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IMMIGRANT GROUPS TRY TO BLOCK TERMINATION OF HEALTH PLANS

By Louise Radnofsky
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Immigrant advocates are accusing the Obama administration of violating antidiscrimination provisions in the federal health-care law by moving to terminate coverage for around 115,000 people who bought coverage through HealthCare.gov who didn't take additional steps to prove they are legal U.S. residents.

Two immigrant groups filed complaints Tuesday with the Department of Health and Human Services' Office of Civil Rights asking it to block the action, which is being carried out by other units of the department. The Office of Civil Rights is in charge of enforcing rules in the 2010 law that bar discrimination in the sale of health plans.

The groups say the agency didn't take adequate steps to tell people who speak languages other than English and Spanish that the health coverage they bought through HealthCare.gov was about to be terminated because the federal government couldn't verify their immigration or citizenship status.

The agency sent letters in English and Spanish to hundreds of thousands of people over the summer, telling them to send additional personal documents to the federal government by Sept. 5, and that their health plans would be cut off if they did not. Those letters also included a page with a one-sentence statement in other languages that told people they had a right to speak with an interpreter.

About 60 percent of the people who got the warning letters did respond by the deadline, the department has said. Tuesday is the day that insurers are being told to end coverage for the 115,000 who did not. The issue stems from a controversial requirement in the federal health law that bars unauthorized immigrants from using the online exchanges to shop for coverage.

The complaint says the department's short statement about interpretation rights, which appears on many federal letters, didn't convey urgency or any specific information about the situation or what readers needed to do.

"Our concern is that these individuals never knew they had a problem in the first place, let alone one they had to solve or be at risk of losing their health coverage," said Karen Tumlin, managing attorney for the National Immigration Law Center, which is representing two groups of Asian and Pacific Islander immigrants in Chicago and Philadelphia. "That's really the duty of the government to inform people of what's at stake."

Ms. Tumlin said the government should allow coverage to continue until it has carried out a more thorough attempt to contact people in other languages.

The move to terminate coverage over immigration and citizenship verification issues has also been criticized by other groups that typically support the Obama administration and its signature health law, including the advocacy group Families USA.