

SPEAKER PELOSI BREAKS PRESIDENT OBAMA'S PROMISE:

ILLEGAL IMMIGRANTS RECEIVE HEALTHCARE UNDER DEMOCRAT BILL

“There are also those who claim that our reform effort will insure illegal immigrants. This, too, is false—the reforms I’m proposing would not apply to those who are here illegally.”
– President Obama, September 9, 2009 to a Joint Session of Congress

November 5, 2009

- **SCHIP Déjà Vu.** Pelosi’s bill (H.R. 3962) extends the sub-par standards enacted under the Children’s Health Insurance Program (commonly known as SCHIP) reauthorization in the beginning of the 111th Congress (P.L. 111-3), which weakened laws already in place related to documentation requests. SCHIP removed the requirement that citizens and nationals provide documentation proving their citizenship in order to be covered under Medicaid and SCHIP. Instead, it required that a name and Social Security number be provided as documentation of legal status and that those names and Social Security numbers be submitted to the Secretary to be checked for validity. Just like the Pelosi bill we have in front of us this week, conservatives should be concerned that a Social Security number and name are not enough to prove immigration status.
- **Ineffective Verification Methods.** According to Section 347 of the underlying bill, illegal immigrants are not eligible to receive affordability credits (government subsidies to purchase “qualified health benefit plans”). *However*, the verification method to determine whether an individual is here legally is unreliable and ineffective. While the bill requires that applicants give a Social Security number, it contains no requirement that an individual show a valid ID in order to match the individual with the Social Security number provided – thus creating a vast opportunity for fraud and abuse. Moreover, the verification provisions allow an individual who self-certifies eligibility presumptively to enroll in federal programs—and remain enrolled for up to 120 days after a records discrepancy is finally discovered.
- **Backdoor Eligibility for Illegals with Legal Relatives.** Section 342 of the underlying bill contains a subheading entitled “Treatment of Family,” which implies that if a legal member of the family is eligible for affordability credits, the family will be eligible as well – regardless of immigration status.
- **Presumptive Eligibility for Illegals.** Section 1714(b) of the bill allows states to create presumptive eligibility programs under Medicaid, and provides that all medical expenses paid by states for presumptively eligible individuals shall qualify for federal matching funds. Because the bill includes no limits on the number of times an individual can be declared presumptively eligible, this provision would allow states to enroll ineligible persons—including illegal immigrants—in taxpayer-funded Medicaid coverage.
- **Attempts to Amend.** Despite failed attempts in the [Energy and Commerce](#) Committee markup to add provisions that would exclude illegal immigrants, many Democrats have insisted on the inclusion of illegals in any healthcare plan that comes before the House (whereas the Senate bill contains more restrictive language). As a result, H.R. 3962 does *not* explicitly prohibit illegal immigrants from participating in the Exchange health programs or government-run insurance.

What the Experts Are Saying:

- As confirmed in the November 2, 2009 [CRS report on immigration and healthcare](#), “The House bill contains no express restrictions on noncitizens – whether legally or illegally present, or in the United States temporarily or permanently – accessing and paying for coverage available through the health insurance exchange.”
- According to a September 2007 [letter from Social Security Administration Commissioner Michael Astrue](#), a Social Security number would *not* keep someone from fraudulently receiving coverage under Medicaid or SCHIP if they provided false identifying information. The same will ring true for health coverage under Pelosi’s bill.
- In its [preliminary score](#) of H.R. 3962, the Congressional Budget Office noted that, in 2019 there would be “about 18 million nonelderly residents uninsured (nearly one third of whom would be unauthorized immigrants).” Thus, unless the number of illegal immigrants is projected to be fewer than 6 million individuals in 2019—nearly half the illegal immigrants currently estimated to be in the U.S.—the CBO score presumes illegals would have health coverage, raising further questions as to whether or not said coverage would be taxpayer-funded.
- It is also worth noting that in its [preliminary score](#) of H.R. 3200, CBO found that in 2019 there would be “about 17 million nonelderly residents uninsured (nearly half of whom would be unauthorized immigrants).” In other words, the number of projected uninsured who are also illegal immigrants declined from about 8 million under H.R. 3200 to 6 million under H.R. 3962. Many may question what changes in the Pelosi legislation resulted in 2 million illegal immigrants suddenly obtaining health coverage.

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