



THE SECRETARY OF HEALTH AND HUMAN SERVICES

WASHINGTON, D.C. 20201

AUG 02 2021

Mr. Magaña-Salgado
1016 16th St. NW, #100
Washington, DC 20002

Dear Mr. Magaña-Salgado:

Thank you for your letter requesting that access to coverage under the Affordable Care Act (ACA) be provided for Deferred Action for Childhood Arrivals (DACA) recipients due to the impacts of the COVID-19 pandemic. I appreciate hearing from you on this important issue. Providing coverage for DACA recipients is a critical priority and one that the Administration takes very seriously, as outlined in President Biden's Executive Order, "Preserving and Fortifying Deferred Action for Childhood Arrivals (DACA)."

The Department of Health and Human Services (HHS) is undertaking discussions on this matter and is committed to ensuring seamless coverage for COVID-19 testing and vaccines for everyone, regardless of documentation status. Under the current regulations, DACA recipients are not eligible to enroll in a qualified health plan through the Marketplaces. Additionally, in order to be eligible for Medicaid or the Children's Health Insurance Program (CHIP), noncitizens generally must be in a satisfactory immigration status in accordance with 8 USC §1641, implemented for Medicaid and CHIP at 42 C.F.R. 435.406, 435.4, and 457.320(d).

HHS recognizes the burden that the COVID-19 public health emergency has placed on DACA recipients as outlined in your letter and is committed to ensuring that COVID-19 vaccines are available to all, regardless of immigration status. While DACA recipients are currently unable to receive health coverage through Marketplaces, Medicaid, or CHIP, a portion of the Provider Relief Fund (PRF) is available to reimburse providers for COVID-19 testing, testing-related visits, vaccinations, and treatment for all uninsured individuals. Individuals are not required to give their immigration status to receive this treatment and providers are not required to ask to receive reimbursement from the fund.

As the Administration acts on the President's priorities, HHS will be examining to better understand next steps related to coverage of this population. Your input is important to the policy-making process, and we value your feedback greatly.

Thank you again for your letter and taking time to share your recommendations. Please share this response with the co-signers of your letter.

Sincerely,



Xavier Becerra