

**NYLPI**

**JUSTICE THROUGH  
COMMUNITY POWER**

**Testimony of Justin Wood, Director of Policy  
New York Lawyers for the Public Interest  
to New York City Council Committee on Hospitals on March 21, 2023  
Regarding the FY2024 New York City Budget**

Good afternoon, Chair Narcisse and members of the Council, I am the Director of Policy at New York Lawyers for the Public Interest (NYLPI) We appreciate the opportunity to offer testimony today on the proposed FY 2024 executive budget.

At the outset, we want to thank the city Council for continuing to the Immigrant Health Initiative (IHI), which has directly supported NYLPI's programs aimed at improving the health and well-being of immigrant New Yorkers and their families through health education, outreach, and sustained policy advocacy.

Your support has led to increased enrollment by eligible immigrants in state-funded Medicaid. The improved access to Medicaid has had life-changing and often life-saving effects on the lives of our clients. In 2022, we were able to provide immigration and health screenings to 134 seriously ill people, obtain state-funded healthcare for more than 21 previously uninsured immigrants, and launch a new program providing direct legal services to transgender, gender-nonconforming, intersex (TGNCI), and undocumented people living with HIV by filing for viable immigration relief.

Whether insured or uninsured, access to high-quality care at public safety-net hospitals is critical to the clients and communities we represent and partner with. The proposed budget cuts of \$188 million in City funding from the Health and Hospitals budget are nothing short of alarming, especially added to federal cuts of an additional \$181 million.

In this budget process, we call on the Council to continue defending vital city services and investments from budget cuts and flatlining, and to restore funding, strengthen our invaluable public health system. With the Council's forecast of FY23 and FY24 revenue totaling \$5.2 billion more than Office of Management and Budget predictions, and Independent Budget Office's announcement of a \$4.9 billion surplus this year, now is not the time to retreat from our City's public health, equity, and sustainability goals.

## **Coverage For All Would Benefit Our City's Health System**

Most immediately, we urgently need our Governor and State Legislature to expand the state's Essential Plan and Medicaid programs to cover all New Yorkers up to 250% of the Federal Poverty Level regardless of immigration status. We applaud the City Council for passing Resolution 84 of 2022 in support of Coverage For All legislation<sup>1</sup>. We also thank Dr. Michelle Morse of the City's Department of Health and Mental Hygiene for submitting detailed comments in support of including low-income immigrant New Yorkers in the State's Section 1332 Waiver, which could be paid for with a \$2 billion annual health fund surplus.<sup>2</sup>

Enrolling in a comprehensive health insurance plan could directly benefit up to 250,000 uninsured immigrant New Yorkers – many of them essential workers – who would gain access to covering life-saving medical procedures like kidney and other organ transplants.

This would have an immediate positive impact for H&H and the City, which currently spend \$100 million annually for NYC Care – a laudable but limited “insurance-like” program allowing uninsured New Yorkers to receive primary care at H&H facilities and would also phase out the City's contribution to the State's limited and stopgap Emergency Medicaid program.

Using federal dollars to cover immigrant New Yorkers would also allow our safety net hospitals to provide more comprehensive care and to recoup substantially higher reimbursements for care than they receive under Emergency Medicaid. Moreover, NYC Comptroller Brad Lander's office has found that covering all New Yorkers would result in more than \$700 million in economic benefits through increased life expectancy, productivity, personal financial stability, and reduced emergency room visits.<sup>3</sup>

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<sup>1</sup> Resolution 84 of 2022, available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=5534252&GUID=277531D9-A106-425F-AA8A-BA3DB5CC713E&Options=&Search=>

<sup>2</sup> Comments of Dr. Michelle Morse, Chief Medical Officer, NYC Department of Health and Mental Hygiene, March 11, 2023 available at: <https://www.nyc.gov/assets/doh/downloads/pdf/public/comments/comment-20230311-section-1332-essential-plan-extension.pdf>

<sup>3</sup> “Economic Benefits of Coverage For All, NYC Comptroller's Office, March 15, 2022. Available at: [https://comptroller.nyc.gov/reports/economic-benefits-of-coverage-for-all/#:~:text=%E2%80%9CCoverage%20for%20All%E2%80%9D%20\(A880A,excluded%20due%20to%20immigration%20status.](https://comptroller.nyc.gov/reports/economic-benefits-of-coverage-for-all/#:~:text=%E2%80%9CCoverage%20for%20All%E2%80%9D%20(A880A,excluded%20due%20to%20immigration%20status.)

### **Equitable Access to Transplants can Save Lives and Save Money**

Currently, many of NYLPI's immigrant clients with renal disease are forced to depend on long-term dialysis treatments, which are debilitating, less effective, and far more expensive than kidney transplants. We hope to continue partnering with the Council, Health and Hospitals, and other safety net hospitals to ensure that low-income communities, immigrant communities, and communities of color have equitable access to life-saving kidney and other transplant screenings and surgeries.

In 2021, NYLPI launched a pilot Transplant Pipeline with the kidney transplant program SUNY Downstate Medical Center. Last year, this program trained hundreds of health care and legal services providers, including providers at Montefiore Medical Center, the Bronx Health Collective, Bellevue, and Kings County Dialysis Centers, and caseworkers at the AIDS Center of Queens County and Hispanic AIDS Forum. NYLPI referred five people to kidney transplant centers and advocated on behalf of one client who was wrongfully denied a transplant evaluation at a local private transplant center because she lacked a social security number.

This pilot program can be scaled up. In the coming year, we hope to work in concert with the City Council, with H&H, and with the State and City Departments of Health to fund and implement best practices that would ensure that patients can equitably access organ transplant services regardless of immigration status, language, ethnicity, or gender. Interventions can include:

- hiring specially trained immigrant health coordinators at both referring hospitals and transplant centers;
- providing training for providers; and
- collecting system-wide data on the number of patients successfully referred for transplant evaluations and surgeries from H&H and other safety-net providers with large Medicaid, uninsured, and immigrant patient populations.

### **The City Should replace B-Heard With A Non-Police Mental Health Crisis Response**

The preliminary budget continues to devote \$18 million in Health and Hospitals funding to B-Heard, a flawed program that should be replaced with the one proposed by Correct Crisis Intervention Today NYC (CCIT-NYC), based on proven, community-centered crisis response programs such as Oregon's CAHOOTS program.

B-Heard operates only on a part-time, limited basis, continues to route the vast majority of mental health calls to the NYPD, provides no role for trained peers, and uses EMTs as first responders to mental health crises who are deeply enmeshed in the current police-led response system.

We urge that B-heard be replaced with a program that would pair independent EMTs with trained peers, people with lived experience of mental health crises, who know best how to engage people in need of support.

Thank you for the opportunity to provide testimony today. We look forward to continued partnership with the City Council to advance health, immigrant, disability, and environmental justice for all New Yorkers.

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*NYLPI has fought for more than 40 years to protect civil rights and achieve lived equality for communities in need. Led by community priorities, we pursue health, immigrant, disability, and environmental justice. NYLPI combines the power of law, organizing, and the private bar to make lasting change where it's needed most.*

*NYLPI's Health Justice Program brings a racial equity and immigrant justice focus to health care advocacy, including ongoing work addressing the human rights crisis in immigration detention and advocating for healthcare for all New Yorkers.*