have on County services, the well-being of populations served by the County, and the overall public health of Los Angeles County.

The U.S. Department of Homeland Security has informed the Office of Management and Budget (OMB) that it plans to propose regulations that discard longstanding policy about the meaning and application of the “public charge” provisions of immigration law.<sup>1</sup> “Public charge” has been part of our nation's immigration policy for more than 100 years and requires certain non-U.S. citizens who are seeking to enter the U.S. or to obtain lawful permanent resident (LPR) status to show that, based on all their circumstances, they are not likely in the future to rely on the government for subsistence. Under current policy, immigration officials can only look to cash

### Community Prevention and Population Health Task Force Members:

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Michelle Fluke · Cathy Friedman · Nancy Halpern Ibrahim · Anisha Hingorani · Anne-Marie Jones · Nomsa Khalfani  
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assistance or long-term institutional care paid for by government when making a public charge determination.

Based on the draft leaked to the media, the proposed rule would greatly expand the benefits that immigration officials consider when determining whether a person is likely to become a public charge. Benefits that *could* be considered under the leaked draft rule would include nonemergency Medicaid and the Children's Health Insurance Program (known together in California as Medi-Cal), the Supplemental Nutrition Assistance Program (CalFresh), the Special Supplemental Nutrition Program for *Women, Infants, and Children (WIC)*, Section 8 housing vouchers, the Low-Income Home Energy Assistance Program, the earned income tax credit, and financial assistance provided through the health insurance marketplaces established under the Affordable Care Act (Covered California).<sup>2</sup> Immigrants' use of programs related to their health and wellbeing — or that of their family members, including U.S. citizen children — would be a factor in deciding whether to grant lawful permanent residence (a green card). And, state or locally funded programs that are means tested, like My Health LA, might be factored into a public charge determination as well.

This policy change would essentially force families, including those with U.S. citizen children, to choose between getting the help they need to prosper – from crucial programs that provide medical care, food assistance, housing assistance, and economic security – and reuniting with those they love. These are not consistent with the ideals of our county, our state, or our country.

Los Angeles County, home to more immigrants than any other county in the nation, will be disproportionately impacted by changes to public charge policy. This policy would affect 1.2 million noncitizens and 2.4 million people living in families with noncitizens in Los Angeles County alone.<sup>3</sup> This includes more than half of all children in the county who live with at least one immigrant parent.<sup>4</sup> The fear generated by these rules would extend far beyond any individual who may be subject to the “public charge” test by creating a chilling effect that will harm entire communities as well as the infrastructure that serves all of us. This policy change would undermine access to essential health, nutrition and other critical programs for eligible immigrants and their family members. It would also make child poverty worse by discouraging enrollment in programs that address health, hunger and economic security, with profound consequences on families' well-being and long-term success.

Further, the proposed new policy would add burdensome administrative costs to state and local agencies administering health, nutrition, housing and other programs. Any change that expands the types of benefits that will be considered in public charge determinations or that includes benefits received by an immigrant's family and children will require benefits agencies to change their systems, forms, and procedures. Application systems will need to be redesigned to give applicants direct control over which benefit types they are applying for, for each member of their families, and delinked so that people are not unwittingly enrolled in benefits programs that will place them at increased risk to be considered a public charge.

Changes to public charge regulations present a significant threat to the health and well-being of more than two million Los Angeles County families. In communities today, children and

families are already living in fear, scared to visit a doctor or pick up food or play at a park because of the threat of immigration enforcement. The current crisis of family separation manufactured by the Department of Homeland Security is further evidence of a complete disregard for the well-being of immigrant families. The proposed changes to public charge regulations would make the situation for Los Angeles immigrant families even worse. On behalf of the Community Prevention and Population Health Task Force, we stand ready to work with you so that all families in Los Angeles County can lead healthy lives.

Respectfully,



Veronica Flores, MA, Co-Chair

Members:

Sonya Young Aadam, California Black Women's Health Project  
Manal Aboelata, Prevention Institute  
Mayra Alvarez, The Children's Partnership  
Tamika Butler, Los Angeles Neighborhood Land Trust  
Melinda Cordero-Bárzaga, Visión y Compromiso  
Veronica Flores, Community Health Councils  
Michelle Fluke, Antelope Valley Partners for Health  
Cathy Friedman, Peace Over Violence  
Nancy Halpern Ibrahim, Esperanza Community Housing  
Anisha Hingorani, Advancement Project  
Anne-Marie Jones, The LA 84 Foundation  
Nomsa Khalfani, Essential Access Health  
Jim Mangia, St. John's Well Child and Family Centers  
Ramella Markarian, Adventist Health Glendale  
Damon Nagami, Natural Resources Defense Council  
Lauren Nakano, Beach Cities Health District  
Elisa Nicholas, The Children's Clinic  
Theresa Nitescu, Northeast Valley Health Corporation  
Janae Oliver, Kaiser Permanente  
Maryjane Puffer, The Los Angeles Trust for Children's Health  
Cori Racela, Western Center on Law & Poverty  
Margaret Smith, Policy Council, Los Angeles County Office of Women's Health  
Amanda Staples, Investing in Place  
Benjamin Torres, Community Development Technologies Center (CDTech)  
Nicole Wong, Redeemer Community Partnership

c: Executive Office, Board of Supervisors

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<sup>1</sup> Inadmissibility Based on Public Charge Grounds, RIN # [1615-AA22](#), was received by the Office of Management and Budget on March 29, 2018. <https://www.reginfo.gov/public/jsp/EO/eoDashboard.jsp>

<sup>2</sup> "Trump proposal would penalize immigrants who use tax credits and other benefits," The Washington Post, March 28, 2018. The Washington Post inked to the leaked draft here: [https://www.washingtonpost.com/world/national-security/trump-proposal-would-penalize-immigrants-who-use-tax-credits-and-other-benefits/2018/03/28/4c6392e0-2924-11e8-bc72-077aa4dab9ef\\_story.html?utm\\_term=.c52e0402a554](https://www.washingtonpost.com/world/national-security/trump-proposal-would-penalize-immigrants-who-use-tax-credits-and-other-benefits/2018/03/28/4c6392e0-2924-11e8-bc72-077aa4dab9ef_story.html?utm_term=.c52e0402a554)

<sup>3</sup> This is based on noncitizens or people in families with noncitizens in Los Angeles County with incomes below 250% of the FPL under the leaked draft proposed rule, which includes a heavily weighed positive factor for individuals who can demonstrate income of 250% of the FPL or higher. 2012-2016 5-Year American Community Survey Public Use Microdata Sample (ACS/PUMS); 2012-2016 5-Year American Community Survey (ACS) estimates accessed via American FactFinder; Missouri Census Data Center (MCDC) MABLE PUMA-County Crosswalk. Custom Tabulations by Manatt Health, 5/16/2018.

<sup>4</sup> Children Living with One or More Foreign Born Parent, kidsdata.org U.S. Census Bureau, [American Community Survey](#) (Dec. 2015). <https://www.kidsdata.org>