

October 25, 2022

Dear Secretary Becerra,

As advocates for immigrants and expanded access to health care, we urge you to allow recipients of the Deferred Action for Childhood Arrivals (DACA) program to enroll in health insurance through the Affordable Care Act (ACA), Children's Health Insurance Program (CHIP), and Medicaid. Under the Affordable Care Act, all people with [lawfully present](#) immigration statuses—which includes people granted deferred action—are eligible for enrollment in qualified health plans. Similarly, under the CHIP Reauthorization Act of 2009 states can elect to [cover](#) lawfully present children and pregnant people in Medicaid and CHIP. However, in 2012, the Department of Health and Human Services (HHS) decided that grantees of deferred action under the DACA policy memo [would not be](#) considered lawfully present for these coverage options, despite the absence of any statutory exception.

Now that the Department of Homeland Security's (DHS) 2012 memo establishing DACA will be [replaced](#) by a final regulation, it is time for HHS to address this decade-long disparity. In the preamble to the new final rule, DHS states that, with respect to the programs under its jurisdiction, "DACA recipients are provided deferred action and should continue to be deemed 'lawfully present' like all other deferred action recipients—as they have been since the start of DACA." However, DHS also notes that, "any future revision of this determination for Medicaid, CHIP, or with respect to the ACA Exchange and private market programs would need to be made by HHS." Doing so not only would be consistent with DHS's interpretation, it would advance President Biden's policy priorities, such as Executive Orders [13985](#) on racial equity and [14070](#), strengthening access to health care. By making people with DACA eligible for insurance programs, HHS can extend coverage to hundreds of thousands of people without action from Congress.

People with DACA face deep health care disparities: 39% of DACA eligible individuals are [uninsured](#), more than [three times](#) the rate of the general population. One survey [found](#) that 47% of people with DACA delayed care because of their immigration status and 67% said that they or a family member have been unable to pay medical bills. During the COVID-19 pandemic, DACA recipients disproportionately have [served](#) as essential workers, especially in the health care sector, despite lacking equitable access to protect their own health.

With pending [court action](#), the future of DACA is uncertain, but that makes the imperative for HHS to act even more pressing. While other recipients of deferred action are eligible for these coverage programs, DACA recipients face the continuing [consequences](#) of uninsurance, such as unmet mental health needs and medical debt. Taking steps to improve people with DACA's health and ability to participate fully in economic and civic life would help achieve the goals of the policy. Therefore, we ask you to act as soon as possible to issue the necessary regulations and guidance so that people with DACA can obtain the health care they need and deserve.

Sincerely,

National Groups

Center for Law and Social Policy

National Immigration Law Center

UnidosUS

United We Dream

32BJ SEIU

Academic Pediatric Association

Advocates for Youth
Advocating Opportunity
African Communities Together
AIDS Alliance for Women, Infants, Children, Youth & Families
Alianza Americas
All* Above All Action Fund
American Academy of Pediatrics
American Association of People with Disabilities
American Committee for Middle East Rights
American Federation of Teachers
American Friends Service Committee (AFSC)
American Lung Association
American Pediatric Society
Asian & Pacific Islander American Health Forum (APIAHF)
Asian American Advancing Justice | AAJC (Asian American Justice Center)
Asian American Legal Defense and Education Fund (AALDEF)
Asian Pacific American Labor Alliance, AFL-CIO
Asian Pacific Institute on Gender-Based Violence
ASISTA Immigration Assistance
Association of Asian Pacific Community Health Organizations (AAPCHO)
Association of Farmworker Opportunity Programs
Association of Medical School Pediatric Department Chairs
Asthma and Allergy Foundation of America
Autistic Self Advocacy Network
Bazelon Center for Mental Health Law
Bend the Arc: Jewish Action
Care in Action
CASA
Catholic Health Association of the U.S.
Catholic Labor Network
Center for Popular Democracy
Children's HealthWatch
Church World Service
Clearinghouse on Women's Issues
Coalition on Human Needs
CommunicationFIRST
Community Catalyst
Comunidad Maya Pixan Ixim
Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces
Council on American-Islamic Relations
COVID Survivors for Change
Disciples Immigration Legal Counsel
Disciples Peace Fellowship
Disciples Refugee & Immigration Ministries
Doctors for America

Dominican Sisters of Sinsinawa Peace and Justice Office
Educare Learning Network
Empowering Pacific Islander Communities
Epilepsy Foundation
Esperanza United (Formerly Casa de Esperanza National Latin@ Network)
Families Belong Together
Families USA
Farmworker Justice
Feminist Majority Foundation
First Focus on Children
Freedom Network USA
Friends Committee on National Legislation
Friends in Solidarity, Inc.
FWD.us
Georgetown University Center for Children and Families
GLMA: Health Professionals Advancing LGBTQ+ Equality
Grantmakers Concerned with Immigrants and Refugees
Grey Nuns of the Sacred Heart
Haitian Bridge Alliance
Health Care Voices
Hemophilia Federation of America
Hispanic Federation
Holy Spirit Missionary Sisters, USA-JPIC _ Justice, Peace, Integrity of Creation
Human Rights Campaign
Human Rights First
Immigrant Legal Resource Center
InReach
Intercommunity Peace & Justice Center
Just Neighbors Ministry
Justice Action Center
Justice in Aging
Latino Commission on AIDS
League of Women Voters of the United States
Medicare Rights Center
Missionary Servants of the Most Holy Trinity
MomsRising
MoveOn
MPact Global Action
Muscular Dystrophy Association
NARAL Pro-Choice America
National Advocacy Center of the Sisters of the Good Shepherd
National Asian Pacific American Families Against Substance Abuse
National Association of Pediatric Nurse Practitioners
National Association of Social Workers
National Birth Equity Collaborative

