



**Make the Road New York
Health Committee Budget Hearing Testimony
January 23, 2024**

Make the Road New York (MRNY) would like to thank the chairs and members of the Assembly Ways and Means and the Senate Finance Committees for the opportunity to submit written testimony today on behalf of Make the Road and our 27,000+ members. Our community members were some of the hardest hit by the pandemic, and continue to experience the injustices and inequities faced by immigrant and low-income communities.

MRNY reaches over 9,000 individuals annually by providing critical health access services, including one-on-one assistance with health insurance and food stamp enrollment, hospital bill negotiation, and health system navigation. Through our innovative promotores program, peer advocates conduct healthcare access and coverage outreach and connect thousands of people in their communities to know your rights (KYR) information and resources. We also employ Community Health Workers (CHWs) to help hundreds of families improve their health each year through home visits and culturally competent health support in the patients' primary language, reaching families who are not comfortable in conventional medical settings or have difficulty accessing quality care.

Based on these experiences we are making the following recommendations for the Fiscal Year 2025 budget, which will play a key role in expanding coverage options for those currently not eligible, and improve the ability of community based organizations to provide crucial health access services for our members, along with our partners:

Coverage4All

MRNY co-leads the #Coverage4All campaign and is on the steering committee of Healthcare for All New York (HCFANY). As part of these coalitions we advocate for the continued expansion and improvement of our healthcare system for All New Yorkers. As the state attempts to improve upon its efforts for health equity, it should ensure that everyone is eligible for health insurance, regardless of their immigration status and remove barriers to health insurance enrollment and accessing care. The state should therefore include the Coverage4All bill in this year's state budget (S2237B/A3020B) and amend the Federal 1332 waiver to ensure that undocumented immigrants are included in the Federal 1332 waiver in order to access federal funding to pay for this coverage expansion.

The FY25 Executive Budget authorizes the state to allocate \$315 million per year in 1332 Waiver surplus pass-through funds to support premium subsidies and cost sharing reductions for individuals who are purchasing insurance through the New York State of Health Marketplace.

The Budget is silent on using passthrough funding for expanding coverage to immigrants whose immigrant status renders them ineligible for coverage. MRNY urges the Legislature to authorize both measures in the FY25 Budget by using the \$7.8 billion surplus to improve affordability of coverage for those that are already eligible and to offer it to those who are not.

In February of 2023, New York issued a draft federal 1332 waiver which other states have used to cover excluded immigrants. Colorado, Washington, and California all have extended broad-based coverage to their undocumented immigrant population. New York should follow suit. New York can offer coverage for all low-income immigrants without spending one state dollar. Moreover, in doing so, the state would actually save as much as \$500 million State dollars used to pay for the costs of Emergency Medicaid for this same group of people.

MRNY therefore strongly urges the Legislature to take this opportunity to use federal funds to offer coverage to immigrant, low-income New Yorkers. This step will improve the health of all New Yorkers, at no cost to the State

Take for example, our Make the Road member Deysi from Long Island. Deysi is uninsured due to her immigration status and ended up in the emergency room due to severe pain and later received a bill for \$23,864. Deysi was later diagnosed with cancer and her family focused on finding care and did all they could to get her into treatment. This felt impossible without health insurance, and her treatment was prolonged for months due to lack of access. What her family wasn't expecting was for a sheriff from the Attorney general's office to show up at her door to deliver a summons for medical debt. This was a frightening experience for Deysi, who needed to continue care to battle her cancer. These situations could have been avoided if Deysi would've had access to health insurance.

Navigator and Outreach Funding:

Navigators have supported over 300,000 New Yorkers enroll and maintain their coverage since 2013. The 2023-24 Budget included a one-year cost-of-living increase of \$300,000, which increased the total allocation to the Navigator program to \$27.5 million in Fiscal Year 2024. However, the Navigator program has not received more than a single year cost-of-living adjustment since 2013. Under this essentially flat funding scenario, the Navigator programs have had to lose more and more staff to keep up with inflation.

MRNY is one of the navigator agencies which has supported the enrollment and renewal process of health insurance through the New York State of Health marketplace since 2013.

