



City of Cambridge

67.

IN CITY COUNCIL

May 11, 1998

MAYOR DUEHAY
VICE MAYOR GALLUCCIO
COUNCILLOR RUSSELL
COUNCILLOR SULLIVAN
COUNCILLOR TRIANTAFILLOU

WHEREAS: The Immigration and Naturalization Service of the United States Department of Justice has ruled that the use of the uncompensated care pool is not a reason for determining that a prospective immigrant is likely to become a public charge; and

WHEREAS: The Cambridge Health Alliance, John O'Brien, Executive Director, the Massachusetts Hospital Association, and Senator Edward M Kennedy have advocated effectively for this interpretation of the immigrations regulations; and

WHEREAS: Earlier interpretations of the regulations had left in doubt whether prospective immigrants could use the state free care pool without hurting their chances of becoming legal residents; now therefore be it

RESOLVED: That this City Council expresses its thanks, on behalf of the citizens of Cambridge and all those affected, to John O'Brien, the Massachusetts Hospital Association and Senator Edward M. Kennedy for their effective intervention in this critical issue.

In City Council May 11, 1998.

Adopted by the affirmative vote of nine members.

Attest:- D. Margaret Drury, City Clerk.

A true copy; *D. Margaret Drury*

ATTEST:-

D. Margaret Drury
City Clerk

67

DUENAY
UMG

SR
MS

May 11, 1998

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Metro Region

THE BOSTON GLOBE • SATURDAY, APRIL 25, 1998

INS tears down barrier to free medical care for immigrants

By Dolores Kong
GLOBE STAFF

In a move that should remove a barrier to health care, a top Immigration and Naturalization Service official has ruled that prospective immigrants can use the state free-care pool without hurting their chances of becoming legal permanent residents.

Hospital and public health officials have worried that recent

changes to the immigration law discourage prospective immigrants from getting needed treatment through the free-care pool. The changes make it more difficult for prospective immigrants to become legal residents if they have been "public charges."

The state and hospital-funded account, also known as the uncompensated care pool, is meant to help cover inpatient and community health center care for the uninsured, re-

gardless of residency status.

In a letter this week to the Massachusetts Hospital Association, INS district director Steven J. Farquharson wrote:

"It is my position that the use of the uncompensated care pool is not a reason for determining that a prospective immigrant is likely to become a public charge. Given the state's aggressive public health posture, it would be imprudent to deny lawful permanent resident status to

those applicants who have used the pool to obtain health care."

In the letter, addressed to Thomas R. Barker, the hospital association's director of health access programs, Farquharson said he will be working with the state Department of Public Health to arrange a training seminar for district INS officials on the issues of the uncompensated care pool and other public health programs.



U.S. Department of Justice

Immigration and Naturalization Service

John Fitzgerald Kennedy Federal Building
Government Center
Boston, Massachusetts 02203

April 21, 1997

Thomas R. Barker
Director, Health Access Programs
5 New England Executive Park
Burlington, MA 01803-5096

Dear Mr. Barker:

This is a follow-up to the letter you sent to my office discussing the utilization of the uncompensated public care pool by prospective immigrants residing in the state of Massachusetts. As I informed you during our meeting some months ago, the use of any public program is not, in and of itself, dispositive in determining whether or not a prospective immigrant will become a public charge. It may be one of several factors taken into consideration when reviewing the applicability of becoming a public charge.

It is my position that the use of the uncompensated care pool is not a reason for determining that a prospective immigrant is likely to become a public charge. Given the state's aggressive public health posture, it would be imprudent to deny lawful permanent resident status to those applicants who have used the pool to obtain health care.

I will be arranging a training seminar for our District Adjudications Officers regarding the uncompensated care pool and other appropriate public health programs with the Massachusetts Department of Health. Ms. Jennifer Cochran is the person with whom I am coordinating this training. During this training seminar the issue of medical records confidentiality will be discussed along with any other pertinent issues.

Please forgive my delay in responding to your letter and in formally addressing your concerns.

Very truly yours,


Steven J. Parquharson
District Director



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D. Margaret Drury
City Clerk

625R
Consent Order #67

Mayor Duehay, Vice Mayor Galluccio,
Councillors Russell, Sullivan and
Triantafillou re: thanks to John O'Brien,
the Massachusetts Hospital Association
and Senator Edward M. Kennedy for advocating
for interpretation of the immigrations
regulations for state free care pool.

In City Council May 11, 1998

ORDER ADOPTED