

PROTECTING IMMIGRANT PATIENTS

Our obligations as a healthcare workers in California

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 OCTOBER 2025

Restrict information sharing

SB 81 designates place of birth and current or prior immigration status as protected "medical information" under the Confidential Medical Information Act.

SB 81 mandates states healthcare providers, service plans, and contractors comply with all federal and California state court orders but prohibits them from complying with court orders issued by any other court. These provisions apply to any healthcare providers and other covered entities in California.

Restrict Access to Private Areas

Areas at healthcare facilities where patients receive care or discuss protected health information **MUST** BE designated as non-public areas through mapping, signage, or key entry. Healthcare providers must not allow anyone access to the non-public areas of health facilities for immigration purposes, unless required by state or federal law, or unless provided with a valid judicial warrant or court order that specifically grants access to private areas of the facility.

This applies to any healthcare providers that receive public funding.

Provide Notice of Immigration Enforcement

Healthcare provider personnel must notify management, administration, or legal counsel of any request for access to a patient, information, or site for immigration enforcement purposes, including requests made through a subpoena, warrant, or court order.

Healthcare provider entities must, to the extent possible, establish or amend procedures for monitoring, documenting, and receiving visitors. The law further encourages provider entities to post "notice to authorities" at facility entrances within the facility.

Patient privacy & confidentiality

HIPAA Protections (SB 81)

Immigration status is protected health information under the Confidentiality of Medical Information Act. 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

SB 81 states that healthcare facilities deny immigration enforcement agents entry to nonpublic areas if not presented with a valid judicial warrant signed by a judge or magistrate. Administrative ICE warrants and subpoenas are not sufficient. You are not required to disclose patient information, grant access to law enforcement, or answer additional questions without proper legal documentation and can decline to comply.

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:**



nuhw.org/sanctuary-union