

REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: April 16, 2026

TO: Honorable Members of the Rules, Elections, and Intergovernmental Relations Committee

FROM: Sharon M. Tso  for
Chief Legislative Analyst Council File No.: 26-0002-S18
Assignment No.: 26-03-0208

SUBJECT: Resolution (Jurado – Hernandez) to SUPPORT legislative and/or administrative action to strengthen protections against immigration enforcement in healthcare settings.

CLA RECOMMENDATION: Adopt Resolution (Jurado – Hernandez) to include in the City's 2025-2026 State Legislative Program, SUPPORT for legislative and/or administrative action that would strengthen protections for patients and healthcare providers from immigration enforcement actions in healthcare settings, establish policies governing the interactions between healthcare facilities and federal immigration authorities, and limit immigration enforcement activity in patient care areas.

SUMMARY

On March 13, 2026, a Resolution (Jurado – Hernandez) was introduced to support legislative and/or administrative action that would strengthen protections for patients and healthcare providers from immigration enforcement actions in healthcare settings, establish policies governing the interactions between healthcare facilities and federal immigration authorities, and limit immigration enforcement in patient care areas, when judicial warrants are provided. The Resolution states that healthcare professionals, who are bound by federal privacy laws and ethical and legal obligations to provide medical care to all patients, have reported instances where federal immigration enforcement actions in healthcare facilities have undermined medical ethics and jeopardized patient health and safety.

The Resolution further states that the County of Los Angeles has adopted, but not yet implemented, policies to safeguard patients' rights from immigration enforcement, support healthcare providers while providing care to individuals under federal custody, and govern the interactions between healthcare providers and immigration authorities within healthcare settings. The Resolution states that the City remains committed to ensuring that all residents, regardless of immigration status, can safely access emergency and medical care, without the fear of immigration enforcement. The Resolution, therefore, seeks support for legislative and/or administrative action that would strengthen protections for patients and healthcare providers from immigration enforcement actions in health care facilities and safeguard patient privacy and medical confidentiality.

BACKGROUND

The recent intensification of immigration enforcement by federal authorities has included new approaches and tactics, including increased enforcement in “sensitive locations.” In January 2025, the Department of Homeland Security (DHS) issued new directives to rescind previous sensitive location policies and remove rules that limited where immigration laws could be enforced. Previously, DHS prohibited immigration enforcement actions at “sensitive locations,” which included schools, hospitals, places of worship, religious ceremonies, and public demonstrations. The January 2025 directives authorize immigration agents to make their own determinations for where immigration enforcement actions can occur.

Increased immigration enforcement at sensitive locations has spurred local governments to issue multiple guidance regarding access to public and non-public spaces, expand know your rights outreach, and pass new legislation to institute requirements for immigration authorities to access certain spaces and information. In December 2024, Attorney General Bonta issued “Promoting Safe and Secure Healthcare Access for All,” providing guidance and model policies to assist healthcare facilities in the State to respond to immigration issues, including the gathering and handling of patient records, and responding to requests for physical access to healthcare facilities for enforcement purposes.

In September 2025, California passed Senate Bill (SB) 81 to limit federal agents’ access to non-public areas in healthcare facilities absent a judicial warrant, mandate policies to protect patient data, and prohibit healthcare staff from disclosing personal information to immigration authorities. Immigration authorities remain able to conduct enforcement actions in the public areas of hospitals, such as lobbies, parking lots, and cafeterias, without a warrant. Individuals must rely on basic constitutional protections, such as the Fourth and Fifth Amendments in these spaces. The Fourth Amendment protects individuals from unreasonable searches and seizures, and the Fifth Amendment ensures the right to remain silent when confronted by law enforcement. While State and local sanctuary policies and legislation limit the cooperation of local law enforcement with federal immigration authorities, they do not prevent immigration enforcement actions in public spaces.

California had existing confidentiality laws that expanded the protection of medical information beyond the Health Insurance Portability and Accountability Act (HIPAA) requirements. The State’s Confidentiality of Medical Information Act (CMIA) prohibits health care providers, health care service plans, and contractors from sharing, selling, or using medical information for any purpose not necessary to provide health care services to a patient, and the disclosure of medical information without prior authorization from the patient, with exceptions if a valid warrant or court order and provided. SB 81 updated the CMIA to expand the definition of “medical information” to include information regarding and individual’s immigration status and place of birth.

While state confidentiality laws provide protections for information sharing between healthcare providers and the federal government, states lack the authority to control data sharing agreements between federal agencies. In July 2025, the Centers for Medicare and Medicaid Services (CMS) and Immigration and Customs Enforcement (ICE) established an Information Exchange Agreement (Agreement) that enables immigration authorities to access the personal data of Medicaid enrollees for the purposes of immigration enforcement. The Agreement allows ICE to

“receive information concerning the identity and location of aliens in the United States, such as address, telephone number, banking information... email address, internet protocol addresses and other information relevant to identifying and locating aliens in the United States.” This Agreement reverses prior policy that asserted that the CMS would not share such information and that ICE would not use such information for immigration enforcement purposes.

