

Proposals to Strengthen Senate Health Care Reform Legislation for Everyone

The National Council of La Raza (NCLR), the largest national Hispanic civil rights and advocacy organization in the United States, has evaluated the two Senate legislative proposals and recommends the following changes as the two bills are merged. There are millions of U.S. citizens and legal immigrants who will be impacted by the restrictive measures that have been inserted or continued in health care reform legislation.

- **Mandatory Removal of the Five-Year Bar.** To promote an equitable system for all, we must remove remaining restrictions for legal immigrants to access Medicaid, Medicare, and the Children's Health Insurance Program (CHIP), including the five-year bar that keeps lawfully present individuals from gaining access to affordable health coverage. Legal immigrants who have paid the same taxes as U.S. citizens should have access to programs that they have helped fund when they fall on hard times. Mandating coverage for legal immigrants would ensure that these individuals have the opportunity to fulfill their responsibility to obtain insurance and lead healthy lives.
- **Provide Affordability for ALL Citizens and Legal Immigrants.** Every citizen and legal immigrant should have equitable access to health coverage, but the structure of Senate health reform legislation may prevent access to important subsidies that would help many afford health insurance. As currently drafted, the Senate Finance Bill will result in the mistreatment of millions of citizens and legal immigrants by denying them access to affordability credits to purchase insurance. Due to the way families are determined eligible for federal tax credits to help pay for health insurance, the Senate Finance legislation would effectively discriminate against citizens and legal immigrants living in mixed immigration status households. These individuals would either receive a disproportionately lower credit or be denied any form of assistance altogether. The income calculation rules in the Senate Finance Bill must be adjusted to ensure that **all** citizens and legal immigrants will have access to equitable credits to make insurance affordable.
- **Allow ALL Individuals to Purchase Insurance on Their Own.** The exclusion of undocumented residents from purchasing private insurance in new Exchanges or Gateways, even when they are not asking for assistance, should be removed from legislation. Denying such access to coverage leaves these individuals uninsured and will force unnecessary delays in care, leaving critical health issues to grow more urgent and the treatment more expensive. It is also against the overarching goals of health care reform to deter people from purchasing insurance. Individuals who are willing to pay full price to purchase health insurance in the Exchange should be afforded that opportunity in health care reform legislation.
- **Remove Roadblocks to Insurance.** Paperwork and excessive verification can contribute to time delays and higher costs for people enrolling in insurance. Congress should refrain from invoking excessive verification proposals that could eliminate access for Americans. There are numerous studies that show that while there is no evidence of misuse of our health care resources by ineligible immigrants, verification raises costs, removes access to health care, and has been proven to eliminate access to health coverage for many Americans. Health care reform should be as streamlined as possible to facilitate access to care. It should promote family-based applications and eligibility. Both Senate bills make every individual screen for care in their new health care reform proposals. Furthermore, protections should be incorporated that protect misuse of personal information when verification is implemented.