

PROTECTING IMMIGRANT PATIENTS

Our obligations as a healthcare workers in California

Our role in ensuring safe and equitable care

In response to increased federal immigration enforcement, California Attorney General Rob Bonta issued updated guidance to help healthcare facilities protect immigrant patients. As a healthcare workers in California, we have a professional and legal duty to provide safe, non-discriminatory care to all patients, regardless of their immigration status.

ATTORNEY GENERAL'S UPDATED GUIDANCE AS OF DECEMBER 2024

Limit collection of immigration status

Avoid collecting or recording patients' immigration status unless absolutely necessary for medical reasons.

Restrict information sharing

Do not disclose personal information to immigration authorities without a valid court order or patient consent.

Designate a response team

Appoint staff members responsible for handling inquiries or actions related to immigration enforcement.

Train staff

Regularly train all personnel on policies and procedures regarding patient privacy and interactions with immigration authorities.

Post privacy notices

Clearly display information about patient privacy rights in multiple languages within the facility.

For additional guidance, see the Attorney General's publication:



Patient privacy and confidentiality

HIPAA Protections

Immigration status is protected health information. Do not share patient information with immigration authorities without consent or a judiciary warrant.

No ID, No Problem

Patients are not required to present identification to receive emergency or routine medical care.

Non-discrimination in care

California Values Act (SB54):

Healthcare facilities are prohibited from using state and local resources to assist federal immigration enforcement, except as required by law.

Emergency Medical Treatment & Labor Act (EMTALA):

Hospitals must provide emergency care to all patients, regardless of legal status or ability to pay.

Your rights as a healthcare worker

Non-compliance with ICE requests

You are not required to disclose patient information or grant access to law enforcement without proper legal documentation which includes but is not limited to: a warrant signed by a judge or consent from an "authorized person." You are not obligated to answer additional questions from immigration or law enforcement and can decline to comply.

Safe spaces policy

Many healthcare facilities have policies restricting ICE enforcement actions on their premises. Make sure you know your hospital or clinic's protocols.

HOW YOU CAN HELP

- ✓ Educate patients on their rights and available healthcare services.
- ✓ Direct patients to immigrant-friendly legal or social support organizations.
- ✓ Report any violations of patient rights to your hospital administration or legal advocacy groups.

For more information or to report concerns:



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