



Legislation Text

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**File #:** Res 0918-2019, **Version:** A

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Proposed Res. No. 918-A

Resolution calling on the State of New York to pass, and the Governor to sign, S.3900/A.5974, an act to amend the social services law, in relation to coverage for health care services under the basic health program for individuals whose immigration status renders him or her ineligible for federal financial participation.

By Council Members Adams, Chin, Rosenthal, Koslowitz, Rivera, Gibson, Ampry-Samuel, Kallos, Ayala, Levine, Rose, Louis, Moya, Barron, Lander, Cumbo, Cornegy and Riley

Whereas, According to the New York State Department of Health, Section 1331(a) of the Affordable Care Act (ACA) directs the Secretary of Health and Human Services to establish a Basic Health Program that provides an option for states to offer particular health coverage; and

Whereas, New York State is one of only a few states that offers a basic health program to eligible residents, otherwise known as the State's Essential Plan; and

Whereas, Individuals with family incomes between 138 and 200 percent of the Federal Poverty Level (FPL) and individuals with family incomes below 138 percent FPL who are lawfully present in the United States but do not qualify for Federally financed Medicaid due to their immigration status are eligible for the Essential Plan; and

Whereas, According to a 2018 report released by the Department of Health, the Essential Plan has provided nearly 740,000 New Yorkers with affordable health insurance and generated \$1 billion in State savings since it was first available in 2016; and

Whereas, As of 2019, 790,152 individuals were enrolled in the Essential Plan; and

Whereas, The Essential Plan saves New Yorkers an estimated \$632 million a year; and

Whereas, Of those enrolled in the Essential Plan, about 63 percent (495,228) reside in New York City; and

Whereas, About 41 percent of Essential Plan enrollees are lawfully present immigrants who are not eligible for federal financial participation through Medicaid; and

Whereas, One may qualify for the Essential Plan if they are a U.S. citizen, legal permanent resident, lawfully present resident, or in a valid, nonimmigrant status, such as a visiting student with a valid visa; and

Whereas, The most common reason for enrollees' Medicaid ineligibility is that they have been in the country for less than five years; and

Whereas, Although the Affordable Care Act provided insurance to millions of Americans, roughly five percent of New Yorkers remain uninsured; and

Whereas, According to the Department of Health and Mental Hygiene, as of 2017, there are 704,000 uninsured adults in New York City; and

Whereas, According to the Mayor's Office of Immigrant Affairs, there are an estimated 560,000 undocumented individuals in the City; and

Whereas, Of those who are undocumented, only 42 percent (about 235,000) are insured, and 324,800 are without health insurance; and

Whereas, S. 3900/A. 5974, sponsored by Senator Gustavo Rivera and Assembly Member Richard Gottfried, would amend the social services law to expand coverage for health care services under the Essential Plan to individuals whose immigration status renders them ineligible for federal financial participation; and

Whereas, S. 3900/A. 5974 would build upon the current Essential Plan structure by creating a state-funded Essential Plan for all New Yorkers, regardless of immigration status, up to 200 percent of the FPL; and

Whereas, According to the Community Service Society of New York, it would cost the state \$532 million to create such a program; and

Whereas, Health care is a human right, one that all individuals, regardless of their immigration status, possess; now, therefore, be it

Resolved, That the Council of the City of New York calls on the State of New York to pass, and the Governor to sign, S.3900/A.5974, an act to amend the social services law, in relation to coverage for health care services under the basic health program for individuals whose immigration status renders him or her ineligible for federal financial participation.

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