National Black Women's HIV/AIDS Network
National Center for Lesbian Rights
National Center for Parent Leadership, Advocacy, and Community Empowerment (National PLACE)
National Council of Jewish Women
National Disability Rights Network (NDRN)
National Domestic Workers Alliance
National Education Association
National Employment Law Project
National Family Planning & Reproductive Health Association
National Health Law Program
National Immigrant Justice Center
National Latina Institute for Reproductive Justice
National Network for Arab American Communities (NNAAC)
National Network to End Domestic Violence
National Organization for Women
National Partnership for New Americans
National Partnership for Women & Families
National Working Positive Coalition
NETWORK Lobby for Catholic Social Justice
Northeastern University School of Law Immigrant Justice Clinic
Pediatric Policy Council
PFLAG National
Physicians for Reproductive Health
Planned Parenthood Federation of America
Positive Women's Network-USA
Pre-Health Dreamers
Presidents' Alliance on Higher Education and Immigration
Prevention Institute
Public Advocacy for Kids (PAK)
RESULTS
Service Employees International Union
Shriver Center on Poverty Law
SIECUS: Sex Ed for Social Change
Sisters of Charity Federation
Sisters of Charity of Nazareth Congregational Leadership
Sisters of Charity of Nazareth Western Province Leadership
Sisters of Charity, BVM
Sisters of the Holy Cross
Small Business Majority
Society for Pediatric Research
Sojourners
Southeast Asia Resource Action Center (SEARAC)
Start Early
Teach For America
The AIDS Institute

The Foundation for Farmworkers
The Leadership Conference on Civil and Human Rights
The Raben Group
The United Methodist Church - General Board of Church and Society
The Workers Circle
Treatment Action Group
U.S. Federation of the Sisters of St. Joseph
Unitarian Universalist Refugee and Immigrant Services and Education
United Stateless
United States of Care
Welcoming America
Women's Alliance for Theology, Ethics, and Ritual (WATER)
Women's Refugee Commission
Young Center for Immigrant Children's Rights
Young Invincibles
ZERO TO THREE

Alabama

Alabama Arise
Hispanic Interest Coalition of Alabama

Arizona

Asian Pacific Community in Action
Florence Immigrant & Refugee Rights Project
William E. Morris Institute for Justice

California

Ahri Center
Alianza Sacramento
Alliance for a Better Community
Asian Resources, Inc.
California Immigrant Policy Center
California Rural Legal Assistance Foundation (CRLA Foundation)
California WIC Association
Central Valley Immigrant Integration Collaborative
Centro Binacional para el Desarrollo Indígena Oaxaqueño (CBDIO)
Ceres Community Project
Chula Vista Partners in Courage
Coalition for Humane Immigrant Rights (CHIRLA)
Community Clinic Association of Los Angeles County
CPEHN
East Bay Sanctuary Covenant (EBSC)
Equality California
Food Share of Ventura County
Friends Committee on Legislation of California

Future Leaders of America
Indivisible Ventura
Inland Empire Immigrant Youth Collective
Inland Equity Partnership
Jakara Movement
Jewish Family Service of Los Angeles
La Hermandad Hank Lacayo Youth & Family Center - OXNARD
Long Beach Immigrant Rights Coalition
Los Angeles LGBT Center
Maternal and Child Health Access
Mission Graduates
Northeast Valley Health Corporation
Nurse Alliance of SEIU California
Ola Raza, Inc
San Fernando Valley Indivisible
San Francisco-Marin Food Bank
Second Harvest of Silicon Valley
South Bay People Power
South Central Family Health Center
Thai Community Development Center
The Children's Partnership
TODEC Legal Center
Wesley Foundation Serving UCLA / 580 Cafe

Colorado

Colorado Consumer Health Initiative
Colorado Immigrant Rights Coalition
Colorado Jobs with Justice (COJWJ)
Colorado Latino Leadership Advocacy and Research Organization
Colorado Organization for Latina Opportunity and Reproductive Rights (COLOR)
Rocky Mountain Immigrant Advocacy Network
San Luis Valley Immigrant Resource Center

Connecticut

Building One Community
Comunidades Sin Fronteras CSF-CT INC
Connecticut Institute for Refugees and Immigrants
Hartford Deportation Defense
HUSKY 4 Immigrants Coalition
Universal Health Care Foundation of Connecticut

District of Columbia

DC Primary Care Association
Dorothy Day Catholic Worker, DC
La Clinica Del Pueblo

