



Talking Points on CMS-ICE Data Sharing Agreement for Enrollment Assistors

To help enrollment assistors navigate questions and concerns from communities impacted by the CMS and ICE [data sharing agreement](#), Health Care For All (HCFA) has compiled information and guidance below. If you have any questions, you can always reach out to HCFA's free HelpLine at 1-800-272-4232 or reach out to a trusted community organization. For immigration help, please visit the [Immigration Help Referral List](#). If you have suggestions or you'd like to share what you're hearing from your community, please see our [Feedback](#) form.

What we understand about the CMS-ICE data sharing agreement

- CMS and DHS have signed an agreement that allows ICE to access personal data of Medicaid enrollees.
- This means ICE officials will be able to access the personal data of MassHealth members.
- This personal data includes Name, Address, MassHealth ID, Social Security Number, DOB, Sex, Phone number, Locality, Ethnicity/Race
- The agreement says "ICE will use the CMS data to allow ICE to receive identity and location information on aliens identified by ICE."
- Several states, including Massachusetts, have filed a lawsuit against this.
- MassHealth is federally required to share member information, including historical information, with the federal government.
- If someone chooses to disenroll from MassHealth, ICE will still have access to their old information.

Working with applicants and members

1) Important considerations

- Focus on compassion and truth
- Be honest about the risks in a clear, factual, and neutral tone.
- Do not insert your emotions but do validate their emotions.
- We never tell people what to do. Instead, ask clarifying questions to help them weigh their decision. Support them in making an informed, empowered choice.



- The decision to apply for MassHealth is personal and depends on the individual's health care needs and comfort level.
- Some individuals may choose not to enroll in MassHealth and pay for care on their own.
- Others may explore purchasing health insurance directly from private insurance companies.
- Others may still decide to enroll in MassHealth if they need consistent access to care. We recommend speaking with an enrollment assister or immigration expert to understand their options and make the best decision for their situation.
- Hospitals and providers are not required to share personally identifiable information (PII) with immigration enforcement unless compelled by law.

2) Language for new applicants

- Before you apply, I want to inform you about some recent news. We have learned that ICE now has access to MassHealth member information, including names and addresses. We wanted to make sure you knew this so that you could decide if you want to continue applying or not.
- Would you like help thinking through what's best for you?
- Would it help to hear about other options available if you don't apply for MassHealth?

3) Language for existing members

- Before we make any updates to your application, I want to inform you about some recent news. We have learned that ICE now has access to MassHealth member information, including names and addresses. Do you have any questions or concerns about this?

4) Guiding questions to help members decide to apply/not apply for MassHealth

- Do you have any urgent needs right now?
- Do you have any chronic conditions?
- Do you take medications or use medical equipment daily or regularly?
- Would it help to hear about other options available if you don't apply for MassHealth right now?



- Would you prefer to wait to see how things go, or do you feel it's important to apply today?
- What other information would help you make a decision?

5) Common MassHealth member questions and suggested responses

If I disenroll from MassHealth to protect myself or my family, can my information be deleted from the system?

- Choosing to disenroll will not erase your past records. Federal agencies will still have access to historical data.

What information is being shared with ICE?

- According to reports, the data fields being shared may include: full name, home address, Medicaid ID, Social Security number, date of birth, sex, phone number, ethnicity, race, and geographic location.