

TARRANT COUNTY INDIGENT HEALTH CARE SERVICES EXCLUDE
UNDOCUMENTED RESIDENTS

– Ann Sutherland, FWISD Board of Trustees

Both the Texas Constitution and state law require county hospitals to provide health care services, specifically to all residents who qualify by virtue of their financial profile. Tarrant County included the undocumented in their service population until a new 1996 federal law accidentally prohibited states from using either state or local funds for this purpose. This law was amended in 2003, resulting in the reactivation of the previous requirements to provide medical services as earlier specified. However, the Tarrant County Commissioners Court, acting through its appointees to the county hospital district board, refused to resume services to undocumented residents through action taken in 2004.

Since then, Tarrant County's growing population of undocumented residents (currently 138,000 strong, have been deprived of their constitutionally mandated health services with the exception of emergency services and some federally-sponsored school based clinics. (The clinics provide primary care to children enrolled in schools and their siblings, but only after referral by school personnel. Children whose families are not yet enrolled are denied services, even over the summer when schools are closed.) Other Tarrant County residents receive indigent medical care provided their income is below 250% of the federal poverty level (\$61,500 for a family of four).

Unequal treatment of members of any community appears to violate the equal protection clause of the 14th Amendment to the U. S. Constitution, especially when there is a disparate impact, as is the case with the undocumented population, who are 80% Hispanic in Texas. Experts estimate that the undocumented population in Tarrant County totals about 133,000. Over three-quarters are uninsured, leaving nearly 100,000 residents without the services their neighbors take for granted and to which they are legally entitled.

Tarrant residents who lack documentation are thus irreparably harmed. This falls most heavily on families with undocumented members. Uninsured low-income children miss more days of school, are less likely to graduate high school and attend college, and earn lower wages than insured children. The impact reaches all children in school, whether undocumented or not. Out of concern, the Fort Worth ISD has formally voted to request review of these practices in 2017. The Tarrant County Commissioners Court has so far failed to respond. Not a single member of the Tarrant County Commissioners Court has publicly supported providing these services.

Tarrant County is the only major Texas county to refuse to provide these legally required services! Indeed, a recent evaluation reveals that Arlington and Fort Worth have been found to be the most hostile major cities in Texas to immigrants, in the bottom 10% of the 50 American cities included in the review. Meanwhile, residents who can provide documentation of their legal residence are served at far higher levels than the income level of our undocumented residents. *Star-Telegram* writer Bud Kennedy published a long article decrying the low reputation of Fort Worth in January, 2018. This situation will not change until Tarrant County residents broaden their horizons regarding their less fortunate neighbors.

LWVTC INVOLVEMENT IN THIS ISSUE

– Reed K. Bilz

The League in general, and LWVTC in particular, have a long history of interest in health care issues. We currently have a comprehensive position on health care that states: The League of Women Voters of Tarrant County supports the continuation, improvement and expansion of health services for the medically indigent in Tarrant County, *including undocumented immigrants*, in order to overcome barriers to accessibility.

In 2006 we studied the lack of access for undocumented residents at JPS facilities. We made a presentation before the hospital board and spoke with County Commissioners. We failed to change the restrictive policy, but we added undocumented immigrants to our position and the following to our extended Health Care position: *County property taxes designated for JPS Health Network should be used to provide expanded preventive and emergency health care for all Tarrant County residents. A larger percentage of the current surplus of the JPS budget should be spent in providing preventive health care for needy Tarrant County inhabitants including undocumented immigrants, by expanding the number of school-based clinics and the number of beds in JPS hospitals.*

DISCUSSION QUESTION

JPS is planning a large bond issue, to be voted on in the Fall, to expand hospital facilities. Is it time to take ACTION on our health care position and demand that our County Hospital serve all residents including those who are undocumented?

1. Is such action needed at this time?
2. If so, what form should the action take?
 - a. Letters to the Editor
 - b. Presentations to the JPS Board
 - c. Presentations to County Court and individual Commissioners
 - d. Legal prosecution