

# KNOW YOUR RIGHTS!

Immigrant and mixed-status families should not be afraid to get the health care and benefits they need during the COVID-19 emergency!

## Accessing Health Care and Food Assistance

- **You can still get health care if you don't have insurance or you are undocumented.**
  - This includes emergency room (ER) care, community health centers, migrant health centers, free clinics, and public hospitals. To find a low-cost or free clinic near you, click these website links:
    - [The South Carolina Free Clinic Association](#)
    - [The South Carolina list of Federally Qualified Health Centers \(FQHCs\)](#)
  - Immigrants who cannot get Medicaid, can get for Emergency Medicaid to pay emergency room bills for a life-threatening condition. Your hospital social worker can help you apply.
  - You should not be asked about your immigration status but can be asked for identification.
- **Free testing or treatment you get for COVID-19, also called Coronavirus, will NOT be used against you in the public charge test.**
- **Certain health and food programs are not part of the public charge test and will not change an immigrant's ability to get a green card:**

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- Programs open to all immigrants with or without documented status:
    - Emergency Medicaid
    - Free/Sliding scale health clinic services
    - Women, Infant and Children's Nutrition Program (WIC)
    - Free/reduced price school lunch
  - Programs open to some immigrants, depending on status
    - Health coverage under the Affordable Care Act/Obamacare
    - Medicaid for pregnant women and children 21 and under
    - Unemployment insurance
    - SNAP (food stamps)

- **If your children or family members are citizens or already have green cards, they should continue to use the benefits they are getting.**
  - Benefits, like Medicaid, that are used by other family members cannot be counted against you in the public charge test.

## LIMITS ON IMMIGRATION ENFORCEMENT

It is the general rule that ICE (Immigration and Customs Enforcement) will not do immigration enforcement at, or near, health care locations. This rule has some exceptions. You can read more about the ICE rule here:

<https://cliniclegal.org/file-download/download/public/145>

## YOUR MEDICAL INFORMATION IS CONFIDENTIAL

Your information is private. This is true if you apply for a health insurance program, like Medicaid, or access health services. Your information will be, and must be, kept private, even if your family has someone with a different immigration status. Your information cannot be used for immigration enforcement purposes. The law protects you and your family's information and privacy.

## You have the right to get health care and information in the language you understand best!

Federal law says health insurance companies and health care providers must provide information and services in the language you understand best. This law applies to any insurance company or health care provider who receives federal payments, like payment from Medicaid or Medicare.

### If you cannot speak, read, write, or understand English, you have the right:

#### ✓ To ask for and get an interpreter at no cost to you.

- Your healthcare worker must give you an interpreter in-person or by phone.
- Your healthcare provider cannot force you to use a family member to interpret for you, but you can ask a family member to interpret for you, if that is what you want.
- Your healthcare worker cannot refuse healthcare services or treatment because you do not speak English.

#### ✓ To ask for and get written information in your chosen language.

- You can ask to have documents with important information about your health translated into the language you read best. This translation must be done in a reasonable amount of time.
- Healthcare workers and insurance companies are expected to have all usual forms and documents translated into Spanish.

#### ✓ To complain if your do not treatment or information in the language you asked for.

- If you do not get treatment or information in the language you asked for, you should file a complaint so the provider can fix the problem. You can file a complaint with the U.S. Department of Health and Human Services (HHS) by visiting this [website](#).

## Fight Fear with Facts! Know Your Rights!

Have questions about public charge, immigrant access to healthcare and benefits, or language access?

### CONTACT:

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