



Immigration Advocacy Toolkit

Emergency Department Immigration Advocacy Toolkit

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Introduction

This toolkit was designed to provide information, resources, and tools for emergency department (ED) clinicians, staff, and operations teams to support immigrants who seek care in the ED.

The recent escalation of anti-immigration policies have fueled anti-immigrant sentiment, heightened fears among immigrants and refugees, and exacerbated existing challenges for immigrants and refugees attempting to access medical care and public services.

The strategies provided in this toolkit incorporates many recommendations from the *Welcoming and Protecting Immigrants in Healthcare Settings Toolkit* and will help Emergency Departments develop immigration-informed practices that support the spectrum of needs of immigrants who seek care in the ED.

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For the Social Emergency
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Chapter 1

Recommendations for ED Operations



BASIC

- Create a safe environment. This can be facilitated using care affirming signage, expressed through buttons worn by clinicians, or disseminated via social media and other media platforms depending on what's most appropriate to the local context.
 - [Sample Notice for Health Facilities](#)

INTERMEDIATE

- Develop a policy for interacting with Immigration and Customs Enforcement in conjunction with ED/hospital legal counsel
 - ICE officials are only allowed in public spaces, even if accompanying a patient.
 - Designate public and private spaces in the ED and place appropriate and clear signage at designated spaces
 - [Sample ED Protocol for Interactions with Federal Immigration Authorities](#)
- Review hospital policies to ensure that coverage for care of undocumented immigrants is included
- Establish relationships with health centers like Federally Qualified Health Centers (FQHCs) to ensure patients receive primary care and follow-up
- Identify and collaborate with local mental health providers and support organizations to address concomitant challenges
 - [Find a Health Center](#)
 - [Free and Charitable Clinics and Pharmacies](#)
- Designate an immigration point person or task force in your department to keep referral resources up to date, provide provider and staff education, maintain protocol implementation, and monitor and improve quality of care provided to immigrant and refugee patients
- Ensure a commitment to cultural sensitivity through periodic in-services aimed at understanding social and health factors unique to the local immigrant and refugee population

ADVANCED

- Create an ED and/or hospital-wide patient advisory board to connect and empower immigrants and refugees so they can engage productively with the healthcare system address issues specific to immigrants and refugees
- Consider expanding telehealth services to allow access for patients with transportation challenges, and for those who may be reluctant to visit the ED
- Establish medical-legal partnerships with local and national advocacy and/or legal organizations that can assist patients with legal support

Examples of support include:

- Understanding rights about status
- Adjusting status if possible
- Deportation defense

Medical-legal resources:

- [Legal Help for Low-Income Immigrants](#)
- [Pro bono legal service providers](#)
- [Legal aid organizations](#)
- [Immigration lawyer search](#)
- [National Immigration Project attorney search](#)
- [Legal Services Corporation search](#)

Chapter 2

Recommendations for ED Clinicians



BASIC

- Ensure 24 hour access to language interpreter and translation services that reflect patient language needs, either virtually or in person
- Considerations for medical documentation:
 - Providers should not document **immigration status**
 - Maintain objectivity and non-judgmental reporting in medical documentation
- Provide direct patient communication
 - Reassure patients that their immigration status will not be documented or reported (**Sample Language**)
- Inform patients that they have the right to remain silent and not share information with ICE officials until they have appropriate legal representation
- Understand your role in interacting with ICE officials
 - ICE agents must provide identification and a valid warrant or court order for a specifically identified individual
 - Health care providers have no legal obligation to report a patient's immigration status to immigration authorities
- For patients who are currently under ICE custody, medical information remains protected by HIPPA. Efforts should be made to protect patient privacy during the clinical encounter
 - Ensure that ICE officials are not in the examination room when speaking with or evaluating a patient
 - Place health records in a sealed envelope to be delivered to health care providers only
- Review resources that provide care considerations for undocumented immigrants (See **Undocumented Patients in the Emergency Department: Challenges and Opportunities**)

INTERMEDIATE

- Develop and strengthen relationships with local FQHC's or safety net clinics to coordinate referrals for continuity of care
 - **Find a Health Center**
 - **Free and Charitable Clinics and Pharmacies**
- Provide periodic in-service training aimed at understanding social and health factors unique to the local immigrant and refugee populations
- Complete **training** in medical and psychological evaluations for asylum and other humanitarian relief cases and connect with local/regional **asylum clinics** to provide forensic evaluations
- Partner with regional and/or national immigrant advocacy organizations working in **detention** centers to conduct medical chart reviews and write bond **letters** for clients

ADVANCED

- Educate providers to recognize immigration as an important **social determinant of health**
- Educate providers and staff regarding specific inequities in care: **dialysis**, **organ transplantation**, **the public charge rule**, and exclusion from **public services**
 - Partner with local service providers and/or immigration advocacy organizations to identify, address, and alleviate these inequities
 - Engage with professional organization such as the American College of Emergency Physicians (ACEP) and the Society for Academic Emergency Medicine (SAEM) to put forward position statements that highlight inequities in care
- Develop local partnerships with legal organizations that can assist patients with legal support
 - Patients may be eligible for legal status change through special visas: T visas for patients who have been trafficked, U visas for patients who have witnessed a crime or been a victim of a crime, or VAWA (Violence Against Women Act) for patients who experienced intimate partner violence
 - Work with legal partners to address questions about adjusting legal status (e.g. transitioning from legal permanent resident to U.S. citizen, applying for family-based petitions, questions around obtaining a green card)

Medical-legal resources:

- **Legal Help for Low-Income Immigrants**
- **Pro bono legal service providers**
- **Legal aid organizations**
- **Immigration lawyer search**
- National Immigration Project attorney search
- **Legal Services Corporation search**

Chapter 3

Recommendations for Patients: Patient Educational Materials



BASIC

- Provide patients with “know your rights” information
 - [Know Your Rights Cards](#) (National Immigration Law Center)
 - [Know Your Rights Downloads](#) (Immigration Legal Resource Center)
 - [Know Your Rights](#) (National Immigrant Justice Center)
- Connect patients with local social service and case management support organizations to assist with resettlement and health related social needs
- Provide patients with [contacts for local immigration legal services](#) to help with adjusting immigration status. These should be customized with simple, reliable, and free or low cost local resources

INTERMEDIATE

- Provide patients with education about the [public charge rule](#) and access to public benefits;
 - Let's Talk About Public Charge
 - Maps by Benefit
 - [State Public Benefit Charts](#)
- Provide patients with education about:
 - [Obtaining an ID](#)
 - Health Insurance options (Medicaid, CHIP) and alternative payment models
 - Public benefits support
 - Primary care options
 - [Find a Health Center](#)
 - [Free and Charitable Clinics and Pharmacies](#)

ADVANCED

- Connect patients to immigration organizations and advocacy groups
 - [National Immigration Legal Services Directory](#)
- Offer consultation with immigration advocates or medical-legal partnership services (if available)
Medical-legal resources:
 - [Legal Help for Low-Income Immigrants](#)
 - [Pro bono legal service providers](#)
 - [Legal aid organizations](#)
 - [Immigration lawyer search](#)
 - National Immigration Project attorney search
 - [Legal Services Corporation search](#)
- Create a community advisory board to connect with and empower immigrants and refugees to engage with the healthcare system and guide ongoing care delivery