

# New immigration policy endangers patients needing life-saving care

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**Editor's note:** *A few days after this story was published, the Trump administration reversed course, with the U.S. Department of Homeland Security directing U.S. Citizenship and Immigration Services to again consider what is known as all applications for what is known as nonmilitary deferred action. According to news reports, about 400 petitions denied over the summer have been reopened.*

**What's the news:** A new policy implemented by U.S. Citizenship and Immigration Services (USCIS) bars its field offices from accepting or adjudicating requests for temporary deferral of deportation for immigrants with serious medical illnesses.

The AMA is strongly urging the USCIS to reverse the move. The agency has long used deferred action, which is a form of prosecutorial discretion, and in recent years the USCIS has allowed it for immigrants suffering serious medical conditions.

**Why it matters for patients and physicians:** "This change in policy needlessly endangers vulnerable children and families who are seeking medical deferments from deportation due to serious illnesses or life-saving medical treatments," AMA Executive Vice President and CEO James L. Madara, MD, wrote in a letter to USCIS Acting Director Kenneth Cuccinelli.

Failing to rescind the new policy will lead to the deportation of patients getting life-saving treatments, and their safety and continuity of care can't be assured, Dr. Madara noted. USCIS has said that immigrant patients affected by the policy can submit requests to U.S. Immigration and Customs Enforcement (ICE), but the AMA does not see that as a "viable alternative," the letter says, because ICE officials have indicated that they will not accept such requests.

The policy change "will force sick children and other vulnerable individuals to make the impossible choice of either declining to seek life-saving medical care or risking deportation by voluntarily placing

themselves in deportation proceedings and seeking the deferred action determination of an enforcement agency.”

**What’s next:** The USCIS has announced it will reopen nonmilitary deferred-action cases that were pending on Aug. 7, 2019, when the policy quietly took effect. However, that “preliminary corrective action falls far short of what is needed to protect the lives of those seeking asylum or to immigrate to the United States,” Dr. Madara wrote.

“The AMA has been, and continues to be,” he added, “deeply committed to ensuring the health and safety of all individuals regardless of immigration status.”