

FEDERAL AGENCY MEDICAID DATA SHARING SITUATION

PATIENT SUPPORT Q & A

For a full list of Questions and Answers from the State of Washington, please visit the [Health Care Authority's website](#)

Q: *Who has access to my personal health information?*

A: The State of Washington learned that the federal health agency that oversees Medicaid (Apple Health) has likely shared protected patient information with the Department of Homeland Security.

Q: *Why/how did this happen?*

A: The federal health agency (Centers for Medicare and Medicaid Services) routinely receives Medicaid patient information from the state of Washington in order to process payments for service.

That federal agency shared the information with the Department of Homeland Security without any warning. [ORG NAME] was not aware of this prior to its release.

We take patient privacy very seriously and we are appalled at this violation of health privacy rights and the possible use of private health information for any other use—especially for immigration enforcement purposes.

Q: *Is this normal?*

A: This is not normal. We are not aware that CMS has ever shared health information with DHS before. Private health information has been protected and only used by the agency responsible for overseeing Medicaid.

Q: *What information does Homeland Security have?*

A: Right now, the Federal Government has not confirmed exactly what information was shared.

The files shared with Homeland Security were for all 1.7 million people in Washington's Medicaid/Apple Health program, including programs for non-citizens such as pregnancy, AEM, and Apple Health Expansion enrollees.

The state health agency is required to share patients' name, address, phone number, and details about their care for any individual enrolled in an Apple Health (Medicaid) program.

We know this is a serious situation. Our team is here to answer your questions and help you.

Q: *Can I still get care?*

A: Nothing about your healthcare or your Apple Health/Medicaid coverage has changed. Your health and safety are most important to us and we will work with you to continue providing care.

Q: *What can I do if I'm afraid to come to the clinic?*

A: If you are worried about your safety or your family's safety, you can schedule phone or video visits for your health care by calling (XXX)XXX-XXXX or through your health portal.

Q: *Am I safe from ICE at the clinic?*

A: As you may know, ICE officers are now able to carry out their work in sensitive locations, including healthcare facilities.

It is [ORG Name] goal to provide your care in a safe, welcoming environment.

If ICE comes to a clinic:

- We will not share patient information or allow access to private areas unless legally required to do so.
- We will obey the law while making sure we are providing safe, confidential care to all patients, regardless of immigration status.
- We do not let them go into non-public areas, such as exam rooms and offices or give them patient information without a valid judicial warrant.

Q: *What should I do if ICE approaches me at home or in public?*

A: You have rights and it's important to know them. You have the right to:

- Be silent and not answer questions.
- Ask for a lawyer.
- Not open the door unless ICE has a judicial warrant.

You can call the Deportation Defense Hotline at the Washington Immigrant Solidarity Network to report ICE raids, learn about your rights, and access community support at [1-844-724-3737](tel:1-844-724-3737) Monday – Friday 8am to 6pm (Spanish and English are spoken, with interpretation available in almost 300 languages).

You can access [Know Your Rights information about civil immigration enforcement here](#).



Q: *Should I stay enrolled in Medicaid?*

A: We certainly want you to do what you feel is right for you and your family. We believe that staying enrolled in Medicaid provides the best access to care you need now or may need in the future.

Q: *Is anything being done about this?*

A: The state is taking steps to limit data-sharing to the extent possible. This includes limiting information shared regarding the health care services that clients receive unless data sharing is required by law. More information can be found at the State's website [here](#).

The state has stopped sharing medical services (claims) information for all Apple Health Expansion enrollees, except claims for received emergency services, cancer or dialysis treatment, or post-transplant care—which are required by law.

Q: *Who can I talk to if I have more questions?*

A: If you have any questions or worries, please call us at (XXX)XXX-XXXX or email us at [email address]. You can also talk to your clinic staff. We will let you know as soon as we learn anything new.

Thank you for trusting us with your care.