RESULTS DC/MD

Florida

Florida Chapter of the American Academy of Pediatrics
Florida Health Justice Project
Hispanic Unity of Florida

Georgia

Georgians for a Healthy Future
Jewish Voice for Peace, Atlanta chapter
Latino Community Fund INC (LCF Georgia)

Hawaii

Hawaii Children's Action Network Speaks!
MEO

Iowa

Iowa Citizens for Community Improvement
Iowa Coalition Against Domestic Violence
Iowa Migrant Movement for Justice
Sisters of St. Francis, Clinton, Iowa

Illinois

Access Living
AIDS Foundation Chicago (AFC)
Casa Michoacan/FEDECFMI
Erie Family Health Centers
EverThrive Illinois
Greater Chicago Food Depository
HANA Center
Healthy Illinois Campaign
Illinois Chapter American Academy of Pediatrics
Illinois Coalition for Immigrant and Refugee Rights
Latino Policy Forum
Legal Action Chicago
Mujeres Latinas En Accion
Progress Center
Spanish Community Center
Thresholds

Indiana

Immigrant Welcome Center
Indiana Justice Project

Kansas

Immigration Support Services Network

Kentucky

Kentucky Equal Justice Center

Louisiana

Jesuit Social Research Institute

Massachusetts

Berkshire Immigrant Center

Justice Center of Southeast MA

La Colaborativa

La Comunidadi, Inc

Mass Family Voices

Massachusetts Immigrant and Refugee Advocacy Coalition

MLPB

Rian Immigrant Center

Maryland

Ayuda

Maryland Chapter, American Academy of Pediatrics

Montgomery County Federation of Families for Children's Mental Health, Inc.

The Parents' Place of MD

Maine

Maine Equal Justice

Maine Parent Federation

Michigan

Michigan Immigrant Rights Center

Michigan League for Public Policy

Sisters, Home Visitors of Mary

Washtenaw Health Plan

Minnesota

Allina Health

Minnesota Chapter, American Academy of Pediatrics

North Carolina

Association of Mexicans in North Carolina, Inc. (AMEXCAN)

El Vínculo Hispano

NC FIELD

NC Pediatric Society

Student Action with Farmworkers

Nebraska

Nebraska Appleseed

New Hampshire

New Hampshire Legal Assistance

New Jersey

Faith in New Jersey

Family Voices NJ

Latin American Legal Defense and Education Fund

Latino Action Network (LAN)

Latino Action Network Foundation

National Association of Social Workers - NJ Chapter

New Jersey Alliance for Immigrant Justice (NJAIJ)

New Jersey Citizen Action

New Jersey Health Care Quality Institute

Occupy Bergen County

Princeton NJ Human Services Commission

SPAN Parent Advocacy Network (SPAN)

Unitarian Universalist FaithAction NJ

Wind of the Spirit Immigrant Resource Center

New Mexico

La Plaza de Encuentro Gathering Place (Encuentro)

New Mexico Center on Law and Poverty

Nevada

Community Health Alliance

Silver State Equality

New York

African Services Committee

Cabrini Immigrant Services of NYC, Inc.

Church Women United in New York State

Families For Freedom

Long Island Immigration Clinic/Sisters of St. Joseph

Make the Road New York

New York Immigration Coalition

Saratoga Immigration Coalition

Sisters of St. Dominic of Blauvelt, New York

The Center for Family Representation

UnLocal

Wayne Action for Racial Equality

WESPAC Foundation, Inc.

Workers Center of Central New York

Ohio

Church of Our Saviour/La Iglesia de Nuestro Salvador
Cleveland Jobs with Justice
Intercommunity Justice and Peace Center

Oklahoma

Oklahoma Policy Institute

Oregon

Our Children Oregon

Pennsylvania

Pennsylvania Council of Churches

Rhode Island

The Economic Progress Institute

South Carolina

South Carolina Appleseed Legal Justice Center

South Dakota

Caminando Juntos

Tennessee

ETSU
Johnson City Community Health Center
Siloam Health
Tennessee Justice Center

Texas

American Gateways
Convencion Bautista Hispana de Texas
Every Texan
Feeding Texas
Jane's Due Process
Justice for Our Neighbors El Paso
La Union del Pueblo Entero (LUPE)
Migrant Center for Human Rights
Opening Doors International Services
Wilco Justice Alliance
Woori Juntos

Utah

Voices for Utah Children

Virginia

ACLU People Power Fairfax
Hamkae Center
Legal Aid Justice Center
Move2Health Equity Coalition
New Virginia Majority
Progress Virginia
Rx Partnership
Sin Barreras Without Barriers Inc.
The Commonwealth Institute for Fiscal Analysis
Virginia Organizing
Virginia Poverty Law Center
Voices for Virginia's Children

Vermont

Vermont Family Network

Washington

Asia Pacific Cultural Center
Community Health Network of Washington
Northwest Harvest
Northwest Health Law Advocates
OneAmerica
PAVE
Seattle Immigrant Rights Action Group
Wallingford Indivisible

Wisconsin

Holy Cross Sisters
Wisconsin Faith Voices for Justice