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SUBCOMMITTEE ON EARLY CHILDHOOD, ELEMENTARY, AND
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Dear hospital administrator,

Thank you for your steadfast dedication to providing care to individuals with emergency medical conditions in Arizona regardless of their insurance status, race, creed, sex, or nationality. Recent executive action rescinded Department of Homeland Security (DHS) guidance against carrying out immigration enforcement efforts in sensitive locations, including medical centers. I am writing to inquire about your plans to assure the continued safe delivery of services at your hospital for those in need.

President Trump's new executive actions will result in certain individuals forgoing preventative medical care and ending up in emergency situations. Further, the administration has stated intent to restrict or remove medical insurance options for immigrants. I understand Arizona hospitals already work to manage the financial impact of uncompensated care which the Arizona Hospital and Healthcare Association reported being over \$2.5 billion in 2021. Unfortunately, an increase in uninsured patients will result in higher costs, leading to higher healthcare expenses for everyone. Democrats are committed to working with you to prevent these increased costs and to make care accessible and affordable.

Fortunately, several laws and the U.S. Constitution afford patient-provider protections so that you can continue to provide necessary care:

Medicaid privacy policy at 42 USC §1396a(a)(7) and 42 CFR §431.300 – 307, the CHIP privacy policy at 42 CFR §457.1110, and the ACA privacy policy at 42 USC §18081(g)(2), 45 CFR §155.260(a), 45 CFR §155.260(e)(3) limits the disclosure of patient information, including immigration status related information, to law enforcement officials.

The Health Insurance Portability and Accountability Act (HIPAA) privacy law generally prohibits the use or disclosure of personal health information without a patient's consent.

45 C.F.R. §§ 164.512(e), 164.512(f)(1)(ii)(A) generally allows health care providers to refuse to provide information about patients to law enforcement officials unless the request for information is pursuant to a warrant issued by a judge or court.

The plain view doctrine provides that without a warrant, immigration officials may only inspect items in plain view, which includes "plain hearing".

Officials may not search beyond the scope of a warrant, for instance to other areas of the hospital or unlisted private spaces.

Health care providers may refuse to consent to a warrantless search of the facility's private areas without "probable cause".

I value the work that you and members of your team do every day to treat patients, and I share your interest in ensuring that all members of our community can feel safe seeking the care they need. It is with that goal that I would like to request information on the following:

1. What is your written policy designating private areas of the hospital? Which areas are open or closed to the public, and are they properly marked? Is access to private areas restricted to essential medical personnel? Has staff been informed of what is considered in "public view", including files and computer screens?
2. Will you be providing educational materials on patients' rights regarding confidentiality laws and questioning from immigration agents?
3. Do you have an established relationship with a local immigration lawyer to arrive should an enforcement officer enter the facility?
4. Do you have a designated staffer or staffers authorized and responsible for handling contacts with law enforcement officers? Will you train staff to inform immigration or other law enforcement officers that only the designated individual is authorized to review a warrant or to consent to their entry into private areas?
5. What other plans do you have to reassure your patients that their healthcare information is protected?

Despite the antiimmigrant rhetoric of President Trump, economic data shows that immigration is a vital part of the American economy. A 2024 Congressional Budget Office report on the effects of immigration show that immigration significantly boosts federal revenues while lowering deficits. In [CBO's projections](#), "the surge boosts total nominal gross domestic product (GDP) by \$1.3 trillion (or 3.2 percent) in 2034 and by \$8.9 trillion over the 2024–2034 period". I hope your hospital will continue to guarantee the highest standard of care by protecting these targeted members of our community.

Thank you for your prompt consideration and response to this important matter.

Sincerely,



Raúl M. Grijalva
Member of Congress