The majority of our clients are immigrant families with mixed status households. In addition to supporting gathering documents and completing the enrollment application, our assistance includes dispelling mis-information and fear around the enrollment process.

Take for example our MRNY Queens member Yesenia. Yesenia had her employment authorization for over 6 months before she received assistance from a Navigator who informed

her about her eligibility for health insurance. Because Yesenia was undocumented for such a long time, she didn't know she could qualify for health insurance coverage in NYS, once she received her work authorization. With the assistance of a navigator, Yesenia was able to enroll into an Essential plan with benefits starting the following month. She planned to schedule a routine checkup immediately as she hasn't had a physical since giving birth to her child over 3 years ago.

The Navigator program is an important tool for handling the end of the public health emergency. Accordingly, MRNY urges the Legislature to increase Navigator funding from \$27.5 million to \$38 million to reflect ten years without appropriate cost-of-living increases.

Community Health Advocates:

MRNY is one of the CBO's who are part of the Community Health Advocates Program (CHA). Our health advocates provide one-on-one assistance to individuals across the state, helping individuals navigate the complex health system with any type of health insurance. CHA advocates troubleshoot the problems that individuals face post-enrollment and help individuals who are not eligible for insurance access low cost care and hospital financial assistance. CHA saves tax dollars and the program has helped New Yorkers save over \$150 million dollars in health care costs.

For example, Make the Road NY member Oliver, is 39 years old, lives in Westchester, NY. He is undocumented and has been living in New York for over 10 years. Oliver has been living with a hernia for over a year now. The pain he endures daily makes it difficult to work. His hernia requires surgery which costs over \$7,000, but Oliver cannot afford such an expensive procedure out of pocket, since he is not eligible for health insurance. A MRNY Health Advocate helped him apply for charity care in the hospital. While charity care will help with the cost of the surgery, he will need to pay out of pocket for his after surgery care, including physical therapy, and will work closely with a health advocate to find one at low cost.

In FY23, unfortunately, right when CHA experienced this enormous increase in demand, CHA's funding was cut from \$5.23 million in FY23 to \$4.76 million in FY24, due to an unexpected \$734,000 decrease in the Assembly's support. This cut and inflationary pressures have forced CHA agencies to make difficult staffing and service cuts during the FY24 budget year.

The Executive budget includes \$3.5 million for CHA in FY25 and urges the Legislature to allocate an additional \$2 million to fully restore CHA's funding to \$5.5 million.

Hospital Financial Assistance

By law, all NYS hospitals are required to screen patients for financial assistance before engaging in collection actions. However, our immigrant communities often report never being informed about the hospital's financial assistance policy and often have difficulty accessing the necessary application to apply. The Ounce of Prevention Act (S1366B/A6027A) would

modernize New York's Hospital Financial Assistance Law (HFAL) to comply with Affordable Care Act (ACA) requirements and simplify the process for patients to apply and be eligible for financial assistance. Annually, New York's nonprofit hospitals receive \$1.1 billion in Indigent Care Pool (ICP) funds to support uncompensated care for low-income patients. However, these funds are often too difficult for patients to access.

Last year, the final budget included a requirement for one uniform hospital financial assistance application. Both the Executive Budget and the legislature propose the following reforms to be made and MRNY urges the state to adopt additional medical debt reforms in the final FY25 Budget:

- Elimination of the asset test for low-income patients.
- A cap on monthly payments preventing patients from paying more than 5% of their household income.
- Discount rates comparable to medicaid rates.

We believe there is more to be done and urge the legislature to include the Ounce of protection Act (S1366B/A6027A) in it's one house bills, and incorporate all of the bills reforms to maximize protection for patients, including:

- Increasing the federal poverty level from 300 to 600 percent to match Affordable Care Act subsidy levels and many hospitals' current policies.
- Expand the Hospital Financial Assistance law to all New York State hospitals, not just those participating in the Indigent Care Pool.
- Remove the requirement of deposits for medically necessary care.

Thank you again to the chairs and members of the Assembly Ways and Means and the Senate Finance Committees. Make the Road looks forward to working with the legislature to expand and improve upon health insurance options, programs and protections for our immigrant families statewide, and creating a final state budget that provides dignity and justice for all.