

Dear President Biden,

As organizations fighting for justice, equity, child well-being, and human rights for millions across the United States, we write to urge you to immediately direct your administration to finalize the proposed rule to expand health coverage for DACA recipients and immigrant children. While we are grateful that your administration took action in proposing the rule, we are extremely concerned that any further delays will prevent families from accessing the quality, affordable healthcare they deserve.

In April of 2023, the Department of Health and Human Services proposed a new regulation that would reduce barriers to enrolling in health coverage for certain groups. In particular, the notice of proposed rulemaking would make DACA recipients eligible for coverage under the Affordable Care Act, as well as Medicaid and CHIP in select circumstances. It would also clarify and strengthen coverage for other populations, including those approved for Special Immigrant Juvenile (SIJ) Status and children applying for humanitarian relief.

If this rule isn't immediately finalized, individuals in need may not be able to fully benefit from the upcoming 2024 Affordable Care Act open enrollment period, which starts on November 1st. In the proposed rule, HHS wisely selected this same day for proposed implementation. Doing so allows newly eligible individuals to benefit from the extensive outreach and enrollment resources devoted to open enrollment. Particularly because immigrants are hard to reach populations, missing this timing would mean that far fewer people will get covered. With less than XX days till open enrollment, we do not want to run out of time.

DACA recipients, despite working heavily as essential workers and in the health care sector, are disproportionately uninsured, face higher risks of medical debt, and cannot access the care they need. SIJ-approved youth are often forced to wait years before adjusting status. Due to confusion in implementing the current rule, access to health coverage has been delayed for some of these youth, putting their health and well-being at risk. The proposed rule helpfully clarifies that these individuals are lawfully present in the US and therefore potentially eligible for coverage. Immigrants and their children face significant health disparities, such as worse health outcomes. These trends contribute to racial health disparities in the United States, given that many immigrants are people of color. In proposing this rule, your administration took an important step in addressing these inequities. Now we call on you to finalize it immediately.

Sincerely,

Center for Law and Social Policy
Community Catalyst
National Immigration Law Center
Pre-Health Dreamers
Young Invincibles
United We Dream Network