

PROTECTING THE RIGHTS OF IMMIGRANT PATIENTS IN HOSPITALS & HEALTH CARE FACILITIES



S.B. 81 Senator Jesse Arreguín

BACKGROUND

The recission in January 2025 by the federal administration of long-standing protections designating hospitals as sensitive public areas free from immigration enforcement has left families and individuals in fear for their safety.¹ But hospitals and health care facilities should remain places of healing. The federal administration, through Immigration Customs and Enforcement (ICE), has since renewed its activity of immigration sweeps across the country threatening of the safety, status, and life of all immigrants. Separation, detention, and deportation have instilled fear in countless families who have already experienced violent upheaval from arrests and disappearances.² These renewed fears keep families from leaving their homes for work, school, and from seeking the medical care they need.

California has sought to protect immigrants, and people of color who have been subject to profiling by federal immigration authorities in health care facilities, schools, and other sensitive areas. In 2017, the California Values Act was passed, which limits the use of state and local resources to assist federal immigration with enforcement.³ The bill also required public institutions, including public health facilities, to follow recommendations and model policies issued by the California Attorney General to limit state and local resources assisting in immigration enforcement. These model policies required that law enforcement possess a judicial warrant prior to entering private areas of a public health facility for immigration enforcement purposes.

ISSUE

Hospitals and health care facilities are places of safety and security where our communities seek lifesaving care, free of fear from harassment, intimidation, and deportation. Immigration agencies interfering in health care facilities prohibit nurses from focusing on the lifesaving work they are called to do. Violent ICE apprehensions inside and outside facilities instill fear in patients, nurses and other health care providers and disrupts critical and urgent care.

This year, ICE agents have already conducted immigration sweeps that have devastated families, especially children. The federal administration's egregious attacks on immigrant children, workers, and families have stoked fear across California. California must protect the right of families and communities to be safe and secure living their everyday lives working, learning, worshipping, and getting the health care services they need.

Extending existing prohibitions under California law against immigration enforcement activities in certain areas of **public** health care facilities should be expanded to all hospitals and health care facilities. To ensure that all patients receive the care that they need without interference from immigration enforcement actions, California's health care facilities must have policies and procedures to ensure that health care personnel can effectively respond to immigration enforcement raids and attempts to obtain private information about patients' immigration status or place of birth. Existing policies protect the rights of immigrants and their families to safely access public health care institutions and services without fear of arrest and family separation by immigration agents — patients seeking care at private health care facilities should also have these protections.

S.B. 81 continued »

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SOLUTION

S.B. 81 would extend existing policies at public health care facilities that protect patients from immigration enforcement actions while they seek care to all hospitals, clinics, and other health facilities in the state. S.B. 81 prohibits any health care entity or its personnel from granting access to nonpublic areas of the facility to immigration enforcement without a judicial warrant or court order. The bill would prohibit health administrators and health plans from sharing information with immigration agencies including an individual's immigration status and place of birth. Additionally, S.B. 81 would also require health care facilities to adopt procedures for health facility personnel to immediately notify facility management, administration and legal counsel regarding a request to access the facility by immigration enforcement personnel.

S.B. 81 seeks to ensure health care facilities are a safe and secure environment that all Californians feel safe accessing. The health of all Californians is threatened when millions of Californians are in fear of accessing life-saving health care simply because of where they were born.

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ENDNOTES

- 1 Camila Montoya-Galvez, "Trump officials revoke Biden policy that barred ICE arrests near 'sensitive locations' like schools and churches," CBS News (2025), <https://www.cbsnews.com/news/trump-immigration-ice-arrests-sensitive-locations/>.
- 2 Akash Pillai et al., "Potential Impacts of Mass Detention and Deportation Efforts on the Health and Well-Being of Immigrant Families," Kaiser Family Foundation (2025), <https://www.kff.org/racial-equity-and-health-policy/issue-brief/potential-impacts-of-mass-detention-and-deportation-efforts-on-the-health-and-well-being-of-immigrant-families/>.
- 3 California Values Act, Chapter 17.25, Government Code §§ 7284 et seq.