

BULLETIN

FOR IMMEDIATE RELEASE
July 16, 2015

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State of Arizona Agrees to Improve Immigrant Access to Federal Public Benefits Programs

The U.S. Department of Health and Human Services, Office for Civil Rights (OCR) has entered into a voluntary resolution agreement with the Arizona Health Care Cost Containment System (AHCCCS) and the Arizona Department of Economic Security (DES) to improve access to the Children's Health Insurance Program (CHIP), Medicaid, Temporary Assistance for Needy Families (TANF), and other public benefit programs for eligible immigrants and children.

The Agreement resolves an OCR complaint investigation following Arizona's implementation of HB 2008, which requires state employees, in the administration of public benefits programs, to report "discovered violations of federal immigration law" to Immigrations and Customs Enforcement (ICE). OCR's investigation, involving issues of access to benefits only for those immigrants and children eligible to receive them, was conducted pursuant to Title VI of the Civil Rights Act, which prohibits discrimination on the basis of race, color, or national origin in programs that receive federal funding.

Eligible immigrants and U.S. citizens may encounter barriers that limit their ability to receive public benefits, chilling their willingness to apply for benefits for which they are eligible and resulting in individuals' lack of access to crucial health care and cash assistance. Such barriers may stem from confusion about eligibility rules, assumptions regarding eligibility, and mistakes by eligibility workers. OCR is committed to removing these barriers and ensuring equal access for all eligible citizens and immigrants, including those that come from mixed immigrant-U.S. citizen families and households.

Under the Agreement, AHCCCS and DES will take steps to ensure that eligible citizens and immigrants are not improperly denied access to public benefits or improperly reported to ICE, and that they have access to vital healthcare programs, such as Medicaid and CHIP, and other federally funded benefits, including TANF. AHCCCS and DES have agreed to adopt and implement policies and procedures providing nondiscriminatory access to public benefits; utilize public benefits applications that reduce obstacles to those seeking and eligible for public benefits; provide outreach on available public benefits; and conduct staff training.

Significantly, the Agreement involves statewide health and human services programs that cover a wide variety of health and human services public benefits programs. The obligations under the Agreement will help provide other state health and human services agencies guidance on affirmative steps that can be taken to make sure that eligible citizens and immigrants have access to a variety of public benefits in compliance with Title VI.

AHCCCS is the single state agency in Arizona responsible for administration of Medicaid and CHIP, which is called the KidsCare Program. DES is the single state agency responsible for the administration of TANF. Through an intergovernmental agreement with AHCCCS, DES shares responsibility with AHCCCS for determining eligibility for the Medicaid program.

[To read the Agreement, click here.](#)

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