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THE NEW YORK TIMES, MONDAY, OCTOBER 1, 2001

New York Expands Immigrants' Eligibility for Health Program

By SOMINI SENGUPTA

The Pataki administration, steering clear of a potential lawsuit, has decided to extend a new state-subsidized health insurance program for the working poor to all legal immigrants.

The program, known as Family Health Plus and paid for with federal, state and local money, is scheduled to begin today. Until late last week, the state had been noncommittal about whether some immigrants would be eligible. A federal welfare law, state officials noted, denied a range of federally funded benefits to legal immigrants who arrived after August 1996, when the law was passed.

But advocates for immigrants, and their allies in the Democrat-led State Assembly, had argued in favor of extending the program to all legal immigrants. Without access to preventive care, they argued, uninsured immigrants would simply turn to hospital emergency rooms, a far costlier option for the state.

Their argument was buttressed by a related ruling last July by the Court of Appeals, the state's highest court, which found that New York had violated the state and federal Constitutions by denying Medicaid benefits to legal immigrants who arrived after August 1996. The advocates argued that because Medicaid dollars were used to pay for Family Health Plus, the same eligibility rules should apply to both programs.

The question of immigrant coverage remained unanswered until Friday, when the state's deputy health commissioner, Robert Hinckley, said that his office had decided to extend coverage to all legal immigrants. Mr. Hinckley said it was unclear how quickly the coverage could begin because the state comptroller, H. Carl McCall, had yet to approve the department's contracts with private insurers.

The comptroller's office, in turn, said it could not approve contracts until crucial questions — namely regarding coverage of immigrants — could be answered.

Including the more recent immigrants will cost the state an additional $10 million during the current fiscal year, which began April 1. The price tag for the overall program, which will cover 600,000 uninsured New Yorkers over the next three years as the program is gradually phased in, is estimated at $1.1 billion.

The state is also providing additional health care services in the immediate aftermath of the World Trade Center attack. For the next three months, uninsured New York City residents are eligible for emergency Medicaid. Proof of immigration status is not required. In the rest of the state, enrollment for Family Health Plus benefits will begin today.

A state-subsidized insurance plan to aid the working poor.

Immigrants' advocates said they were thrilled to hear of the administration's decision. "We were relieved to hear because we were waiting to hear for so long," said Margie McHugh, executive director of the New York Immigration Coalition. "So much was riding on getting that clarified."

Family Health Plus is intended for the working poor, who earn too much money to qualify for Medicaid. A family of four may earn no more than $23,475 a year, just above the poverty line, to be eligible for the new program.

There are currently three million uninsured people in New York State, including those who earn too much to qualify for government-subsidized insurance, and others who barely scrape by but lack the immigration documentation to receive public health benefits.

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