

March 22, 2017

Testimony of Health Justice Staff Attorney Sarika Saxena

On Behalf of New York Lawyers for the Public Interest

Before the New York City Council's Committee on Immigration

Good afternoon, my name is Sarika Saxena and I am the Health Justice Staff Attorney at the New York Lawyers for the Public Interest. Thank you to Chairperson Menchaca and the Committee members for giving the opportunity to present testimony today.

I. New York Lawyers for the Public Interest

For the past 40 years, New York Lawyers for the Public Interest (NYLPI) has been a leading civil rights and legal services advocate for New Yorkers marginalized by race, poverty, disability, and immigration status. Through our community lawyering model, we bridge the gap between traditional civil legal services and civil rights, building strength and capacity for both individual solutions and long-term impact. Our work integrates the power of individual legal services, impact litigation, and comprehensive organizing and policy campaigns. Guided by the priorities of our communities, we strive to create equal access to health care, achieve equality of opportunity and self-determination for people with disabilities, ensure immigrant opportunity, strengthen local nonprofits, and secure environmental justice for low-income communities of color.

Our full-time staff of 32 includes lawyers, community organizers, social workers, legal advocates, development professionals, and administrators.

In the past five years alone, NYLPI advocates have represented thousands of individuals and won campaigns improving the lives of millions of New Yorkers. Our work with community partners has led to landmark victories including deinstitutionalization for people with mental illness; access to medical care and government services for those with limited English proficiency; increased physical accessibility of New York City public hospitals for people with disabilities; cleanup of toxins in public schools; and equitable distribution of environmental burdens.

In addition, NYLPI's Pro Bono Clearinghouse provides critical services to strengthen non-profits throughout every community in New York City. Drawing on volunteer lawyers from New York's most prestigious law firms, we help nonprofits and community groups thrive by providing free legal services that help organizations overcome legal obstacles, build capacity, and develop more effective programs. Through educational workshops, trainings for nonprofit leaders, individual counseling and a series of publications, the Clearinghouse is at the forefront of helping nonprofits maximize their impact on communities in each of your Districts.

NYLPI's Health Justice Program brings a racial justice and immigrant rights focus to health care advocacy in New York City and State. As the Council considers the City's budget with regard to legal services and support for New York's communities, NYLPI hopes that the Council and Administration will prioritize immigrant communities and particularly immigrant health.

II. NYLPI's Work as Part of the Immigrant Health Initiative, UndocuCare

NYLPI is honored to be part of the City Council's immigrant health initiative and we thank you for that support. NYLPI and our partners received \$500,000 in funding last year. This support has allowed us to expand our work in educating immigrant New Yorkers with serious health conditions, their healthcare providers, and legal service providers about healthcare access and connecting individuals to state-funded Medicaid, Medicaid that can provide life-changing and often life-saving treatment for our clients. This support also allows us to deepen our partnerships with our community health center partners.

Through this funding we have been able to train and give informative presentations on immigrant access to healthcare to hundreds and hundreds of community based organizations, health care providers, and legal services providers. We also continue to be able to provide comprehensive screenings, and representation to individuals, particularly those who are in health emergencies.

Like our client, CH, a 64-year-old undocumented Greek national, who was told that there was no hope for him. CH was diagnosed with kidney and heart failure and doctors informed the family that CH would pass away if he did not get a heart transplant, which as not an option since he was uninsured. After attending one of our trainings, CH's dialysis social worker told his family about NYLPI and they called for an intake. We discovered that CH had actually been eligible for State-funded

Medicaid for decades based on an old application, but did not know it. He now has Medicaid and is being evaluated for a heart transplant, receives transportation to his medical appointments, and is receiving primary care he also desperately needed.

In the current environment, which in speaking to our clients has reached the level of a crisis, many of our clients are in a more vulnerable space with regard to immigration status, which has a direct impact on their health. People are hearing rumors and are fearful of seeking healthcare, as was discussed last week at the Oversight Hearing.

Our work has been responsive to the current climate of enforcement as well as the community's needs as they have represented to us. In response, our initiative has incorporated a Know Your Rights on general law enforcement interactions and a component focused health care rights for patients, providers, and immigration advocates to be carried out with our community health partners and trusted spaces where people receive healthcare. We want to counter the rumors with the power of knowledge and make sure that New Yorkers know that it is safe to access healthcare. Our training also includes safety planning and legal resources.

Many of our health care partners, doctors, and social workers want to work with their patient populations to counter the fear and to make sure that they create a safe environment for their patients. We, too, must work harder to do outreach and provide services given the delicate political climate and ever-changing legal landscape. I have many resilient clients, but many have internalized the fear and new normal. One of my clients, who was already fearful of immigration enforcement under the Obama Administration when she had no reason to be, is now so worried that she would avoid coming to our office for legal services. We are working with our clients to create support groups and train them on their rights. However, the political climate is a palpable factor in our work, an element that we must work harder to address.

We have developed advocacy tools for patients and healthcare providers to assist their patients in advocating for themselves, should their patients encounter law enforcement. We are also working with health partners to create safety plans for their health clinics and to think proactively about the safety and well-being of their patients, which includes training their staff to understand their rights in caring for patients and how to carry out their responsibilities given the current climate of fear and skepticism.

We also have developed a cutting edge defensive program to prepare our very sick clients for unfortunate eventualities, such as being detained, which are becoming more

real for people with each passing day of the Trump administration. NYLPI is focusing on preventative and proactive strategies for New Yorkers who have fragile health conditions to make sure that their health is not recklessly jeopardized or irreparably harmed.

III. NYLPI's Work as Part of the Immigrant Health Initiative, Health in Detention

The Immigrant Health Initiative funding also supports NYLPI's work seeking to improve access to healthcare in immigration detention facilities. For NYC residents held in detention, NYLPI provides individual and systemic advocacy to improve health care. For example, we provide support for City Council funded New York Immigrant Family Unity Project attorneys and have helped secure the release of seven people from immigration detention partly based on the lack of adequate medical care. We also recently released a report (which was sent to the full council) documenting the serious, often life-threatening, deficiencies in the medical care provided to people detained in New York City-area immigration detention facilities. We intend to use this report to shine a light on this population, a population of people we can only presume will increase as ICE raids happen across the country and President Trump promises more deportations. We hope to inspire advocacy and commitment to immigrant legal services.

We thank the Council again for this tremendous assistance, and ask that the funding continue in FY 2017 for both NYLPI and our community partners: Academy of Medical and Public Health Services, Bronx Health Reach, Grameen Vida Sana, and Plaza del Sol, plus an enhancement of \$100,000 for NYLPI to expand on our successful immigrant health program.

IV. Conclusion

Thank you for your time and we look forward to continuing to work the Council to improve immigrant New Yorkers access to health care.

We hope the issues we have identified above will inform the Committee's advocacy in the coming months. Please contact Sarika Saxena at (212) 244-4664 or ssaxena@nylpi.org for further information or discussion.