State Medicaid agencies collect and maintain personal and health information for applicants and enrollees to determine eligibility and provide care. As Medicaid is jointly administered by the federal government and states, states must share certain information with CMS for program administration. Undocumented immigrants are currently not eligible for Medicaid or other federally-funded health coverage, but may be included in state health records if they made payments for emergency services or received State-funded health coverage. As of January 2024, California provided full-scope Medi-Cal coverage to undocumented, low-income California residents. In July 2025, the State legislature voted to freeze new Medi-Cal enrollment, scale back dental coverage, and charge monthly premiums to undocumented Medi-Cal enrollees amid a \$12 billion State budget deficit.

In August 2025, Attorney General Bonta filed a lawsuit with 21 other state attorneys general against the U.S. Department of Health and Human Services to challenge the information sharing agreement between CMS and ICE. In December 2025, a federal court determined that CMS may share limited data about individuals who are not “lawfully residing” in the U.S.

Increased immigration enforcement, the federal administration’s plans to use health data for immigration enforcement, and a new proposed “public charge” rule have caused significant fear among immigrant communities, leading many to avoid necessary care. KFF (formerly known as Kaiser Family Foundation) reports that almost 100,000 immigrants without legal status disenrolled from Medi-Cal from June to December 2025. Public health advocates state that overall public health and safety will suffer if any particular community is precluded or afraid to access health care.

The City’s support for legislative and/or administrative actions to strengthen protections against immigration enforcement in healthcare settings align with the City’s Sanctuary Ordinance and previous City actions to limit immigration enforcement in sensitive locations, such as schools (C.F. 25-0002-S60, 25-0002-S66) and limit data sharing for the purposes of immigration enforcement (Executive Directive 12).

DEPARTMENTS NOTIFIED

Los Angeles County Department of Consumer and Business Affairs, Office of Immigrant Affairs



Susan Oh
Analyst

Attachment: Resolution (Jurado – Hernandez)

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council; and

WHEREAS, hospitals, clinics, and other healthcare facilities exist to provide safe, confidential, and compassionate medical care to all patients regardless of immigration status; and

WHEREAS, healthcare providers are bound by ethical and legal obligations, including the Hippocratic Oath and federal privacy laws such as the Health Insurance Portability and Accountability Act (HIPAA), to protect patient privacy and ensure medical decisions are made solely in the best interests of the patient; and

WHEREAS, immigration detention is civil in nature, not criminal, and individuals in immigration custody retain the same patient rights as all other patients, including the right to privacy, access to counsel, communication with family members, and freedom to make independent medical decision-making; and


WHEREAS, reports from healthcare professionals across California describe situations that undermine medical ethics and jeopardize patient health and safety, such as when federal immigration agents remain inside patient rooms, interfere with treatment decisions, or pressure providers regarding discharge planning; and

WHEREAS, the presence of armed immigration enforcement agents in hospitals and emergency departments can create an atmosphere of fear for patients, families, and healthcare workers, discouraging individuals from seeking necessary medical care and thereby threatening public health; and

WHEREAS, policies developed by healthcare institutions and public agencies emphasize that immigration enforcement officers should not enter private patient care areas without a valid judicial warrant and should not remain present during examinations, treatment, or medical consultations in order to protect patient privacy and the integrity of care; and

WHEREAS, the City of Los Angeles has long affirmed its commitment to ensuring that all residents, regardless of immigration status, can safely access critical services, including emergency medical care, without fear of enforcement actions in sensitive locations; and

WHEREAS, the County of Los Angeles has adopted, but has yet to implement, model policies to safeguard patient rights and support healthcare providers when individuals detained by federal immigration authorities receive medical care, including provisions that allow patients to authorize


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the release of information to family members, legal counsel, and appropriate governmental representatives, including Members of Congress; and

WHEREAS, these policies further establish procedures requiring healthcare personnel to verify and document the identity of any law enforcement officials accompanying detained patients and direct staff to request that immigration enforcement agents are absent from patient care areas when necessary to protect patient privacy, comply with federal and state confidentiality laws, or allow patients to rest, while documenting any refusal by such agents to comply; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Los Angeles hereby includes in its 2025-2026 State and Federal Legislative Programs SUPPORT for Legislation and/or Administrative Action which would strengthen protections for patients and healthcare providers from immigration enforcement actions in healthcare environments by establishing clear policies governing interactions between healthcare facilities and federal immigration enforcement, including safeguards to protect patient privacy, comply with federal and state medical confidentiality laws, and limit immigration enforcement activity within patient care areas except where required by a valid judicial warrant.

PRESENTED BY 
YSABEL JURADO
Councilmember, 14th District

SECONDED BY 

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