



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

October 31, 2019

Edward J. Ramotowski
Deputy Assistant Secretary
Visa Services
Bureau of Consular Affairs
Department of State

Department of State Desk Office
Office of Information and Regulatory Affairs
Office of Management and Budget

Regarding Immigrant Health Insurance Coverage Docket Number DOS-2019-0039 Form
Number DS-5541

Dear Deputy Assistant Secretary Ramotowski:

The undersigned co-chairs of the Consortium for Citizens with Disabilities' (CCD) Health, Rights, and Long Term Supports and Services Task Forces write to express our strong opposition to the October 4, 2019 Presidential Proclamation mandating that visa applicants abroad buy certain approved health insurance and the efforts by the State Department and the Office of Management and Budget to implement the proclamation. The health insurance requirement is arbitrary and discriminatory against people with disabilities and pre-existing conditions. CCD is the largest coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society.

This proclamation, declaring that Medicaid coverage for adults and subsidized State marketplace plans do not meet the new health insurance requirements, will discourage many people with disabilities from lawful entry into the United States.

The proclamation restricts immigrants' ability to purchase comprehensive health insurance available through the Affordable Care Act (ACA) marketplaces, coverage that includes protections including requirements that an insurer cannot charge more or deny coverage based on a pre-existing health condition. Congress elected to make lawfully residing immigrants eligible for subsidized marketplace coverage because doing so advances the health of our nation. The proclamation puts the nation's health at risk by ignoring Congress and instead requiring individuals to buy costly and less comprehensive health coverage.

Medicaid coverage for adults also does not count as approved health insurance. Medicaid remains the largest insurer in this country for the long-term services and supports, and mental health and substance use disorder treatment. . Most home and community-based services are not available through private insurance. Many people with disabilities rely on Medicaid to work, attend school, remain healthy and participate in the community with the necessary supports that many of the “approved” options will not provide.

Notably, while rejecting the types of coverage that many people with disabilities rely on for comprehensive care, the proclamation allows catastrophic coverage and short-term plans to qualify as acceptable coverage. Short-term plans, for example, lack comprehensive coverage, can be prohibitively expensive for individuals with pre-existing conditions, and can deny people coverage based on their medical history and set arbitrary service limits. This proclamation is not about protecting existing taxpayer resources or promoting health insurance. It puts a barrier between individuals and the coverage they need and for which they may be eligible, and it establishes yet another administrative hurdle to limit who can obtain a valid visa. It also encourages new immigrants who may be unfamiliar with our health care system to purchase inadequate plans that may not fit their health needs and could expose them to high financial risk after entry. In fact, encouraging immigrants to avoid comprehensive insurance that includes the benefits they need could increase uncompensated care costs when immigrants can’t afford needed health care that is not covered by these bare-bones plans.

Immigrants with a disability must have a fair opportunity to enter and reside legally in the United States, without unnecessary or discriminatory restrictions based on their disability. The approved health care proclamation is another unwelcome throwback to the historical isolation, segregation and exclusion of people with disabilities. It will deny immigration to individuals based on stereotypes and fears about disability and chronic illness. The Administration should not move forward to implement this proclamation and it should be rescinded by The President.

Sincerely,

The Undersigned Task Force Co-Chairs:

Alison Barkoff, Center for Public Representation
Julia Bascom, Autistic Self Advocacy Network
David Machledt, National Health Law Program
Sarah Meek, ANCOR
Rachel Patterson, Epilepsy Foundation
Julie Ward, The Arc of the United States