

Access to Benefits are Essential for DACA Recipients and their Families to Thrive

History of Exclusion

In 2012, the Obama Administration announced the Deferred Action for Childhood Arrivals (DACA) program. DACA has allowed hundreds of thousands of young people to work and live in the United States without fear of deportation—including becoming our teachers, health care providers, and caregivers.

Yet, due to restrictive policies, they have been almost completely barred from purchasing health coverage and accessing federal public benefit programs. The Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 prevented lawfully present immigrants, including deferred action recipients with DACA, from accessing Medicaid, CHIP, SNAP, and other public benefits.

Those restrictive policies set a dangerous precedent in excluding immigrants from federal policies, including barring DACA recipients from further care. When the DACA program began, recipients were explicitly excluded from being able to purchase health plans on the Affordable Care Act (ACA) Marketplace.

Since the inception of DACA in 2012, more than 800,000 DACA recipients have been barred from coverage through the ACA.¹

Ensuring DACA Recipients have Access to Care

In May 2024, the Biden Administration finalized a rule that would allow DACA recipients to purchase ACA Marketplace plans and become eligible for the accompanying tax credits and subsidies beginning in the fall of 2024.

This rule is expected to expand health coverage to over 100,000 uninsured DACA recipients.²

However, barriers to Medicaid, SNAP, and other federal public benefits still persist for DACA recipients. Those barriers mean that DACA recipients, and often their family, go without care they may need.

Barriers Hurt Children in Mixed Status Families

Over 300,000 children in the United States have a parent with DACA status.³



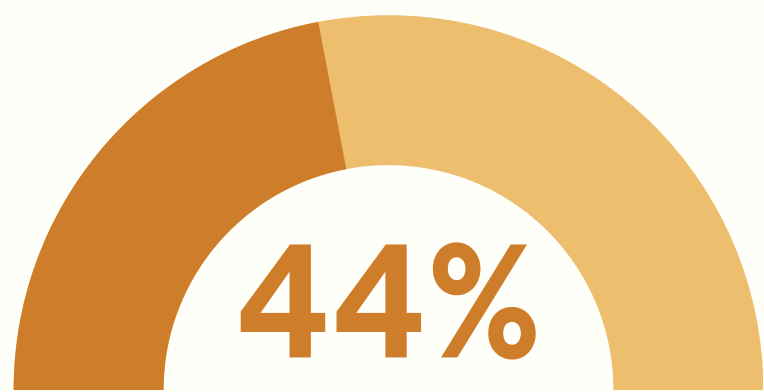
Despite the vast majority of children in mixed status families being U.S. citizens themselves, they are over

2 times less likely

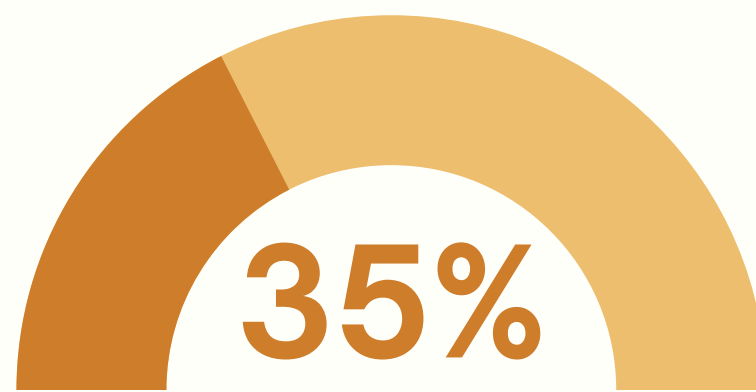
to access health coverage they may be eligible for in part due to their parent's immigration status.⁴

In a 2023 survey of DACA recipients, **27% reported being uninsured**, making them **three times more likely than the general population to have no health insurance.⁵**

