

Immigrants and health care: Physician assistants play a vital role

Maryann Ramos, MPH, PA-C; Eva Montes, MCG, MPAS, PA-C; Frank Ambriz, MPAS, PA-C; Cristina Lopez, PA-C; Patricia Castillo, PA-C

Whether you practice medicine in a border state or not, it is hard to ignore the recent negative press about immigrants living in this country. Although the United States has grown through the immigration of ethnically diverse people, today illegal immigration from Mexico, Latin American countries, and Asia is prompting controversy. One of the biggest debates centers on whether to provide health care to these undocumented immigrants.¹

The attempt to pass Proposition 187 in California, which would have eliminated all public services for undocumented immigrants except emergency health care, is a good example of legislative attempts to “fix” the growing problem. The proposition was an attempt to discourage illegal immigration but was later overruled as unconstitutional in a United States federal district court. Concerns about adding to the burden of care and draining already depleted resources prompted the attempt to pass such a law.

The debate over the provision of publicly-funded services to undocumented immigrants has focused on several issues. Proponents of limiting access to services have argued that undocumented immigrants use large amounts of publicly-funded health care services, burdening state and local governments financially and reducing the resources available to other populations. They also contend that government-provided benefits serve as an incentive for immigrants to enter this country illegally.

On the other hand, those opposing limitations on access to health care services argue that because immigration is economically motivated, reducing health care



Puchstock

service availability will not stem immigration. They also note that undocumented immigrants pay taxes on goods and services, even if they are paid off the books. Denial of needed health care will cause unnecessary suffering for this segment of the population and could affect the health of the broader community.^{2,3}

In the 2005-2006 congressional session, lawmakers attempted to pass immigration legislation similar to the California bill, and some of the provisions of the federal legislation would have made it a criminal act to provide medical care to undocumented immigrants. The leadership of Physician Assistants for Latino Health (PALH) opposed those elements of the Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005 that would have made it a felony to provide food, shelter, or other assistance to undocumented immigrants.⁴ This bill was approved by the House but ultimately stalled in the Senate.

It is likely that this same troubling piece of legislation or one very similar to it will be reintroduced in 2007. It is imperative that physician assistants make our voices heard before such a bill can be enacted! *Continued*

Maryann Ramos is the immediate past president of Physician Assistants for Latino Health (PALH) and practices at a Washington, DC, clinic. Eva Montes is a member of the AAPA Committee on Diversity, 2006-2007; she works in family practice and is an adjunct professor in the PA program at the University of Texas Southwestern Medical Center, Dallas. Frank Ambriz is the interim director and Assistant Professor of Physician Assistant Studies at the University of Texas-Pan American, Edinburg; and public relations chair of PALH. Cristina Lopez is the president of PALH; she worked on migrant worker issues with Cesar Chavez and practices in Sangor, California. Patricia Castillo is the president elect of PALH and works at Open Door Family Medical Center, Ossining, New York.

Back in 1995, the American College of Emergency Physicians (ACEP) passed the following policy, which they reaffirmed in 2000: "ACEP opposes federal and state initiatives that require physicians and health care facilities to refuse care to undocumented persons or to report suspected undocumented persons to immigration authorities."⁵ In a September 2006 discussion with the lead author of this article, ACEP's public affairs spokesman confirmed that this was still existing policy concerning any person appearing in the emergency department at some hospitals.

We must be reassured that all health care providers will be able to practice medicine without fear of the legal ramifications.

Health care professionals, including PAs, are concerned that under the legislation passed by the House in 2006, they could have been charged with a felony for providing services to any undocumented immigrant if that legislation had become law. Should this bill or legislation similar to it be reintroduced in 2007, it is vital that Congress not include the "felony provision." This provision is unconscionable as it prevents health care professionals from helping those in need.

In a talk delivered during the Annual Conference of the Travers Program in Ethics and Accountability in Government at the University of California, Berkeley, US Navy Captain Lee H. Rosenberg made these insightful remarks: "The failure of our past immigration policy that permitted the attacks of 9/11 is not cause to take wholesale punitive measures against the millions of illegal immigrants that are already in the [United States]. We need new immigration and border policies which are well-thought-out, enforceable, and farsighted. If we simply place security concerns over freedom, then the terrorists have already won, because they've forced us to act like them. We must pick a set of policies that charts a reasonable course between freedom and security. Aristotle got it right; we must strive to find the mean."⁶

The guidelines for ethical conduct for the physician assistant profession, adopted by the AAPA House of Delegates, include the following statement: "Physician assistants should not discriminate against classes or categories of patients in the delivery of needed health care. Such classes and categories include gender, color, creed, race, religion, age, ethnic or national origin, polit-

ical beliefs, nature of illness, disability, socioeconomic status, or sexual orientation."⁷

Clearly, illegal immigration has created many economic and social challenges for the future. To ensure the health of undocumented workers, we must be reassured that all health care providers will be able to practice medicine without fear of the legal ramifications. Providing undocumented workers with access to health care can improve their overall health. Such action can also help to prevent the spread of infections and the development of chronic diseases, both of which increase health care costs for all of society.

As PAs, we can make a difference. The leadership of PALH believes that if all PAs speak out against felony provisions in federal immigration legislation, the message will be heard. We believe that Congress should pass legislation that respects the contributions of immigrants to our nation and does not criminalize the vital services provided by health care professionals to all who live and work in our communities. We believe that health care providers everywhere should feel free to deliver care to all who seek medical attention. We echo the statement of the National Alliance for Hispanic Health: "It serves the public health of the entire nation to provide services to all those who live within our borders."¹ We hope all PAs will help us with our plan to join ACEP in its efforts to continue to provide equal access to health care for all residents of this country without compromising any ethical principles or breaking any laws. □

REFERENCES

1. Hispanic health leadership tells Congress not to criminalize aid to immigrants. HispanicBusiness.com. May 23, 2006. Available at: <http://www.hispanicbusiness.com/news/newsbyid.asp?id=36357>. Accessed January 6, 2007.
2. Robert Wood Johnson Foundation. Survey identifies health care use and needs of undocumented Hispanic immigrants. May 2000. Available at: <http://www.rwjf.org/reports/gr/026618s.htm>. Accessed January 6, 2007.
3. Iqbal S. Activists recoil at plan to query immigrants receiving health care. The NewStandard. August 27, 2004. Available at: <http://newstandardnews.net/content/index.cfm/items/889>. Accessed January 6, 2007.
4. The Library of Congress. Thomas. Available at: <http://thomas.loc.gov/links/>. Accessed January 6, 2007.
5. American College of Emergency Physicians. Delivery of care to undocumented persons. Approved October 2006. Available at: <http://www.acep.org/webportal/PracticeResources/PolicyStatements/ethics/DeliveryCareUndocumentedPersons.htm>. Accessed January 6, 2007.
6. States and Migrants: New Challenges, Changing Responsibilities. The 6th Annual Conference presented by the Charles T. and Louise H. Travers Program in Ethics and Accountability in Government at the University of California, Berkeley, April 26, 2002. Available at: <http://ethics.berkeley.edu/conference/2002/index.html>. Accessed January 6, 2007.
7. American Academy of Physician Assistants. Guidelines for ethical conduct for the physician assistant profession. Alexandria, Va. Available at: <http://www.aapa.org/policy/23-EthicalConduct.pdf>. Accessed January 6, 2007.

To learn more about

- The bills before Congress or to contact your congressional Representative or Senator: <http://thomas.loc.gov/links/>
- PAs for Latino Health: www.palh.org/
- The National Alliance for Hispanic Health: www.hispanichealth.org