



Lack of Clarity on Medical Deferred Action Program Puts Lives at Risk, Say National Patient Organizations

Washington, D.C., September 11, 2019 – *9 groups representing millions of patients issued the following statement today in response to shifts and uncertainty surrounding the medical deferred action for non-military immigrants with serious medical conditions:*

“As organizations representing millions of patients and consumers, we are deeply troubled by recent changes to the medical deferred action program for non-military immigrants with serious medical conditions. This critical program ensures that people who have no other avenue to life-saving medical care can temporarily remain in the United States to receive it. The changes to this program, chaotic manner in which they unfolded, and lingering uncertainty are likely to deter individuals and families in dire need from seeking care, which could have life and death consequences.

Without formal advance notice or explanation, in August 2019, the U.S. Citizenship and Immigration Services (USCIS) began issuing denial notices for non-military medical deferred action requests. The agency explained that it was no longer adjudicating requests for non-military deferred action and was applying the change retroactively, impacting individuals and families who had correctly and lawfully submitted requests that had not yet been decided. Less than one week later, the agency presumed to take jurisdiction over the cases—U.S. Immigration and Customs Enforcement—announced it would not be altering its processes based on USCIS’s change in policy and would only consider requests after removal proceedings and the individual has received an order of removal. On September 2, USCIS indicated that it will re-open non-military medical deferred action requests that were pending as of August 7.

While the most recent announcement is a positive step forward, we remain extremely concerned with the confusion this has created as well as the lack of a clear path forward for individuals and families seeking new requests or renewals. The likely consequences of this uncertainty cannot be underestimated. These individuals’ lives depend on access to specialists, treatments or procedures in the United States to address their complex, severe conditions. We implore USCIS to affirmatively announce that it will maintain jurisdiction of the non-military medical deferred action program so that immigrants who can prove extreme medical need can temporarily remain in the United States and receive life-saving care.”

American Lung Association
Cystic Fibrosis Foundation
National Organization for Rare Disorders

Epilepsy Foundation
Family Voices
Hemophilia Federation of America
National Hemophilia Foundation
National Multiple Sclerosis Society
United Way Worldwide