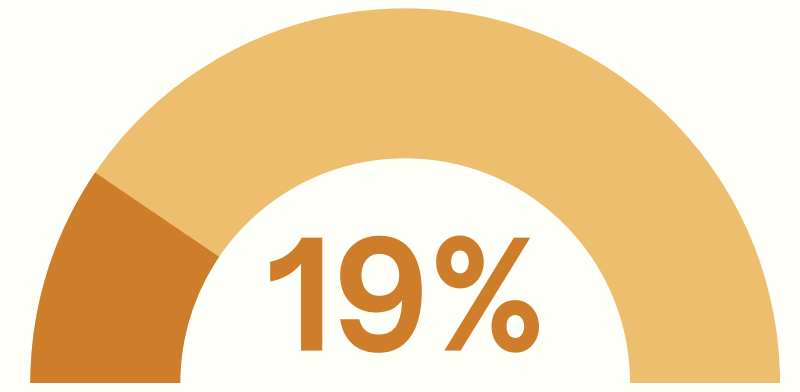
Of those who were uninsured:



Were unaware of affordable health care or coverage options



Thought they were ineligible due to their immigration status



Were concerned that usage of coverage or benefits would impact their or a family member's immigration status

¹ CLASP, Statement for the Record on DACA Health Care Rule, <https://www.clasp.org/publications/testimony/comments/statement-for-the-record-on-daca-health-care-rule/>

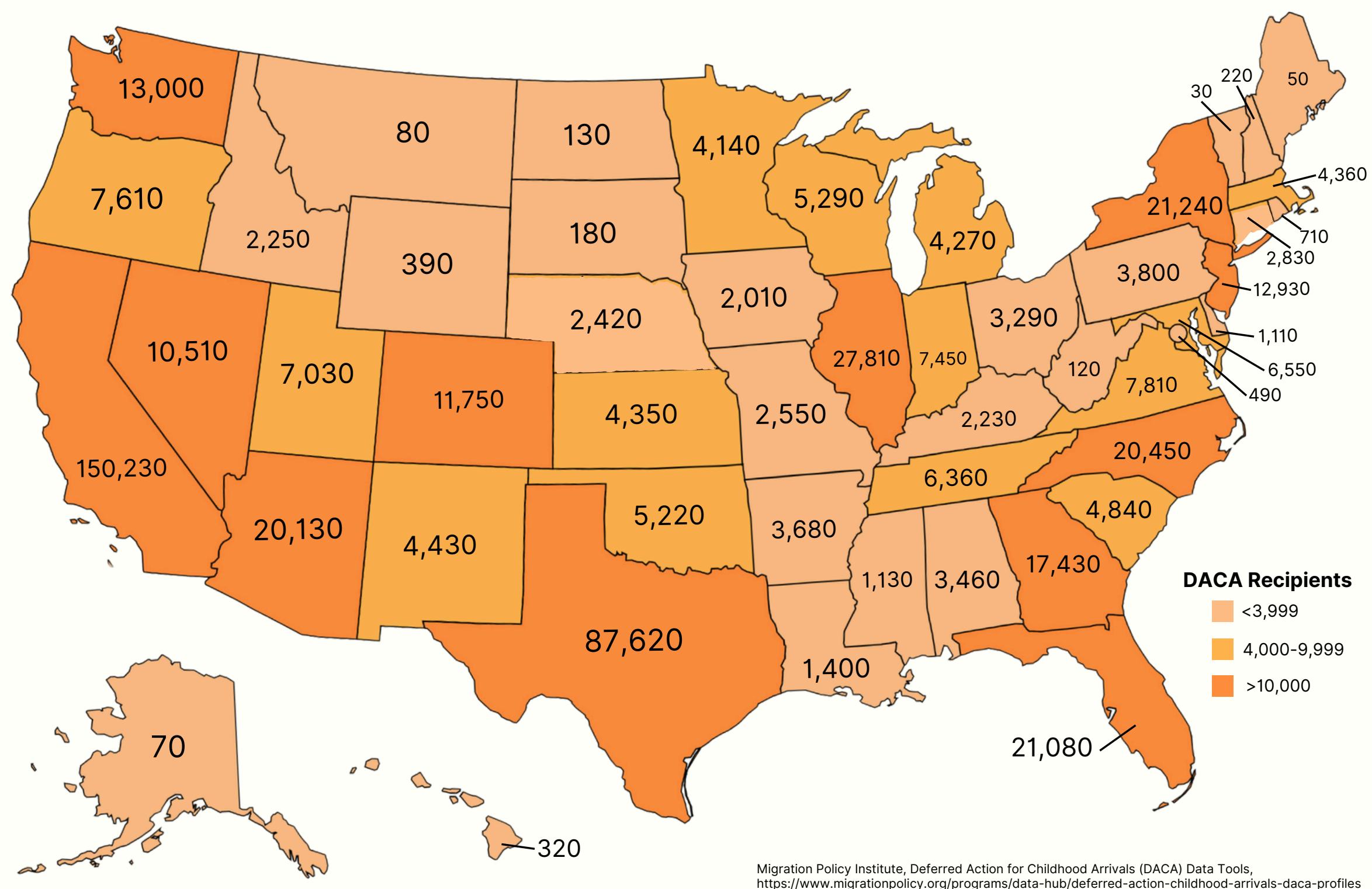
² Centers for Medicare & Medicaid Services, HHS Final Rule Clarifying the Eligibility of Deferred Action for Childhood Arrivals (DACA) Recipients and Certain Other Noncitizens, <https://www.cms.gov/newsroom/fact-sheets/hhs-final-rule-clarifying-eligibility-deferred-action-childhood-arrivals-daca-recipients-and-certain-noncitizens>

