

# Immigration enforcement shouldn't happen at health facilities

APR 25, 2018

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U.S. Immigration and Customs Enforcement (ICE) efforts to establish partnerships with health care facilities to “develop potential sources of information” are concerning because they may “erode immigrant trust in community health institutions and lead to poorer health outcomes for both documented and undocumented immigrants,” according to the language in a resolution adopted at the AMA House of Delegates’ (HOD) most recent meeting.

To address the issue, the HOD adopted new policy advocating and supporting legislative efforts to designate health care facilities as “sensitive locations” by law, making them off-limits to ICE activities. Delegates also encourage health care facilities to “clearly demonstrate and promote their status as sensitive locations.”

The AMA is working with appropriate stakeholders to educate medical providers on the rights of undocumented patients while receiving medical care, and the designation of health care facilities as sensitive locations where ICE actions should not occur.

The “Protecting Sensitive Locations Act” (House; Senate) aims to expand the scope of zones free from ICE officials to spaces within 1,000 feet of any medical treatment or health care facility, including any hospital, physician’s office, accredited health clinic, alcohol or drug treatment center, or emergent or urgent care facility. Current federal policy only includes hospitals on the list of sensitive locations.

The proposed legislation also would protect:

- Any public and private school, including post-secondary school (including colleges and universities), or other institution of learning (including vocational or trade schools).
- Any scholastic or education-related activity or event.
- Any organization that assists children, pregnant women, victims of crime or abuse, or individuals with significant mental or physical disabilities; or provides disaster or emergency social services and assistance.

- Any other location specified by the Secretary of the Department of Homeland Security(DHS).

The legislation differs from the AMA’s policy in that it grants exceptions. The measure says that “an immigration enforcement action by the DHS or an individual designated to perform immigration enforcement functions may not take place at a sensitive location unless (1) the action involves exigent circumstances and (2) prior approval was obtained from the appropriate official.”

The recently adopted AMA policy does not allow for an exception for exigent circumstances such as the immediate arrest or pursuit of a dangerous felon, terrorist suspect or other person presenting an imminent danger. Because the AMA House of Delegates specifically debated this issue and decided that such exceptions should not be provided, the AMA cannot support the legislation.

The American Bar Association and American Civil Liberties Union have also voiced opposition to the existing federal guidelines, which were laid out in a 2011 ICE memo entitled “Enforcement Actions at or Focused on Sensitive Locations.”