The Basics

Immigrants face many barriers in getting health insurance. They are less likely to work for employers that offer insurance, are not eligible for many public programs, and often have language barriers. Many have only the fragmented safety-net system of clinics and hospitals to turn to for health care.

The new law is meant to bring down the cost of health care for everyone. However, it does not go far enough to extend those benefits to our immigrant populations. On the contrary, the law may make it harder for some immigrants to find affordable care.

Lawful Immigrants

Naturalized citizens are treated the same as U.S.-born citizens under the new law. Lawfully present immigrants will be:

- Subject to the individual mandate and required to have health insurance starting in 2014 (with some exceptions).
- Able to purchase insurance on the Exchange with no waiting periods.
- Eligible for premium subsidies, if they meet the other eligibility requirements.

Undocumented Immigrants

Undocumented immigrants are essentially left out of the new law, and will not benefit from any of the new changes. These immigrants will be:

- Exempt from the individual mandate to purchase insurance.
- Not allowed to buy private health insurance on the state insurance Exchange. However, undocumented immigrants are allowed to buy insurance on the Exchange for other family members who may be citizens or lawfully present.

There do remain some health insurance options for undocumented immigrants:

- Undocumented immigrants may still purchase private insurance outside of the Exchange, though it is unlikely to be as affordable as insurance purchased through the Exchange.
- Undocumented children are still eligible for comprehensive health insurance under New York’s Child Health Plus program.
- All immigrants may seek care at community health centers and safety-net hospitals. Under the new law, community health centers will receive $11 billion over 5 years beginning in fiscal year 2011.

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