



NEW YORK STATE SENATOR

Gustavo Rivera

New York Legislators Request Guidance from Federal Government to Implement Coverage for All

GUSTAVO RIVERA May 22, 2023

| ISSUE: **HEALTH, COVERAGE 4 ALL, 1332 WAIVER, ESSENTIAL PLAN EXPANSION, HHS**

(Albany, NY) - On Friday, May 19, State Senator Gustavo Rivera, Assemblymember Jessica Gonzalez-Rojas, and Assemblymember Amy Paulin sent a letter to U.S. Health and Human Services Secretary Xavier Becerra requesting clarification on the potential use of federal funding to expand health coverage to residents of New York State who are currently ineligible for federal financial participation due to their immigration status. The letter expresses support for New York's efforts to seek a viable pathway to expand coverage options for all New Yorkers with federal approval. The letter was co-signed by 31 State Senators and 33 State Assemblymembers.

"I'm encouraged by the support from colleagues for the Hochul administration to pursue approval from our federal partners to offer healthcare coverage to uninsured New Yorkers, especially considering the \$400 million in savings this offers our state. If we secure federal funds for Coverage for All in a similar way as Washington and Colorado, we will fortify our efforts to make quality and affordable healthcare accessible to all New Yorkers, regardless of their immigration status, while generating significant savings for our State. We must act now and help thousands of immigrant New Yorkers stay healthy with options other than emergency care," **said State Senator Gustavo Rivera, Chair of the Senate Health Committee.**

The Executive and the Legislature reached an agreement during budget negotiations for the Hochul administration to reach out to the federal government and clarify how New York State is able to use federal funds to offer healthcare coverage to our State's population that lacks access due to their immigration status. The legislators' letter aims to support the Governor's commitment to expand coverage and further understand how to implement the expansion with approval to use federal funds.

"We lost over 2,000 New Yorkers to COVID-19 because they did not have healthcare coverage due to their citizenship status. But we can change that now and save lives. I'm grateful that the legislative leaders and Governor have agreed to seek guidance from our federal government on how to use the 1332 waiver to do what other states like Colorado and Washington have already done, which is to provide health care to their residents. We are the closest we have ever been to accomplishing the same goal in New York and at a time when we must do all we can to save money for the state to address other crises. I look forward to working with our federal partners to get this done and call for my legislation with Senator Rivera to pass in our respective chambers to support this desperately needed public health plan," **said Assemblymember Jessica González-Rojas.**

The proposed waiver expansion would cover 240,000 New Yorkers who are currently uninsured because of their immigration status while generating approximately \$400 million in savings to our State's Emergency Medicaid program. Federal approval is projected to inject an additional billion dollars into our healthcare system. Colorado and Washington have already secured federal approval to offer coverage and access to healthcare to this population.

"Without healthcare coverage, uninsured, undocumented immigrants may not seek medical care due to cost. They may also face the fear of attracting attention from immigration authorities. We are now fighting to extend coverage to undocumented New Yorkers just as

Colorado and Washington have achieved. We are all New Yorkers and deserving of high-quality health care with no exceptions,” **said Assemblywoman Amy Paulin, Chair of the Assembly Health Committee.**

Senator Rivera and Assemblymember Gonzalez-Rojas recently amended their Coverage For All bill ([S.2237A](#)) to focus its language on seeking federal support to expand coverage for residents of New York State who are otherwise ineligible for healthcare coverage due to their immigration status. The amended language would initiate the process for New York State to seek approval under the 1332 waiver program to use surplus reserves in the Basic Health Plan Trust Fund.

“We thank the legislature for sending this letter to the federal government to confirm the use of federal funding to expand coverage to undocumented New Yorkers. The state must also pass the Coverage4all bill (A3020A/ S2237A) this session. This is New York’s opportunity to lead and address the disproportionate health inequalities our communities have faced for years. Expanding the eligibility of health coverage to all low-income New Yorkers by including immigrants, regardless of immigration status, in the 1332 waiver is a no brainer. This will generate significant savings to our state while at the same time provide essential health care coverage to thousands of individuals. Health care is a human right and we must ensure all people are able to obtain care to create healthier and more sustainable communities,” **said Becca Telzak, Deputy Director at Make the Road New York.**

“The Community Service Society of NY applauds our legislative leaders for seeking immediate clarification that the nearly \$3 billion in accumulated 1332 Waiver “passthrough” surplus fund -- as projected by New York’s own submission -- can be used to cover immigrants who are ineligible for health coverage. It’s time for federal and state negotiators to sharpen their pencils and get this deal done—the lives of thousands of immigrant New Yorkers literally depend upon it,” **said Elisabeth R. Benjamin, Vice President for Health Initiatives at the Community Service Society of New York.**