



## **Immigration Legal Services as a Defined Benefit Under Oregon's 2022-2027 Medicaid Waiver**

To help solve our state's health inequities, Oregon must empower communities by recognizing both historic and contemporary injustices, and by acknowledging that segments of the Oregon Health Plan membership must overcome additional social determinants of health in order to be physically and mentally well.

The draft 1115 Waiver rightfully signals OHA's commitment to focus on communities most harmed by health inequities, including immigrants and refugee communities. For immigrant and refugee OHP-enrolled community members, the pressing social determinants of health of housing, childcare and transportation are compounded by the additional SDoH of immigration status.

**We call for the 2022-2027 1115 Demonstration to explicitly cover the immigration legal services costs borne by OHP members, including green card holders, refugees, asylees and humanitarian visa holders.** OHP members with humanitarian visas include those who have secured specialized immigration protection because they are, for example, survivors of domestic violence, human trafficking or female genital mutilation or cutting (FGM/C).

**One out of every ten Oregon residents is foreign-born, while one in nine residents is a native-born American who has at least one immigrant parent.**

- *American Immigration Council*<sup>1</sup>

OHP members who are newly-arrived refugees and immigrants – and whose immigration cases could determine whether they remain in Oregon, become reunited with loved ones or enjoy a stability so many others take for granted – have complex legal needs that must be addressed by a qualified legal professional to ensure case compliance and accuracy in following immigration law processes.

Unfortunately, the cost of immigration legal services can be prohibitive for many new Oregonians living at or below the poverty level. This creates enormous strain for the OHP member, with family stability and community connections at risk when many are forced to choose between paying for the legal services or basic necessities like housing, nutritious food or other pillars to social determinants of health.

Such impossible and inequitable choices cause not only psychological distress but can contribute to chronic mental health issues including anxiety, depression, PTSD, suicidal ideation, isolation and grief. The extreme challenges of an insecure or insufficient immigration status can also contribute to acute

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<sup>1</sup> American Immigration Council. *Fact Sheet: Immigrants in Oregon*. August 6, 2020.  
<https://www.americanimmigrationcouncil.org/research/immigrants-oregon>

and chronic physical health issues, including but not limited high blood pressure, angina, tachycardia, heart disease, stomach ulcers, gastritis and arthritis.

Oregon's health care providers and health care leaders are rightfully determined to address health inequities. Providing no-cost access to crucial immigration status remedies – many of which are relatively low-cost, one-time legal processes – would ensure OHP members who are immigrants and refugees are able to permanently minimize the likelihood of the negative health outcomes above, and have the mental and financial space to focus on existing and future chronic health challenges.

In the days and weeks ahead, we ask for your partnership and consideration of this proposal. We welcome the opportunity to meet to discuss this issue in more detail.

Thank you.

Sincerely,

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