³ Center for American Progress, The Demographic and Economic Impacts of DACA Recipients: Fall 2021 Edition, <https://www.americanprogress.org/article/the-demographic-and-economic-impacts-of-daca-recipients-fall-2021-edition/>

⁴ Kevin H. Nguyen, Ira B. Wilson, Anya R. Wallack, Amal N. Trivedi; Children's Health Insurance Coverage and Parental Immigration Status: 2015-2019, <https://publications.aap.org/pediatrics/article/150/3/e2021056012/188633/Children-s-Health>

⁵ National Immigration Law Center, DACA Recipients' Access to Health Care: 2024 Report, <https://www.nilc.org/news/special-reports/daca-recipients-access-to-health-care-2024-report/>

Number of DACA Recipients by State



Access to health care is a human right. The Biden Administration's final rule extending ACA Marketplace coverage to DACA recipients and other immigrant youth is an important step in ensuring everyone has access to the health care they need. However, DACA recipients continue to remain ineligible for Medicaid, CHIP, and other critical public benefits.

We urge Congress to support policy solutions that remove harmful and unnecessary barriers for immigrants' access to care by cosponsoring:

The LIFT the BAR Act (H.R.4170/ S.2038)

- Repeals provisions of PRWORA that restrict lawfully present immigrants' eligibility for federal assistance programs such as Medicaid, CHIP, TANF, and SNAP.
- Redefines "qualified noncitizens," a term used to define eligibility for many federal programs, to include any individual who is lawfully present in the U.S., including DACA recipients.
- Prevents adoption of punitive policies to limit immigrant eligibility or deter access to federal benefit programs.

The HEAL for Immigrant Families Act (H.R. 5008 / S.2646)

- Repeals key provisions of PRWORA that restrict lawfully present immigrants' eligibility for Medicaid and CHIP, including DACA recipients.
- Removes discriminatory Medicare eligibility requirements regarding length of stay in the U.S. for many Lawful Permanent Residents and codifies access to ACA Marketplace coverage for DACA recipients.
- Allows undocumented immigrants to access health insurance coverage, premium tax credits, and cost-sharing reductions on the ACA Marketplace.
- Creates a state plan option to expand Medicaid and CHIP eligibility to undocumented immigrants.