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Consumers Union ☞ Empire Justice Center ☞ Make the Road New York ☞ Medicare Rights Center
Metro New York Health Care for All Campaign ☞ New Yorkers for Accessible Health Coverage ☞
New York Immigration Coalition ☞ Project CHARGE
Public Policy and Education Fund of New York/Citizen Action of New York
Raising Women's Voices-New York ☞ Schuyler Center for Analysis and Advocacy
Small Business Majority

**HEALTH CARE FOR ALL NEW YORK
STATEMENT IN SUPPORT**

A.10054 (GOTTFRIED)

PROPOSED ACT TO AMEND THE SOCIAL SERVICES LAW, IN RELATION TO ELIGIBILITY UNDER THE
BASIC HEALTH PROGRAM

MAY 2016

HCFANY is a statewide coalition of over 170 organizations dedicated to achieving quality, affordable health coverage for all New Yorkers. We strive to bring consumer voices to the policy conversation, ensuring that the concerns of real New Yorkers are heard and reflected. For more information on HCFANY, visit us on the web at www.hcfany.org. **For the reasons set forth below, HCFANY supports this bill which would make certain individuals who are permanently residing in the United States under color of law eligible for the state's basic health program.**

Thanks to the Affordable Care Act (ACA) and the opening of the New York State of Health Marketplace, 2.8 million New Yorkers have enrolled into quality, affordable health coverage. Among the provisions of the ACA is the basic health program, which allows states to provide low-cost coverage to eligible individuals who have incomes up to 200 percent of the federal poverty level (roughly \$23,700 for a single person). The NYS Division of the Budget estimates that the Essential Plan (EP), as New York's basic health program is known, will save New York State \$645 million annually. Since its inception in 2015, nearly 400,000 New Yorkers have enrolled in EP, obtaining affordable, quality health coverage, without deductibles, for \$20 or less a month.

However, ACA rules bar from EP and from paying full price for a Marketplace Qualified Health Plan a group of New Yorkers who are Permanently Residing under the Color of Law (PRUCOL), most of whom are young adults who grew up in the U.S. and are beneficiaries of the Deferred Action for Childhood Arrivals (DACA) policy. Ironically, these individuals are already covered by state-funded Medicaid if their incomes fall below the program's eligibility threshold, a result of the New York State Court of Appeals landmark *Aliessa v. Novello* decision in 2001. Should their incomes rise above the Medicaid thresholds, they face a "coverage cliff" that forces them to choose between work and access to affordable health coverage. This was exactly the

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dilemma experienced by 30-year-old jeweler and part-time caterer Ana Rodriguez, who arrived in the United States with her parents when she was just six years old. As reported in *Politico* she is scared to earn more income for fear of losing her health coverage.¹

Assembly Bill Number 10054 would rectify this situation by ensuring that 5,500 DACA immigrants are rendered eligible for state-only funded EP coverage. HCFANY believes that EP represents an important option for low-income New Yorkers and should be extended to this PRUCOL population through state funding. Ensuring that more New Yorkers have access to quality, affordable care will make it easier for the state to control costs and improve health outcomes for all. Research demonstrates that gaps in coverage lead to cost inefficiencies and waste. Individuals and families without access to coverage are more likely to be sicker and die sooner. Hospitals are asked to provide care for which they may not be reimbursed and which patients may not be able to afford on their own. Facilitating coverage is also an important step in integrating immigrant families into communities across the state, strengthening their ability to be equal members in our State, including the opportunity to work, be productive, and contribute to the economy.

New York State law requires the state to provide Medicaid coverage to PRUCOL individuals. It follows that these same individuals should be eligible for affordable coverage under EP. Accordingly, HCFANY supports this bill.

Thank you for your consideration.

¹ Dan Goldberg, “Calling for State Action. Advocates Highlight Immigrant Health Care Dilemma,” *Politico*, March 1, 2016.